

July 25, 1967

RE: Permits 18061, 18064 and 15030

Norman M. Smith
Mining Engineer
Big Creek
Kellogg, Idaho 83837

Dear Mr. Smith:

Water rights are acquired by two methods in the State of Idaho. One by permit and license through this Department, the other by diversion and beneficial use. However, there is no record of rights obtained by diversion and use. The new statutes allow for claims to be filed in our office for old use rights.

Water rights can be lost by two means; abandonment and forfeiture. Forfeiture is the non-use of available water for a period of 5 years. Abandonment is to abandon without ever planning on using the water again and can happen at anytime.

Water rights become appurtenant to the use or lands licensed for and can be sold or leased as personal property. However, if the place of use is changed a transfer of the right must be made through our office.

We do have records of water licenses for two of the companies. Water license 18061 for 5.0 c.f.s., and 18064 for 2.0 c.f.s. issued to Sunshine Consolidated, Inc. for water out of Big Creek. Water license 15030 for 2.0 c.f.s. issued to Sunshine Mining Company for water from Big Creek.

We can find no filings for water for the Lincoln Mining Company or the Silver Dollar Mining Company.

If we can be of further assistance please let us know.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:efw

15030

PROOF OF PUBLICATION

County of Shoshone, }
STATE OF IDAHO, } SS.

NOTICE FOR PUBLICATION

Notice of Proof Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 20th day of December, 1922, at Kellogg, County of Shoshone, State of Idaho, before W. O. Straight, Notary Public, Kellogg, Idaho, proof will be submitted of the application to beneficial use of Two (2) cubic feet per second of the waters of Big Creek in accordance with the terms and conditions of Permit No. 15030 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 Sunshine Mining Company, Kellogg, Idaho.

The use to which said water has been applied is Milling purposes.

The amount applied to beneficial use is 2 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) at Sunshine Mill, on Big Creek, on the SW $\frac{1}{4}$, Sec. 15, T. 48 N., R. 3 E. B. M.

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

The right to take water from such works is based upon Permit No. 15030.

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 December 9, 1920.

W. G. SWENDSEN,
Commissioner of Reclamation
11-3, 11-24

W. L. Penney, being first duly sworn, deposes and says that he is publisher of **KELLOGG—NEWS—WARDNER**, a weekly 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 Proof Application of
Water to Beneficial Use
Permit No. 15030
Sunshine Mining Company

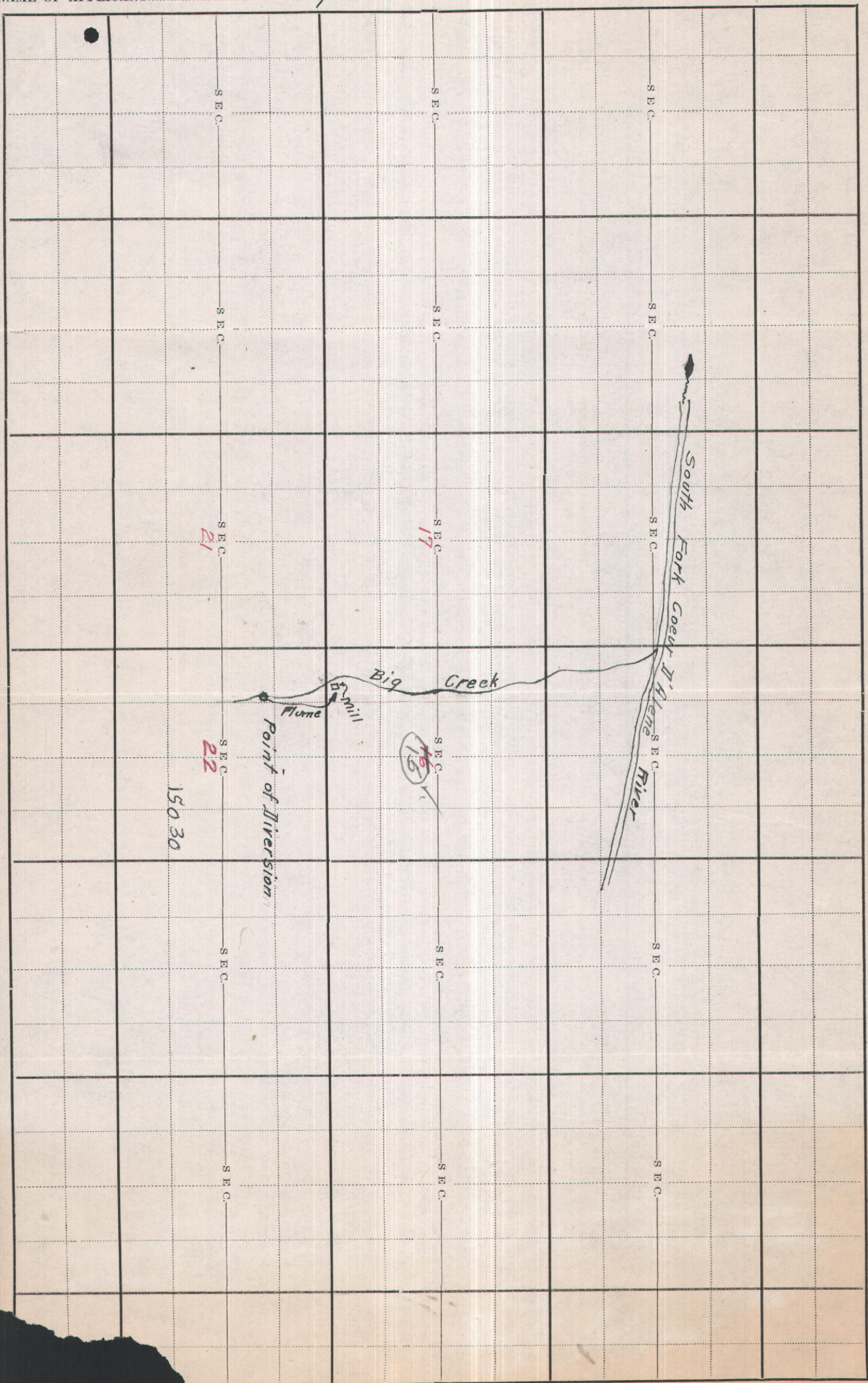
of which the annexed is a true copy, was published in each regular weekly issue of said newspaper, and not in a supplement thereto, for a period of 4 consecutive weeks, the first publication thereof being in its issue dated Nov. 3, 1922 and the last publication thereof being in the issue dated

Nov. 24, 1922

Subscribed and sworn to before me this 24th day of November 1922

W. L. Penney
Willington
Notary Public.

15030



W.G. Swendsen, esq.,
Commissioner of Reclamation
Boise, Idaho.

Kellogg, Idaho, Dec. 7th. 1922

Dear Sir: Our Mr. R. S. Merriam has been injured in a mine and is in the Hospital so I am writing you for the proper blanks upon which to make proof of "application of water to beneficial use" on Dec. 20th. as per notice herewith enclosed.

And oblige,

Very Truly Yours,

Sunshine Mining Co.

J. B. Cox, Secy.

NOTICE FOR PUBLICATION
Notice of Proof Application of Water to Beneficial Use
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The name and postoffice address of

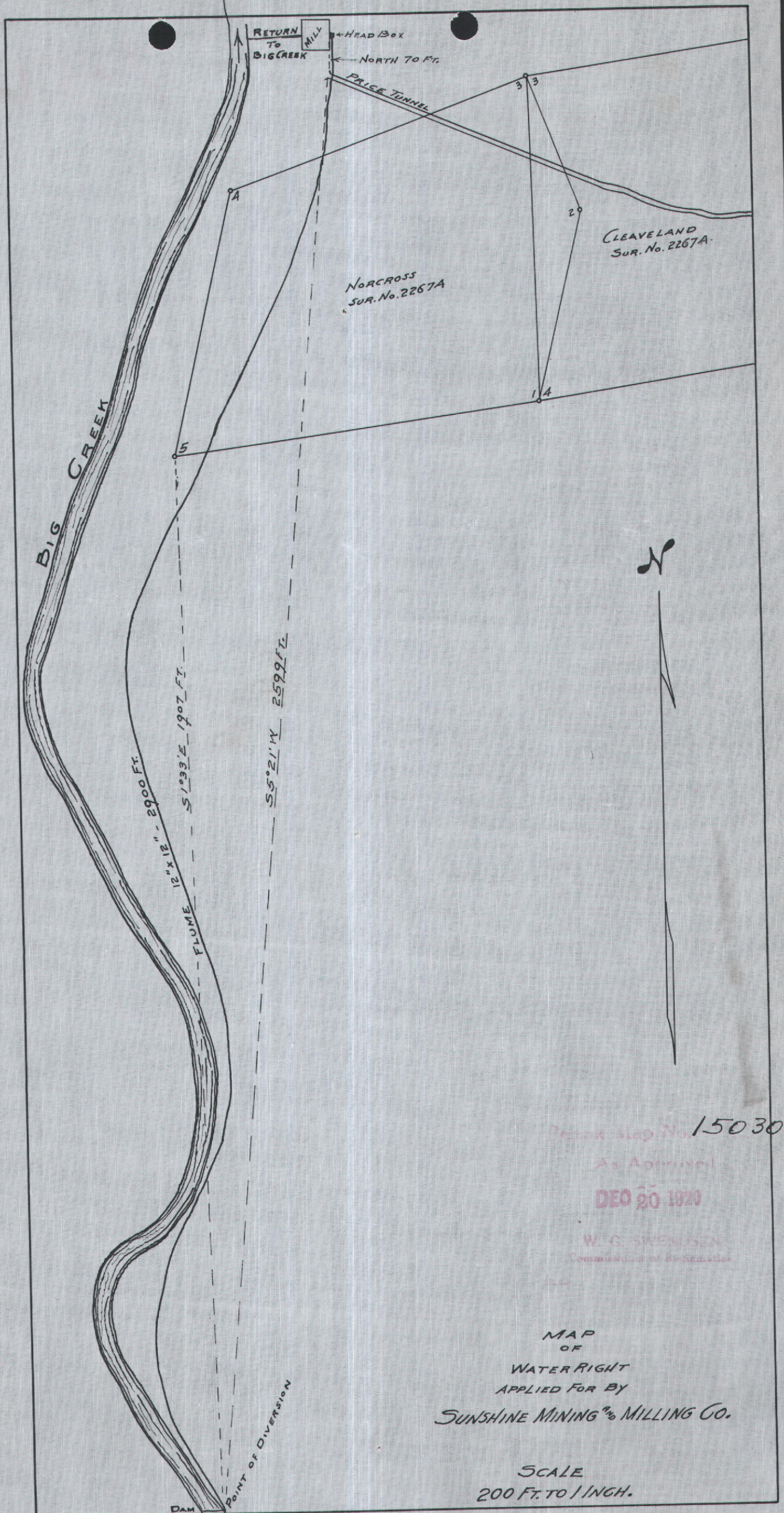
FRIDAY, NOVEMBER 17, 1922

for the person or corporation holding said permit are Sunshine Mining Company, Kellogg, Idaho.
The use to which said water has been applied is Milling purposes.
The amount applied to beneficial use is 2 cubic feet per second.
The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) at Sunshine Mill, on Big Creek, on the SW 1/4, Sec. 15, T. 43 N., R. 3 E. B. M.
The name of the canal or ditch or other works by which said water is conducted to such place of use is Sunshine Flume.
The right to take water from such works is based upon Permit No. 15030.
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 December 9, 1920.

W. G. SWENDSEN,
Commissioner of Reclamation
11-3, 11-24

NOTICE

15030



Plan Map No. 15030

As Approved

DEC 20 1920

W. C. SWANSON
Commissioner of Resources

MAP
OF
WATER RIGHT
APPLIED FOR BY
SUNSHINE MINING & MILLING CO.

SCALE
200 FT. TO 1 INCH.

State of Idaho
License and Certificate of Water Right

Water License No. 15030Amount 2 sec. ft.Water District No. 91-CPriority 12-9-1920

THIS IS TO CERTIFY that Sunshine Mining Company
of Spokane, Washington, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 9, 1920; that Permit No. 15030
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
two second feet, was issued thereunder on June 9, 1922, showing that said works
were completed on the 8th day of March, 1922; and that on the 20th
day of December, 1922,

Sunshine Mining Company

of Spokane, State of Washington, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Big Creek
, a tributary of S. Fk. Coeur d'Alene River for the purpose of milling
, under Use Permit No. 15030 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 6 of Licenses, at page 3155, on the 20th day of March, 1924;

The right hereby confirmed dates from December 9, 1920;

The Point of Diversion is located

in the 1/4 NW 1/4, Sec. 22, Tp. 48 N., R. 3 E., B. M.
County of Shoshone.

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 two cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			The water is to be used at Sun- shine Mill on Big Creek, on the SW <u>1/4</u> Sec. <u>15</u> , T. <u>48 N.</u> , R. <u>3 E.</u> , B. M.		

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 20th day of March, 1924.

W. G. SWENDSEN.

Commissioner of Reclamation.

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. 12699Amount 0.3 sec. ft.Water District No. 13-APriority 5-24-1918

THIS IS TO CERTIFY that Ora D. Kelly
of Wilson, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 1, 1916; that Permit No. 12699
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1 second feet, was issued thereunder on August 10, 1921, showing that said works
were completed on the 23d day of December, 1919; and that on the 16th
day of June, 1923,

Ora D. Edwards

of Nampa, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Reynolds
Creek, a tributary of mountain gulches, for the purpose of irrigation
& domestic use, under Use Permit No. 12699 of the State Engineer
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 6 of Licenses, at page 3156, on the 2d day of April, 1924;

The right hereby confirmed dates from May 24, 1918;

The Point of Diversion is located
in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, Tp. 1 S., R. 3 W., B. M.

County of Owyhee.
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 0.3 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 N.	3 W.	27	Lot 2	40	15

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 2d day of April, 1924.

W. G. SWENDSEN.
Commissioner of Reclamation.

(SEAL)

APPLICATION FOR PERMIT 94-2114

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. **21560**
 Permit No. **15030**
 District No. **91- C.**

1. Name of Applicant: **Sunshine Mining & Milling Company**

Postoffice address: **Kellogg,**

County: **Shoshone,**
P.O. Box 144

State: **Idaho**

I. If applicant is a corporation, give:

- (a) Date and place of incorporation: **Spokane, Washington**
 (b) Amount of capital stock: **\$ 150,000**
 (c) Amount paid in:
 (d) Names and addresses of directors: **E. C. Tonsley, George Kappel, Spokane, Wash.**
Wm. F. Newton, 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: **Two (2)** cubic feet per second.

3. Source of water supply: **Big Creek** which is a tributary of **South Fork of Coeur d'Alene River**
S. 1° 35' E. 1907 ft. from Corn No. 5 Sur. No. 2267 A.-Harcross Lands and

4. Location of point of diversion: **S. 5° 21' W. 2599 ft from portal** distant from the
of Price Tunnel.

corner of Section **22**, T. **48 N.**, R. **3 E.**, B. M., and is in the **N. W. quarter**
 of Section **22**, T. **48 N.**, R. **3 E.**, B. M., County of **Shoshone**

5. Water is to be used for: **Milling purposes**

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

Portal of Price tunnel.

(a) Point of use of water **North 70 ft. from** distant from corner of Section
 T. **48 N.**, R. **3 E.**, B. M., in the **S. W. quarter** Section **15**, T. **48 N.**, R. **3 E.**, B. M.

(b) Amount of power generated: **None** H. P., under **100** feet head.

(c) Water is to be returned to **Big Creek** at a point **100** feet **west**

distant from the **Mill** corner of Section **15**, T. **48 N.**, R. **3 E.**, B. M., in the
S. W. quarter of Section **15**, T. **48 N.**, R. **3 E.**, B. M.

7. Estimated cost of works: \$ **1500**

8. Kind of works: **Dam and flume**

9. Height of dam **1** feet; length of dam at top **30** feet; length of dam at bottom **30**
 feet; material used in dam **Wood**

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

11. Ditch: Width at bottom **12" x 12"** feet; width at water line **2900** feet; depth of water

feet; dimensions of flume **12" x 12" --- 2900 feet**

Diameter of pipe **2900 ft.** inches; length of conduit **2900 ft.** miles.

Average grade per mile **7** 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? **No** 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.

Sunshine Mining & Milling Company,

Applicant.

By

R. S. Harrison

Agent.

Date of first receipt at office of State Engineer 9.00 A. M. December 9, 1920

Returned to applicant for correction

Corrected application received

APPROVAL OF

COMMISSIONER OF RECLAMATION

~~APPROVAL OF STATE ENGINEER~~

The number of this permit is **15030**

Recorded in Book **53** Page **15030** Approved **December 20, 1920**

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 **February 18, 1921** 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 **June 30, 1921**

The whole of said work to be completed on or before **December 20, 1921**

Beneficial use of water appropriated in accordance herewith, to be made on or before **December 20, 1928**

Witness my hand this **20th** day of **December, 1920**

W. G. SWENDEEN.
Commissioner of Reclamation

State Engineer.

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	
			STATE OF WASHINGTON,) COUNTY OF SPOKANE,) SS. AFFIDAVIT AS TO CORRECT NAME. E. C. Tousley, being first duly sworn, upon oath, deposes and says; that he is secretary and treasurer of the Sunshine Mining Company, of Kellogg, Idaho, which company prior hereto made application for a water right on Big Creek, County of Shoshone, State of Idaho, being permit 15030 in department of Reclamation, State of Idaho; that in making such application a mistake was made in the name of the company applying therefor; that the name under which application was made was Sunshine Mining & Milling Company; that this was a mistake in making out the application; the name of the company at the time of application was <u>Sunshine Mining Company</u>; that the correct name of the applicant was at the time, and now is, <u>Sunshine Mining Company</u>; that affiant knows that the application, herein referred to, was made for and on behalf of the Sunshine Mining Company. Subscribed and sworn to before me this 10th day of January, 1921. (SEAL) Received Jan. 13, 1921. Department of Reclamation. E. C. Tousley Notary Public for the State of Washington, res. at Spokane, Was.																

STATE OF IDAHO

Department of Reclamation

In the Matter of the Reinstatement
of Permit No. 15030, under the Pro-
visions of Section 5594, Idaho Com-
piled Statutes.

ORDER REINSTATING PERMIT 15030

WHEREAS, Permit No. 15030 lapsed through the failure of the holder to make proof of completion of the works of diversion within the time specified in the permit, to-wit: December 20, 1921, and

WHEREAS, On the 4th day of March, 1922, notice to show cause why said permit should not be cancelled, under the provisions of Section 5594, Compiled Statutes of Idaho, was duly served on the holder of said permit; and,

WHEREAS, On the 6th day of March, 1922, the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,

WHEREAS, On the 8th day of March, 1922, depositions of the holder and two witnesses were received at the Department of Reclamation showing the said works of diversion were completed within the time required in the permit; and,

WHEREAS, After examination of the said depositions, the Commissioner of Reclamation of the State of Idaho, is fully satisfied that the works of diversion were completed, as required under the terms of said Permit No. 15030, and that the holder has acted in good faith;

IT IS, THEREFORE, Hereby ordered that said Permit No. 15030 be, and the same is, hereby reinstated and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department at Boise, Idaho, this 9th day of June, 1922.

W. G. Swendsen,
Commissioner of Reclamation.

(SEAL)

By Geo. N. Carter,
Assistant.

Proof of Completion of Works made March 8, 1922.
Certificate of Completion of Works issued June 9, 1922.

Permit No. 15030

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that Sunshine Mining Company, of Spokane, County of Spokane, and State of Washington, the holder of permit 15030, issued upon Application No. 21360, bearing date of priority of December 9, 1920, authorizing the diversion of two second feet of the waters of Big Creek; County of Shoshone, State of Idaho, for milling 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 two second feet of the waters of Big Creek; that the point of diversion of said waters is in the northwest quarter of Section 22, Twp. 48 N., R. 3 E., B. M., and that the water is to be used for milling purposes.

Witness my hand this 9th day of June, A. D. 1922.

License issued for 2.5 and fee

Page 3155

W. G. Swendsen,
Commissioner of Reclamation

By Geo. N. Carter,
Assistant.

April 17, 1972

Re: License No. 94-2114

Sunshine Mining Company
Post Office Box #1080
Kellogg, Idaho 83837

Gentlemen:

Please find enclosed a copy of the above referenced license and the examination report in connection with the same. Also enclosed, please find two (2) copies of this Department's Application for Transfer of Water Right forms, with instructions.

If we may be of any assistance in the completion of these transfer forms, or in any other manner, please do not hesitate to contact this Department.

Very truly yours,

James Booker
Appropriation Examiner

JB:CS

Enc: referenced copies
transfer forms

94 2114

July 25, 1967

RE: Permits 18061, 18064 and 15030

Norman M. Smith
Mining Engineer
Big Creek
Kellogg, Ida 83837

Dear Mr. Smith:

Water rights are acquired by two methods in the State of Idaho. One by permit and license through this Department, the other by diversion and beneficial use. However, there is no record of rights obtained by diversion and use. The new statutes allow for claims to be filed in our office for old use rights.

Water rights can be lost by two means; abandonment and forfeiture. Forfeiture is the non-use of available water for a period of 5 years. Abandonment is to abandon without ever planning on using the water again and can happen at anytime.

Water rights become appurtenant to the use or lands licensed for and can be sold or leased as personal property. However, if the place of use is changed a transfer of the right must be made through our office.

We do have records of water licenses for two of the companies. Water license 18061 for 5.0 c.f.s., and 18064 for 2.0 c.f.s. issued to Sunshine Consolidated, Inc. for water out of Big Creek. Water license 15030 for 2.0 c.f.s. issued to Sunshine Mining Company for water from Big Creek.

We can find no filings for water for the Lincoln Mining Company or the Silver Dollar Mining Company.

If we can be of further assistance please let us know.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:efw

15030

NORMAN M. SMITH
MINING ENGINEER
BIG CREEK
KELLOGG, IDAHO 83837

July 19, 1967

RECEIVED
JUL 24 1967

Department of Reclamation

Mr. R. Keith Higginson
Bureau of Reclamation
State House
Boise, Idaho

Dear Mr. Higginson:

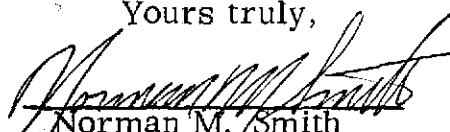
I am trying to learn the status of certain water rights of several mining companies in Shoshone County. The County Recorder informed me of your name and office and believed you could furnish the data desired.

First, how is a water right acquired and maintained; and how is it lost? Can a water right be leased or sold?

Second, what is the status of the water rights of the following companies - all in Shoshone County, T 48N, R 3E, BM:

1. Sunshine Consolidated, Inc. - 18061 - 18064
a. On Big Creek, Sec. 22. 5.0 cfs 2.0 cfs
b. On a west tributary of Big Creek in sections 21 and 22.
2. Sunshine Mining Company
a. On Big Creek, Sec. 22, T 48N, R 3E, BM. 15030
b. On an east tributary of Big Creek in Sec. 15. 2.0 cfs
3. Lincoln Mining Co. or Silver Dollar Mining Company.
On Spring Gulch, Sec. 14.

Yours truly,


Norman M. Smith

NMS/m

March 21, 1924.

Re: Permit No. 15030
Sunshine Mining Company.

Mr. J. B. Cox,
Secy. Sunshine Mining Company,
Kellogg, Idaho.

Dear Sir:

We are enclosing herewith Water License,
issued under the above numbered Permit, together
with receipt for fees.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation

Encls.

By

Chief Clerk.

15030

W.G.Swendsen, esq.,

Kellogg, Idaho, March 17th. 1924

Commissioner of reclamation

Boise, Idaho.

Dear Sir: Enclosed please find our check for \$5.00 as fees for
issuing License for use of Water on Big Creek as per Permit 15030.

Sunshine Mining Co.

J. B. Cox

15030

PROOF OF PUBLICATION

County of Shoshone, }
STATE OF IDAHO, } ss.

NOTICE FOR PUBLICATION Notice of Proof Application of Water to Beneficial Use

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The name and postoffice address of the person or corporation holding said permit are Sunshine Mining Company, Kellogg, Idaho.

The use to which said water has been applied is Milling purposes.

The amount applied to beneficial use is 2 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) at Sunshine Mill, on Big Creek, on the SW $\frac{1}{4}$, Sec. 15, T. 48 N., R. 3 E. B. M.

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

The right to take water from such works is based upon Permit No. 15030.

The source of supply from which said water is diverted is Big Creek.

The date of the priority which said user is prepared to establish is December 9, 1920.

W. G. SWENDSEN,
Commissioner of Reclamation
11-35 11-24

W. L. Penney, being first duly sworn, deposes and says that he is publisher of KELLOGG—NEWS—WARDNER, a weekly 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 Proof Application of
Water to Beneficial Use
Permit No. 15030
Sunshine Mining Company

of which the annexed is a true copy, was published in each regular weekly issue of said newspaper, and not in a supplement thereto, for a period of 4 consecutive weeks, the first publication thereof being in its issue dated Nov. 3, 1922 and the last publication thereof being in the issue dated Nov. 24, 1922

Subscribed and sworn to before me this 24th day of November, 1922

Notary Public.

15030

January 7, 1924.

Re: Permit No. 15030
Sunshine Mining Company.

Mr. J. B. Cox,
Kellogg, Idaho.

Dear Sir:

The report of our examining engineer on proof of beneficial use of water under the above numbered Permit has recently been filed in this office. The fees due before issuing license, amount to \$5.00. Upon receipt of this amount, together with the affidavit of publication from the Kellogg-Warden News, license will be issued.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation

CB:E

By

Chief Clerk.

15030

REPORT OF ENGINEER

This proof is for BEN. USEIn Water District No. 91-C1. State name of applicant and number of permit: Sunshine Mining Co. Permit 150302. State source of water supply: Big Creek3. Location of point of diversion: NW $\frac{1}{4}$ Sec. 22-48N-3E.B.M.

4. Describe works as they exist, giving dimensions and capacities of same: Diversion dam 3' high, 50 ft. long of logs & plank, Timber control wing & gate 4 ft. high, $\frac{1}{2}$ mile of flume 12" wide x 8' high leads to mill, Capacity of flume 1 Sec. 57.

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

6. ~~Give exact location of lands to be irrigated, in preference 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): At Sunshine Mill, on Big Creek, in SW $\frac{1}{4}$ Sec. 15-48N-3E.B.M.

7. Submit map on enclosed plat, showing location and details of above description.

8. How many parties conduct water in this system? one

9. Give names and amount of each right:

10. What large stream would the water here appropriated finally reach?

11. Describe the various tributaries en route, from point of diversion to the principal drainage stream:

Remarks: Water is used in a very economical manner in the "floatation" process and then returned to the stream

This examination was made on the 16th day of July 1923

(Signed)

Frank H. Holman

Examiner.

OVER

15030

Permit No. 15030

Instructions to Examiners

1. Examiners will not be permitted to examine any of the receipts in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they exist, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately plat same.
3. Find out how many parties own right in the ditch or canal and give their names and amount of right.
4. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
5. 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.
6. If any unusual conditions are discovered, make a plain statement of them under remarks.
7. 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.

(This report must be sworn to when not made by an attache of the office.)

STATE OF IDAHO,

ss.

County of _____

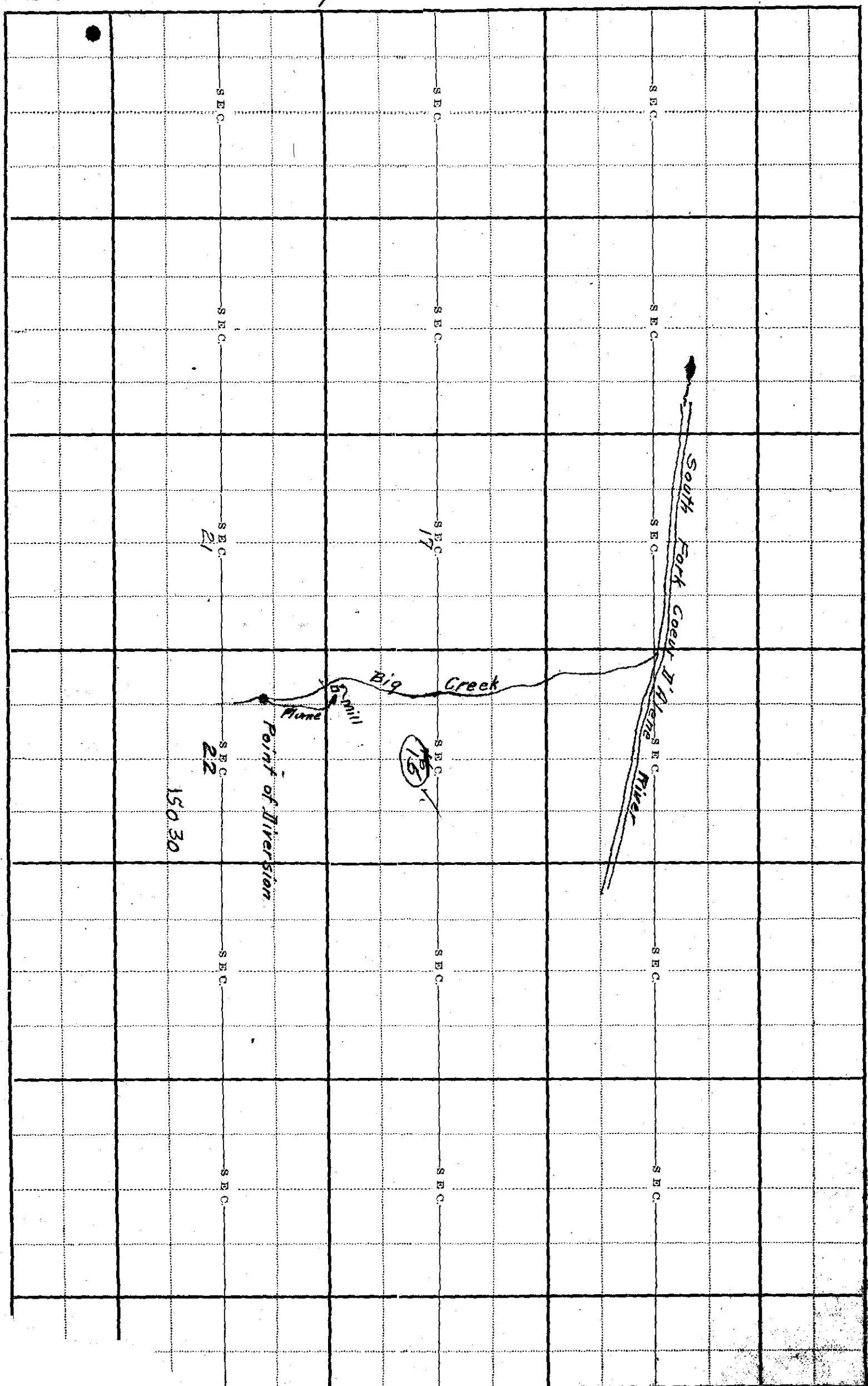
_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____, 19____

My commission expires _____ Notary Public.

NAME OF APPLICANT Sunshine Mining Co. B.U. #15030

(7/16/23)
#



1 MILE. DRAW PLAN IN INK.

December 22, 1922.

Re: Permit No. 15030-Sunshine Mining Co.

Mr. J. B. Cox,
Kellogg, Idaho.

Dear Sir:-

We are today in receipt of depositions in the matter of proof of beneficial use of water under the above permit. These have been checked and are in proper form. There also remains to be filed the affidavit of publication from the Kellogg-Wardner News. The statutory fee for proof of use of water for other than irrigation purposes, is \$5.00. The fees, however, should not be sent until after the examination has been made by our engineer in the Springs at which time you will be further advised in the matter.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By

Chief Clerk.

15030

December 22, 1922.

Re: Permit No. 15030-Sunshine Mining Co.

Mr. W. O. Straight,
Kellogg, Idaho.

Dear Sir:-

We are today in receipt of depositions in the matter of proof of use of water under the above permit. These have been checked and are in acceptable form.

Very truly yours,

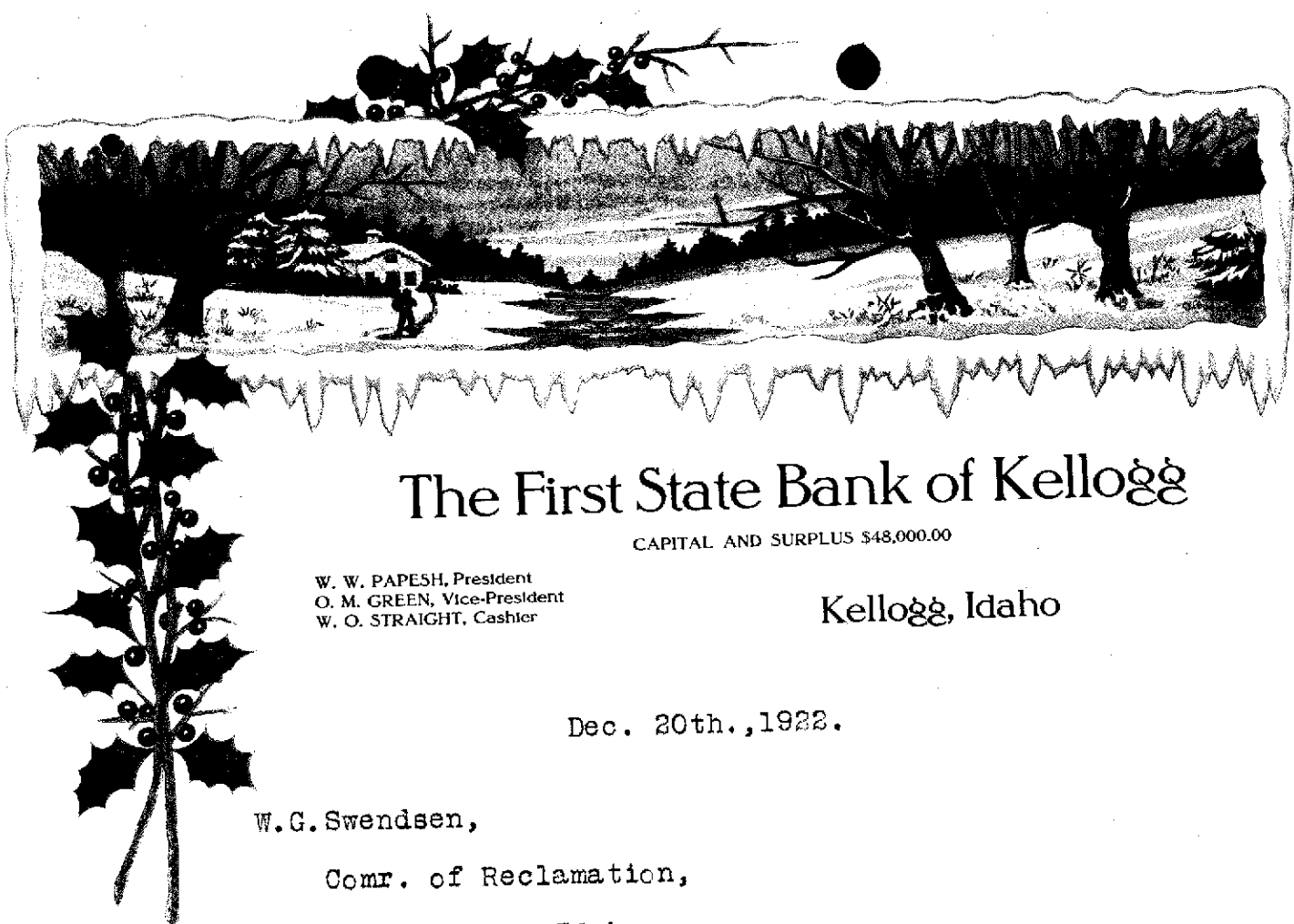
W. G. SWENDSEN,

Commissioner of Reclamation.

By

Chief Clerk.

15030



The First State Bank of Kellogg

CAPITAL AND SURPLUS \$48,000.00

W. W. PAPESH, President
O. M. GREEN, Vice-President
W. O. STRAIGHT, Cashier

Kellogg, Idaho

Dec. 20th., 1922.

W.G. Swendsen,
Comr. of Reclamation,
Biose Idaho.

Dear Sir;

Please find the following
papers in connection with the proof of Permit
No 15030 Sunshine Mining Co;

Deposition L.W.Wilson
Deposition Lawrence R. Shaver
Deposition of J.B.Cox Statutory
Agent of Company

I trust the same will be found
in due form and in accord with the requirements of the
department.

Yours very truly

W. O. Straight
Notary public.

15030

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 15030

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. J. B. Cox, 52 years Kellogg Idaho merchant and mining man
Kellogg Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. Sunshine Mining Co., Yakima Wash, home office, J. B. Cox
Statutory Agent, and Sec- Treas of the Corporation.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. 15030 Dec. 9th 1920

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Big Creek in NW¹ Sec. 22 Twp 48 N R 3 E. B. M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Diversion is made by dam of Logs, rock, brush etc in
Big Creek about $\frac{1}{2}$ mi. above the mill and concentrator
of the Sunshine Mining Co. Water carried from dam to
mill by flume of lumber about 12 in X 12 in with capacity
of two second feet per second.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivate or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water used in the Sunshine Mining Co. mill and concentrator
for washing ores and in concentrating. Water used for
General Milling purposes.

Ques. 7. If for other than for irrigation purposes, state how applied, amount of horse power generated, etc.

Ans. Used only as above.

15030

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. requires two second feet to successfully handle mill

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. Acting for Company as Statutory Agent and Sec. Treas.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. For over one year last past have been using capacity of flume in the milling and general work of the Company in reducing the ores mined from the adjoining property to the mill.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and right claimed thereunder.

Ans. None only for the general milling of the Company as stated heretofore.

(Sign)

J. B. Cox

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to

before me, at my office in Kellogg, County of Shoshone
State of Idaho, on this 20th day of December A. D. 1922.

My Commission expires
June 10 - 1923.

W. O. Shairer

NOTARY PUBLIC RESIDING AT
KELLOGG, IDAHO

15030

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 15030) #)

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Lawrence R. Shaver, 24 Kellogg Idaho Assayer Kellogg Idaho

Ques. 2. Are you acquainted with Sunshine Mining Co., the holder of Permit No. 15030? How long have you known him and where does he reside?

Ans. Yes About one year. Their Resident P.O. is Kellogg

Shoshone County Idaho

Ques. 3. Have you read or heard read said Permit No. 15030, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Big Creek About one half mile up creek from Price Tunnel of Sunshine Mining Co. claims. Dam across creek place of diversion made of logs, rock and dirt; flume from dam to mill is of boards about 12in X12 in all well built and working in good order

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. about two second feet; same amount used.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Used for milling and concentrating ores taken from Sunshine Mining Claims on Big Creek about about 6 miles east and a little south of Kellogg Idaho

About 80 feet north of mouth of Price Tunnel on Survey No 2267 A Shoshone Co. Idaho Yreka District.

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Used for wash water for milling and concentrating the
ores taken from the Sunshine Mining Co claims on Big Creek
Shoshone County Idaho, at their mill near mouth of Price
Tunnel.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. _____

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Have been assayer and Asst. Supt of the Sunshining Mining
Co. mill at Big Creek and have had charge of the water
diverted and used as heretofore stated for the milling use
of the plant.

(Sign) Lawrence R. Shawee

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in ~~XXXXXX~~ Kellogg, County of Shoshone, State of Idaho, on this 20th day of December A. D. 1922.

W. B. Shreeley

Notary Public.

My commission expires June 10th 1923.

15030

RECEIVED
DEC 20 1922
SUNSHINE MINING CO.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 15030

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. L.W. Wilson, 37 Kellogg Idaho Mill man, Kellogg Idaho

Ques. 2. Are you acquainted with Sunshine Mining Co, the holder of Permit No. 15030? How long have you known him and where does he reside?

Ans. Yes. 15 months, Resident P.O. Kellogg Idaho.

Ques. 3. Have you read or heard read said Permit No. 15030, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. About one half mile south of the mouth of the Price Tunnel on Big Creek Shoshone County Idaho, water from Big Creek, diverted by dam across Big Creek and carried from place of diversion by flume made of lumber, well placed in position; flume about 12 in X 12 in

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. about two second feet; using capacity of flume;

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water used for wash water for the Sunshine Mining Co mill and concentrator near mouth of the Price Tunnel on Big Creek about 6 miles East of Kellogg Idaho in the Yreka mining district.

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Water used for wash water for the mill of the Sunshine Mining Co plant on Big Creek Idaho ; Have used the capacity of the flume in the milling operations.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. _____

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Have been an employee of the Company for 15 months and have seen the water used in the mill to the full capacity of the flume.

(Sign) _____

L. H. Wilson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Kellogg, County of Shoshone, State of Idaho, on this 30th day of December A. D. 19 22.

W. O. Grayson

Notary Public.

My commission expires June 10th 1923

15030

December¹¹, 1922.

Re: Permit No. 15030-

Mr. J. B. Cox, Secretary,
Sunshine Mining Co.,
Kellogg, Idaho.

Dear Sir:-

Per your request the 7th inst., I am herewith enclosing
deposition blanks for proof of beneficial use of water under the
above numbered permit. A set of these blanks were mailed to the
notary public before whom proof is to be made on the 7th inst.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By

Chief Clerk.

DBU

15030

W.C. Swendsen, esq.,
Commissioner of Reclamation
Boise, Idaho.

Kellogg, Idaho, Dec. 7th. 1922

Dear Sir: Our Mr. R. S. Merriam has been injured in a mine and is in the Hospital so I am writing you for the proper blanks upon which to make proof of "application of water to beneficial use" on Dec. 20th. as per notice herewith enclosed.

And oblige,

Very Truly Yours,

Sunshine Mining Co.

J. B. Cox, Secy.

NOTICE FOR PUBLICATION
Notice of Proof Application of Water to Beneficial Use
Notice is hereby given that at 10 a. m. on the 20th day of December, 1922, at Kellogg, County of Shoshone, State of Idaho, before W. C. Straight, Notary Public, Kellogg, Idaho, proof will be submitted of the application to beneficial use of Two (2) cubic feet per second of the waters of Big Creek in accordance with the terms and conditions of Permit No. 15030 heretofore issued by the Department of Reclamation of the State of Idaho.
The name and postoffice address of

FRIDAY, NOVEMBER 17, 1922

for the person or corporation holding said permit are Sunshine Mining Company, Kellogg, Idaho.
The use to which said water has been applied is Milling purposes.
The amount applied to beneficial use is 2 cubic feet per second.
The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) at Sunshine Mill, on Big Creek, on the SW 1/4, Sec. 15, T. 42 N., R. 3 E. B. M.
The name of the canal or ditch or other works by which said water is conducted to such place of use is Sunshine Flume.
The right to take water from such works is based upon Permit No. 15030.
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 December 9, 1920.
W. G. SWENDSEN,
Commissioner of Reclamation
11-3, 11-24
NOTICE

15030

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS

~~PROOF OF COMPLETION OF WORKS~~
~~—AND—~~
PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, **December 7, 1922.**

Sunshine Mining Co.,
Kellogg, Idaho.
c/o **W. O. Straight,**
Kellogg, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of ~~completion of~~
~~works and~~ beneficial use of water under Permit No. **15030.**

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 **December 20, 1922**, the date set for proof, the enclosed forms (~~one~~ for permit holder and ~~two~~ each for two disinterested witnesses) should be filled out and sworn to, at ~~_____~~
~~Kellogg~~ before **W. O. Straight, 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,

V. G. SHESLER
~~Commissioner of Reclamation.~~
~~-State Engineer.~~

15030

November 1, 1922.

Re: Permit No. 15030.

Kellogg-Wardner News,
Kellogg, Idaho.

Gentlemen:-

Enclosed you will find notice of proof under the above permit for publication four consecutive weeks prior to December 20, the date set for proof, the expense of such publication to be paid by the Sunshine Mining Co., of Kellogg, 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,

W. G. SWENDSEN,

Commissioner of Reclamation.

By _____
Chief Clerk.

Not.

12/20

15030

October 5, 1922.

Re: Permit No. 15030-

Sunshine Mining Co.,
Kellogg, Idaho.

Gentlemen:-

Referring to your notice of proof of use of water under the above numbered permit would say, that, unless otherwise advised, notice for publication will be mailed to the Kellogg-Wardner News for the required four weeks publication prior to the date set for making proof, December 20, 1922. Deposition blanks, one for the holder and one each for two witnesses, will be mailed to the notary public before whom proof is to be made.

Very truly yours,

W. C. SWENDSEN,

Commissioner of Reclamation.

By

Chief Clerk.

15030

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 20th day of December, 1922,
at Kellogg, County of Shoshone, State of Idaho,
before W.O. Straight, Notary Public, Kellogg, Idaho, proof will be submitted
of the application to beneficial use of Two (2) cubic feet per second of the
waters of Big Creek in accordance with the terms and conditions of
Permit No. 15030 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.....

Sunshine Mining Company, Kellogg, Idaho.

The use to which said water has been applied is Milling purposes.

The amount applied to beneficial use is two second 2 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) at Sunshine Mill, on Big Creek, on the SW₁, Sec. 15, T. 48 N., R. 3 E. B.M.

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

The right to take water from such works is based upon Permit No. 15030

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 December 9, 1922.

W. O. Swendsen
Commissioner of Reclamation.

15030

NW 4 - Sec 22 - 48 N - 3 E
H-5
Kellogg, W. O. Swendsen

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Sunshine Mining Co.
Kellogg, Idaho.

Sept. 13, 1922.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. 15030, which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and date it is submitted.

Yours truly,

W. G. SWENDSEN.
Commissioner of Reclamation.

15030

June 16, 1922.

Re: Permit 15030
Sunshine Mining Co.

Mr. R. S. Merriam,
509 Sherwood Bldg.,
Spokane, Washington.

Dear Sir:

We inclose herewith order reinstating Permit
No. 15030 and Certificate of Completion of Works, issued
under the above numbered Permit, together with receipt
for fees.

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation.

Encls.

By
Chief Clerk.

150 30

STATE OF IDAHO

Department of Reclamation

In the Matter of the Reinstatement)
of Permit No. 15030, under the Pro-) ORDER REINSTATING PERMIT 15030.
visions of Section 5594, Idaho Com-)
piled Statutes.)

WHEREAS, Permit No. 15030, lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the permit, to-wit: December 20, 1921, and,

WHEREAS, On the 4th day of March, 1922, notice to show cause why said permit should not be cancelled, under the provisions of Section 5594, Compiled Statutes of Idaho, was duly served on the holder of said permit; and,

WHEREAS, On the 6th day of March, 1922, the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,

WHEREAS, On the 8th day of March, 1922, depositions of the holder and two witnesses were received at the Department of Reclamation showing the said works of diversion were completed within the time required in the permit; and,

WHEREAS, After examination of the said depositions, the Commissioner of Reclamation of the State of Idaho, is fully satisfied that the works of diversion were completed, as required under the terms of said Permit No. 15030, and that the holder has acted in good faith;

IT IS, THEREFORE, Hereby ordered that said Permit No. 15030 be, and the same is, hereby reinstated and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department at Boise, Idaho, this 9th day of June, 1922.

W. G. SWENDSEN,
Commissioner of Reclamation.

By

Lee N. Carter
Assistant.

15030

R. S. MERRIAM
MINING ENGINEER
509 SHERWOOD BUILDING.
SPOKANE, WASH.

Spokane, Washington.

May 3, 1922.

W.G. Swendsen,

Commissioner of Reclamation,

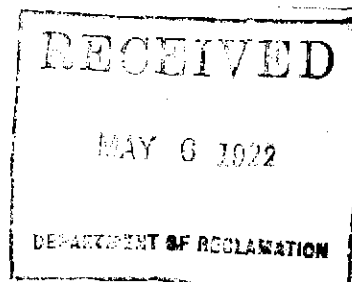
Boise, Idaho.

Sir;-

Herewith please find Money Order for five dollars (\$5),
fee on completion of works under Permit No. 15030, standing in
the name of the Sunshine Mining Company.

Very respectfully,

R. S. Merriam



15030

March 24, 1922.

Re: Permit No. 15030.
Sunshine M. & M. Co.,

Mr. R. S. Merriam,
509 Sherwood Bldg.,
Spokane, Washington.

Dear Sir:-

We are in receipt of the depositions for proof of completion of works under the above numbered permits. These have been checked and are in acceptable form. Upon receipt of statutory fee of \$5.00, the certificate of completion of works will be issued.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By

Chief Clerk.

15030

R. S. MERRIAM
MINING ENGINEER
509 SHERWOOD BUILDING.
SPOKANE, WASH.

Spokane, Washington.

March 22, 1922.

W.G. Swendseh,

Commissioner of Reclamation,

Boise, Idaho.

Sir;-

Herewith please find depositions of holder and of witnesses,
in connection with proof of completion of works under Permit
No. 15030.

Very truly yours,

R. S. Merriam

15030

PERMIT No. 15030

Proof of Completion of Works

DEPOSITION OF HOLDER

Under Terms of H. B. 53, Laws 1917.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans.

E. C. Tinsley, 54 Spokane, Mining
Box 1393, 1 Spokane Wash.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans.

Spokane Mining Co
509 Empire State Building, Spokane, Wash.
E. C. Tinsley, Secy by authority

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. Permit No. 15030, Dec. 9, 1921. Two second feet of the waters of
Big Creek. Point of diversion in NW. 1/4, S. 22, T. 48N., R. 3 E. B.M.

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you have reclaimed or intend to reclaim.

Ans. Water used for milling purposes.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Water has been turned into works of diversion to the full
capacity.

Ques. 6. State whether or not the works of diversion are fully completed, if so on what date, and whether or not they comply in all respects with the terms of the permit.

Ans. Works of diversion completed September 1, 1921.

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. Flume is 12" by 8" instead of 12" X 12" as specified in the permit.

Ques. 8. Give description of works and state dimensions and capacity of each part as they existed on September 1, 1921, and give cost of same.

Ans. Flume 12" by 8", 2900 ft. long. Cost \$ 1500.

(Sign here.)

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, in Shoshone, County of

Idaho, State of Idaho, on this 8th day of March A. D. 1922.

My Commission expires

June 10-1923

Notary Public.

15030

The Depositions of Witnesses, in this form, taken separately, required in each case.

PERMIT No. 15030

Proof of Completion of Works

DEPOSITION OF WITNESS

Under Terms of H. B. 53, Laws 1917.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Charles Lynch - 58 years Kella, Idaho

Millwright & Carpenter Kella, Idaho

Ques. 2. Are you acquainted with the Sunshine Mining Company, the holder of Permit No. 15030, authorizing the diversion of two second-feet of the waters of S. 5° 21' W. 2599 ft. from Big Creek, at portal of Price Tunnel for Milling purposes? How long have you known him, and where does he reside?

Ans. Yes. Have known this company for about a year.

Ques. 3. Have you read or heard read said Permit No. 15030, and are you familiar with its terms and conditions?

Ans. Yes.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. _____

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use? If so, when were they so completed?

Ans. Yes. Completed September 1, 1921.

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5, and give your estimate of their capacity on that date.

Ans. Flume 12" by 8", 2900 ft. long. Capacity one and one-half second feet.

(Sign here) Charles Lynch

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Kella, County

of Shoshone, State of Idaho, on this 15 day of

March

A. D. 1922

My commission expires June 10 - 1923

W. O. Straight
Notary Public.

15030

The Depositions of Witnesses, in this form, taken separately, required in each case.

PERMIT No. 15030

Proof of Completion of Works

DEPOSITION OF WITNESS

Under Terms of H. B. 53, Laws 1917.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Walter St Germain 37 - Osburne Id mining
Kellogg Idaho

Ques. 2. Are you acquainted with the Sunshine Mining Company, the holder of Permit No. 15030, authorizing the diversion of two second-feet of the waters of S. 5° 21' W. 2599 ft. from Big Creek, at portal of Price Tunnel for Milling purposes? How long have you known him, and where does he reside?

Ans. Yes. Have known this company for over a year.

Ques. 3. Have you read or heard read said Permit No. 15030, and are you familiar with its terms and conditions?

Ans. Yes.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. _____

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use? If so, when were they so completed?

Ans. Yes. Completed September 1, 1921.

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5, and give your estimate of their capacity on that date.

Ans. Flume 12" by 8", 2900 ft. long. Capacity, one and one half second feet.

(Sign here)

Walter St Germain

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Kellogg, County

of Shoshone, State of Idaho, on this 15th day of March A. D. 1922

My commission expires

June 10 - 1923

W O Straight

Notary Public

15030

March 8, 1922.

Re: Permit No. 15030.

Mr. R. S. Merriam,
509 Sherwood Bldg.,
Spokane, Washington.

Dear Sir:-

We are in receipt of notice of appearance to offer proof under the above permit. Depositions blanks are accordingly enclosed herewith enclosed. These should be filled out and returned to this office as soon as possible, with statutory fee of \$5.00.

Very truly yours,

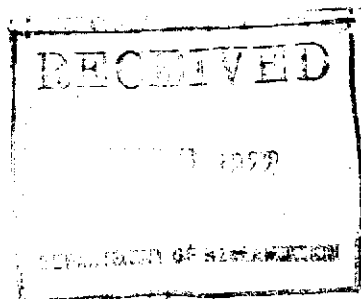
W. G. SWENDSEN,

Commissioner of Reclamation.

By

Chief Clerk.

15030



To W. G. Swendsen,

Commissioner of Reclamation,

Boise, Idaho.

Dear Sir:-

Receipt of notice that Permit No. 15030, is held for cancellation, under the provisions of Section 5594, Compiled Statutes of Idaho, is acknowledged. I hereby enter an appearance and will offer proof to show that the works required thereunder were fully completed on the date proof of completion of works was due.

Dated at Spokane, Washington, this 6th day of March, 1922.

Sunshine Mining Company,
Applicant.

By J. B. Merriam
Agent

W. G. Swendsen, Dep.
Spokane, Wash.

15030

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

..... **March 4**, 192**2**.

Re: Permit No. **15030**

To: **Sunshine Mining & Milling Co.,**
Kellough, Idaho.

It appearing to the Commissioner of Reclamation that the terms and conditions of Permit No. **15030**, to Appropriate the Public Waters of the State of Idaho, have not been complied with as to **proof of completion of works by December 20, 1921,**

you are hereby notified, in compliance with Sec. 5594, Compiled Statutes of Idaho, that said Permit No. **15030** is hereby held for cancellation.

You are hereby required to show cause before the Commissioner of Reclamation on or before forty days from date of this notice why said Permit should not be cancelled.

Said Permit No. **15030** claims the use of **2** cubic feet per second of the waters of **Big Creek**, with point of diversion located

In the NW 1/4 of Sec. 22, Twp. 48 N., R. 3 E., B. 1 E. and was approved **December 20** 192**2**.

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, this **4th** day of **March** 192**2**.

.....
Commissioner of Reclamation.

By
Deputy.

15030

March 4, 1922.

Re: Permit 15030. Sunset M. & M. Co.

Mr. R. B. Morrisam,
509 Sherwood Building,
Spokane, Washington.

Dear Sir:-

Replying to yours of the 1st inst., relative to proof under the above numbered permit, would say this proof was due December 20, 1921, and notice was mailed to the Company, at Kellog, September 2, 1921. The right is, therefore, not in good standing upon the records of this office. However, if the works of diversion were completed within the time required, proof may be made under the provisions of section 8894, Idaho Compiled Statutes. The first step toward this proof is notice of cancellation from this office, which is herewith enclosed. If the holder is ready to offer proof to show that the works were completed within the time required, the enclosed notice of appearance should be filled out and returned to us. Deposition blanks, one for the holder and one each for two witnesses, will then be mailed to you.

Very truly yours,

W. G. SWANSEN,

Commissioner of Reclamation.

By

Chief Clerk.

Enc.

15030

R. S. MERRIAM
MINING ENGINEER
509 SHERWOOD BUILDING.
SPOKANE, WASH.

Spokane, Washington.

March 1, 1922.

W.G. Swendsen,

Commissioner of Reclamation,

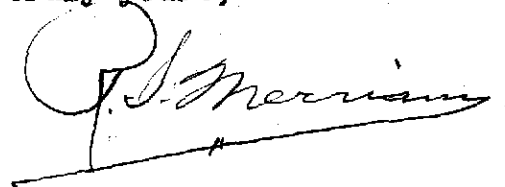
Boise, Idaho.

Sir;-

Referring to Permit No. 15030, issued to the Sunshine
Mining Company.

Will you kindly send me the necessary papers for making
final proof of completion of works and application of water
to beneficial use.

Very truly yours,

A handwritten signature in cursive script, reading "R. S. Merriam", with a horizontal line drawn underneath it.

15030

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Sushine Minigng & Milling Co.
Kellogg, Idaho.

Boise, Idaho,

Sept. 2, 1921.

Dear Sir:—

Under the terms of your permit No. ~~15030~~..... you are required to complete your diversion works on or before ~~Dec. 20, 1921~~.... 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.

15030

January 17, 1921 .

Re Permit 15030. -

Mr. R. S. Merriam,
509 Sherwood Building,
Spokane, Washington.

Dear Sir:--

Your letter of the 11th inst. received, together with affidavit correcting name of applicant under above permit. This affidavit has been placed on record under the permit in this office.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By _____

15030

R. S. MERRIAM
MINING ENGINEER
508 SHERWOOD BUILDING.
SPOKANE, WASH.

Spokane, Washington.

January 11, 1921.

W.G. Swendsen,

Commissioner of Reclamation,

Boise, Idaho.

Dear Sir:-

I have your favor of January 7th, in re an error in the name of applicant in the matter of Permit No. 15030, and am sending you herewith affidavit as per your suggestion.

I note what you say in respect to the date upon which work is to begin under the terms of this permit, and wish to thank you for the information given therein.

Very truly yours,

R. S. Merriam

15030

revised

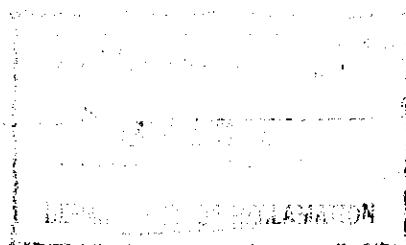
State of Washington,)
) SS. AFFIDAVIT AS TO CORRECT NAME.
County of Spokane.)

E. C. Tousley, being first duly sworn, upon oath, deposes and says; that he is secretary and treasurer of the Sunshine Mining Company, of Kellogg, Idaho, which company prior hereto made application for a water right on Big Creek, County of Shoshone, State of Idaho, being permit 15030 in department of Reclamation, State of Idaho; that in making such application a mistake was made in the name of the company applying therefor; that the name under which application was made was Sunshine Mining & Milling Company; that this was a mistake in making out the application; the name of the company at the time of application was Sunshine Mining Company; that the correct name of the applicant was at the time, and now is, Sunshine Mining Company; that affiant knows that the application ,herein referred to, was made for and on behalf of the Sunshine Mining Company.

E. C. Tousley

Subscribed and sworn to before me this 10th day of January, 1921.

Neil E. Bardsley
Notary Public in and for the State of
Washington, residing at Spokane, Wash.



15030

January 7, 1921.

Re: Permit 15030.

Mr. R. S. Merriam,
509 Sherwood Building,
Spokane, Washington.

Dear Sir:

Replying to yours of December 30th will state that if the Sunshine Mining Company of Kellogg will submit to this Department an affidavit stating that the correct name of the applicant under the above numbered permit should be the Sunshine Mining Company instead of the Sunshine Mining and Milling Company, the same will be placed on file in this Department as a matter of record.

With respect to the date upon which work is to begin, which under your permit is February 18, 1921, will state that under our present laws, it is not possible for us to extend this time. No proof to the effect that the work was started on the date is necessary to this Department, but any party wishing to protest against your permit may do so on the ground that the date had not been complied with. However, I know of no protests ever having been offered to this Department with respect to the commencement of work under a permit. I am safe in assuring you that were such protest offered against your permit, the same would be denied, due to the fact that physical conditions at this time of the year will prevent the commencement of the work. The statutes state that the work is to begin on or before such a date and to continue diligently and uninterruptedly to completion unless temporarily interrupted by circumstances over which the permit holder has no control. Personally I feel that you need have no worry on this point.

I am returning the permit which accompanied your letter.

Very truly yours,

W. G. SWENSON,
Commissioner of Reclamation.

By

Assistant.

STE:MB
Encl.

15030

R. S. MERRIAM
MINING ENGINEER
509 SHERWOOD BUILDING.
SPOKANE, WASH.

Spokane, Washington.

December 30, 1920.

Commissioner of Reclamation.

Boise & Idaho.

Sir;-

I have yours of Dec. 22nd., enclosing Permit No. 15030, for which
plases accept my thanks.

I am returning herewith Permit, to ask if a correction can be
made in the name of the company. The name, Sunshine Mining & Milling
Company, was given me by the Vice-President. It now appears that
the correct~~tax~~ name of the corporation is Sunshine Mining Company.

I will appreciate it very much if it is possible for you to
have the above correction made in your records and upon the Permit
herewith.

In re the date, February 18, 1921, on or before which work is
to begin upon the works under this Permit. At that time of the year,
there is always a great deal of snow along the located line of the
flume, and it would be of material assistance to the company if that
date could be extended to March 15th. The company has no desire
to slight any of the terms of the Permit, but asks for the extension
of time merely as a matter of economy of construction.

Thanking you for any help you may be able to give us in this
matter, I am

Yours very truly,

R. S. Merriam

15030

State of Idaho
DEPARTMENT OF RECLAMATION

Permit No. 15030

BOISE

Mr. R.S. Merriam,
509 Sherwood Bldg.
Spokane, Wash.

Boise, Idaho, December 22, 1920

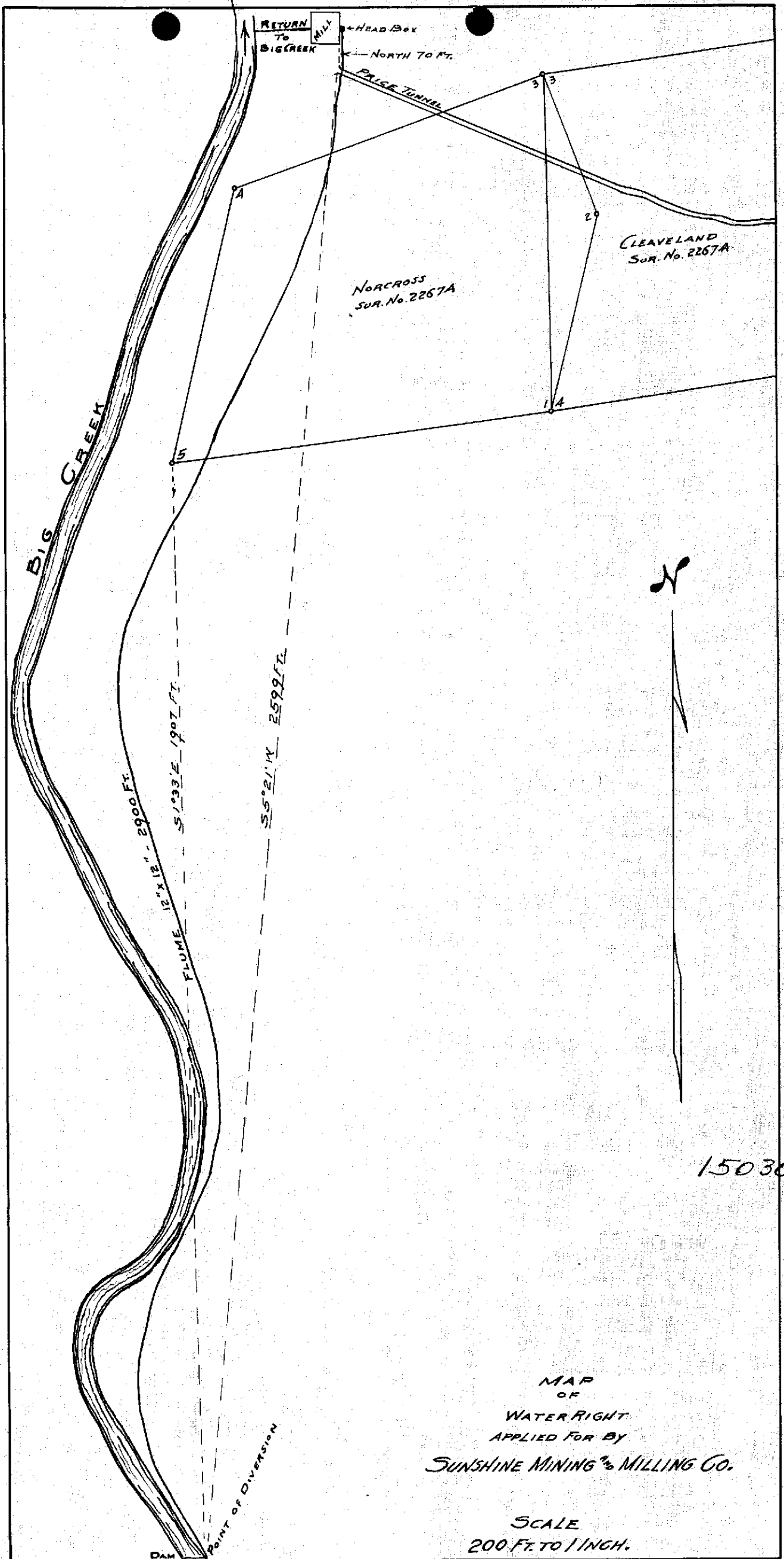
Dear Sir:

I enclose herewith above numbered permit. BE SURE AND NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of State Engineer on the third page.

W. G. SWENDSEN.

Commissioner of Reclamation.

15030



MAP
OF
WATER RIGHT
APPLIED FOR BY
SUNSHINE MINING & MILLING CO.

SCALE
200 FT. TO 1 INCH.

R. S. MERRIAM
MINING ENGINEER
509 SHERWOOD BUILDING.
SPOKANE, WASH.

Spokane, Washington.

December 6, 1920.

Commissioner of Reclamation,

Boise, Idaho.

Sir;-

Herewith please find application for Permit by the Sunshine Mining & Milling Company, together with map (in duplicate), and money order for \$1.10, filing fee on the same.

Very respectfully,

R. S. Merriam

*509 Sherwood Bldg.
Spokane, Wash.*



15030