

State of Idaho

License and Certificate of Water Right

Water License No. 9648

Amount 5 cu. ft.

Water District No. 91 E

Priority 8-28-13

THIS IS TO CERTIFY that the Cedar Creek Mining and Development Co., Ltd., of Wallace, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 28th, 1913; that Permit No. 9648 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 5 second feet, was issued thereunder on July 21st, 1916, showing that said works were completed on the 23d day of June, 1916; and that on the 27th day of September, 1918, the Cedar Creek Mining and Development Company, Ltd.,

of Wallace, State of Idaho, made proof to the satisfaction of the State Engineer of Idaho, of a right to the use of the waters of Cedar Creek, a tributary of Granite Creek, for the purpose of power, under Use Permit No. 9648 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 State Engineer of Idaho and entered of record in Volume 5 of Licenses, at page 2458, on the 12th day of April, 1919;

The right hereby confirmed dates from August 28th, 1913;

The Point of Diversion is located 1600 feet westerly from point of confluence of Cedar and Granite Creeks, 1/4 Sec. 27, Tp. 49 N., R. 5 E., B.M.

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 five cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			At compressor for power and six hundred feet below for milling purposes.		

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 State Engineer, affixed at Boise, Idaho, this 12th day of April, 1919.

W. G. Swendsen
Commissioner of Reclamation.

March 6, 1919.

Re Permit No. 9648- Cedar Creek Mng. & Dev.Co.

Mr. Chas. F. O. Merriam,
Wallace, Idaho.

Dear Sir:--

Enclosing herewith report and map form
for proof of use of water under the above permit.

Very truly yours,

FRED A. WILKIE,

State Engineer.

By _____

RMF

9648

February 20, 1919.

Re Permit No. 9648.

Cedar Creek M. & D. Co., Ltd.,
Wallace, Idaho.

Gentlemen:--

Replying to yours of the 17th inst.
would say that license has been withheld under
the above permit pending receipt of the engineer's
report. Mr. Chas. F. O. Merriam was authorized to
make the examination but as yet he has sent no report.
I herewith enclose fresh blanks to be given Mr. Merriam
in case he has made the examination.

Very truly yours,

FRED A. WILKIE,

State Engineer.

By _____

9648

Cedar Creek Mining & Development Co.

---Limited---

CAPITALIZATION \$1,000,000

MINES ON SUNSET PEAK

J. W. WEYER, PRESIDENT
WM. BECKER, SEC'Y-TREAS.
P. O. BOX 162

WALLACE, IDAHO February 17th, 1919,

Engineering Department,

Boise, Idaho.

Gentlemen:-

Early in October last we received a letter from your office stating that you had received depositions, and proof of publication as well as a report from our engineer showing beneficial use of water under Re Permit 9648 granted to the Cedar Creek Mining & Development Company Limited, the letter also stated that license would be issued, since that time we have heard nothing more regarding the license,

Would be very grateful for any information you might be able to give us regarding when license will issue,

Yours truly,

Cedar Creek Mining & Development Co., Ltd.,

By Wm. Becker
Secretary.



9648

CLASS OF SERVICE	SYMBOL
Telegram	
Day Letter	Blue
Night Message	Nite
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

WESTERN UNION

TELEGRAM

NEWCOMB CARLTON, PRESIDENT

GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

CLASS OF SERVICE	SYMBOL
Telegram	
Day Letter	Blue
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If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

RECEIVED AT

80PO HY 15

WALLACE IDA 1254P OCT 3 1918

STATE ENGINEER 108

BOISE IDA

HAVE LOST FORM FOR AFFIDAVIT OF ENGINEER PROOF CEDAR-CREEK
WATER RIGHT PLEASE MAIL ME DUPLICATE

CHAS F O MERRIAM

RECEIVED

OCT 3 1918

3 PM

OFFICE OF STATE ENGINEER

235PM

9648

Proof of Publication

State of Idaho

County of Shoshone

ss.

NOTICE FOR PUBLICATION—NOTICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at 10:00 a. m. on the 27th day of September, 1918, at Wallace, Idaho, County of Shoshone, State of Idaho, before probate judge, proof will be submitted of the application to beneficial use of five cubic feet per second of the waters of Cedar Creek, in accordance with the terms and conditions of Permit No. 9648 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Cedar Creek Mining and Development Company, Limited, Wallace, Idaho.

2. The use to which said water has been applied is, a compressor for power.

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

4. The place where said water is used, at the compressor in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Sec. 22, T. 49 N., R. 5 E., B. M.

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is an 8-inch and 10-inch steel pipe line.

6. The right to take water from such works is based upon Permit No. 9648.

7. The source of supply from which such water is diverted is Cedar Creek in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Sec. 27, T. 49 N., R. 5 E., B. M.

8. The date of the priority which said user is prepared to establish is August 28, 1913.

FRED A. WILKIE,
State Engineer.

Au29-S19-4t

H.A. McLeod

.....being first duly sworn, on

his oath deposes and says that he is the manager of THE WALLACE MINER, a weekly

newspaper published at Wallace, Shoshone County, State of Idaho, that said newspaper

has a general circulation in said county, that the **Notice of Proof of**

Application of Water to Beneficial use

of which a copy is hereunto attached, was first published in said newspaper in its issue

dated the **29th** day of **August**, A. D. 191**8**, and was

published in each successive issue of said newspaper for the full period of **Four**

weeks, the last publication thereof being in the issue dated the **19th** day of

September, A. D. 191**8**.

H. A. McLeod

Subscribed and sworn to before me this **27th** day of **September**

A. D. 191**8**.

Thomas McCabe

Notary Public.

9648

July 25th, 1916.

Re: Permit 9648.

Wm. Becker, Sec'y.,
Sedar Creek M & D Co.,
Wallace, Idaho.

Dear Sir:-

I am enclosing you herewith Certificate
of completion of works issued under the
above Permit, together with receipt of fees.

Very truly yours,

J.H. SMITH,

State Engineer.

By _____

Encl-
Cert.
Receipt.

9648

State of Idaho

License and Certificate of Water Right

Water License No. 9648

Amount 5 cu. ft.

Water District No. 91 E

Priority 8-28-13

THIS IS TO CERTIFY that the Cedar Creek Mining and Development Co., Ltd., of Wallace, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 28th, 1913; that Permit No. 9648 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 5 second feet, was issued thereunder on July 21st, 1916, showing that said works were completed on the 28d day of June, 1916; and that on the 27th day of September, 1918, the Cedar Creek Mining and Development Company, Ltd.,

of Wallace, State of Idaho, made proof to the satisfaction of the State Engineer of Idaho, of a right to the use of the waters of Cedar Creek, a tributary of Granite Creek, for the purpose of power, under Use Permit No. 9648 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 State Engineer of Idaho and entered of record in Volume 5 of Licenses, at page 2458, on the 12th day of April, 1919;

The right hereby confirmed dates from August 28th, 1913;

The Point of Diversion is located 1600 feet westerly from point of confluence of Cedar and Granite Creeks, 1/4 Sec. 27, Tp. 49 N., R. 5 E., B.M.

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 five cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			At compressor for power and six hundred feet below for milling purposes.		

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 State Engineer, affixed at Boise, Idaho, this 12th day of April, 1919.

W. G. Swendsen
Commissioner of Reclamation. State Engineer

No. 14402.

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Idaho

1. Name of applicant: Cedar Creek Mining and Development Co., Limited.

Postoffice address: Wallace, Idaho

County,

Shoshone

State,

Idaho.

I. If applicant is a corporation, give

(a) Date and place of incorporation, June 28, 1905, Wallace, Idaho.

(b) The amount of capital stock: 1,000,000 shares (c) The amount paid in: All paid in.

(d) Names and addresses of directors J. W. Wyer, Clem Meyer, Jno. M. Wyer and Wm. Becker, all of Wallace, Idaho.

II. The financial resources of the applicant are: (a) Cash on hand.

(b) Treasury stock: 79,835 shares (c) Bonds to be issued:

(d) Other resources: 14 lode mining claims.

2. The quantity of water claimed is five cubic feet per second.

3. Source of water supply: Cedar Creek, a branch of Granite Creek.

4. Location of point of diversion: 1600 feet westerly from point of confluence of Cedar and Granite Creeks

County of Shoshone

5. To be used for:

I. Irrigation and domestic use: (a) Amount of land to be irrigated:

acres.

(b) In the following legal subdivisions:

II. Mining, milling, power, manufacturing, transportation or other purposes:

[a] At what point: At Compressor for power and 600 feet below for milling purposes.

[b] Amount of power to be generated: 160

H. P. under 315 ft. head

[c] Is water to be returned to any stream? Yes

(d) If so, name stream and locate point of

return: Into Granite Creek below proposed mill.

6. Estimated cost of works: \$3500.00

7. Description of works for diversion:

I. Kind of works: Dam, Reservoir and pipe line,

II. Dimensions of works:

[a] Height of dam six feet, length of dam at top 75 feet,

length of dam at bottom 75 feet. Material used in construction: Wood, Stone and earth.

[b] Capacity of reservoir 25,000 cu. ~~feet~~ feet. [c] Size of headgate, width one feet,

Height one feet. (d) Conduit 8 to 10 ins. width at bottom feet,

width at water line feet, depth of water feet, diameter of pipe

8 to 10 inches; average grade per mile is 530 feet. Length of conduit is 3700 ft. ~~and~~ and it crosses the following quarter sections: (approximately) of the Unsurveyed lands 22 and 27; Tw. 49 N., R. 5 E.B.M.

8. The time required for the completion of the construction of such work is three years.

9. Time required for the complete application of the water to the proposed use is two additional years.

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

The Cedar Creek Mining and Development Co.,

Applicant.

By Wm. Becker,
and Secretary.

Agent.

Date of first receipt at office of State Engineer 9.00 A.M. August 28, 1913.

Returned to applicant for correction September 2, 1913.

Corrected application received September 12, 1913.

APPROVAL OF STATE ENGINEER.

The number of this permit is 9648.

Recorded in Book 32 Page 9648 Approved September 27, 1913.

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 November 26, 1913, 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 March 27, 1915.

The whole of said work to be completed on or before September 27, 1916.

Beneficial use of water appropriated in accordance herewith, to be made on or before September 27, 1918.

Witness my hand this 27th day of September. 1913.

F.P.King,
State Engineer.

Remarks:

It is not intended to impound any winter or Spring flow. The purpose of a dam and reservoir is to preserve a constant head in order to have steady power. It is the intention of this company to use water thus applied for, for power purpose, to drive a tunnel to tap their ore body at a lower depth of 200 feet below the present showing of ore. In the upper workings during the last winter all power and working plants were destroyed by snow slides and as a matter of safety it has been decided to undertake another tunnel. After using this water for power it is proposed to use it for mill purposes at a point 600 feet below the compressor giving a further head of 50 feet.

Other than necessary treasury stock the Company will pay for this work by assessments as they have done for all work to date amounting to over \$80,000.00 (Eighty thousand).

It is not the intention to use the resources of the treasury stock at present.

.....

Permit No. 9648

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:-

This is to certify that Cedar Creek Mining & Development Co., Limited, of Wallace, County of Shoshone, and State of Idaho, the holder of Permit No. 9648 issued upon Application No. 14402, bearing date of priority, of August 28, 1913, authorizing the diversion of five (5) second feet of the waters of Cedar Creek, County of Shoshone, State of Idaho, for power and milling purposes, has fully complied with the provisions of the laws of the State of Idaho, relating to the proof of completion of 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 five (5) second feet of the waters of Cedar Creek; that the point of diversion of said waters is 1600 feet westerly from point of confluence of Cedar and Granite Creeks; and that the place of intended use of said water is at the Compressor for power, and 600 feet below for milling purposes.

Witness my hand this 21st day of July, A.D. 1916.

J.H. SMITH, State Engineer of the State of Idaho.

5
Page 2458

April 12th
1919

In re: Permit: 9648

Cedar Creek Mining
and Development Co.,
Wallace, Idaho.

Gentlemen:

Herewith find license and certificate
of water right, issued under above permit.

Yours very truly,

W. G. Swendsen,
Commissioner of
Reclamation.

By:

9648

CHAS. F. O. MERRIAM

R. S. MERRIAM

Merriam & Merriam

MINING ENGINEERS

Wallace, Idaho.

March 21-1919

Mr. Fred A. Wilkie
State Engineer

Dear Sir;

I am sending you herewith my report for the application to beneficial use of the waters of Cedar Creek by the Cedar Creek Mining and Development Co. in connection with permit No. 9648.

I find that the pipe line, dam and compressor are in splendid condition and operate successfully.

Very truly

Chas. F. Merriam

RECEIVED

MAR 21 1919

OFFICE OF STATE ENGINEER

9648

REPORT OF ENGINEER

This proof is for _____

In Water District No. 918

1. State name of applicant and number of permit: Cedar Creek Mining and Development Co #648
 2. State source of water supply: Cedar Creek
 3. Location of point of diversion: N.E. 1/4 NW 1/4 Sec. 27 T. 49 R. 5 E B.M.

4. Describe works as they exist, giving dimensions and capacities of same: Water is diverted from Cedar Creek by a dam 75 ft. long by 6 ft. deep, made of wood, earth and stone. The water then is conveyed to point of use through steel pipe starting at a diameter of 10 inches and reducing to 8 inches and thence to 6 inches at point of use. At point of use a Charlesair compressor has been installed and air so furnished has been used in actual mining operations

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

6. Give exact location 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):

This water is used to generate power for a compressor on the west bank of Granite Creek in the S.E. 1/4 of S.E. 1/4 of Sec. 22 T. 49 N. R. 5 E 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 only

9. Give names and amount of each right:

10. What large stream would the water here appropriated finally reach? North Fork Crowder River

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

From point of use, empties into Granite Creek, thence into Richland Creek, thence into the North Fork of the Crowder & Alena rivers.

Remarks:

The power so furnished has been used to run a long tunnel known as Cedar Creek No. 3 tunnel.

This examination was made on the 15 day of September 1918

(Signed)

Charles F. J. Merriam
Examiner.

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

STATE OF IDAHO,
County of Shoshone } ss.

Charles F. Merriam, 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 2nd day of March 1919

My commission expires _____

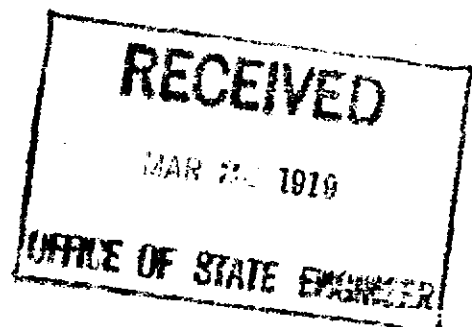
*In Idaho, Idaho. My Commission expires
January 6th, 1923*

L. Leight Notary Public

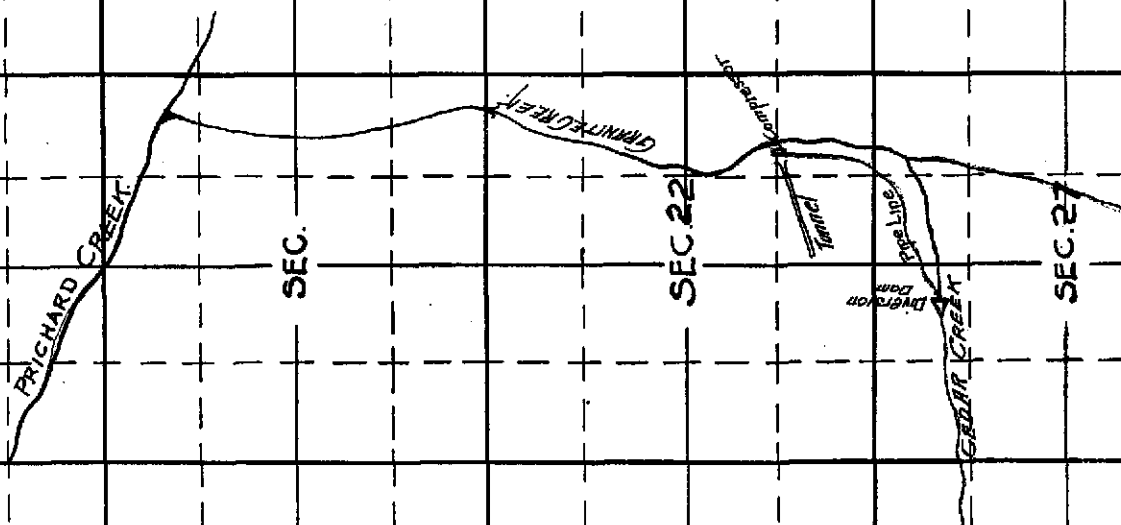
9648

Instructions To Examiners

1. Examiners will not be permitted to examine any of the records 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 rights 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.



Name of Applicant



9648

March 6, 1919.

Re Permit No. 9648- Cedar Creek Mng. & Dev.Co.

Mr. Chas. F. O. Merriam,
Wallace, Idaho.

Dear Sir:--

Enclosing herewith report and map form
for proof of use of water under the above permit.

Very truly yours,

FRED A. WILKIE,

State Engineer.

By _____

RMF

9648

CHAS. F. O. MERRIAM

R. S. MERRIAM

Merriam & Merriam

MINING ENGINEERS

Wallace, Idaho,

Re. Permit No. 9648
Cedar Creek Mining and Dev. Co.

March 2-1919

Mr. Fred A. Wilkie
State Engineer,
Boise, Idaho.

Dear Sir;--

Your letter of the 21st of February has been referred to me by the Cedar Creek Mining and Development Co..

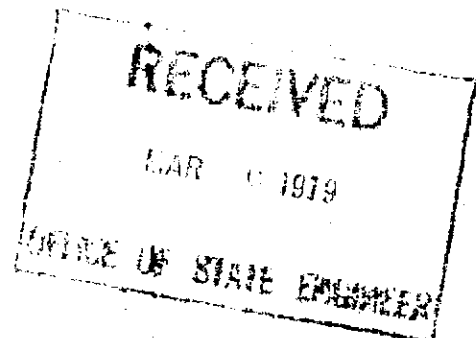
This examination was made by me and the papers filled out and I thought mailed to you. I left hurriedly for Oregon the same day, and if not received by you, I evidently did not mail the letter or addressed it wrong. I am unable to find the letter in my office.

In your letter you state "I herewith enclose fresh blanks to be given Mr. Merriam in case he has made the examination" but no blanks were enclosed.

I will ask you to forward me these blanks, and if convenient could you send me a copy of Mr. Beckers affidavit.

I regret the trouble this has caused, but will return the affidavit promptly upon the receipt of papers.

Very truly yours



9648

February 22, 1919.

Re Permit No. 9648.

Cedar Creek M. & D. Co., Ltd.,
Wallace, Idaho.

Gentlemen:--

Replying to yours of the 17th inst.
would say that license has been withheld under
the above permit pending receipt of the engineer's
report. Mr. Chas. E. O. Merriam was authorized to
make the examination but as yet he has sent no report.
I herewith enclose fresh blanks to be given Mr. Merriam
in case he has made the examination.

Very truly yours,

FRED A. WILKIE,

State Engineer.

By _____

9648

Cedar Creek Mining & Development Co.

---Limited---

CAPITALIZATION \$1,000,000

MINES ON SUNSET PEAK

J. W. WEYER, PRESIDENT
WM. BECKER, SEC'Y-TREAS.
P. O. BOX 182

WALLACE, IDAHO February 17th, 1919,

Engineering Department,

Boise, Idaho.

Gentlemen:-

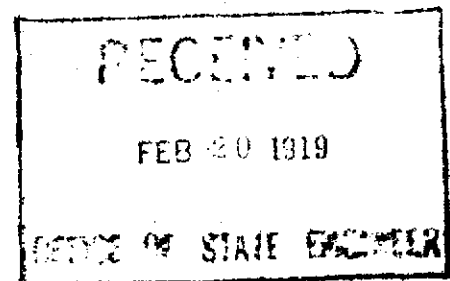
Early in October last we received a letter from your office stating that you had received depositions, and proof of publication as well as a report from our engineer showing beneficial use of water under Re Permit 9648 granted to the Cedar Creek Mining & Development Company Limited, the letter also stated that license would be issued, since that time we have heard nothing more regarding the license,

Would be very grateful for any information you might be able to give us regarding when license will issue,

Yours truly,

Cedar Creek Mining & Development Co., Ltd.

By Wm. Becker
Secretary.



9648

80

Form 1201

CLASS OF SERVICE	SYMBOL
Telegram	1
Day Letter	Blue
Nite Message	Nite
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

WESTERN UNION



TELEGRAM

NEWCOMB CARLTON, PRESIDENT

GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

CLASS OF SERVICE	SYMBOL
Telegram	1
Day Letter	Blue
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If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

RECEIVED AT

80PO HY 15

WALLACE IDA 1254P OCT 3 1918

STATE ENGINEER 108

BOISE IDA

HAVE LOST FORM FOR AFFIDAVIT OF ENGINEER PROOF CEDAR-CREEK
WATER RIGHT PLEASE MAIL ME DUPLICATE

CHAS F O MERRIAM

RECEIVED

OCT 3 1918

3 PM

OFFICE OF STATE ENGINEER

235PM

9648

October 3rd, 1918.

Re Permit 9648.

Wm. Becker, Secretary,
Cedar Creek Mining & Development Co., Ltd.,
Wallace, Idaho.

Dear Sir:—

We are today in receipt of your letter enclosing depositions and affidavit of publication for proof of use of water under above permit. As as the report has been sent in by Mr. Merriam the license will be issued.

Very truly yours,

FRED A. WILKIE,

State Engineer.

By_____

9648

Proof of Publication

State of Idaho

County of Shoshone

ss.

NOTICE FOR PUBLICATION—NOTICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at 10:00 a. m. on the 27th day of September, 1918, at Wallace, Idaho, County of Shoshone, State of Idaho, before probate judge, proof will be submitted of the application to beneficial use of five cubic feet per second of the waters of Cedar Creek, in accordance with the terms and conditions of Permit No. 9648 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Cedar Creek Mining and Development Company, Limited, Wallace, Idaho.

2. The use to which said water has been applied is, a compressor for power.

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

4. The place where said water is used, at the compressor in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Sec. 22, T. 49 N., R. 5 E., B. M.

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is an 8-inch and 10-inch steel pipe line.

6. The right to take water from such works is based upon Permit No. 9648.

7. The source of supply from which such water is diverted is Cedar Creek in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Sec. 27, T. 49 N., R. 5 E., B. M.

8. The date of the priority which said user is prepared to establish is August 28, 1913.

FRED A. WILKIE,
State Engineer.

Au29-S19-4t

H.A. McLeod

being first duly sworn, on

his oath deposes and says that he is the manager of THE WALLACE MINER, a weekly newspaper published at Wallace, Shoshone County, State of Idaho, that said newspaper has a general circulation in said county, that the **Notice of Proof of Application of Water to Beneficial use**

of which a copy is hereunto attached, was first published in said newspaper in its issue dated the **29th** day of **August**, A. D. 191**8**, and was published in each successive issue of said newspaper for the full period of **Four** weeks, the last publication thereof being in the issue dated the **19th** day of **September**, A. D. 191**8**.

H. A. McLeod

Subscribed and sworn to before me this **27th** day of **September**

A. D. 191**8**.

Thomas McChab
Notary Public.

9648

Cedar Creek Mining & Development Co.

---Limited---

CAPITALIZATION \$1,000,000

MINES ON SUNSET PEAK

J. W. WEYER, PRESIDENT
WM. BECKER, SECY-TREAS.
P. O. BOX 162

WALLACE, IDAHO Sept 30th, 1918.

Mr. Fred A. Wilkie,

State Engineer,

Boise, Idaho.

Dear Sir:-

Please find enclosed herewith, Deposition of permit holder and depositions of two witnesses, as well as proof of advertising in proof of beneficial use of water under permit #9648 granted the Cedar Creek Mining & Development Co., Limited.

We are unable at this time to furnish you report of our Engineer, Mr C.F.O. Merriam who has just returned from a business trip to Oregon where he was detained longer than he expected, he has just informed me that he had misplaced the form which was mailed him from your office, he will wire you tonight for another form, and we will mail report to you as soon as possible, trusting this will prove satisfactory.

Yours truly,

Cedar Creek Mining & Development Co., Ltd

By

Wm Becker
Secretary.

RECEIVED

OCT 3 1918

OFFICE OF STATE ENGINEER

9648

PERMIT NO. 9648**Proof of Application of Water to Beneficial Use****DEPOSITION OF HOLDER**

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

Ans.

William Becker, 49 years, Wallace, Idaho,
Bookkeeper, Wallace, Idaho,

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

Ans.

Cedar Creek Mining & Development Co. Limited
Secretary and Treasurer

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

Ans.

9648, September 27th 1913

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

Ans.

Cedar Creek, in the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 27, T. 49 N., R. 5 E., B. M.
1600 feet westerly from point of confluence of Cedar Creek
and Granite Creek

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.

Dam, Reservoir, and pipe line 3100 feet long
of 8 and 10 inch pipe

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 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 Power purposes at Compressor, in
the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 22, T. 49 N., R. 5 E., B. M.
3100 feet below point of diversion

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

Ans.

Power purposes for Compressor, between 55 and 160
horse power

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

Ans.

55 Cubic feet per second

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.

9648

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

Ans. Since September 1914, we have since driven 3250 feet of tunnel with above power closing down only at such times as there was not enough water for power purposes have been closed down since May 20th this year on account of scarcity of labor, and high cost of all mining materials.

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 rights claimed thereunder.

Ans. Have used no other water

(Sign)

Cedar Creek Mfg & Dev Co Ltd.
By J. M. Becker Secy - Genl

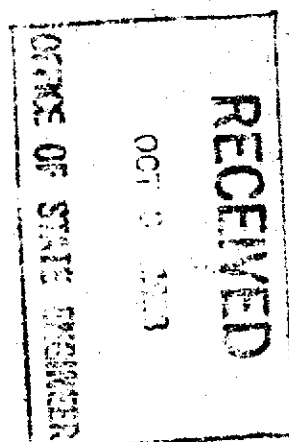
I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Wallace, County of

Shoshone State of Idaho, on this 27th day of September

A. D. 1918

R. E. Langer
PROBATE JUDGE, SHOSHONE COUNTY, IDAHO

9648



Permit No. _____

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. *J. H. Meyer, Gardner, Hallau, Idaho*Ques. 2. Are you acquainted with *Cedar Creek Mining & Dev Co. Ltd*, the holder of Permit No. *9648*? How long have you known him and where does he reside?Ans. *June 1905, Hallau Idaho.*Ques. 3. Have you read or heard read said Permit No. *9648*, 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. *Cedar Creek, 1600 feet westerly from point of confluence of Cedar and Granite Creek. Dam. Reservoir. pipe line*

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. *5 cubic feet per second*

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. *Power purposes at Compressor plant*

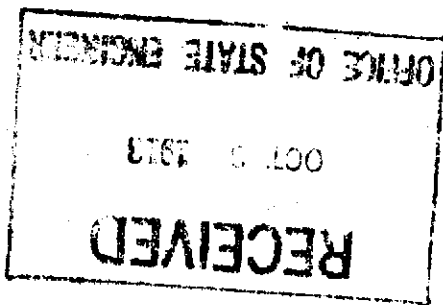
Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. *for Power at Compressor, 3250 feet of tunnel driven to date*

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. _____

9648



9648

My commission expires _____

~~Notary Public~~

PROBATE JUDGE, SHOSHONE COUNTY, IDAHO

on this 27th day of September A. D. 1918

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.

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that

(Sign)

J. W. Meyer

beneficial use of water diverted under said permit.

Ans.

Have awarded the property very often to witness work being done

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to

Ans.

Stockholder in Company owner of 2000 shares 58 years old

to what extent?

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

Permit No. _____

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. *John M. Hegan, Hollaugh Ida, Blacksmith**Hollaugh Ida, 62 years old*Ques. 2. Are you acquainted with *Cedar Creek Mining & Dev Co., Ltd.*, the holder of Permit No. *9648*? How long have you known him and where does he reside?Ans. *June 1905*Ques. 3. Have you read or heard read said Permit No. *9648*, 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. *Cedar Creek, 1600 feet westerly from Point of**Confluence of Cedar and Granite Creeks*

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. *5 Cubic feet per second*

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. *Power purposes at Compressor plant*

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

Ans. *3250 feet of tunnel has been driven to date*

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. _____

RECEIVED
OCT 10 1913
OFFICE OF STATE ENGINEER

9648

My commission expires

PROBATE JUDGE, SHOSHONE COUNTY, IDAHO

Notary Public

A. D. 1918

day of

on this

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.

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that

(Sign)

John W. Wright

beneficial use of water diverted under said permit.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to

Ans. *Blackhawk owns of 6500 acres of state land for managed of property since 1906*

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

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE

BOISE, IDAHO, **September 13, 1918.**

Wm. Becker, Secretary,
Cedar Creek Mining & Dev. Co.,
c/o Wallace, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under Permit No. 9648.

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 the permit holder's rights:

1. On September 27, 1918, the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to at Wallace, before the Probate Judge.

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 examining engineer, you will be further advised as to fees due before issuing license.

Yours truly,

FRED A. WILKIE,

State Engineer.

9648

(P. O.)

Moscow, Idaho

(Date)

Aug 23-1918

State Engineer, Boise.

Dear Sir:

I have your letter of _____ enclosing Notice of Proof
of Completion of Works and Beneficial Use of Water under Permit No. *9648* which
will be published as you request, beginning with our issue of *Aug 29th 1918*

Wallace Miner

By Chas McCabe

9648

July 24, 1918.

Re Permit 9648. Cedar Creek M. & D. Co.

Mr. Chas. F. O. Merriam,
Wallace, Idaho.

Dear Sir:--

Am in receipt of notices for preef of beneficial use of water under above permit. One copy will be mailed to the Wallace Miner for the required four weeks publication prior to September 27th and deposition blanks will be mailed to the Probate Judge.

You are hereby authorized to make the required report for this preef, blanks for which are enclosed. You will arrange with the Company for your fees for your services.

Very truly yours,

FRED A. WILKIE,

State Engineer.

By _____

RMP

9648

CLEVELAND MINING AND MILLING CO.

Wallace, Idaho

July 18 1918

State Engineer

Boise, Idaho.

Sir;

I am sending you herewith the "Notice for Publication" blanks for permit No. 9648, Cedar Creek Mining Co. Ltd..

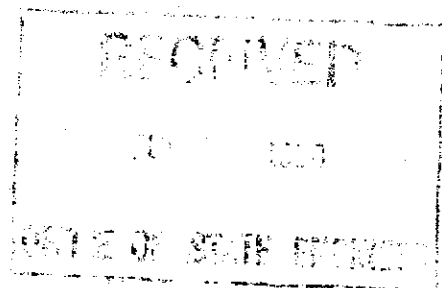
You will note that the permit called for a pipe line to the compressor and beyond that for milling purposes. It was found after this permit was granted that a prior right had been issued to the Granite and Allie Mng. Co. which company has constructed a flume using the water from a point directly below the compressor.

It was found neccessary therefore to abandon the use of the water for the mill.

Very respectfully

E. J. O'Farriam

9648



NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

July 17th 1918

(P. O.)

Wallace, Ida

TO THE STATE ENGINEER,

Boise, Idaho.

DEAR SIR:

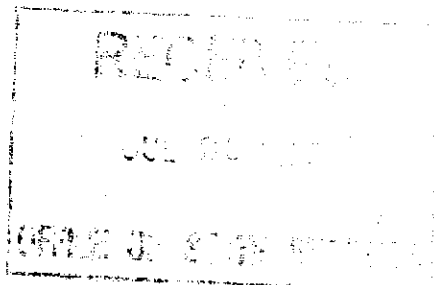
You are hereby authorized to have the attached notice published at my expense in the
Wallace Miner of *Wallace, Ida.*, published in the
county in which the works are situated.

Cedar Creek Mining & Dev Co Ltd.
By, Wm Becker, Secretary

(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.

Chas F. Merriam
Engineer.



9648

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 27 day of September, 1913,
 at Wallace, County of Shoshone, State of Idaho,
 before P Probate Judge, proof will be submitted
 of the application to beneficial use of five cubic feet per second of the
 waters of Cedar Creek in accordance with the terms and conditions of
 Permit No. 9648 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are
Cedar Creek Mining and Development Co. Limited., Wallace, Idaho
2. The use to which said water has been applied is A compressor for power
3. The amount applied to beneficial use is five cu. ft. per second
4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) At compressor, in the N.E. 1/4 of the S.E. 1/4 Sec. 22, T. 49 N.R. 5 E.B.M.
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is An 8 inch ^{and 10 inch} steel pipe line.
6. The right to take water from such works is based upon Permit No. 9648
7. The source of supply from which such water is diverted is Cedar Creek, in the N.E. 1/4 of the N.W. 1/4 Sec. 27 T. 49 N.R. 5 E.B.M.
8. The date of the priority which said user is prepared to establish is August 28, 1913.
Sept. 27 1913.

Fred A. Wilkie,

9648

State Engineer.

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JUN 26 1918

Cedar Creek Mining & Development Co.,
Wallace, Idaho.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. **9648**-----, 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 the date it is submitted.

Yours truly,

FRED A. WILKIE

State Engineer

9648

July 26th, 1916.

Re: Permit 9648.

Wm. Becker, Sec'y.,
Sedar Creek M & D Co.,
Wallace, Idaho.

Dear Sir:-

I am enclosing you herewith Certificate
of completion of work issued under the
above Permit, together with receipt of fees.

Very truly yours,

J. H. M. H.,

State Engineer.

By _____

Encl-
Cert.
Receipt.

9648

July 17, 1916.

Re Permit 9648-

William Becker, Sec'y,
Cedar Creek M. & D. Co., Ltd.,
Wallace, Idaho.
Sir:--

Am just in receipt of fee for proof of completion
of works under above permit. The certificate will be
issued and mailed to you soon.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

9648

J. H. SMITH
STATE ENGINEER
FRED A. WILKIE
DEPUTY STATE ENGINEER

State of Idaho
Engineering Department
Boise

July 12, 1916.

Re Permit 9648.

William Becker, Secretary
Cedar Creek M. & D. Co., Ltd.,
Wallace, Idaho.

OK
500

Sir:--

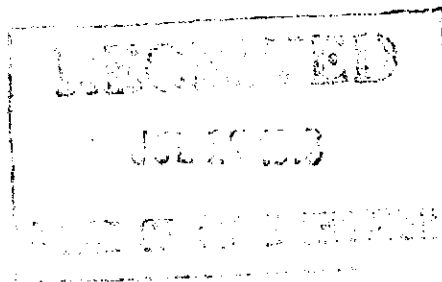
We are in receipt of satisfactory affidavit for proof of completion of works under above permit. Upon receipt of fee of \$5.00 the certificate will issue.

Very truly yours,

J. H. SMITH,

State Engineer.

By C. Brown.



60-7

9648

ack

July 12, 1916.

Re Permit 9648.

William Becker, Secretary
Cedar Creek M. & D. Co., Ltd.,
Wallace, Idaho.

Sir:--

We are in receipt of satisfactory affidavit for proof of completion of works under above permit. Upon receipt of fee of \$5.00 the certificate will issue.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

9648

Permit No. 9648

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO, }
County of Shoshone } ss.Wm. Becker, Secretary

, 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. 9648 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 Cedar Creek, a tributary of Granite Creek

Third: That the point of diversion of said water is 1600 feet westerly from confluence of Cedar and Granite Creeks.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by September 27 1916

Fifth: That the use for which said water is intended is General Mining purposes.

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

I. Kind of works: Diverting dam and pipe line

(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work: _____

(a) Height of dam 8 feet, length of dam at top 80 feet, length of dam at bottom 75 feet. Material used in construction wood stone and earth.

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir 25,000 cu. feet.

18 inches diameter.

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

(d) Conduit _____ width at bottom _____ feet, width at water

(State whether ditch, flume or pipe)

line _____ feet, depth of water _____ feet; diameter of pipe 8 to 12 inches; average grade per mile is 530 feet. Length of conduit is 0.70 miles.

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

Eighth: That water appropriated under said permit is available for _____ acres of land described as follows: not intended or used for irrigation.

Ninth: Remarks: That The dam and reservoir are not intended to store but to divert the water into the pipe. The first 1000 feet of the pipe is 12 ins. diameter, the next 1000 feet 10 ins diameter, and the last 1700 feet 8 ins. diameter. After the issuance of this permit it was found that the last 600 feet intended for mill interfered with pre-existing rights and was abandoned.

Subscribed and sworn to before me this 23rd day of July 1916

Wm. Becker (Sign here.)
Notary Public.

My commission expires January 6th 1919

9648

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS.

June 9 1916

Boise, Idaho,

Cedar Cr. M & D Co.,

Dear Sir:

Wm. Becker Sec'y., Wallace, Idaho

Under the terms of your Permit No. 9648---, you are required to complete your diversion works on or before Sept 27 1916----- 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,

J. H. SMITH

State Engineer.

9648

October 9, 1914.

Permit 9648- Cedar Creek Mng.Co.

Chas. F.O.Merriam,
Wallace, Idaho.

Sir:

Per your request the 6th inst., I am herewith enclosing you affidavit form for proof of completion of works and blank notices for final proof under above permit. Also, blanks for report and map.

Very truly yours,

Herbert Wing,

Deputy State Engineer.

F5-6-3NU-RMF

By _____

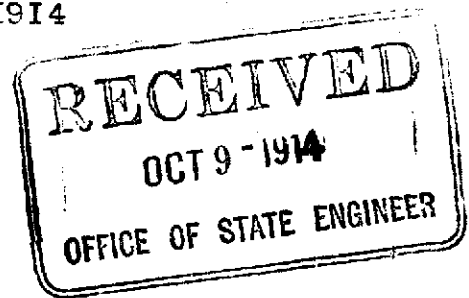
9648

Merriam & Merriam

MINING ENGINEERS

Wallace, Idaho

Oct. 6-1914



Mr. F. P. King
State Engineer for Idaho.

Sir;

The Cedar Creek Mining Co. have completed the work upon their water right, permit No. 9648, and wish to make final proof of the completion and actual use.

I am asked to secure the necessary papers from your office, and as I will be the engineer to make the report I request that the order be sent to me directly.

Very respectfully

A handwritten signature in cursive script that reads "Chas. F. O. Merriam".

Application No. I4402
Permit No. 9648

75-6-320-2m7

9648

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

A. E. ROBINSON,
STATE ENGINEER

Permit No 9648,
Cedar Cr. Mining & Developing Co.,
Wallace, Idaho.

BOISE, IDAHO, Oct. 8, 1913.

Dear Sir:

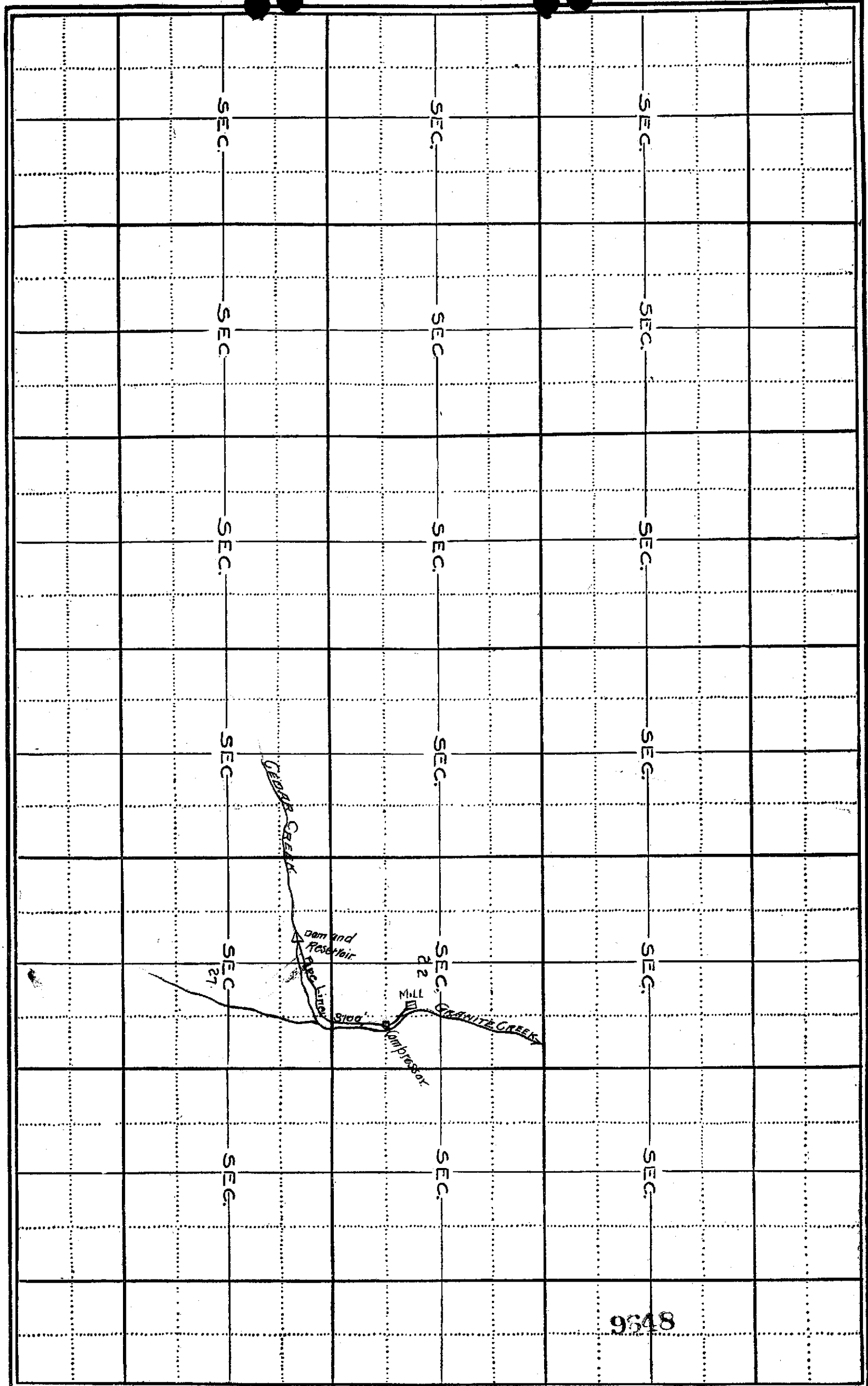
I enclose herewith above numbered permit. BE SURE TO NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of State Engineer on the third page.

~~A. E. ROBINSON~~
F. P. KING,

State Engineer.

9648

Name of Applicant Cedar Creek Mining and Development Co. Ltd.



9548