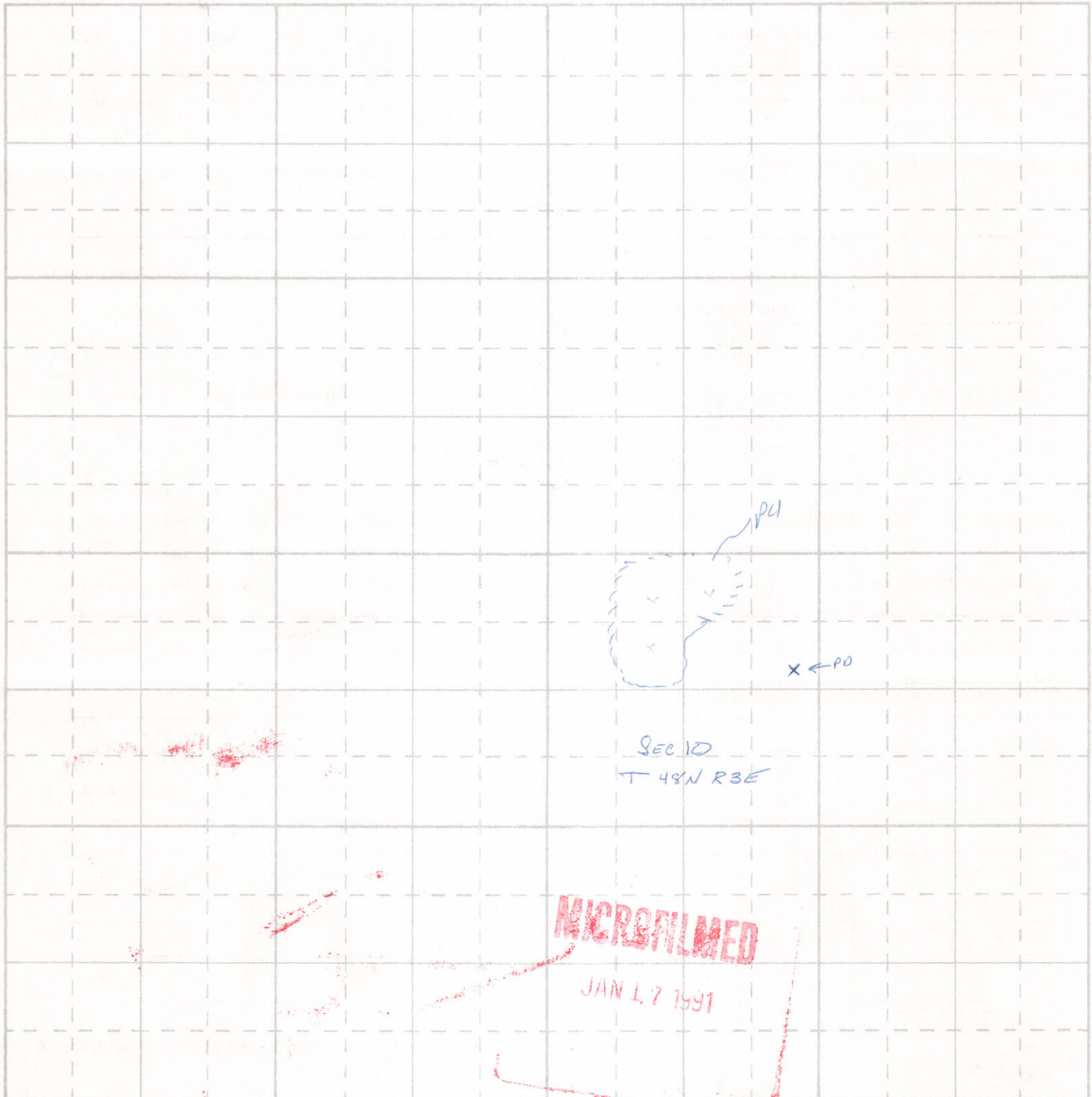


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PROOF OF PUBLICATION

RECEIVED

AUG 31 1990

NORTHERN REGION
IDWR

-) Idaho Department of Water Resources
-) 1910 Northwest Blvd., Suite 210
-) Coeur d'Alene, Idaho 83814

s/ R. N. "Bud" Budvarson, being first duty sworn deposes and says:

SHOSHONE COUNTY NEWS-PRESS, a daily newspaper of general circulation in said county, published in the City of Kellogg, in the County of Shoshone and the State of Idaho, and which has been published continuously in said county for a period of 78 weeks immediately prior to the publication of this notice hereinafter described, and that the _____

Legal Notice

of which the annexed is a true copy, was published in each regular weekly/daily issue of said newspaper, and not in supplement thereto, for a period of (2) two consecutive weeks/days, the first publication thereof being in its issue dated 8/15/90 and the last publication thereof being in the issue dated 8/22/90.

STATE OF IDAHO

COUNTY OF _____

On this 27th day of August in the year of 1990, before me, a Notary Public, personally appeared R. N. "Bud" Budvarson, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Notary Public for Idaho

Residing at Kellogg, Idaho

My commission expires: 10/17/94

NOTICE OF APPLICATION FOR
TRANSFER OF WATER RIGHT
NOTICE IS HEREBY GIVEN that water
right License No. 94-02133 in the name of
Sunshine Mining Co. was filed for the

diversion of 1.0 Cubic Feet per Second
&/or 135 Acre/Feet of water from Big
Creek, tributary to the South Fork of the
Coeur d'Alene River, with a point of
diversion in the SENE Sec. 10 T48N R3E,
B.M., Shoshone County, to be used for
Irrigation purposes from May 1 to Sep-
tember 15, within the NWNE (5 Acres),
NENW (20 Acres), NWNW (20 Acres),
T48N R3E, B.M., for 45 acres. The priori-
ty date is April 3, 1965.
Sunshine Mining Co. now wishes to
transfer the place of use to the NWNE (5
Acres), NENW (20 Acres), SESW (20
Acres), Sec. 10 T48N R3E, B.M. for 45
acres.

(For additional information concerning
the property location, call the Northern
Regional Office at 765-4639.)

Any protest to the proposed transfer may
be filed with the Idaho Department of
Water Resources, 1910 Northwest Blvd.,
Suite 210, Coeur d'Alene, Id. 83814, on or
before September 3, 1990.

R. KIETH HIGGINSON, Dir.
Legal #SDSHO 689
2 x 8-15/22/1990

FILED

AUG 17 1991

SENN

Se adr.

SEC. 10

03-29-87 GROUNDWATER

SENE	43
NENH	01,04,43
NESE	43

94-4074
94-4060
94-4262

LITTLE	D
APPELBERG	C
GARRISON	C
GARRISON	C
CENTRAL SHOSHONE	C

S 01-01-1960 GROUNDWATER
S 01-01-1925 SPRINGS
S 11-21-1934 ELK CREEK, WEST FORK

PAGE 5092
06/24/1986

HRR 156

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY PLACE OF USE

PAGE 5107
06/24/1436

RECEIVED

MAY 13 1987

K18

License and Certificate of Water Right

Water License No. 18362 / 94-2137
 Water District No. _____

Amount 0.5 second foot
 Priority Oct. 31, 1936

THIS IS TO CERTIFY that _____, of Wallace, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 9, 1936; that Permit No. 18362 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.5 second feet, was issued thereunder on October 5, 1937, showing that said works were completed on the 24th day of September, 1937; and that on the 31st day of October, 1938,

SHOSHONE COUNTRY CLUB

of Wallace, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of a small creek tributary to Big Creek, a tributary of Snake River, for the purpose of irrigation of golf course, under Use Permit No. 18362 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 4003, on the 13th day of March, 1940;

The right hereby confirmed dates from October 31, 1946;

The Point of Diversion is located N. 77° 25' W. 2960 ft. from S. E. cor. Sec. 10, T. 48 N., R. 3 E., B. M. in the SE 1/4 SW 1/4, Sec. 10, Tp. 48 N., R. 3 E., B. M. Shoshone County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
<u>40</u>	<u>3</u>	<u>10</u>	<u>SW NE</u>	<u>40</u>	<u>12</u>
			<u>SE NE</u>	<u>40</u>	<u>8</u>
			<u>NE SE</u>	<u>40</u>	<u>-</u>
			<u>NW SE</u>	<u>40</u>	<u>20</u>
			<u>Number of Acres Irrigated</u>	<u>- - -</u>	<u>40</u>

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 13th day of March, 1940

MICROFILMED

MAY 13 1981

JAMES SPOFFORD

Commissioner of Reclamation

(SEAL)

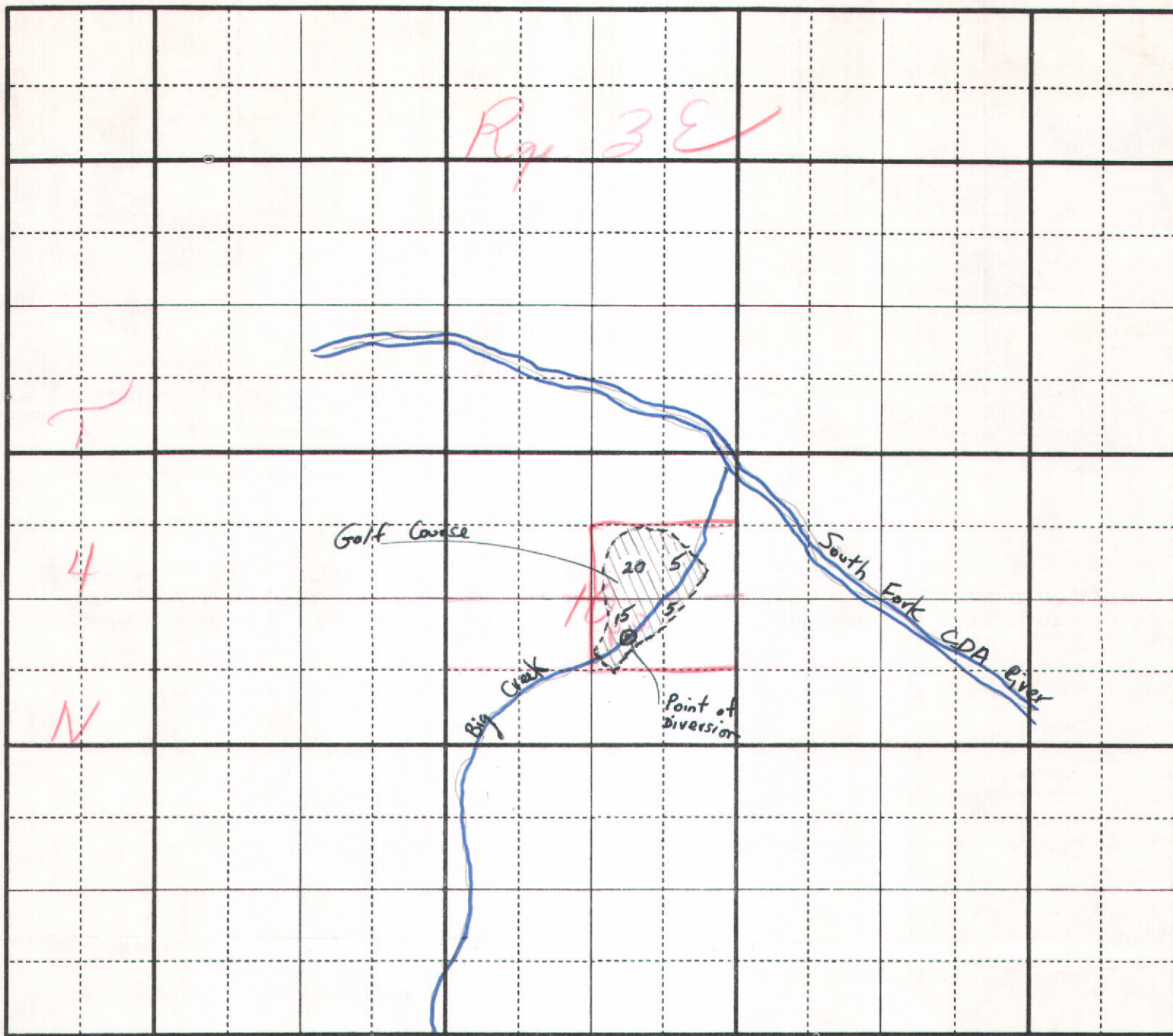
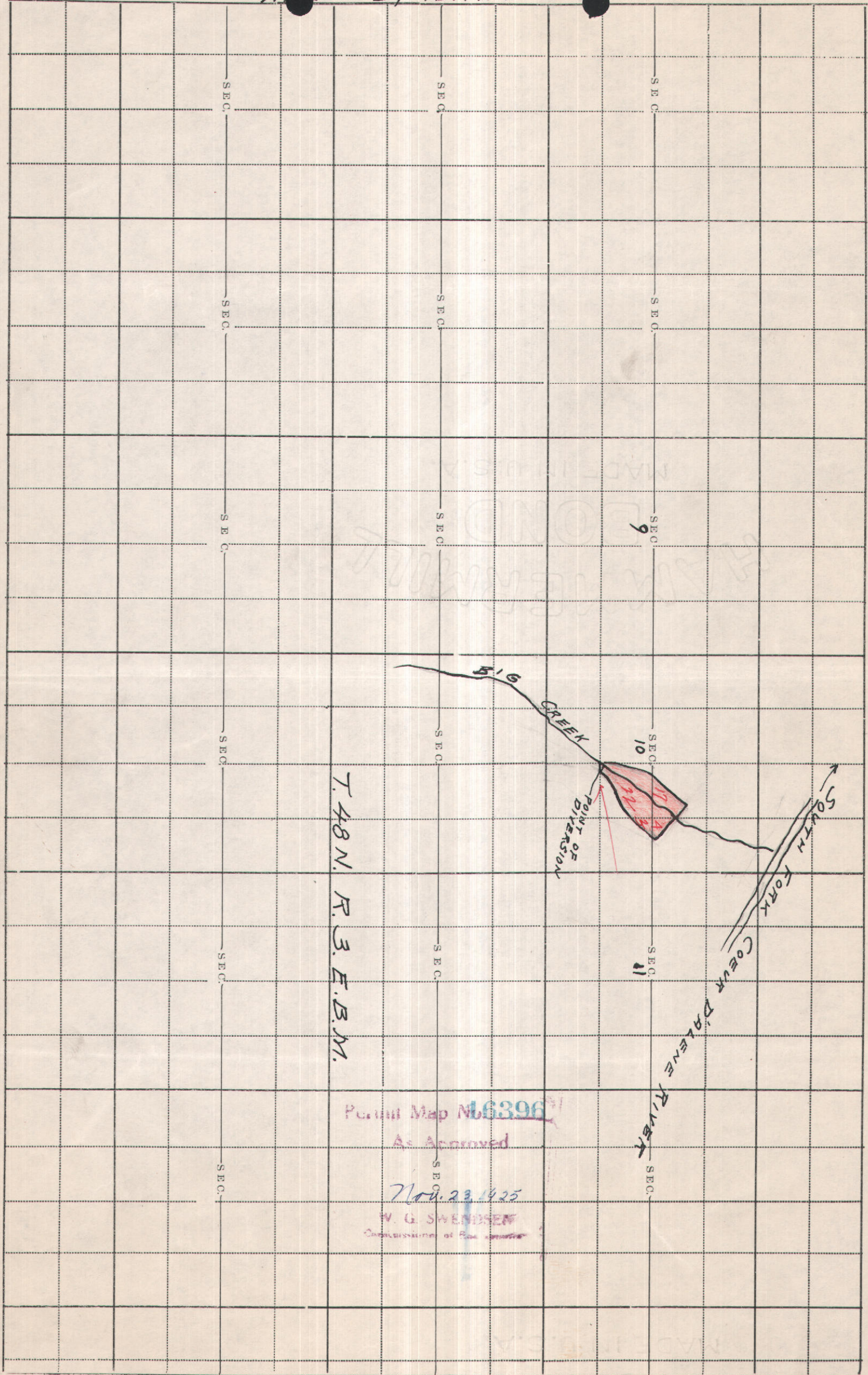


Diagram of System

DATE EXAMINATION RECORDS

_____	_____
_____	_____
_____	by: _____
_____	_____
_____	by: _____
_____	_____
_____	by: _____
_____	_____
_____	by: _____



Permit Map No. 16396
As Approved
Nov. 23, 1925
W. G. SWENDSEN
Commissioner of Fish and Game

Transfer No. 3285

Water Right No. 16396/94-2133

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

APPROVED

To Change the Point of Diversion and/or the Place of Use

Name of applicant Sunshine Mining Company Phone 783-1211

Post Office address P.O. Box 1080 Kellogg, Idaho 83837

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)
- b. License No. 16396/94-2133 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired Water right was acquired in conjunction with land exchange between Sunshine Mining Company and the Shoshone Country Club.

3. Source of water Big Creek tributary to South Fork Coeur d'Alene River

4. Date of priority April 3, 1965.

5. Water is used for the following purposes:

amount 1.0 CFS for Irrigation purposes from 5/1 to 9/15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 1.0 cubic feet per second
&/or
b. 135.0 acre feet per annum

7. Location of original point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 10
Township 48N Range 3E, B.M., in Shoshone County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
48N	3E	10			20	5									5	15			45

MICROFILMED
MAY 13 1987

Total number of acres to be irrigated 45

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

10/10/1964

b. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer Does not apply. Place of use described in License 16396/94-2133 is now a

mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of _____

3. Change in place of use

Point of diversion SE 1/4 NE 1/4 Section 10 Township 48N

2. Change in point of diversion

Sunshine Mine constructed a new golf course for Shone Country Club pond.

were for a golf course which is now the site of the Sunshine Mine tailings

Describe the reasons for the proposed changes

~~through a 6" pipeline to a reservoir for the golf course sprinkling system.~~

b.	Description of diverting works	1/3 h. p. electric pump lifting water from Big Creek
----	--------------------------------	--

a. Amount of water to be diverted 1.0 c.f.s. &/or acre feet

1. General Information

C.	DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Total number of acres to be irrigated

[illegible]

3. Place of use:

Additional points

Range _____, B.M., _____ County _____

2. Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____

b. _____ acre feet per annum

at per second
8/or

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

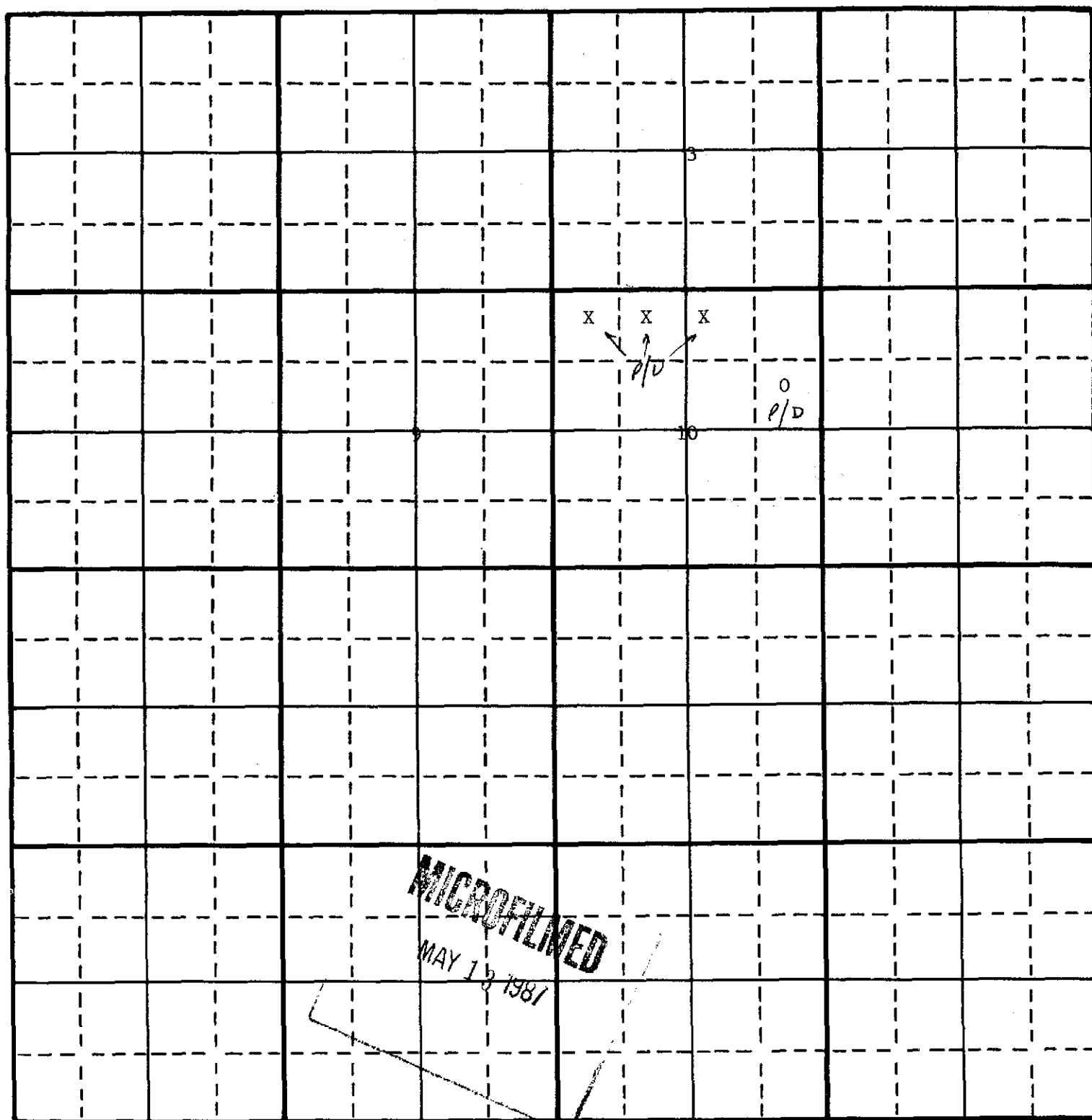
c. Describe the lands and place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
48N	3E	10		5			20	20											45

Total number of acres to be irrigated 45

4. Describe any other water rights used for the same purpose as described above. n/a
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

48N 3E



SCALE: 2 inches equal 1 mile. Draw plan in ink.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement

in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 14th day of August, 1986

Robert E. Lumbard
(Signature of Applicant)
Dwain A. Shupert
(Notary Public)

SIGNATURE BY ELECTED OFFICIAL OF SUNSHINE MINING COMPANY

Subscribed and sworn to before me this 5th day of September, 1986

Harry F. Coughner
Manager - Kellogg Operations
VICE PRESIDENT, GENERAL

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Commission Expires: 9/1/92

This is to certify that I have examined Application for Transfer of Water Rights No. 94-2133 and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 22nd day of April, 1987

D. Hunt
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

MICROFILMED

Protest filed by *None* MAY 13 1987

Received by *Mr. [Signature]* Date *9/8/86* Fee *0.00*
Prelim. check by *Mr. [Signature]* Date *8/23/86*
Received by *Mr. [Signature]* Date *9/1/86 (38112)*
Published in *Phoenix Az. Star - Quorum* 9/24-10/1/86
Pub. dates

Watermaster recommendation requested on _____
rec'd. _____

Recommended for _____
approval _____
denial _____
Hearing held by _____
Date _____
Copies of protest forwarded by _____

by *Jim G.S.*

OLD ACCOUNT NO. 00-07450-000

Duane E. Little
Shoshone County Assessor
P.O. Box 619
Wallace, ID 83873

THIS IS NOT A BILL

Presorted
First Class
Wallace, ID 83873
Permit No. 5

1986 TAXPAYERS

VALUATION ASSESSMENT NOTICE

Information on Protest of Assessment
and Claims for Tax Reduction and
Exemption on Reverse Side

IN CASE OF ERROR

Notify Assessor's Office Immediately

KEEP THIS COPY FOR YOUR RECORDS

Mail To:
SUNSHINE MINING CO.
BOX 1060
KELLOGG, ID.

83873

MICROFILMED

MAY 13 1987

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
07 BARE LAND & YIELD TI	14.610->	1,320
14 INDUSTRIAL LAND	22.000->	94,600
19 LAND	2.900->	
TOTAL MARKET VALUE----->		95,920

PROPERTY ADDRESS

PARCEL NO. 48N03E-10-2000

TAX CODE 067-00

LEGAL DESCRIPTION:
2000: PRT OF E1/2NE
10-48-3
OLD PARCEL # 48N03E1-10-1955

NOTICE OF
APPLICATION FOR
TRANSFER OF WATER
RIGHT

NOTICE IS HEREBY
GIVEN that License No.
94-2133 in the name of
Shoshone County Club was
filed for the diversion of 1.0
cubic foot per second water
from Big Creek, tributary
to the South Fork of the
Coeur d'Alene River, with
the point of diversion in the
NWSE Sec. 10 T48N R3E,
B. M., Shoshone County, to
be used for Irrigation pur-
poses from May 1 to
September 15, within the
SWNE, SENE, NESE,
NWSE, Sec. 10 T48N R3E
for 45 acres.

Sunshine Mining Co., the
new owner, now wishes to
transfer the point of diver-
sion to the SENE Sec. 10
T48N R3E, B. M.; and the
place of use to the NWNE,
NENW, NWNW Sec. 10
T48N R3E, B. M., for 45
acres of irrigation.

Any protest to the proposed
transfer may be filed with
the Idaho Department of
Water Resources, 4055
Gov't. Way, Coeur d'Alene,
Id. 83814, on or before Oc-
tober 14, 1986.

KEN DUNN, DIRECTOR
2x9/24/10/1/86

PROOF OF PUBLICATION

Shoshone,)
)
IDAHO)

s/ R. N. "Bud" Budvarson, being first duty sworn deposes and says:

SHOSHONE COUNTY NEWS-PRESS, a daily newspaper of general
circulation in said county, published in the City of Kellogg, in the
County of Shoshone and the State of Idaho, and which has been pub-
lished continuously in said county for a period of 78 weeks im-
mediately prior to the publication of this notice hereinafter des-
cribed, and that the _____

Legal notice

of which the annexed is a true copy, was published in each regular
weekly/daily issue of said newspaper, and not in supplement thereto,
for a period of (2) two consecutive weeks/days, the first publication
thereof being in its issue dated 9-24-86 and the last publication
thereof being in the issue dated 10-1-86

[Signature]

Subscribed and sworn to before me this 2 day of
Oct., 19 86

[Signature]
Notary Public

My commission expires 3-8 19 91

MAILED
MAY 18 1991

RECEIVED
OCT 14 1986
Department of Water Resources
Northern District Office

PROOF OF PUBLICATION

County of Shoshone,)
)
STATE OF IDAHO)

s/ R. N. "Bud" Budvarson, being first duty sworn deposes and says:

SHOSHONE COUNTY NEWS-PRESS, a daily newspaper of general circulation in said county, published in the City of Kellogg, in the County of Shoshone and the State of Idaho, and which has been published continuously in said county for a period of 78 weeks immediately prior to the publication of this notice hereinafter described, and that the _____

Legal notice

of which the annexed is a true copy, was published in each regular weekly/daily issue of said newspaper, and not in supplement thereto, for a period of (2) two consecutive weeks/days, the first publication thereof being in its issue dated 9-24-86 and the last publication thereof being in the issue dated 10-1-86

OK
10/14/86

Budvarson

Subscribed and sworn to before me this 2 day of
Oct. 19 86

Richard L. Linn
Notary Public

My commission expires 3-8 19 91

MICROFILMED

MAY 13 1987

RECEIVED
OCT 14 1986

Department of Water Resources
Northern District Office

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 16396/94-2133 Priority April 3, 1965 Amount 1.0 cfs

THIS IS TO CERTIFY, that SHOSHONE COUNTRY CLUB
of Kellogg, Idaho, has complied with the terms and conditions of Permit
No. 16396/94-2133 issued pursuant to Application for Permit dated November 20, 1925,
and has submitted proof to the Department of Water Resources on April 6, 1971 (late proof),
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.0 cfs of water from Big Creek,
tributary to South Fork Coeur d'Alene River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>May 1</u> to <u>Sept. 15</u>	at <u>1.0</u> cfs and	<u>135 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>3.0 af per acre</u>
	from _____ to _____	at _____ cfs and	
	(both dates inclusive)		

Subject, however, to the condition that no more than 1.0 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
135 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 10,
Twp. 48 N, Rge. 3 E, B. M. in the County of Shoshone

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
48 N	3 E	10			20	5									5	15			45

Total number of acres irrigated 45

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 21 day of
October, 19 75.

Director

Identification No. 94-2133

Permit No. 16396

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

AUG 5 1971

1. a) Name of Permit Holder Shoshone Country Club Department of Water Administration
- b) Post Office Address Sunshine Star Route, Kellogg, Idaho 83837
2. Permit Number 16396
3. Date of Priority that you are prepared to establish September 28, 1927
4. a) Source from which water was appropriated Big Creek
- b) Location of the point of diversion: NW 1/4 SE 1/4, Section 10
Township 48N, Range 3E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 0 for irrigation purposes from Jan. 1, 1970 to April 30, 1970 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount 1.0 for irrigation purposes from May 1, 1970 to September 15, 1970 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount 0 for irrigation purposes from Sept. 16, 1970 to Dec. 31, 1970 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 1.0 cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Rated pump capacity
George Wilhelm - Graduate Mining Engineer
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: N/A
b) Describe the agreement or understanding by which you take water from the works: N/A
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Surface water, Big Creek; 2 - 30 hp 1-1/2 Mrv Ingersoll Rand Pump. Pumping water from small rock-fill dam at the rate of approximately 450 gpm - 10 hrs out of 24 - Later May through September 15.
b) Describe the type and size of measuring device which you have installed at your point of diversion: Rated pump capacity
c) Give well drillers name and address and date the well was completed N/A

94 2133

exam typed 9-28-71
mjl

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use None

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: Lawn, shrubbery and greens on Shoshone Country Club

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
48N	3E	10			13	X 13									X 4	20			50

Total number of acres irrigated 50

10. Remarks:

The above information is a true statement of the extent to which the above numbered permit has been developed.

April 5-71 (Date) [Signature] President (Signature)

State of Idaho ss.
County of Shoshone

On this 5th day of April, 19 71, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]
Notary Public residing at Hallock Idaho

My commission expires 12-1-71

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

LICENSE ISSUED FOR 40 SEC. FT.
LICENSE P

Application No. 23222
Permit No. 16396
District No. 91-C

1. Name of Applicant: Shoshone Country Club

Postoffice address: Wallace County: Shoshone State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation: June 16, 1921, Wallace, Idaho
(b) Amount of capital stock: None (Not operated for profit)
(c) Amount paid in:
(d) Names and addresses of directors: D. A. Callahan, C. W. Newton, R. T. Strachan,
and M. J. Flohr all of Wallace, Idaho, and C. W. Simmons of Kellogg, Idaho

II. The financial resources of the applicant are:

- (a) Cash on hand: sufficient to complete
(b) Treasury stock:
(c) Bonds to be issued:
(d) Other resources:

2. Quantity of water claimed: one cubic feet per second.

3. Source of water supply: Big Creek which is a tributary of South Fork of the
Coeur d'Alene River

4. Location of point of diversion: 1325 feet distant from the South $\frac{1}{4}$
corner of Section 10, T. 48 N., R. 3 E., B. M., and is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$
of Section 10, T. 48 N., R. 3 E., B. M., County of Shoshone

5. Water is to be used for: Irrigation and domestic use (see remarks)

6. If for mining, milling, power or manufacturing purposes, give:

- (a) Point of use of water: feet distant from corner of Section
T. , R. , B. M., in the of Section , T. , R. , B. M.
(b) Amount of power generated: H. P., under feet head.
(c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B. M., in the
of Section , T. , R. , B. M.

7. Estimated cost of works: \$ 500.00

8. Kind of works: Dam and pipe lines, with possible lateral ditches

9. Height of dam four feet; length of dam at top 30 feet; length of dam at bottom 20
feet; material used in dam: Timber and stone

10. Size of headgate: Width 1 feet; height 2 feet

11. Ditch: Width at bottom one feet; width at water line one feet; depth of water $\frac{1}{2}$
feet; dimensions of flume
Diameter of pipe two inches; length of conduit one quarter miles.
Average grade per mile 100 feet

12. The time required for the completion of such work is one years.

13. The time required for the complete application of the water to the proposed use is one additional years.

14. The land to be irrigated is described in the following tabulation: See Remarks.

15. (a) Is reservoir to be used? If so, fill in (b) and (c) below.
 (b) Name of reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Shoshone Country Club Applicant.

By E. G. Gnaedinger
Licensed State Engineer Agent.

Date of first receipt at Department of Reclamation. 9 A.M. Nov. 20, 1925

Returned to applicant for correction.

Corrected application received.

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 16396

Recorded in Book 59 Page 16396 Approved November 23, 1925

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before January 22, 1926 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before May 23, 1926

The whole of said work to be completed on or before November 23, 1926

Beneficial use of water appropriated in accordance herewith, to be made on or before November 23, 1927

Witness my hand this 23rd day of November, 1925

W. G. SWENDSEN
Commissioner of Reclamation.

Remarks:

14 Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
48 N.	3 E.	10			17	4										3	22		46
The water applied for in this application is for use by the Shoshone Country Club in maintaining its grounds used as a golf links in a green condition throughout the year. The water is also to be used in and around the clubhouse of said club for general domestic uses----drinking, bathing and general sanitary requirements.																			
APPROVAL OF COMMISSIONER OF RECLAMATION I, Geo. N. Carter, Commissioner of Reclamation of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 16396, to November 23, 1930. Witness my hand this 19th day of November, 1926. GEO. N. CARTER Commissioner of Reclamation.																			

Proof of completion of works made Sept. 7, 1927.
Certificate issued September 28, 1927.

PERMIT NO. 16396.
CERTIFICATE OF COMPLETION OF WORKS.

TO ALL WHOM IT MAY CONCERN:

This is to certify that Shoshone Country Club, of Wallace, County of Shoshone, and State of Idaho, the holder of Permit No. 16396, issued upon Application No. 23222 bearing date of priority of November 20, 1925, authorizing the diversion of 1.0 second feet of the waters of Big Creek, County of Shoshone, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.0 second feet of the waters of Big Creek; that the point of diversion of said waters is 1500 feet distant from S $\frac{1}{4}$ Corner of Sec. 10, T. 48 N., R. 3 E., in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10, T. 48 N., R. 3 E., B.M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: S $\frac{1}{2}$ NE $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$, Section 10, Twp. 48 N., Rge. 3 E., B.M.

Witness my hand this 28th day of September, A. D. 1927.

GEO. N. CARTER,
Commissioner of Reclamation.

PROOF OF PUBLICATION

STATE OF IDAHO
County of Shoshone, }

SS.

NOTICE OF

EXISTING WATER PERMIT

Notice is hereby given that the Shoshone Country Club, Sunshine Star Route, Kellogg, Idaho, has received an approved Permit No. 16396-94-2133 issued by the Idaho Dept. of Water Administration authorizing the diversion of 1.0 cubic feet per second of water from Big Creek, tributary to the South Fork Coeur d'Alene River. The priority to be established under this permit is April 3, 1965, and the permit was approved November 23, 1925.

Water is to be diverted by pump from a point within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 10, T. 48N, R. 3E, B.M., Shoshone County, to be used for irrigation and domestic purposes in the S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 10, T. 48N, R. 3E, B.M.

Proof of application of the water to beneficial use was submitted to the Department on April 6, 1971. Any protest against the issuance of a license for the above referenced permit should be filed with the Idaho Dept. of Water Administration, Statehouse, Boise, Idaho, 83707, within ten days of the last date of publication of this notice.

S- R. KEITH HIGGINSON
Director.

Published in the Kellogg Evening News, Kellogg, Idaho, on May 5th and May 12, 1971.

Wm. Penney, being first duly sworn deposes and says that he is publisher of KELLOGG EVENING NEWS a daily newspaper of general circulation in said county, published in the City of Kellogg, in the County of Shoshone and the State of Idaho, and which has been published continuously in said county for a period of 78 weeks immediately prior to the publication of the notice hereinafter described, and that the

NOTICE OF EXISTING WATER
RIGHTS, STATE OF
IDAHO

of which the annexed is a true copy, was published in each regular weekly/daily issue of said newspaper, and not in a supplement thereto, for a period of 2 consecutive weeks/days, the first publication thereof being in its issue dated MAY 5, 1971 and the last publication thereof being in the issue dated

MAY 12, 1971

Subscribed and sworn to before me this 19th

day of May, 1971.

Wendell R. Brainerd

Notary Public

94 2133

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3778

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APPROVEDName of applicant Sunshine Mining Company Phone 783-1211Post Office address P.O. Box 1080 Kellogg, Idaho 83837**A. PURPOSE OF TRANSFER**

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes ERROR IN ORIGINAL TRANSFER.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-------------------------------------|----------|--------------------|---------------|----------------|
| <u>94-02133</u>
<u>NO CHANGE</u> | | | | _____ to _____ |
| _____ | | | | _____ to _____ |
| _____ | | | | _____ to _____ |
| _____ | | | | _____ to _____ |
2. Total amount of water being transferred NO CHANGE cubic feet per second and/or NO CHANGE acre-feet per annum.
3. Source of water NO CHANGE tributary to NO CHANGE
4. Point(s) of Diversion: NO CHANGE

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
48N	3E	10		5			20			20									45

Total acres 45

PART 1

Transfer No. 3778

6. General Information:

a. Description of diversion system NO CHANGE

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes
No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
There is no irrigation on property in question.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 94-2133

And said application is hereby APPROVED

, subject to the following limitations and conditions:

UNRECORDED

JAN 17 1991

Witness my hand this

day of

19 91

Chief, Water Alloc. Bureau

J. Steven Saylor

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 94-2133 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3285 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Big Creek tributary to South Fk. Coeur d'Alene River

4. Date or priority April 3, 1965

5. Water is used for the following purpose:

amount 1.0 CFS for Irrigation purposes from 5/1 to 9/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 1.0 cubic feet per second and/or 135 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	10	48N	3E	Shoshone	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
48N	3E	10		5			20	20											45

Total acres 45

9. Describe any other water rights used for the same purpose as described above N/A

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount N/A for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: N/A

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
48N	3E	10						20											20

Total acres 20

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount N/A for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: N/A

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

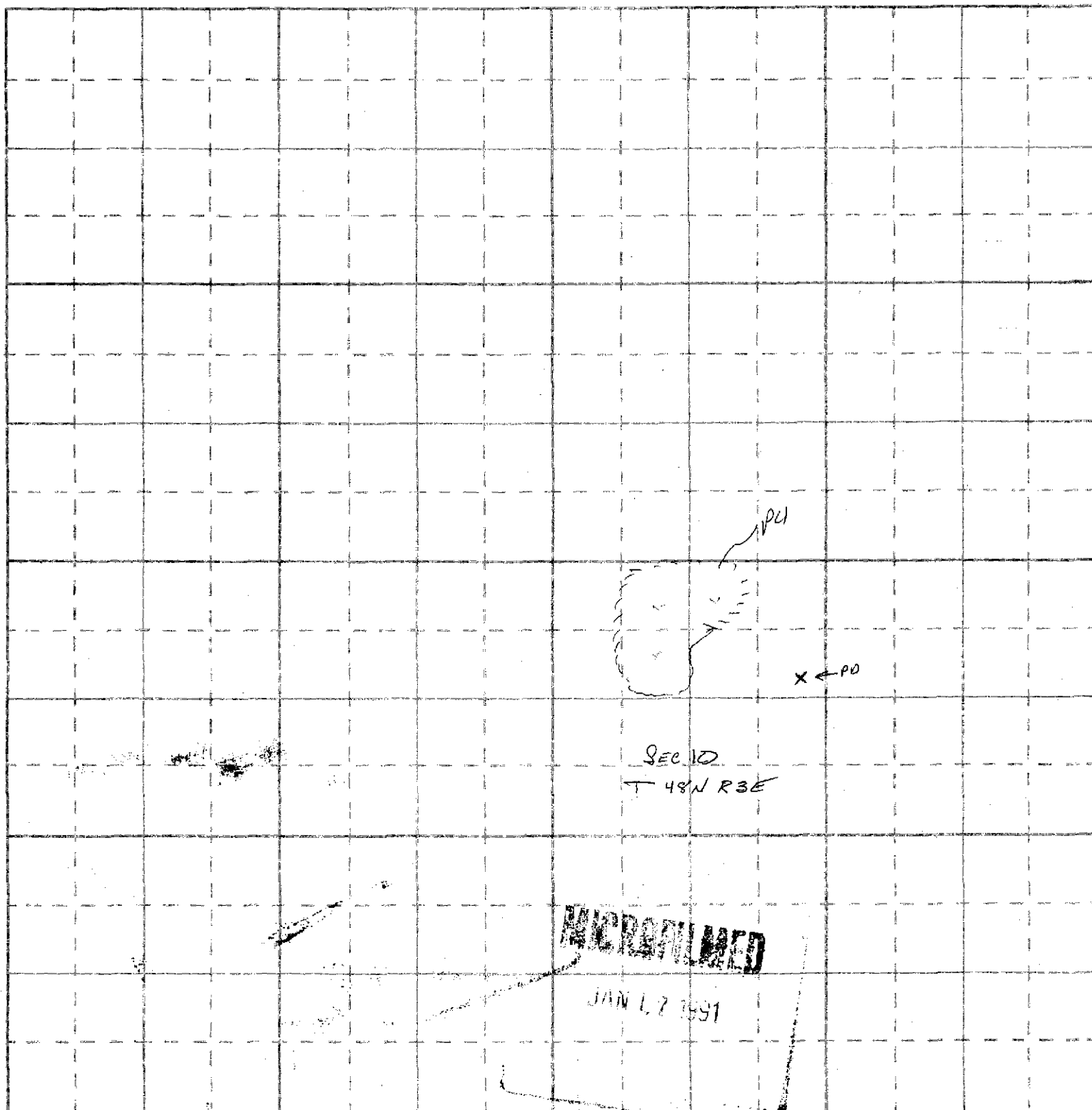
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
48N	3E	10		5			20												25

Total acres 25

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



B. CHANGES IN NATURE OF USE

1. New Nature of Use

Amount (cfs/ac-ft)

Hours/days/year

Period of Use

N/A

2. Quantity and quality of return flows and location of discharge:

N/A

3. Describe effects on other water uses resulting from the proposed change:

N/A

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

[Signature]
(Signature of Applicant)
30th day of July, 1990
Bureau B. Shupitt
(Notary Public)

My commission expires 9-1-92

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date 8/1/90
Prelim. check by _____ Fee \$58.00
Received by _____ Date 8/1/90
Published in _____
Pub. dates 8/15/90 and 9/9/90
Watermaster recommendation requested on N/A
Recommended for _____
by _____
Rec'd. _____
Copy of transfer sent to lien holder _____

Recommended for _____
approval ☒ denial ☐

Hearing held by _____ Date _____

Copies of protest forwarded by _____

Protest filed by _____

JUN 17 1991

PART 3

PROOF OF PUBLICATION

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN that Application of Transfer of Water Right No. 94-2133 in the name of Sunshine Mining Co. was advertised incorrectly on August 15 & 22, 1990. It should read as follows:

NOTICE IS HEREBY GIVEN that water right License No. 94-02133 in the name of Sunshine Mining Co. was filed for the diversion of 1.0 cubic Feet per Second &/or 135 Acre/Feet of water from Big Creek, tributary to the South Fork of the Coeur d'Alene River, with a point of diversion in the SENE Sec. 10 T48N R3E, B.M., Shoshone County, to be used for Irrigation purposes from May 1 to September 15, within the NWNW (5 Acres), NENW (20 Acres), NWNW (20 Acres), Sec. 10 T48N R3E, B.M., for 45 acres. The priority date is April 3, 1965.

Sunshine Mining Co. now wishes to transfer the place of use to the NWNW (5 Acres), NENW (20 Acres), SENW (20 Acres), Sec. 10 T48N R3E, B.M. for 45 acres.

(For additional information concerning the property location, call the Northern Regional Office at 765-4639.)

Any protest to the proposed transfer may be filed with the Idaho Department of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, on or before October 8, 1990.

R. KEITH HIGGINSON, Dir.

Legal #SHO 732
2 x 9-19/26/1990

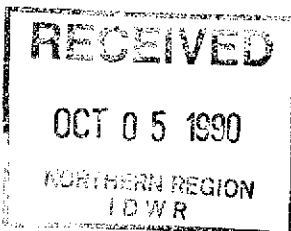
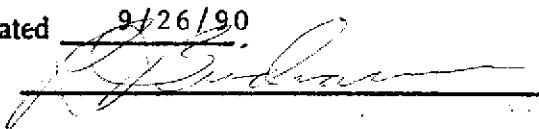
) Idaho Department of Water Resource
) 1910 Northwest Blvd. Suite 210
) Coeur d'Alene, Idaho 83814

s/ R. N. "Bud" Budvarson, being first duty sworn deposes and says:

SHOSHONE COUNTY NEWS-PRESS, a daily newspaper of general circulation in said county, published in the City of Kellogg, in the County of Shoshone and the State of Idaho, and which has been published continuously in said county for a period of 78 weeks immediately prior to the publication of this notice hereinafter described, and that the _____

Legal Notice

of which the annexed is a true copy, was published in each regular weekly/daily issue of said newspaper, and not in supplement thereto, for a period of (2) two consecutive weeks/days, the first publication thereof being in its issue dated 9/19/90 and the last publication thereof being in the issue dated 9/26/90



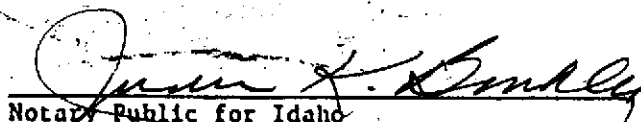
STATE OF IDAHO

COUNTY OF _____

On this 27th day of September in the year of 1990, before me,

a Notary Public, personally appeared R. N. "Bud" Budvarson,

known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



Notary Public for Idaho

Residing at Kellogg, Idaho

My commission expires: 10/17/94

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN that Application for Transfer of Water Right No. 94-2133 in the name of Sunshine Mining Co. was advertised incorrectly on August 15 & 22, 1990. It should read as follows:

NOTICE IS HEREBY GIVEN that water right License No. 94-02133 in the name of Sunshine Mining Co. was filed for the diversion of 1.0 Cubic Feet per Second &/or 135 Acre/Feet of water from Big Creek, tributary to the South Fork of the Coeur d'Alene River, with a point of diversion in the SENE Sec. 10 T48N R3E, B.M., Shoshone County, to be used for Irrigation purposes from May 1 to September 15, within the NWNE (5 Acres), NENW (20 Acres), NWNW (20 Acres), Sec. 10 T48N R3E, B.M., for 45 acres. The priority date is April 3, 1965.

Sunshine Mining Co. now wishes to transfer the place of use to the NWNE (5 Acres), NENW (20 Acres), SENW (20 Acres), Sec. 10 T48N R3E, B.M. for 45 acres.

(For additional information concerning the property location, call the Northern Regional Office at 765-4639.)

Any protest to the proposed transfer may be filed with the Idaho Department of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, on or before October 8, 1990.

R. KEITH HIGGINSON, Dir.

Published in the Shoshone County News Press on 9/19 & 26/1990.

RECORDED
JAN 17 1991

PROOF OF PUBLICATION

RECEIVED

AUG 31 1990

NORTHERN REGION
IDWR

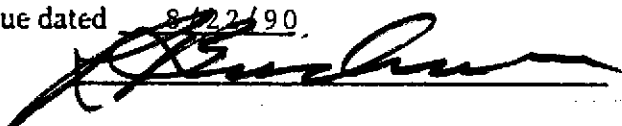
) Idaho Department of Water Resources
) 1910 Northwest Blvd., Suite 210
) Coeur d'Alene, Idaho 83814

s/ R. N. "Bud" Budvarson, being first duty sworn deposes and says:

SHOSHONE COUNTY NEWS-PRESS, a daily newspaper of general circulation in said county, published in the City of Kellogg, in the County of Shoshone and the State of Idaho, and which has been published continuously in said county for a period of 78 weeks immediately prior to the publication of this notice hereinafter described, and that the _____

Legal Notice

of which the annexed is a true copy, was published in each regular weekly/daily issue of said newspaper, and not in supplement thereto, for a period of (2) two consecutive weeks/days, the first publication thereof being in its issue dated 8/15/90 and the last publication thereof being in the issue dated 8/22/90.

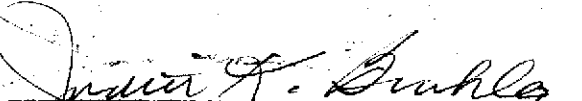


STATE OF IDAHO

COUNTY OF _____

On this 27th day of August in the year of 1990, before me, a Notary Public, personally appeared R. N. "Bud" Budvarson

known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.


Notary Public for Idaho

Residing at Kellogg, Idaho

My commission expires: 10/17/94

NOTICE OF APPLICATION FOR
TRANSFER OF WATER RIGHT
NOTICE IS HEREBY GIVEN that water
right License No. 94-02133 in the name of
Sunshine Mining Co. was filed for the

diversion of 1.0 Cubic Feet per Second
&/or 135 Acre/Feet of water from Big
Creek, tributary to the South Fork of the
Coeur d'Alene River, with a point of
diversion in the SENE Sec. 10 T48N R3E,
B.M., Shoshone County, to be used for
Irrigation purposes from May 1 to Sep-
tember 15, within the NWNE (5 Acres),
NENW (20 Acres), NWNW (20 Acres),
T48N R3E, B.M., for 45 acres. The priori-
ty date is April 3, 1985.

Sunshine Mining Co. now wishes to
transfer the place of use to the NWNE (5
Acres), NENW (20 Acres) (SESW) (20
Acres), Sec. 10 T48N R3E, B.M. for 45
acres.

(For additional information concerning
the property location, call the Northern
Regional Office at 765-4639.)

Any protest to the proposed transfer may
be filed with the Idaho Department of
Water Resources, 1910 Northwest Blvd.,
Suite 210, Coeur d'Alene, Id. 83814, on or
before September 3, 1990.

R. KIETH HIGGINSON, Dir.

Legal #SDSHO 689

2 x 8-15/22/1990

Be at

SESW

January 14, 1991

RE: Transfer of Water Right No. 94-02133

Sunshine Mining Co.
P.O. Box 1080
Kellogg, ID 83837

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Trans. No. 3778). Be sure to note any conditions of approval as listed on the second page.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

RECORDED

JAN 17 1991

MEMORANDUM

TO: FILE

OK Gary S.

FROM: TIM LUKE

DATE: November 21, 1990

RE: TRANSFER NO. 3778/RIGHT NO. 94-2133

=====

This transfer has been filed in order to correct the recorded place of use of the above right. It appears that a mistake was made in describing the correct place of use in a previous approved transfer.

I recommend approval of the transfer without conditions.

MICROFILMED

JAN 17 1991

MEMORANDUM

TO: Gary Spackman, Manager - Water Permits Section

FM: Tom King, Sr. Water Resource Agent - Northern Region *DK*

Date: October 12, 1990

Subject: Transfer #94-02133

Please notify me when this transfer has been approved so that I can submit the relinquishment of permit #94-07300, which is an overlap filing.

MicroFILMED

JAN 17 1991

RECEIVED
NOV 02 1990
Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Northern Region Office

1910 Northwest Blvd. * Suite 210 * Coeur d'Alene, Id. * 83814 * (208) 765-4639

Cecil D. Andrus
Governor

R. Keith Higginson
Director

August 2, 1990

Mr. Robert Launhart
Sunshine Mining Co.
Box 1080
Kellogg, Id. 83837

Re: Transfer of Water Right # 94-02133

Dear Applicant:

The Idaho Department of Water Resources acknowledges receipt of your Application For Transfer of Water Right # 94-02133 and your filing fee in the amount of \$50.00 for which your Receipt #N-003975 is enclosed.

Your transfer application is currently being prepared for advertising in the county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests.

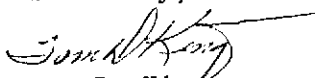
If the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. However all protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

If the application is not protested it will be forwarded to Boise, where departmental staff will conduct a more in depth review of the application, to determine if there is a need for further information that will facilitate the Directors decision on the application. You will be notified by mail of this decision.

As you requested I am withholding the relinquishment of 94-07300 until this clarification transfer has been approved.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,


Tom D. King
Sr. Water Resource Agent

Enc: Receipt

MICROFILMED

JAN 17 1991

NOTICE OF APPLICATION FOR TRANSFER OF WATER RIGHT

NOTICE IS HEREBY GIVEN that water right License No. 94-02133 in the name of Sunshine Mining Co. was filed for the diversion of 1.0 Cubic Feet per Second &/or 135 Acre/Feet of water from Big Creek, tributary to the South Fork of the Coeur d'Alene River, with a point of diversion in the SENE Sec. 10 T48N R3E, B.M., Shoshone County, to be used for Irrigation purposes from May 1 to September 15, within the NWNE (5 Acres), NENW (20 Acres), NWNW (20 Acres), Sec. 10 T48N R3E, B.M., for 45 acres. The priority date is April 3, 1965.

Sunshine Mining Co. now wishes to transfer the place of use to the NWNE (5 Acres), NENW (20 Acres), SENW (20 Acres), Sec. 10 T48N R3E, B.M. for 45 acres.

(For additional information concerning the property location, call the Northern Regional Office at 765-4639.)

Any protest to the proposed transfer may be filed with the Idaho Department of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, on or before September 3, 1990.

R. KEITH HIGGINSON, Dir.

Published in the Shoshone County News Press, on August 15 & 22, 1990.

RECORDED
JAN 17 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS

Governor

A. KENNETH DUNN

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

April 22, 1987

RE: Transfer of Water Right No. 94-2133

Sunshine Mining Co.
Box 1080
Kellogg, ID 83837

Gentlemen:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3285).

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

MAY 13 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: L

1. Right number 94-2133 Applicant Sunshine Mining Co.
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - OK b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - OK ☒ All of right.
 - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - OK ☒ Check description of point(s) of diversion.
 - OK ☒ Check description of place of use.
 - OK ☒ Check map (shows p.d. and p.u. after transfer).
 - OK ☒ Check for correct signature, notarization, and fee.
 - OK ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☒ Check for expansion in use of right. Comments ALSO APPLIED FOR PERMIT
TO IRR. EXTRA LAND 94-7300 -
 - i. ☐ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) _____
 - j. ☐ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* _____

MICROFILMED

MAY 13 1987

RECEIVED

MAR 19 1987

Department of Water Resources

RECEIVED
DEC 2 1986

4. By Jim Date 10/2/86

Jim 4-13-87

Department of Water Resources

0 01-0-1360 GARDINGENTER
5 01-0-11925 SPRINGS
5 11-2-1534 ELK CREEK, WEST FORK

2

10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 841. 842. 843. 844. 845. 846.

[illegible][illegible]

MAY 13 1987

License and Certificate of Water Right

Water License No. 18862/94-2137

Amount 0.5 second

Water District No.

Priority Oct. 31, 1938

THIS IS TO CERTIFY that

of Wallace, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 9, 1936; that Permit No. 18862 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.5 second feet, was issued thereunder on October 10, 1937, showing that said works were completed on the 24th day of September, 1937; and that on the 1st day of October, 1938,

SHOSHONE COUNTY, IDAHO

of Wallace, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of a small creek tributary to Big Creek, a tributary of Snake River, for the purpose of irrigation of alfalfa course, under Use Permit No. 18862 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 1003, on the 12th day of March, 1940;

The right hereby confirmed dates from October 11, 1946;

The Point of Diversion is located N. 77° 21' E. 1/4 Sec. 10, T. 48 N., R. 3 E., B. M. in the SE 1/4 37 1/4, Sec. 10, Tp. 48 N., R. 3 E., B. M. Shoshone County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.5 cubic feet per second.

Description and location of use:

| Twp. | Range | Sec. | Forty-acre Tract | No. Acres
Described in Permit | No. Acres
Actually Irrigated |
|--------------------------|-------|------|------------------|----------------------------------|---------------------------------|
| 4 | 37 | 10 | SW NE | 12 | 12 |
| | | | SE NE | 8 | 8 |
| | | | NE SE | - | - |
| | | | NW SE | 20 | 20 |
| Total of Acres Irrigated | | | | - - - | 40 |

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 1st day of March, 1940.

MICROFILMED

MAY 13 1987

WILLIS STOFFORD

Commissioner of Reclamation

(844)

Sunshine Mining Company

P. O. BOX 1080 PHONE: Area Code 208 783-1211

Kellogg, Idaho
83837

March 12, 1987

Tom D. King, Senior Water Resources Agent
State of Idaho
Department of Water Resources
Suite No. 9
4055 Government Way
Coeur d'Alene, ID 83814

RE: 94-2133 Transfer of Water Right

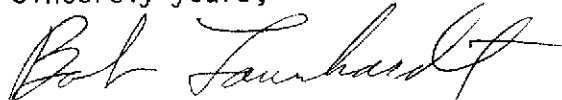
Dear Mr. King:

In your letter dated March 9, 1987 you requested proof of ownership of the land lying within the SWNE Sec. 10, T48N, R3E.

Enclosed are copies of tax notices covering the land in question. If you need additional information, please let me know.

I will be on vacation from March 28 through April 20. During that time, Rick Rice could be contacted for information.

Sincerely yours,



Robert E. Launhardt
Env/Safety Manager

Enclosures: Tax bill R 6007951
 " " R 6007952
 " " R 6007953

RECEIVED
MAY 13 1987

CONSOLIDATED TAX NOTICE AND RECEIPT

16

SHOSHONE COUNTY 1986 REAL PROPERTY TAX

MARKET VALUE 7,570 TAX CODE AREA 06700 PARCEL NUMBER 48N03E-10-1300 BILL NUMBER R 6007951

10 48N 03
1300:275173, SWNE, LESS: 110/511
PTN 1650
10-48-3

SUNSHINE MINING CO.
BOX 1080
KELLOGG, ID 83837

DELINQUENT CERT.

YOUR CHECK IS YOUR RECEIPT UNLESS RECEIPT IS REQUESTED.
LEVY SHEETS ARE AVAILABLE AT THE TREASURER'S OFFICE. BY.....1st HALF PAID.....
.....2nd HALF PAID.....

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

PAID BY
CHECK
CASH
DATE R 6007951 1986

| SPECIAL CODE | TAX | CODE | AREA | TAX | 2ND INSTALLMENT |
|--------------|------|------|-------|-----|-----------------|
| 58 | 8.48 | 067 | 57.84 | | 66.32 |
| PEN. | | | | | |
| SUB TOT. | | | | | |
| INT. | | | | | |
| TOT. | | | | | |

MICROFILM

2nd

PERSONAL CHECKS SUBJECT TO BANK CLEARANCE
MAKE CHECKS PAYABLE TO

TREASURER
SHOSHONE COUNTY
PO BOX 849
WALLACE, IDAHO 83873

DELINQUENT IF NOT PAID ON OR BEFORE JUNE 20, 1987

1986 SHOSHONE COUNTY REAL PROPERTY TAX

| TAXING DISTRICT | RATE | AMOUNT | RECEIPT |
|-----------------|---------|--------|-----------------|
| STATE | .000000 | .00 | FULL PAYMENT |
| COUNTY | .005226 | 39.56 | TAX |
| SCH 391 | .007030 | 53.22 | PEN. |
| W SH HSP | .000597 | 4.52 | SUB TOT. |
| FIRE 2 | .002428 | 18.38 | INT. |
| SUB TOTAL | .015281 | 115.68 | TOT. |
| FOREST PROTECT | | 16.96 | 1ST INSTALLMENT |
| | | | TAX |
| | | | PEN. |
| | | | SUB TOT. |
| | | | INT. |
| | | | TOT. |
| TOTAL-----> | | 132.64 | 2ND INSTALLMENT |
| | | | TAX |
| | | | PEN. |
| | | | SUB TOT. |
| | | | INT. |
| | | | TOT. |

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

PAID BY
CHECK
CASH
DATE R 6007951 1986

| SPECIAL CODE | TAX | CODE | AREA | TAX | TOTAL TAX |
|--------------|-------|------|--------|-----|-----------|
| 58 | 16.96 | 067 | 115.68 | | 132.64 |
| PEN. | | | | | |
| SUB TOT. | | | | | |
| INT. | | | | | |
| TOT. | | | | | |

FULL

| SPECIAL CODE | TAX | CODE | AREA | TAX | 1ST INSTALLMENT |
|--------------|------|------|-------|-----|-----------------|
| 58 | 8.48 | 067 | 57.84 | | 66.32 |
| PEN. | | | | | |
| SUB TOT. | | | | | |
| INT. | | | | | |
| TOT. | | | | | |

1st

DELINQUENT IF NOT PAID ON OR BEFORE DECEMBER 20, 1986

1986 SHOSHONE COUNTY REAL PROPERTY TAX

CONSOLIDATED TAX NOTICE AND RECEIPT 17

SHOSHONE COUNTY
1986 REAL PROPERTY TAX
MARKET VALUE 197,500 TAX CODE AREA 06700 PARCEL NUMBER 48N03E-10-1650 BILL NUMBER R 6007952

10 48N 03
1650:110/511
10-48-3
OLD PARCEL # 48N03E-10-1250

SUNSHINE MINING CO.
BOX 1080
KELLOGG, ID. 83837

DELINQUENT CERT.

YOUR CHECK IS YOUR RECEIPT UNLESS RECEIPT IS REQUESTED.
LEVY SHEETS ARE AVAILABLE AT THE TREASURER'S OFFICE. BY 1stHALF PAID.....
2ndHALF PAID.....

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

PAID BY
CHECK
CASH
DATE R 6007952 1986

| SPECIAL CODE | TAX | CODE | AREA | TAX | 2ND INSTALLMENT |
|--------------|-----|----------|------|-----|-----------------|
| 067 | | 1509.00 | | | 1,509.00 |
| | | PEN. | | | |
| | | SUB TOT. | | | |
| | | INT. | | | |
| | | TOT. | | | |

PERSONAL CHECKS SUBJECT TO BANK CLEARANCE
MAKE CHECKS PAYABLE TO

TAMARA HOUSE, TREASURER
SHOSHONE COUNTY
P.O. BOX 849
WALLACE, IDAHO 83873

DELINQUENT IF NOT PAID ON OR BEFORE JUNE 20, 1987

1986 SHOSHONE COUNTY REAL PROPERTY TAX

| TAXING DISTRICT | RATE | AMOUNT | RECEIPT |
|-----------------|---------|----------|-----------------|
| STATE | .000000 | .00 | FULL PAYMENT |
| COUNTY | .005226 | 1,032.14 | TAX |
| SCH 391 | .007030 | 1,388.43 | PEN. |
| W SH HSP | .000597 | 117.91 | SUB TOT. |
| FIRE 2 | .002428 | 479.53 | INT. |
| SUB TOTAL | .015281 | 3,018.01 | TOT. |
| TOTAL-----> | | | 1ST INSTALLMENT |
| | | 3,018.01 | TAX |
| | | | PEN. |
| | | | SUB TOT. |
| | | | INT. |
| | | | TOT. |
| | | | 2ND INSTALLMENT |
| | | | TAX |
| | | | PEN. |
| | | | SUB TOT. |
| | | | INT. |
| | | | TOT. |

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

PAID BY
CHECK
CASH
DATE R 6007952 1986

| SPECIAL CODE | TAX | CODE | AREA | TAX | TOTAL TAX |
|--------------|-----|----------|------|-----|-----------|
| 067 | | 3018.01 | | | 3,018.01 |
| | | PEN. | | | |
| | | SUB TOT. | | | |
| | | INT. | | | |
| | | TOT. | | | |

PERSONAL CHECKS SUBJECT TO BANK CLEARANCE
MAKE CHECKS PAYABLE TO

TAMARA HOUSE, TREASURER
SHOSHONE COUNTY
P.O. BOX 849
WALLACE, IDAHO 83873

DELINQUENT IF NOT PAID ON OR BEFORE DECEMBER 20, 1986

1986 SHOSHONE COUNTY REAL PROPERTY TAX

CONSOLIDATED TAX NOTICE AND RECEIPT

18

SHOSHONE COUNTY
1986 REAL PROPERTY TAX

MARKET VALUE 95,920 TAX CODE AREA 06700 PARCEL NUMBER 48N03E-10-2000 BILL NUMBER R 6007953

10 48N 03
2000: PRT OF E1/2NE
10-48-3
OLD PARCEL # 48N03E1-10-1955

SUNSHINE MINING CO.
BOX 1080
KELLOGG, ID. 83837

DELINQUENT CERT.

YOUR CHECK IS YOUR RECEIPT UNLESS RECEIPT IS REQUESTED.
LEVY SHEETS ARE AVAILABLE AT THE TREASURER'S OFFICE. BY.....1stHALF PAID.....
.....2ndHALF PAID.....

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

PAID BY
CHECK
CASH
DATE R 6007953 1986

| SPECIAL CODE | TAX | CODE | AREA | TAX | 2ND INSTALLMENT |
|--------------|-----|------|--------|----------|-----------------|
| 067 | | 067 | 732.87 | | 732.87 |
| | | | | PEN. | |
| | | | | SUB TOT. | |
| | | | | INT. | |
| | | | | TOT. | |

2nd

PERSONAL CHECKS SUBJECT TO BANK CLEARANCE
MAKE CHECKS PAYABLE TO

TAMARA HOUSE, TREASURER
SHOSHONE COUNTY
P.O. BOX 849
WALLACE, IDAHO 83873

DELINQUENT IF NOT PAID ON OR BEFORE JUNE 20, 1987

1986 SHOSHONE COUNTY REAL PROPERTY TAX

| TAXING DISTRICT | RATE | AMOUNT | RECEIPT |
|-----------------|---------|----------|-----------------|
| STATE | .000000 | .00 | FULL PAYMENT |
| COUNTY | .005226 | 501.28 | TAX |
| SCH 391 | .007030 | 674.32 | PEN. |
| W SH HSP | .000597 | 57.26 | SUB TOT. |
| FIRE 2 | .002428 | 232.89 | INT. |
| SUB TOTAL | .015281 | 1,465.75 | TOT. |
| | | | 1ST INSTALLMENT |
| | | | TAX |
| | | | PEN. |
| | | | SUB TOT. |
| | | | INT. |
| | | | TOT. |
| | | | 2ND INSTALLMENT |
| | | | TAX |
| | | | PEN. |
| | | | SUB TOT. |
| | | | INT. |
| | | | TOT. |

TOTAL----->

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

PAID BY
CHECK
CASH
DATE R 6007953 1986

| SPECIAL CODE | TAX | CODE | AREA | TAX | TOTAL TAX |
|--------------|-----|------|---------|----------|-----------|
| 067 | | 067 | 1465.75 | | 1,465.75 |
| | | | | PEN. | |
| | | | | SUB TOT. | |
| | | | | INT. | |
| | | | | TOT. | |

FULL

PERSONAL CHECKS SUBJECT TO BANK CLEARANCE
MAKE CHECKS PAYABLE TO

TAMARA HOUSE, TREASURER
SHOSHONE COUNTY
P.O. BOX 849
WALLACE, IDAHO 83873

DELINQUENT IF NOT PAID ON OR BEFORE DECEMBER 20, 1986

1986 SHOSHONE COUNTY REAL PROPERTY TAX

March 9, 1987

Sunshine Mining Co.
P. O. Box 1080
Kellogg, Id. 83837

Re: 94-2133 Transfer of Water Right

Gentlemen:

In reviewing your Transfer of Water Right No. 94-2133, it has been discovered that you have not shown proof of ownership of the land lying with the SWNE Sec. 10, T48N, R3E.

Please provide this information to this office so that we can resume processing your Application for Transfer.

If you have any questions, please contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

MICROFILMED
MAY 13 1987

C
O
P
Y

INTER-DEPARTMENT MEMO — 1

FROM Jim *Jim*
THRU Gary
TO Bob H. → *Tom*

DATE ~~November 26, 1986~~
3-2-87

SUBJECT Transfer Application

Attached is Transfer Application on Right 94-2133 being returned because the proof of water right ownership is incomplete.

RECEIVED

MAR 8 1987

Department of Water Resources
Northern District Office

SWNE MICROFILMED

MAY 13 1987

SIGNATURE

NOTICE OF APPLICATION FOR TRANSFER OF WATER RIGHT

NOTICE IS HEREBY GIVEN that License No. 94-2133 in the name of Shoshone County Club was filed for the diversion of 1.0 cubic foot per second water from Big Creek, tributary to the South Fork of the Coeur d'Alene River, with the point of diversion in the NWSE Sec. 10 T48N R3E, B. M., Shoshone County, to be used for Irrigation purposes from May 1 to September 15, within the SWNE, SENE, NESE, NWSE, Sec. 10 T48N R3E for 45 acres.

Sunshine Mining Co., the new owner, now wishes to transfer the point of diversion to the SENE Sec. 10 T48N R3E, B. M.; and the place of use to the NWNE, NENW, NWNW Sec. 10 T48N R3E, B. M., for 45 acres of irrigation.

Any protest to the proposed transfer may be filed with the Idaho Department of Water Resources, 4055 Gov't. Way, Coeur d'Alene, Id. 83814, on or before October 14, 1986.

KEN DUNN, DIRECTOR

Published in the Kellogg Evening News, Kellogg, Id., 9/24 and 10/1/1986.

MICROFILMED

MAY 13 1987

September 18, 1986

Sunshine Mining Co.
P.O. Box 1080
Kellogg, Id. 83837

Re: 94-2133

Gentlemen:

The Department of Water Resources acknowledges receipt of your transfer of water right No. 94-2133.

We are currently in the process of advertising the transfer in the Kellogg Evening News. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the transfer is protested, you will be sent a copy of the protest. The protest must be resolved before the transfer is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the transfer is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to the final processing of the transfer and will notify you of the outcome of this review. A typical processing time for an unprotested transfer is about eight weeks.

Enclosed please find your Receipt No. 38112 for the amount of \$50.00.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms
Enc. - Receipt

MICROFILMED

MAY 13 1987

MINING COMPANY
KELLOGG OPERATIONS

DETACH AND RETAIN THIS STATEMENT
ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED HEREIN.
IF CHECK IS NOT CASHED, CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT REQUIRED.

DELUXE - FORM DVC-2 V-3

| DATE | INVOICE
NUMBER | DESCRIPTION | AMOUNT | DEDUCTIONS | | NET AMOUNT |
|--------|-------------------|--|--------|-------------|--------|------------|
| | | | | PARTICULARS | AMOUNT | |
| 8/8/86 | | Transfer fee for Water Right
No. 16396/94-2133 to change point
of diversion and place of use | | LA60950-532 | | \$50.00 |

MICROFILMED

MAY 13 1987



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 765-4639

August 29, 1986

Sunshine Mining Company
Kellogg Operations
POB 1080
Kellogg, ID. 83837
Att:Linda Daugherty

Dear Ms. Daugherty,

I am returning the Application for Permit and Application for Transfer along with the filing fees for each, consisting of your checks numbered 92-55 in the amounts of \$45.00 and \$50.00. Please have an elected official of your company sign the applications and return them and the fees to this office.

If you have any questions regarding this matter please do not hesitate to contact me at this office.

Tom D. King
Sr. Water Resource Agent

Enc:App for Perm
App for Trans
Ck. for \$45.00
Ck. for \$50.00

MICROFILMED
MAY 13 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Sunshine Mining Company Phone 783-1211
Post Office address P.O. Box 1080 Kellogg, Idaho 83837

A. DESCRIPTION OF RIGHT AS RECORDED**1. Right evidenced by:**

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)
- b. License No. 16396/94-2133 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired Water right was acquired in conjunction with land exchange between Sunshine Mining Company and the Shoshone Country Club.

3. Source of water Big Creek tributary to South Fork Coeur d'Alene River

4. Date of priority April 3, 1965.

5. Water is used for the following purposes:

amount 1.0 CFS for Irrigation purposes from 5/1 to 9/15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 1.0 cubic feet per second
&/or
b. 135.0 acre feet per annum

7. Location of original point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 10
Township 48N Range 3E, B.M., in Shoshone County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

| TWP. | RANGE | SEC. | NE $\frac{1}{4}$ | | | | NW $\frac{1}{4}$ | | | | SW $\frac{1}{4}$ | | | | SE $\frac{1}{4}$ | | | | TOTALS |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
| | | | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | |
| 48N | 3E | 10 | | | 20 | 5 | | | | | | | | | 5 | 15 | | | 45 |
| | | | | | | | | | | | | | | | | | | | |
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MICROFILMED

MAY 13 1987

Total number of acres to be irrigated 45

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

| TWP. | RANGE | SEC. | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTALS |
|------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
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Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information
- a. Amount of water to be diverted 1.0 c.f.s. &/or _____ acre feet
- b. Description of diverting works 75 h. p. electric pump lifting water from Big Creek through a 6" pipeline to a reservoir for the golf course sprinkling system.
- c. Describe the reasons for the proposed changes Shoshone Country Club's water rights were for a golf course which is now the site of the Sunshine Mine tailings pond. Sunshine Mine constructed a new golf course for Shone Country Club and pumps water into a pond on the course which is used for irrigation.

2. Change in point of diversion
- Point of diversion SE ¼ NE ¼, Section 10 Township 48N
Range 3E, B.M., Shoshone County
Additional points _____

MICROFILMED

MAY 13 1987

3. Change in place of use
- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer Does not apply. Place of use described in License 16396/94-2133 is now a tailings pond.

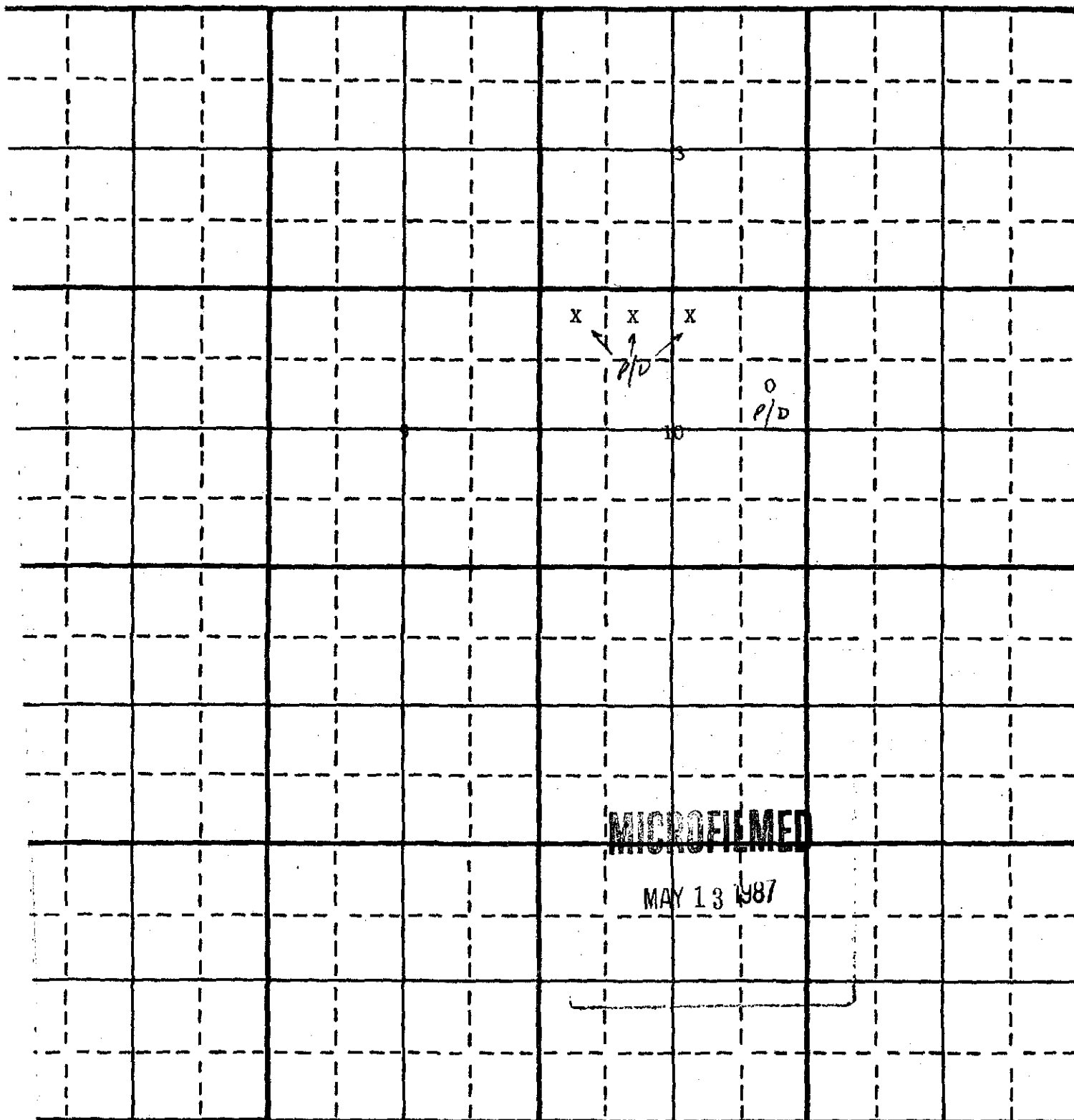
c. Describe the land or place of use to which the right will be transferred:

| TWP. | RANGE | SEC. | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTALS |
|------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| 48N | 3E | 10 | | 5 | | | 20 | 20 | | | | | | | | | | | 45 |
| | | | | | | | | | | | | | | | | | | | |
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Total number of acres to be irrigated 45

4. Describe any other water rights used for the same purpose as described above. n/a
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

48N 3E



E: 2 inches equal 1 mile. Draw plan in ink.

D. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Robert E. Lounsbury
(Signature of Applicant)

Subscribed and sworn to before me this 14th day of August, 19 86

Susan B. Shipette
(Notary Public)

My commission expires 9-1-86

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____ and said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

MICROFILMED

MAY 13 1987

FOR DEPARTMENT USE ONLY

| | | |
|---|--------------------------------------|-----------------------------|
| Received by <u>jm</u> | Date <u>8/25/86</u> | Protest filed by _____ |
| Prelim. check by _____ | Fee _____ | _____ |
| Receipted by _____ | Date _____ | _____ |
| Published in _____ | Copies of protest forwarded by _____ | |
| Pub. dates _____ | Hearing held by _____ | Date _____ |
| Watermaster recommendation requested on _____ | Recommended for _____ | approval _____ denial _____ |
| _____ rec'd. _____ | by _____ | _____ |

OLD ACCOUNT NO. 00-07450-000

Duane E. Little
Shoshone County Assessor
P.O. Box 619
Wallace, ID 83873

THIS IS NOT A BILL

Presorted
First Class
Wallace, ID 83873
Permit No. 5

| CATEGORY DESCRIPTION | LOTS/ACRES | MARKET VALUE |
|--------------------------|------------|--------------|
| 07 BARE LAND & YIELD T1 | 14.610-> | 1,320 |
| 14 INDUSTRIAL LAND | 22.000-> | 94,600 |
| 19 LAND | 2.900-> | |
| TOTAL MARKET VALUE-----> | | 95,920 |

1986 TAXPAYERS

VALUATION ASSESSMENT NOTICE

Information on Protest of Assessment
and Claims for Tax Reduction and
Exemption on Reverse Side

IN CASE OF ERROR
Notify Assessor's Office Immediately

KEEP THIS COPY FOR YOUR RECORDS

RECEIVED

MAY 13 1987

Mail To:
SUNSHINE MINING CO.
BOX 1060
KELLOGG, ID. 83837

LEGAL DESCRIPTION:
2000;PRT OF E1/2NE
10-48-3
OLD PARCEL # 48N03E1-10-1955

PROPERTY ADDRESS

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Shoshone Country Club
Post office address Wallace, Idaho Phone _____
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☒ Big Creek
(name spring, stream, etc.)
Tributary to South Fork of Coeur d'Alene River

3. Water will be used for the following purposes:

Amount 1.0 c.f.s. for Irrigation and Domestic
_____ AF/Annum (nature of use)

Period of Use: from May 1 to September 15
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 16396/94-2133
Examination for B/U

4. Total amount to be appropriated:

Max Rate of Diversion 1.0 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 48 N/S, Range 3 E/W, B.M., Section 10, Subdivision NW 1/4 SE 1/4, Shoshone
County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
County

Other Points of Diversions: _____

Description of diverting works: 2 - 30 h.p. 1-1/2 Mrv Ingersoll Rand Pump. Pumping water
from small rockfill dam at the rate of approximately 450 g.p.m. - 10 hrs. out of 24
Later May through September

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

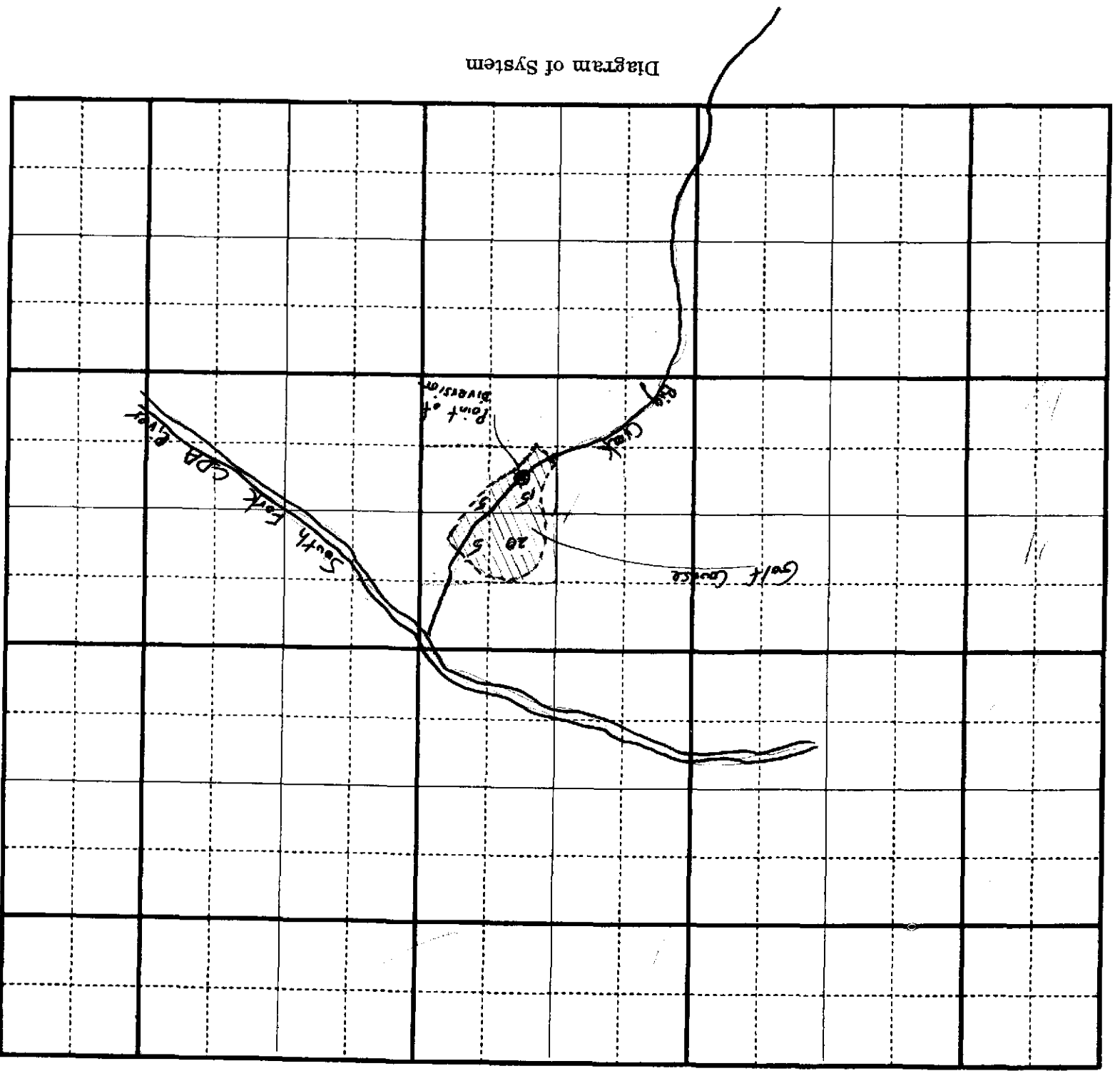
| TWP. | RANGE | SEC. | NE1/4 | | | | NW1/4 | | | | SW1/4 | | | | SE1/4 | | | | TOTALS |
|------|-------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|
| | | | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | |
| 48N | 3E | 10 | | | x | x | | | | | | | | | x | x | | | |
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TOTAL ACREAGE _____

| | |
|-----------|-------|
| by: _____ | _____ |
| by: _____ | _____ |
| by: _____ | _____ |
| by: _____ | _____ |

DATE _____
 EXAMINATION RECORDS _____

Diagram of System



DATE OF EXAM 9/22/75

ACREAGE
Found 45 acres
Recommended 45 acres

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q= 1.0 c.f.s. V= 135.0 AF/Ann. from 5/1 to 9/15
Domestic Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 1.0 cfs Method of measurement statement of Engineer who designed the system

Total Q recommended 1.0 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 135.0 a.f. / season

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

Bill Anderson
Hecks
752-1251

MEASUREMENT CALCULATION:

Bill Anderson, engineer who designed and maintains the system stated that the system is throttled down to pump 450 gpm, which operates 7 large sprinklers and 12 small sprinklers at one time. Recommend to license at 10 cfs

SYSTEM DESCRIPTION:

| | | | | | |
|----|-------------|---------------------|----|---------------------|---------------------|
| #1 | G.E. Motor | Ingersoll-Rand Pump | #2 | G.E. Motor | Ingersoll-Rand Pump |
| | 30 h.p | SN: B41788 | | 30 h.p | NO # |
| | SN: 5517720 | | | unable to read I.D. | 4" output. |

REMARKS:

Water is diverted from Big Creek by means of (2) 30 h.p pumps and motors into a common sprinkler system.

Examiner's Signature Fred Cantelmo Date 9/22/75

Checked by Phil Lock Date 9/29/75

Approved by _____ Date _____

June 1, 1971

Re: Permit No. 16396/94-2133

Mr. Gus Voltolini, Pres.
Shoshone Country Club
Star Route
Kellogg, Idaho 83837

Dear Mr. Voltolini:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Before a license can be issued, a field examination must be made by a representative from this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

May 20, 1971

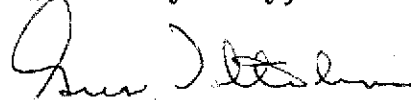
Mr. Donald W. McEldowney
State of Idaho
Department of Water Administration
State House-Annex 2
Boise, Idaho 83707

Dear Mr. McEldowney:

As per your instructions from your letter of April 27, 1971, please find Affidavit of Publication relative to the notice of existing water permit as published in the Kellogg Evening News, Shoshone County, Kellogg, Idaho.

We wish to thank you for your cooperation relative to the water permit for the Shoshone Country Club.

Yours very truly,



Gus Voltolini
President

GV:ss

April 27, 1971

Re: Permit No. G-16396/94-2133

Mr. Gus Voltolini, Pres.
Shoshone Country Club
Sunshine Star Route
Kellogg, Idaho 83837

Dear Mr. Voltolini:

The legal notice for the above-referenced permit is being published in the

Kellogg Evening News, Kellogg, Idaho on May 6th

and May 13th, 1971.

You will be required to submit an affidavit of publication to this department.
The affidavit may be obtained from the above-mentioned newspaper upon payment of
the bill of publication.

Thank you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/BB

April 27th, 1971

Re: Permit No. G-16396/94-2133 - Shoshone Country Club

Kellogg Evening News
401 Main
Kellogg, Idaho 83837

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates, allowing ample time for you to submit to us a galley proof for our review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact the Department of Water Administration immediately.

The expense of the publication is to be paid by Gus Voltolini, President
Sunshine Star Route, Kellogg, Idaho 83837, to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/BB
Enc: legal notice

94 2133

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that the Shoshone Country Club, Sunshine Star Route, Kellogg, Idaho, has received an approved Permit No. 16396/94-2133 issued by the Idaho Dept. of Water Administration authorizing the diversion of 1.0 cubic feet per second of water from Big Creek, tributary to the South Fork Coeur d'Alene River. The priority to be established under this permit is April 3, 1965, and the permit was approved November 23, 1925.

Water is to be diverted by pump from a point within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 10, T. 48N, R. 3E, B.M., Shoshone County, to be used for irrigation and domestic purposes in the S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 10, T. 48N, R. 3E, B.M.

Proof of application of the water to beneficial use was submitted to the Department on April 6, 1971. Any protest against the issuance of a license for the above referenced permit should be filed with the Idaho Dept. of Water Administration, Statehouse, Boise, Idaho, 83707, within ten days of the last date of publication of this notice.

R. KEITH HIGGINSON

Director

Published in the Kellogg Evening News, Kellogg, Idaho, on May 6th and May 13th, 1971.

Permit No. 16396/94-2133

Director:

You are hereby authorized to have the above notice published at my expense in the Kellogg Evening News of Kellogg, Idaho; published in the county in which the works are situated.

94 2133

[Signature]
(Signature)

4/26/71
(Date)

President - Shoshone Country Club
(Address)

Sunshine Star Rt, Kellogg Idaho 83837

April 14, 1971

Re: Permit 16396/94-2133

Mr. Gus Voltolini, Pres.
Shoshone Country Club
Sunshine Star Route
Kellogg, Idaho 83837

Dear Mr. Voltolini:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed you will find an Order which advances the priority under this permit to April 3, 1965.

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a permit holder to make proof of beneficial use.

The enclosed order modifies the above mentioned permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a newspaper as prescribed by the Department. If you will complete and return the enclosed form, we will cause the notice to be published.

If you have any questions or if we may be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

Enc: Orders (2)

Adv. authorization

cc: James P. Keane

7 21132

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 16396/94-2133)

in the name of SHOSHONE COUNTRY CLUB)

ORDER

WHEREAS, on November 20, 1925, the Shoshone Country Club applied to the Department of Water Administration (formerly the Department of Reclamation) for a permit to appropriate 1.0 cubic feet per second of water from Big Creek, tributary to the South Fork of the Coeur d'Alene River, from a point within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, of Sec. 10, T. 48N, R. 3E, B.M., to be used for irrigation and domestic purposes; and,

WHEREAS, on November 23, 1925, the Department approved the application and issued Permit No. 16396 with the condition that one-fifth of the work be completed on or before May 23, 1926; and that the whole of said works be completed on or before November 23, 1926; and that the water be appropriated to a beneficial use on or before November 23, 1927; and,

WHEREAS, on November 19, 1926, the Department extended the time for completion of works to November 23, 1930, thereby extending the time for proof of beneficial use to November 23, 1931; and,

WHEREAS, proof of completion of works was made on September 7, 1927; and,

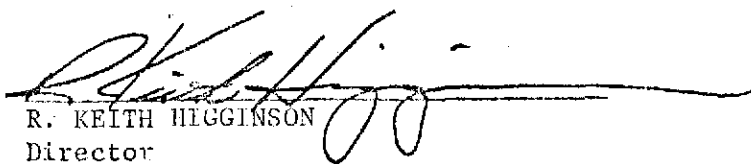
WHEREAS, on January 4, 1971, the Department notified the permit holder that Permit No. 16396/94-2133 was subject to cancellation for failure to submit proof of beneficial use on November 23, 1931; and,

WHEREAS, proof of beneficial use was received by the Department on April 6, 1971; and,

WHEREAS, Section 42-218a of the Idaho Code provides that in the event that proof of beneficial use is submitted after the deadline set forth in the conditions of approval, the priority date of such permit shall be advanced the same number of days that said proof is late;

THEREFORE, IT IS HEREBY ORDERED that the priority under Permit No. 16396/94-2133 be advanced to April 3, 1965.

Dated this 13TH day of April, 1971.


R. KEITH HIGGINSON
Director

94 2133

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 16396/94-2133)
in the name of SHOSHONE COUNTRY CLUB)
_____)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

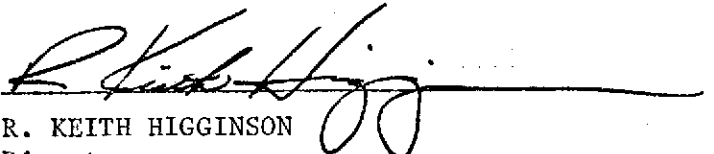
WHEREAS, on August 1, 1968, the Department of Water Administration adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 16396 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

1. The above numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.

Dated this 13th day of April, 1971.


R. KEITH HIGGINSON
Director

BDF:DR

94 2133

April 5, 1971

Mr. Donald W. McEldowney
Appropriations Supervisor
Department of Water Administration
State of Idaho
State House Annex 2
Boise, Idaho 83707

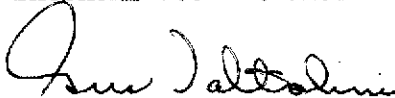
Re: Permit Number 16396
Identification Number 94-2133

Dear Mr. McEldowney:

With this letter please find Proof of Application of Water to Beneficial Use being forwarded in behalf of the permit holder of the above captioned number, Shoshone Country Club. The said application is being forwarded after having received from Bobby D. Fleenor, Assistant Director, a copy of the original permit issued September 28, 1927.

Very truly yours,

SHOSHONE COUNTRY CLUB


Gus Voltolini
President

GV/h

Enclosure

cc: James P. Keane
Attorney at Law
311 Main Street
Kellogg, Idaho 83837

March 29, 1971

Re: Permit No. 16396/94-2133 - Shoshone Country Club

BROWN, PEACOCK, KEANE & BOYD
Attorneys at Law
311 Main Street
Kellogg, Idaho 83837

ATTENTION: James P. Keane

Dear Mr. Keane:

Pursuant to your request, please find enclosed a copy of the above referenced permit page.

If you should have any questions, do not hesitate to contact us.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

Enc: copy of permit

BROWN, PEACOCK, KEANE & BOYD

ATTORNEYS AT LAW

311 MAIN STREET

KELLOGG, IDAHO 83837

ROBERT E. BROWN
JOHN J. PEACOCK
JAMES P. KEANE
WILLIAM F. BOYD

March 26, 1971

P. O. BOX 659
TELEPHONE
AREA CODE 208
784-1105

Mr. R. Keith Higginson, Director
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

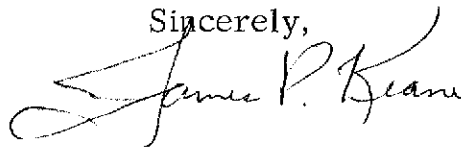
Re: Permit No. 16396/94 - 2133

Dear Mr. Higginson:

Please forward to me the application for 94-2133.

Receipt of your copy of the order and letter to Mr. Voltolini
is acknowledged and I wish to thank you for your courtesies.

Sincerely,



JAMES P. KEANE

JPK/eb

94 2133

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse — Annex 2

Boise, Idaho 83707

(208) 384-2215

March 23, 1971

Re: Permit Nos. 94-2133 and 94-2143



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

Mr. Gus Voltolini, President
Shoshone Country Club
Sunshine Star Route
Kellogg, Idaho 83837

Dear Mr. Voltolini:

Enclosed is an Order reinstating your two above referenced permits. You now have until April 23, 1971, within which to show cause why your permits should not be cancelled for failure to submit proof of beneficial use of water.

If you have any questions, please feel free to contact this office.

Very truly yours,

R. KEITH HIGGINSON
Director

RKH:kh

Enclosure

cc. James P. Keane, Attorney

94 2133

BEFORE THE DIRECTOR
OF THE
IDAHO DEPARTMENT OF WATER ADMINISTRATION

In The Matter of Permit Nos.

94-2133 and 94-2143 in the name
of SHOSHONE COUNTRY CLUB

ORDER OF
REINSTATEMENT

On January 4, 1971, the Department of Water Administration forwarded notice to the Shoshone Country Club, Wallace, Idaho, that the club's Permit Nos. 94-2133 and 94-2143 were held for cancellation for failure to submit the proofs of beneficial use of the water, which were due on November 23, 1931 and January 30, 1928, respectively.

On February 16, 1971, the Department received, from James P. Keane, attorney at law, representing the Shoshone Country Club, a letter requesting that we forward a copy of Permit No. 94-2143 and further that the Department grant an extension of time until he had opportunity to investigate the matter. Pursuant to Mr. Keane's request by letter, dated February 12, 1971, the Department indicated that it would withhold action on Permit No. 94-2143 until March 16, 1971. No mention was made in Mr. Keane's letter nor the Department's reply of Permit No. 94-2133.

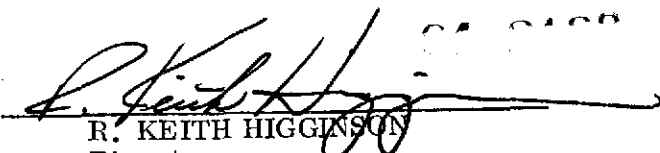
By Order, dated February 23, 1971, Permit No. 94-2133 was cancelled for failure of the permit holder to submit proof of beneficial use or to request an extension of time.

On March 1, 1971, the Department received a letter, from Mr. Gus Voltolini, President of Shoshone Country Club, in which he called attention to the fact that no mention was made in correspondence with our office concerning Permit No. 94-2133 and indicated that this is not the same number as the original permit received July 19, 1927.

On March 10, 1971, the Director discussed these permits with Mr. James Keane, by telephone. It appeared that an error had been made in interpreting the notices from the Department because of the similarity of the permit numbers and that in fact the Shoshone Country Club holds two permits and not one as they had assumed. It would appear that the information supplied by the Department in response to inquiries, while not in error, may have mislead the permit holder by referring only to one permit and not to both permits on which notices to show cause why the permits should not be cancelled had been given.

It is, therefore, Ordered and Permit No. 94-2133 is hereby reinstated with its original priority date and the Shoshone Country Club is allowed thirty (30) days or until April 23, 1971, within which to show cause why Permit Nos. 94-2133 and 94-2143 should not be cancelled for failure to submit proof of beneficial use of water.

Dated this 23rd day of March, 19 71.


R. KEITH HIGGINSON
Director

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

IN THE MATTER OF CANCELLATION OF PERMIT)
TO APPROPRIATE THE PUBLIC WATERS OF THE)
STATE OF IDAHO NO. 16396/94-2133)
IN THE NAME OF Shoshone Country Club)

ORDER OF CANCELLATION

WHEREAS, the permit holder has failed to submit proof of beneficial use
of water due on November 23, 1931; and,

WHEREAS, on January 24, 1971, notice was sent to the holder of said
permit to appear before the Director of the Department of Water Administration
on or before February 18, 1971, to show cause why said permit should not be
cancelled; and,

WHEREAS the holder of said permit has failed to comply with the require-
ments of said permit and has not shown adequate cause why such permit should not
be cancelled;

IT IS THEREFORE ORDERED and Permit 16396/94-2133 is hereby CANCELLED.

Dated this 23rd day of February, 19 71.


R. KEITH HIGGINSON
Director

94 2133

INSTRUCTIONS TO DELIVERING EMPLOYEE



Show to whom, date, and
address where delivered



Deliver **ONLY**
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

1

R. L. Robertson

31572

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

2

94-2133

DATE DELIVERED

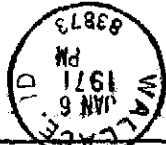
SHOW WHERE DELIVERED *(only if requested)*

3

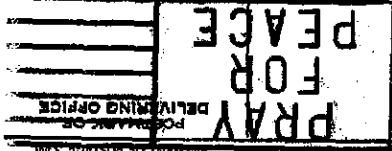
1-6-70

94-2133

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS



PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE 33M



INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moistened gummed ends, attach and hold firmly to back of article. Print on front of article RETURN RECEIPT REQUESTED.

RETURN TO

NAME OF SENDER

DEPARTMENT OF WATER ADMINISTRATION

STREET AND NO. OR P.O. BOX

STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707

POST OFFICE, STATE, AND ZIP CODE

January 4, 1971

CERTIFIED MAIL #30572

Re: Permit No. 16396 (New No. 94-2133)

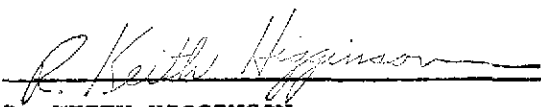
Shoshone Country Club
Wallace,
Idaho 83873

Gentlemen:

It appearing to the Department of Water Administration that the terms and conditions of Permit 16396/94-2133 to appropriate the public waters of the State of Idaho have not been complied with as to failure to submit proof of beneficial use of water due on November 23, 1931,

you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the Director of the Department of Water Administration on or before February 13, 1971, why said permit should not be cancelled.

Permit 16396/94-2133 claims the use of 1.0 cubic feet per second of water, the point of diversion was to be located within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10, T. 48N, R. 3E, B.M. and the permit was approved November 23, 1925.


R. KEITH HIGGINSON
Director

94 2133

DONALD A. CALLAHAN
ATTORNEY AT LAW
WALLACE, IDAHO

December 27, 1927.

16396

Re: Permits 16396-16722-Shoshone Country Club.

Mr. George N. Carter,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

Your letter of December 24, 1927 has been received and in reply will say that Mr. Callahan is out of town and will not return until about the middle of February. This matter will be brought to his attention immediately upon his return.

Very truly yours,

E. M. Glouace

Clerk.

16396

December 24, 1927.

Re: Permits 16396-16722-Shoshone Country Club.

Mr. Donald A. Callahan,
Attorney at law,
Wallace, Idaho.

Dear Sir:

In looking through the files of the above numbered permits we find that the depositions have not been received here for proof of beneficial use of water. These proofs were to be made November 7 before Therrett Towles, Notary Public.

Please advise us as to what disposition should be made of these proofs.

Very truly yours,

GEO. N. CARTER,
Commissioner of Reclamation,

By

Chief Clerk.

B:P

16396

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 16396

This proof is for BEN. USE

In Water District No.

- i. Name of applicant: Shoshone Country Club
2. Source of water supply: Big Creek
3. Location of point of diversion: Is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10
T. 48N R. 3E County of Shoshone

4. Describe works as they exist, giving dimensions and capacities of same: *Diversion dam of logs + plank 40 ft long x 2 ft high; Intake box 4' x 4' x 4' of plank construction; 4" steel pipe reducing to 1" in the 600 ft distance to pump intake*

5. Water is used for: Irrigation and domestic purposes

6. State whether or not water has been turned into works of diversion: *yes*

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10, T. 48 N., R. 3 E., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? *Cornwall River*

Remarks:

This examination was made on the 13th day of Oct 1927

(Signed)

Frank A. Johnson

Examiner.

16396

Shoshone Country Club 3-A
Wallace

Permit No. 16396

Examination for BEN. USE

County Shoshone

INSTRUCTIONS TO EXAMINERS

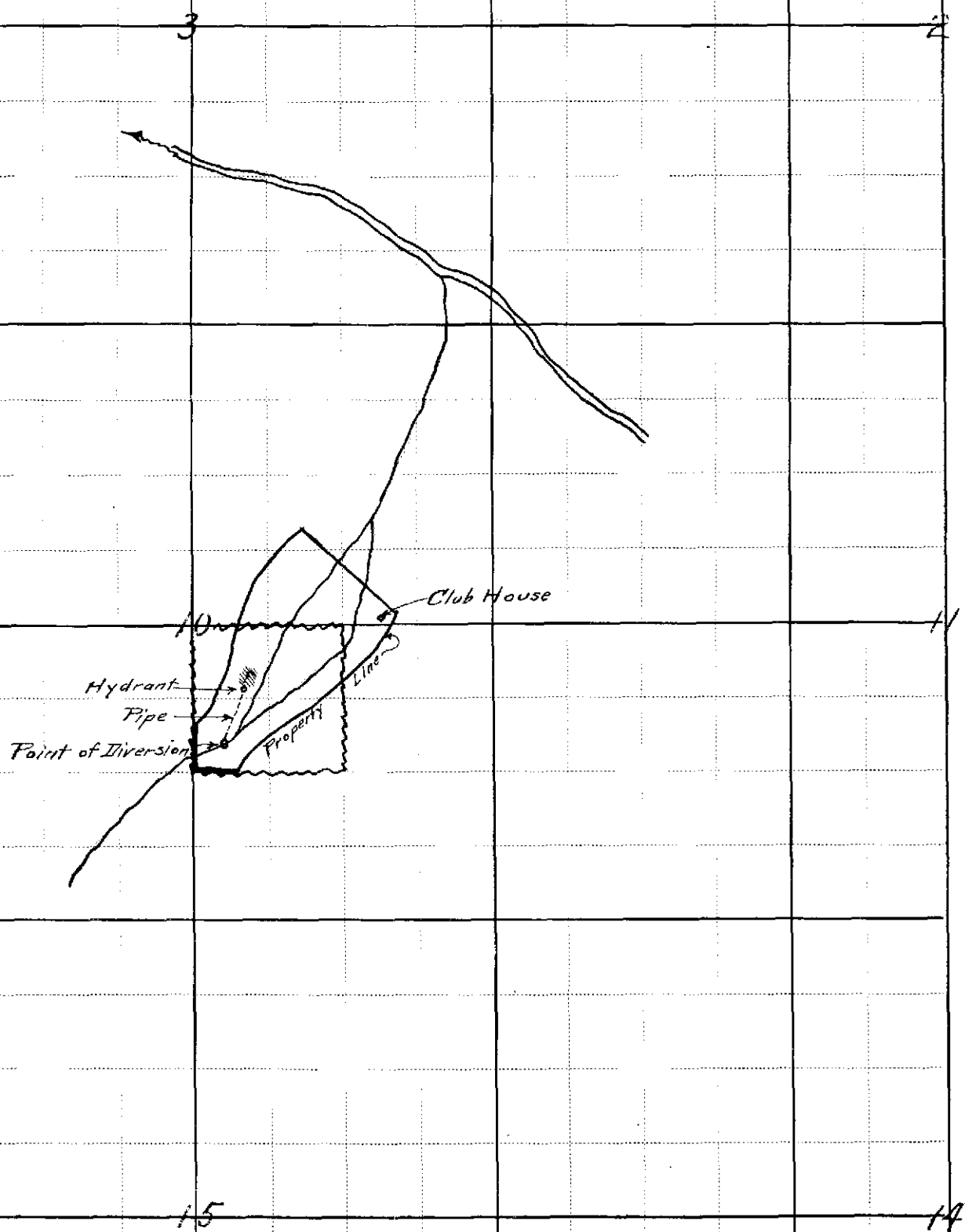
1. Always carefully note the location of the point of diversion, and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make a plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him, and make your report only upon actual existing facts and conditions.
-

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. _____

REPORT ON PROOF OF _____



SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

Oct. 19, 1927

Shoshone Country Club,

c/o Therrett Towles,

Wallace, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 16396

DEPOSITION OF PERMIT HOLDER, DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On November 8, 1927, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Wallace before Therrett Towles, notary public.

2. When the depositions have been taken, they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

GEO. N. CARTER,

Commissioner of Reclamation.

16396

PRESS-TIMES PUBLISHING CO.

YOUR NEWSPAPER--YOUR PRINTER

WALLACE, IDAHO.

Sept 27, 1927

Mr. Geo. N. Carter
Commissioner of Reclamation
Boise, Idaho.

Re; Shoshone Gountry Club

Dear Sir:

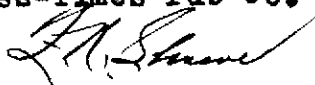
We hereby acknowledge receipt of your favor of
Sept 26, 1927, enclosed therewith NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE- Permit No 16722 and Permit No. 16396

Your office will be duly furnished with our first
publication carrying a copy of the two NOTICES.

Thanking you, we are

Yours truly

Press-Times Pub Co.

By 

16396

1
September 28, 1927.

Re: Permits No: 16422-16396.

Mr. Donald A. Callahan,
Attorney at law,
Wallace, Idaho.

Dear Sir:

We are mailing herewith Certificates of
Completion of Works issued under the above
numbered permits; also receipt for fees paid.

Very truly yours,

GEO. N. CARTER,
Commissioner of Reclamation,

By

Chief Clerk

B:P

Enc.

16396

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

16396

Date Sept. 26, 1927

The Wallace Press-Times

Wallace, Idaho

PUBLISHER:

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to November 7, 1927, the date set for proof, the expense of the publication to be paid by the applicant, Donald A. Callahan, Pres., of Wallace, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy of the first publication.

Very truly yours,

GEO. N. CARTER,

Commissioner of Reclamation.

16396

September 26, 1927.

Re: Permits 16396-16722--Shoshone Country Club.

Mr. Donald Callahan,
Attorney at law,
Wallace, Idaho.

Dear Sir:

We are today in receipt of your letter enclosing fees for proofs of completion of works under the above numbered permits, also notices for proof of beneficial use of water.

The Certificates of Completion of Works will be issued and mailed to you within the next few days.

A copy of each notice has today been mailed to the Wallace Press Times for the required four weeks publication prior to November 6, the date set for proof.

Deposition blanks for holder and two witnesses will be mailed to Mr. Therrett Towles in time for proof to be made on the date set.

Very truly yours,

GEO. N. CARTER,
Commissioner of Reclamation,

By

Chief Clerk.

B:P

16396

DONALD A. CALLAHAN
ATTORNEY AT LAW
WALLACE, IDAHO

September 22, 1927.

Mr. George N. Carter,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

Inclosed you will please find check of Shoshone
Country Club for \$10.00, payment for filing fees
of Proof of Completion of Works under permits
16396 and 16722.

You will also find inclosed notices for Pub-
lication of Proof of Application of Water to
Beneficial Use under permits 16396 and 16722.

Very truly yours,

Donald Callahan

DAC:EM
Incs.

16396

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 22, 1927
(P. O.) Wallace, Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Wallace Press Times of Wallace, Idaho, published in the county in which the works are situated.

Shoshone Country Club
By Donald A. Callahan
President

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well-known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

16396

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 7th day of November, 1927,
at Wallace, County of Shoshone, State of Idaho,
before Therrett Dowles, Notary Public, proof will be submitted
of the application to beneficial use of One (1) cubic feet per second of the
waters of Big Creek in accordance with the terms and conditions of
Permit No. 16396 heretofore issued by the Department of Reclamation
of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are

Shoshone Country Club, Wallace, Idaho.

The use to which said water has been applied is irrigation and domestic use.

The amount applied to beneficial use is One (1) Cu. ft. per second

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) N.W. 1/4 S.E. 1/4, of Section 10, T. 48 N., R. 3 E. B.M., Shoshone County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use

is Private pipe line

The right to take water from such works is based upon Permit No. 16396

The source of supply from which such water is diverted is

Big Creek

The date of the priority which said user is prepared to establish is Nov. 20, 1925

May 23, 1926

Geo. H. Carter,

Commissioner of Reclamation.

7W-SE-10-48N-36

Shoshone

91-L

16396

September 13, 1927.

Re: Permits 16396-16722.

Mr. Donald A. Callahan,
Attorney at law,
Wallace, Idaho.

Dear Sir:

We are in receipt of your letter of the 7th instant, enclosing affidavits for proof of completion of works under the above numbered permits. The fees due amount to \$10.00, being \$5.00 for each proof. Upon receipt of this amount the certificates will be issued.

As per your request we are mailing you herewith blank notices for proof of beneficial use of water under these permits.

Very truly yours,

GEO. N. CARTER,
Commissioner of Reclamation,

By

Chief Clerk.

B:P
Enc.

16396

DONALD A. CALLAHAN
ATTORNEY AT LAW
WALLACE, IDAHO

September 7, 1927.

Mr. George N. Carter,
Commissioner of Reclamation,
Boise, Ida.

Dear Sir:

Inclosed you will please find Proofs of
Completion of Works under permits numbers
16393 and 16722.

Kindly forward necessary blanks for furnish-
ing Proofs of Beneficial Uses of Water app-
ropriated under these permits.

Very truly yours,

Donald Callahan

DAC:EM
Incs.

#10 Jan -
F 10-11 -

16396

Permit No. 16396

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO, }
County of Shoshone } SS

Donald A. Callahan, being first duly sworn, upon his oath deposes and says:
First: That he is the holder and owner of Permit to appropriate the Public Waters of the state of Idaho, No. 16396, and that his postoffice address is Wallace State of Idaho

Second: That the name of the stream from which said water is to be diverted is Big Creek

Third: That the point of diversion of said water is 1500 feet distant from S. 4 Cor. Sec. 10, T. 48 N., R. 3 E., in the N. W. 1/4 of S. E. 1/4 of said Section

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by November 23, 1930

Fifth: That the use for which said water is intended is Irrigation and domestic

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: Dam and Pipe line
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam four feet, length of dam at top 30 feet, length of dam at bottom 15 feet. Material used in construction logs and stone

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir 2500 cu. ft.

(c) Size of headgate: Width two feet, height two feet.

(d) Conduit pipe width at bottom _____ feet, width at water line _____ feet, depth of water _____ feet; diameter of pipe two inches, average grade per mile is 60 feet. Length of conduit is one-quarter mile

(State whether ditch, flume or pipe.)

Seventh: That said works are capable of conducting to the place of intended use One second feet of water.

Eighth: That water appropriated under said permit is available for 45 acres acres of land described as follows: the property of the Shoshone Country Club consisting of about 45 acres of ground in the N. E. 1/4 and S. E. 1/4 Sec. 10 T. 48 N. R. 3 E., divided about evenly in the two quarter sections.

Ninth: Remarks: That this water is used for domestic purposes as drinking water etc. and for the irrigation and sprinkling of the fairways and greens of the golf course,

Donald A. Callahan
(Sign here)

Subscribed and sworn to before me this 7 day of Sept, 1927

My commission expires Oct 19 1927

Thurman Towles

Notary Public.

16396

July 21, 1927

Re: Permit No. 16396-Shoshone Country Club.

Mr. Donald A. Callahan,
Attorney at law,
Wallace, Idaho.

Dear Sir:-

Per your request the 16th inst., we are herewith
mailing you a copy of the above numbered permit, together
with affidavit form for holder for proof of completion of
works.

Very truly yours,
GEO. N. CARTER,
Commissioner of Reclamation.

By _____
Chief Clerk.

Enc.

16396

DONALD A. CALLAHAN
ATTORNEY AT LAW
WALLACE, IDAHO

Nov. 15, 1926.

Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

Inclosed you will please find application
for extension of time under permit No.
16396 Shoshone Country Club.

We shall greatly appreciate the granting
of the extention here applied for.

Very truly yours,

DAC:EM

Donald Callahan
President

16396

Permit No. 16396

Application for Extension of Time FOR COMPLETION OF WORKS

Shoshone Country Club by Donald Callahan, President, of Wallace
State of Idaho, being first duly sworn, upon his oath deposes and says:

He is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 16396

Under the terms and conditions of said permit, construction work thereunder was required to be
completed by November 23, 1926

That ^{it} he has heretofore performed the following work described under said permit:

Erected dam for diversion of water, built intake
and short flume

costing \$ 50.00

THAT he is unable to complete the remainder of the work within the required time, for the following reasons, to-wit:

Because of shortness of season

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the completion of construction work under said permit, to November 23, 1930

Shoshone Country Club.

Donald Callahan, President

Subscribed and sworn to before me this 15th day of November, 1926.

My commission expires Oct 19 1927

Therese Dowles

Notary Public.

Date of receipt at Department of Reclamation. NOV. 19, 1926

APPROVAL OF COMMISSIONER OF RECLAMATION

I, Geo. N. Carter, Commissioner of Reclamation of the State of Idaho, hereby extend the time for the completion of construction work under Permit to appropriate the Public Waters of the State of Idaho, No. 16396, to November 23, 1930

Witness my hand this 19th day of November, 1926

Geo. N. Carter
Commissioner of Reclamation.

By

16396

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Shoshone County Club
Wallace, Idaho

Boise, Idaho,

August 10, 1926

Dear Sir:—

Under the terms of your permit No.....16396.....you are required to complete your diversion works on or before.....Nov. 23, 1926..... I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

W. G. SWENDSEN

Commissioner of Reclamation.

16396

