

Name of Applicant

OFFICE OF STATE ENGINEER

JUN 25 1914

RECEIVED

9197

SEC.

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SEC.

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SEC.

TW. 48 N.

36

31

SOUTH

POINT
USED
RETURN
RAILROAD

FORK

DEADMAN GULCH

25

R. 5 E.
R. 6 E.

COEUR
D'ALENE
RIVER

POINT OF
DIVERSION

RIVER

County: Shoshone
 Stream: S.F. Coeur d'Alene R.
 Amount: 20 sec. ft.
 Use: milling & power
 Priority: 3-17-1913

STATE OF IDAHO

Water License No. 9197

WHEREAS, On the 17th day of March, A. D. 1913, National Copper Mining Company, Limited,

of Wallace, County of Shoshone, State of Idaho, duly made application (No. 13892) to me for a permit to use twenty (20) cubic feet per second of the waters of South Fork of Coeur d'Alene River

County of Shoshone, State of Idaho, for milling and power purposes, and,

WHEREAS, On the 5th day of April, A. D. 1913, Permit No. 9197 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 5th day of April, A. D. 1915, and for the application to beneficial use of said water on or before the 5th day of April, A. D. 1916, and,

WHEREAS, On the 21st day of May, A. D. 1914, National Copper Mining Company, Limited,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of twenty (20) cubic feet per second of said waters, as evidenced by my Certificate No. 9197, dated June 30, 1914, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use twenty (20) cubic feet per second of said water, with date of priority of March 17, 1913, and

WHEREAS, On the 21st day of May, A. D. 1914,

National Copper Mining Company, Limited,

the holder of said permit, duly made proof of the application to beneficial use of twenty (20) cubic feet per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to National Copper Mining Company, Limited,

of Wallace, County of Shoshone, State of Idaho, the holder and owner of said Permit No. 9197, a perpetual right, dating from March 17, 1913, to the use of twenty (20) cubic feet per second of the waters of

South Fork of Coeur d'Alene River,

in the County of Shoshone and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 31,

T. 48 N., R. 6 E.B.M.,

and conducted to ~~and upon~~ the NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 36, T. 48 N., R. 5 E.B.M.,

for the purpose of milling and power purposes, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 1st day of July, A. D., nineteen hundred and fourteen.

F. P. KING,

(Seal)

State Engineer.

94 2073

No. 13892

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: National Copper Mining Company, Ltd.

Postoffice address: Wallace County: Shoshone State: Idaho.

I. If applicant is a corporation, give

- (a) Date and place of incorporation: Muller, Idaho September 1906.
(b) The amount of capital stock: \$1,250,000.00 (c) The amount paid in: Fully paid up.
(d) Names and addresses of directors: C. Fred Kratzer, Spokane Wash., D.E. Keys and A.P. MCRae, Muller, Idaho, Charles McKinnis, Wallace, Idaho.

II. The financial resources of the applicant are: (a) Cash on hand: \$5,000.00
(b) Treasury stock: 30,000 shares (c) Bonds to be issued:
(d) Other resources: Mining Property.

2. The quantity of water claimed is Twenty (20) cubic feet per second.

3. Source of water supply: South Fork of the Coeur D'Alene River.

4. Location of point of diversion: SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 31 T. 48 N.R. 6 E.B.M. near the mouth of O'Brien Gulch.

County of Shoshone

5. To be used for: Milling and Power.

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: NE $\frac{1}{4}$ Of the NW $\frac{1}{4}$ of Sec. 36, T. 48 N.R. 5 E.B.M.

[b] Amount of power to be generated: 150 H. P. under 100 ft. head
[c] Is water to be returned to any stream? Yes. (d) If so, name stream and locate point of return: South Fork of the Coeur D'Alene River at the point of use.

6. Estimated cost of works: \$3,000.00

7. Description of works for diversion:

I. Kind of works: Dam and flume.

II. Dimensions of works:

[a] Height of dam six feet, length of dam at top 25 feet,
length of dam at bottom 20 feet. Material used in construction: Wood and stone

[b] Capacity of reservoir acre feet. [c] Size of headgate, width 3 feet,

Height 2 feet. (d) Conduit Flume width at bottom 3 feet,

width at water line 3 feet, depth of water 1 $\frac{1}{2}$ feet; diameter of pipe

inches; average grade per mile is 12 feet. Length of conduit is 1 $\frac{1}{2}$ miles, and it crosses the following quarter sections: NE and NW $\frac{1}{4}$ of Sec. 31 T. 48 N.R. 6 E and the NE $\frac{1}{4}$ of Sec. 36 T. 48 N.R. 5 E.

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

9. Time required for the complete application of the water to the proposed use is One 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.

National Copper Mining Company, Ltd. Applicant.

By Chas. McKinnis. Agent.

Date of first receipt at office of State Engineer 9.00 A. M. March 17, 1913.

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER.

The number of this permit is 9197

Recorded in Book 30 Page 9197 Approved April 5, 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 June 4, 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 April 5, 1914.

The whole of said work to be completed on or before April 5, 1915.

Beneficial use of water appropriated in accordance herewith, to be made on or before April 5, 1916.

Witness my hand this 5th day of April, 1913.

F.P.King,

State Engineer.

Remarks:

Recorded by
Checked by

LL
EB

STATE OF IDAHO,)
COUNTY OF _____) SS.

National Copper M. Co., Ltd, by Chas. McKinnis, agt, being first duly sworn, upon his oath deposes and says:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 9197, Dated April 5th, 1913.

That he intends to change the point of diversion, as described in said decree or permit, to the following described point: NE $\frac{1}{4}$ of Section 31, T. 48, N., R. 6 E.B.M., and crosses the NW $\frac{1}{4}$ Sec. 31, and the NE $\frac{1}{4}$ Sec. 36, & the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 36, Point of use, SW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 25, All in T. 48 N., R. 5 East B.M.

That such change will be made for the following reasons, to-wit: We are compelled to change our mill Site on account of a Government Power Site withdrawal. We have purchased and paid for the right-of-way for the new route, and obtained a users permit from the Forest Department, Dated June 1st, 1913.

That no one will be injured by such change and that deponent will make such change at his own risk.

And further deponent saith not.

Chas. McKinnis, Agt.

Subscribed and sworn to before me this 16 day of June,

J. W. Wimer.
Notary Public.

(SEAL)

My Commission expires May 21st, 1914.

Received and filed for record in the office of the State Engineer at Boise, Idaho, at 9.00 A. M. June 18, 1913.

F.P.King,

State Engineer.

Proof of Completion of Works and beneficial use of water made May 21, 1914.

Report of Engineer received June 25, 1914.

Certificate and License issued June 30, 1914.

PERMIT NO. 9197

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that National Copper Mining Company, Limited, of Wallace, County of Shoshone, and State of Idaho, the holder of Permit No. 9197, issued upon Application No. 13892, bearing date of priority of March 17, 1913, authorizing the diversion of twenty (20) second feet of the waters of South Fork of Coeur d' Alene river, 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 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 twenty (20) second-feet of the waters of South Fork of Coeur d' Alene river; that the point of diversion of said waters is in the SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 31, T. 48 N., R. 6 E.B.M., and that the place of use of said water is in the NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 36, T. 48 N., R. 5 E.B.M.

Witness my hand this 30th day of June, A. D. 1914.

F. P. KING,

State Engineer of the State of Idaho.

License issued for 20 second feet

Page 1620

July 7, 1914.

Permit 9197.

Therrett Fowles, Attorney,
Wallace, Idaho.

Sir:

Am enclosing herewith certificate and license
issued under above permit.

Very truly yours,

P. P. KING,

State Engineer.

C&L

By _____

9197

ERNEST G. GNAEDINGER
MINING ENGINEER
WALLACE, IDAHO

June 22nd, 1914

Hon. F. P. King,

State Engineer,

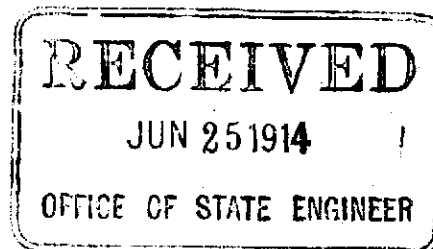
Boise, Ida.

Sir,

Enclosed herewith please find my affidavits and
maps of Permits Nos. 9859 and 9197.

Respectfully,

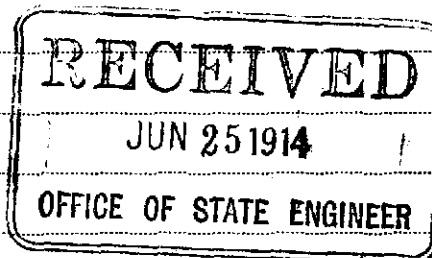
Ernest G. Gnaedinger



9197

REPORT OF ENGINEER

1. State name of applicant and number of permit: National Copper Mining Co. Ltd.
Permit No. 9197
2. State source of water supply: South Fork of the Coeur D'Alene River
3. Location of point of diversion: S.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ of Sec. 31, T. 48 N., R. 6 E. B. M
Shoshone County
4. State whether or not the works of diversion are *fully* completed and in accordance with terms of permit:
Works are fully completed as in permit
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: three feet
 - (b) Width at water line: three feet
 - (c) Depth of water: 1 $\frac{1}{2}$ feet
 - (d) Grade per mile: 12 feet
 - (e) Capacity of ditch: 20 second feet.
6. State whether or not water has been turned into works of diversion and if so, to what extent:
Water has been fully turned in.
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract:



8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: The point of use is just at the line of the N.E. $\frac{1}{4}$ of the
of the N.W. $\frac{1}{4}$ of Sec. 36 T. 48 N., R. 5 E. and the S.W. $\frac{1}{4}$ of the
S.W. $\frac{1}{4}$ of Sec. 25 of same township.

Ernest G. Gnaedinger

STATE OF IDAHO,

County of Shoshone

} ss.

Ernest G. Gnaedinger, 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 22 day of June 1914

My Commission Expires

Oct 15, 1915.

Notary Public

9197

Name of Applicant.....

RECEIVED
JUN 25 1914
OFFICE OF STATE ENGINEER

9197

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC. 25

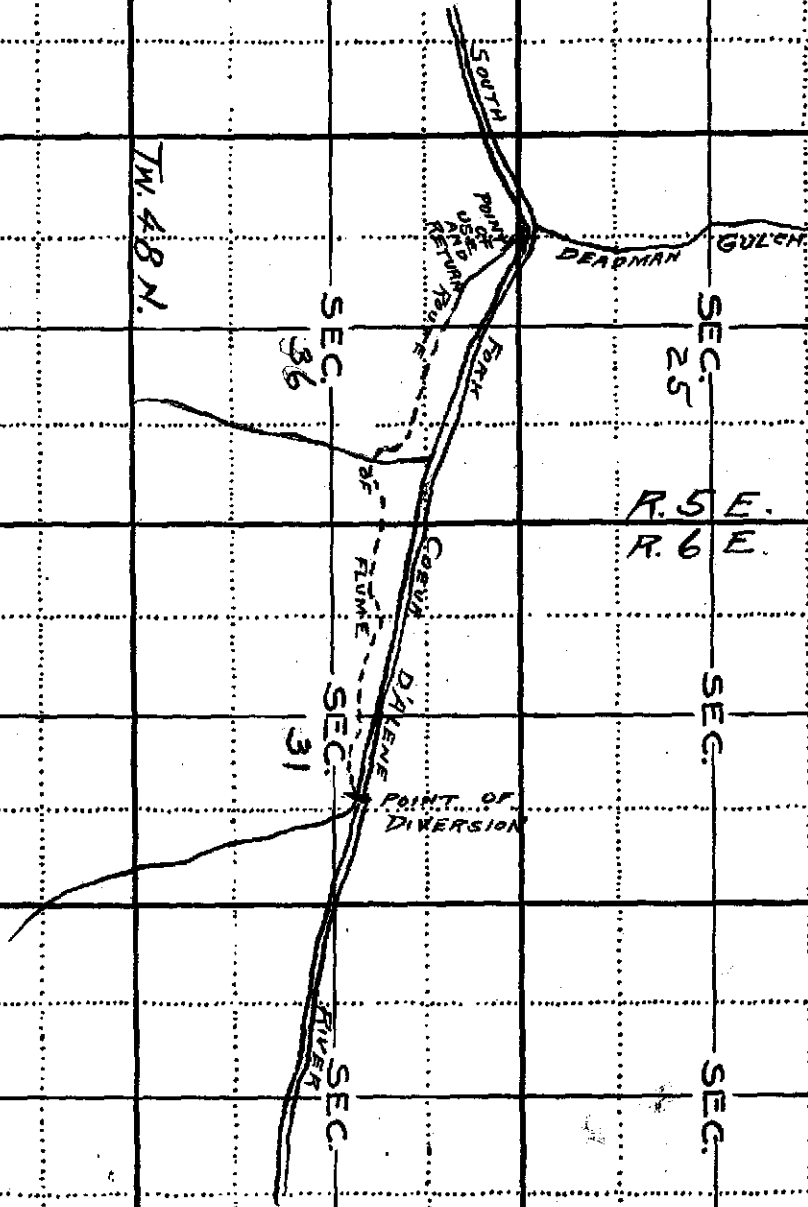
SEC.

SEC.

SEC.

TW. 48 N.

R. 5 E.
R. 6 E.



June 16, 1914.

Permits 9197-9859
Nat. Cop. Mng. Co.

Therrett Towles, Lawyer,
Wallace, Idaho.

Sir:

We are in receipt of your letter of June 10th,
enclosing additional fees due for proof under the
above numbered permits. Am enclosing herewith receipts.
As soon as the reports of Mr. E. G. Gnsedinger have been
received, the matter of issuing the certificates and
licenses will be taken up.

Very truly yours,

F. P. KING,

State Engineer.

R6528-9-3021

By _____

9197

THERRETT TOWLES
ATTORNEY AT LAW
WALLACE, IDAHO

June 10, 1914.

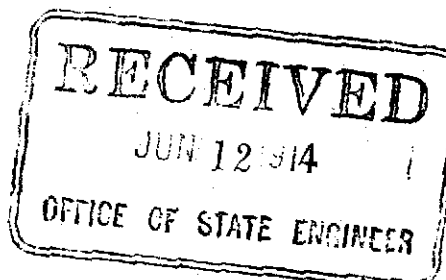
F. P. King, Esq.,
State Engineer,
Boise, Idaho.

Dear Sir:

Replying further to your letter of the 28th ult., I am enclosing herewith check for \$1 to cover balance of filing fees under Permits Nos. 9197 and 9859 of National Copper Mining Company, Ltd. Kindly send me the certificates and licenses.

Yours very truly,

Therrett Towles



9197

THERRETT TOWLES
ATTORNEY AT LAW
WALLACE, IDAHO

June 1, 1914.

F. P. King, Esq.,

State Engineer,

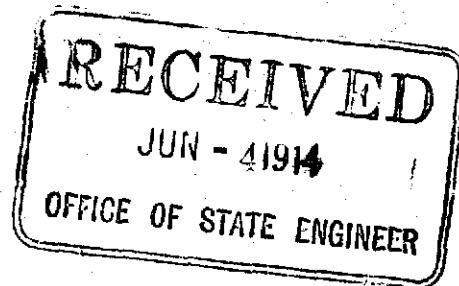
Boise, Idaho.

Dear Sir:

Replying to your letter of the 28th ult., I suggest the name of Ernest G. Gnaedinger of this city as a competent engineer to make an examination and report under water Permits Nos. 9197 and 9859 of National Copper Mining Co. Ltd.,

Yours very truly,

Therrett Towles



9197

9197

Office of the State Engineer

Boise, Idaho,

June 3

1912
4

E. G. Gnaedinger,
Wallace, Idaho
DEAR SIR:

.....residing at
National Copper Mng Co Wallace
County of, State of, has requested that
Idaho
you make examination required under Permit No. 9197 Will you
9859
therefore, arrange with the holder of said Permit to make such examination as will
enable you to answer the questions on the enclosed blank? Also, make a sketch on
the enclosed blank plat showing source of supply, point of diversion, route of ditch
and place of use. You should, also, arrange with the holder of said Permit for the
payment of your fee for your services, and such proper expenses as you will incur in
making this examination and report.

Please advise me promptly of receipt of this communication, and whether or not
you will be able to make the examination and report as required.

Very truly yours,

A. E. ROBINSON,
F. P. KING, ~~XXXXXXXXXX~~
State Engineer.

9197

May 28, 1914.

Permits 9197-9859
Nat. Copper Mng. Co., Ltd.

Therrett Towles, Lawyer,
Wallace, Idaho.

Sir:

Am just in receipt of depositions, affidavits of publication and check for fees for proof of completion of works and beneficial use of water under above permits. In regard to fees would say that the fees due under permit No. 9197 amount to \$11.00, as the amount of water is twenty second feet, the fee for proof of completion being \$6.00 and beneficial use of water \$5.00. The check for \$20.00 will be held pending receipt of the additional \$1.00 due.

In looking through the files I find that no one has been authorized to make the examination and report on these proofs. If you will send us the name of some competent engineer to do this work, the necessary blanks will be mailed to him at once.

Very truly yours,

F. P. KING,

State Engineer.

By _____

9197

THEERETT TOWLES
ATTORNEY AT LAW
WALLACE, IDAHO

May 26, 1914.

Hon. F. P. King,

State Engineer,

Boise, Idaho.

Dear Sir:

I am enclosing herewith proofs of completion of works and of application of water to beneficial use under Water Permits Nos. 9197 and 9859 of which National Copper Mining Co. Ltd. is the holder.

I am also enclosing herewith its check for \$20 to cover your filing fees.

I am also enclosing proof of publication of notice in each case.

Kindly acknowledge receipt and send me certificates and licenses.

Yours very truly,

Therrett Towles

RECEIVED

MAY 28 1914

STATE ENGINEER

9197

Proof of Publication

State of Idaho,

County of Shoshone,

ss.

NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at 2:00 p. m. on the 21st day of May, 1914, at Wallace, county of Shoshone, state of Idaho, before Therrett Towles, notary public, proof will be submitted of the completion of works for the diversion of 20 cubic feet per second of the waters of South Fork of Coeur d'Alene river and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 9197 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 National Copper Mining Company, Limited, Wallace, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of use, in accordance with the plans accompanying the application for such permit is 20 cubic feet per second.

3. The use to which said water has been applied is mining, milling, power and other purposes, and the amount applied to beneficial use is 20 cubic feet per second.

4. The place where said water is used is NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 36, Township 48 North, Range 5 East B. M.

5. The date of priority which said user is prepared to establish is March 17, 1913.

F. P. KING,
State Engineer.

A23-M14-4t

E. B. Reitz

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 Completion*

of Works and Application of Water to Beneficial Use

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

23rd day of *April* A. D. 191*4*

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 *14th* day of *May* A. D. 191*4*

E. B. Reitz

Subscribed and sworn to before me this *21st* day of *May*

A. D. 191*4*

Thomas McCabe

Notary Public.

9197

Notice of Forfeiture

—FROM—

—TO—

Recorded at the Request of

191

at minutes past o'clock M.,

in Book Page

Records of Shoshone County, State of Idaho.

County Recorder.

By, Deputy.

Fees for Recording This Instrument, \$1.50

STATE OF IDAHO,
COUNTY OF SHOSHONE,
ss.

....., being duly sworn, on oath say,.....
he, the identical person, who as co-owner with
caused the attached and foregoing Notice of Forfeiture of the interests of said
..... in the
mining claim, to be published in the
published at, Idaho, for the full period of ninety days, as appears by the foregoing affidavit of
..... the of said newspaper; that
the person, to whom the foregoing and attached Notice
of Forfeiture was directed, wholly failed to comply with the demand contained therein, or to pay or tender his or their pro-
portion of said expenditure or any part thereof during the period of publication of said notice, or within ninety days
thereafter, or at any time, or at all.
Subscribed and sworn to before me this day of, A. D. 191.....
Notary Public.

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. John Mocine, 36 Years, Mullan, Idaho. Mining Engineer.
Mullan, Idaho.

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. National Coppee Mining Co., Ltd., Mullan, Idaho.
General Manager, Authority of Board of Directors.

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

Ans. No. 9197, April 5- 1913 - Twenty cubic feet per second,
South Fork of Coeur d'Alene River; SE 1/4, NE 1/4, Sec. 31, T 48 N,
R 6 EBM, near mouth of O'Brien Gulch, Shoshone County- Idaho.

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 intend to reclaim.

Ans. Power and 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. Yes, about April 10, 1914, and to full capacity of twenty
cubic feet per second.

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

Ans. Yes.

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.

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. Dam and flume; dam is 6' high, 25' long at top, 20' long at
bottom, and made of wood and stone; headgate is 3' wide, 2' high.
Flume is 3' wide at bottom, 3' wide at water line, and 1 1/2 ft. deep.
Average grade per mile is 12 ft. Length of flume is 1 1/2 miles.
Cost is approximately \$3,000.

(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 Wallace, County of

Shoshone, State of Idaho, on this 21st day of

May A. D. 1914.

Thurston Fowler

Notary Public.

My Commission expires Oct. 15, 1915.

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

PERMIT NO. 9197.

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. W. & J. Brand, 45 Years, Mullan, Idaho. Miner, Mullan, Idaho.

Ques. 2. Are you acquainted with National Copper Mining Co., Ltd., the holder of Permit No. 9197, authorizing the diversion of twenty second-feet of the waters of South Fork of Coeur d'Alene River about 3 Mi. East of Mullan, Idaho, for power and milling purposes? How long have you known him, and where does he reside?

Ans. More than one year, Mullan, Idaho.

Ques. 3. Have you read or heard read said Permit No. 9197, 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?

Ans. Yes

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Dam and flume. Dam 6' High, 25' at top, 20' at bottom, made of wood and stone, headgate 3' wide, 2' high; flume 3' wide at bottom, 3' wide at water line, 1-1/2' depth of water, average grade per mile 12", length of conduit 1-1/2 miles. Capable of conveying water at full capacity of 20 cu.ft. per second.

(Sign here.)

W. J. Brand

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 Wallace, County of Shoshone, State of Idaho, on this 21st day of May, A. D. 1914.

Therest Jones

Notary Public.

My commission expires Oct. 15, 1915.

9197

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

PERMIT NO. 9197.

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. B. C. Hartwell, 38 Years. Mullan, Idaho. Clerk, Mullan, Idaho.

Ques. 2. Are you acquainted with National Copper Mining Co., Ltd., the holder of Permit No. 9197, authorizing the diversion of twenty second-feet of the waters of South Fork of Coeur d'Alene River, ---about 3 Mi. East of Mullan, Idaho, for power and milling purposes? How long have you known him, and where does he reside?

Ans. More than one year, Mullan, Idaho.

Ques. 3. Have you read or heard read said Permit No. 9197, 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?

Ans. Yes

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Dam and flume. Dam 6' High, 25' at top, 20' at bottom, made of wood and stone, headgate 3' wide, 2' high; flume 3' wide at bottom, 3' wide at water line, 1-1/2' depth of water, average grade per mile 12', length of conduit 1-1/2 miles. Capable of conveying water at full capacity of 20 cu.ft. per second.

(Sign here.) B. C. Hartwell

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 Wallace, County

of Shoshone, State of Idaho, on this 21st day of

May, A. D. 1914

Therese Fowler
Notary Public.

My commission expires Oct. 15, 1915.

9197

PERMIT No. 9197.

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

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

Ans. John Mocine, 36 Years, Mullan, Idaho. Mining Engineer,
Mullan, 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 refrence to same, and your authority for appearing in its behalf.

Ans. National Copper Mining Co., Ltd., Mullan, Idaho,
General Manager, authority of Board of Directors.

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

Ans. 9197, April 5, 1913. Date of priority, March 17, 1913.

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

Ans. South Fork of Coeur d'Alene River; SE 1/4, NE 1/4, Sec. 31, T 48 N
R 6 EBM, near the mouth of O'Brien Gulch, Shoshone County, Idaho.

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 and Flume; dam is 6' high, 25' long at top, 20' long at
bottom, made of wood and stone; headgate 3' wide, 2' high.
Flume is 3' wide at bottom, 3' wide at water line, 1-1/2'
deep. Average grade per mile, 12', length of flume 1-1/2 miles.
Capable of conveying twenty cubic 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 cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Power and milling purposes. NE 1/4, NW 1/4, Sec. 36, T 48 N
R 5, EBM.

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

Ans. Water is conveyed by flume to power house at mouth of Deadman
Gulch and generates power for use of Company at mine and mill.
Amount of power generated is 150 HP under 100 ft. head.

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

Ans. Twenty 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.

9197

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

Ans. Since the construction of the dam and flume. Water has been used under this permit at its full capacity of twenty cubic feet per second. Water has been applied to beneficial use for the past forty or fifty days.

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. No other waters used under this permit.

(Sign)

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 Wallace, County of

Shoshone, State of Idaho, on this 21st day of May A. D. 1904.

Notary Public.

My commission expires Oct. 15, 1915.

9197

Permit No. 9197.

• Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. E. C. Hartwell, 38 Years, Mullan, Idaho. Clerk. Mullan, Idaho.

Ques. 2. Are you acquainted with National Copper Mining Co., Ltd., the holder of Permit No. 9197? How long have you known him and where does he reside?

Ans. More than one year. Mullan, Idaho.

Ques. 3. Have you read or heard read said Permit No. 9197, 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. South Fork of Coeur d'Alene River; ~~2x2~~ SE 1/4 of the NE 1/4 of Sec. 31, T 48 NR, 6 EBM, near the mouth of O'Brien Gulch, Shoshone County, Idaho.

Dam and flume; dam is 6' high, 25' long at top, 20' long at bottom, made of wood and stone, headgate, 3' wide 2' high.

Flume is 3' wide at bottom, 3' wide at water line, 1-1/2 ft. deep, average grade per mile is 12', length of conduit 1-1/2 miles.

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. Twenty cu. Ft. per second and have seen that much conveyed.

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 and milling purposes at NE 1/4 of the NW 1/4 of Sec. 36, T 48 NR 5 EBM

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

Ans. Water is conveyed by flume to power house at mouth of Deadman Gulch and generates power for use of Company at mine and mill. Water has been applied to the full extent of twenty cubic feet per second.

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.

9197

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

and to what extent?

Ans. No

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 frequently witnessed the use of water under this permit

since the construction of the dam and flume and at its full

capacity of twenty cubic feet per second.

(Sign)

W. H. L. L.

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 Wallace, County of Shoshone

State of Idaho, on this 21st day of May A. D. 1914.

Notary Public.

James H. L.

My Commission Expires Oct. 15, 1915

9197

Permit No. 9197.

• Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. W. J. Brand 45 Years, Mullan, Idaho. Miner. Mullan, Idaho.

Ques. 2. Are you acquainted with National Copper Mining Co., Ltd., the holder of Permit No. 9197? How long have you known him and where does he reside?

Ans. More than one year. Mullan, Idaho.

Ques. 3. Have you read or heard read said Permit No. 9197, 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. South Fork of Coeur d'Alene River; ~~xxx~~ SE 1/4 of the NE 1/4 of Sec. 31, T 48 NR, 6 EBM, near the mouth of O'Brien Gulch, Shoshone County, Idaho.

Dam and flume; dam is 6' high, 25' long at top, 20' long at bottom, made of wood and stone, headgate, 3' wide 2' high.

Flume is 3' wide at bottom, 3' wide at water line, 1-1/2 ft.

deep, average grade per mile is 12', length of conduit 1-1/2 miles.

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. Twenty cu. Ft. per second and have seen that much conveyed.

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 and milling purposes at NE 1/4 of the NW 1/4 of Sec. 36, T 48 NR 5 EBM

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

Ans. Water is conveyed by flume to power house at mouth of Deadman Gulch and generates power for use of Company at mine and mill. Water has been applied to the full extent of twenty cubic feet per second.

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. No

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 frequently witnessed the use of water under this permit

since the construction of the dam and flume and at its full

capacity of twenty cubic feet per second.

(Sign)

W. J. Grand

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 Wallace County of Shoshone

State of Idaho, on this 21st day of May A. D. 1914.

Notary Public.

James H. Smith

My Commission Expires Oct. 15, 1915

9197

State of Idaho

A. E. ROBINSON
ENGINEER

ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS

Proof of Completion of Works

Chas. McKinnis, Sec'y and
Nat. Copper Eng. Co. Proof of Beneficial Use of water.

c/o Therrett Towles, Boise, Idaho, May 5, 1914.
Dear Sir: Wallace, Idaho

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. 9197.

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 your rights:

1. On May 21st, the date set for proof, the enclosed forms (two for permit holder and two each for two disinterested witnesses) should be filled out and sworn to, at

before

Wallace Therrett Towles, H.P.
2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fees as follows: Fee for proof of completion of works is \$5.00 for ten second feet or less. Over ten second feet a charge of 30 cents a second foot is made. The fee for beneficial use of water, for power purposes is \$5.00; if for irrigation, \$2.00 for each 40-acre tract, or fraction, to which water has been beneficially applied.

When these have been received, together with report of the Water Commissioner, if everything is properly executed, Certificate of Completion of Works and License will issue.

Yours truly,

A. E. ROBINSON
F.P.KING, ~~XXXXXXXXXX~~ State Engineer.

(P. O.)

Mellace Idaho

(Date)

April 22-1914

State Engineer, Boise.

Dear Sir:

I have your letter of *April 20, 1914* enclosing Notice of Proof of Completion of Works and Beneficial Use of Water under Permit No. *9197* which will be published as you request, beginning with our issue of *April 23, 1914*

RECEIVED

APR 25 1914

OFFICE OF STATE ENGINEER

Mellace Murr

E. B. Reifel Mgr

9197

May 21

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 10, 1914(P. O.) Wallace, Shoshone County, Idaho.

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, Idaho, published in the
county in which the works are situated.

National Copper Mining Company, Ltd.,

By

Charles McKinnis

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.

Engineer.

9197

RECEIVED

APR 13 1914

OFFICE OF STATE ENGINEER

**NOTICE OF PROOF OF COMPLETION OF WORKS
AND
APPLICATION OF WATER TO BENEFICIAL USE**

Notice is hereby given that at 2 P. M. on the 21st
day of May, 1914, at Wallace, County of
Shoshone, State of Idaho, before Therrett Towles, notary public,
proof will be submitted of the completion of works for the diversion of twenty
cubic feet per second of the waters of South Fork of Coeur d'Alene River
and of the application to beneficial use of said water in accordance with the terms and conditions
of Permit No. 9197 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
National Copper Mining Company, Limited, Wallace, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and
the amount of water which said works are capable of conducting to the place of use, in accord-
ance with the plans accompanying the application for such permit, is twenty
cubic feet per second.

3. The use to which said water has been applied is mining, milling, power and other
purposes. and the amount applied to beneficial use is twenty cubic feet per second.

4. The place where said water is used is NE 1/4 of NW 1, Section 36, Township
48 North, Range 5 East B.M.

5. The date of priority which said user is prepared to establish is March 17,
April 5, 1913.

F. P. KING.
~~XXXXXXXXXX~~

Permit No. 9197

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Shoshone

ss.

Charles McKinnis, being first duly sworn upon his oath deposes and says:
National Copper Mining Company, Limited,

First: That ~~he~~ is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 9197 and that ~~his~~ ^{its} postoffice address is Wallace,

State of Idaho, and that he makes this affidavit for and on behalf of said corporation, as its secretary.

Second: That under the terms and conditions of said permit, construction thereunder was required to be completed by April 5, 1915.

Third: That the use for which said water is intended is mining, milling, power and other purposes.

Fourth: That ~~on the date above mentioned~~ the works constructed under said permit were (or were not) fully completed and consisted of the following:
on April 10, 1914

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

II. Dimensions of work:

(a) Height of dam 6 feet, length of dam at top 25 feet, length of dam at bottom 20 feet. Material used in construction wood, stone and dirt.

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

(b) Capacity of reservoir acre feet.

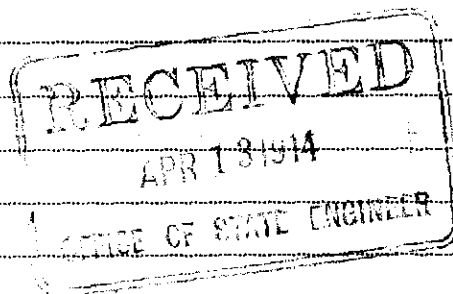
(c) Size of headgate: Width 3 feet, height 2 feet.

(d) Conduit flume width at bottom 3 feet, width at water line 3 feet, depth of water 2 feet; diameter of pipe 20 inches; average grade per mile of flume is 12 feet. Length of conduit is 1 1/2 miles.

Fifth. That said works are capable of conducting to the place of intended use twenty second feet of water.

Sixth. That water appropriated under said permit is available for acres of land described as follows:

Seventh. Remarks: That



Charles McKinnis

Sign here. Secy

Subscribed and sworn to before me this 10th day of April, 1914.

My commission expires Oct. 15, 1915.

Notary Public.

9197

February 25, 1914.

^s
Permit 9197- 9626

Mr. F. Cushing Moore,
Chief Engineer National Copper
Mining Company,
Wallace, Idaho.

Sir:-

Replying to yours of the 23rd inst. would say
that on February 16th we wrote you the following
letter relative to Permit No.9197:

" February 16,1914.
Permit 9197.

F. Cushing Moore,
Chief Engineer Nat.Cop.Mng.Co.
Wallace, Idaho.

Sir:

Replying to your letter of the 13th inst. would
say that proof of completion of works under the above
permit is not required until April , 1915, and proof
of beneficial use, April,1916. However, if you desire
to make these proofs at an earlier date, the enclosed
forms should be filled out and returned to this office
in time for the notice to be sent to the paper for the
required four weeks publication prior to date of proof.
If you desire to make proof of completion of works,only,
at this time, please to advise us and the notice for
this proof will be sent to the paper and not the com-
bined notice.

Very truly yours,

F.P.KING,

State Engineer.

3NW&N

By _____ "

9197

I am herewith enclosing you another set of blanks for the combined proof under this permit and also a set for proof under Permit No. 9626, per your request.

Very truly yours,

F. P. KING,

State Engineer.

ENC&W

By _____

National Copper Mining Company Limited

WALLACE, IDAHO
Feb. 23, 1914

F. P. King, State Engineer,
Boise, Idaho.

Dear Sir:-

We are in receipt of your communication of the 18th inst. relative to water permit #9936, but have heard nothing from our letter of the 13th inst. relative to #9197. The final proof of beneficial use before Therrett Towles on permit 9936 is set for March. 20th.

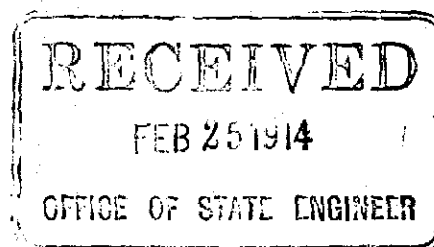
We have also completed the work on #9626 and would like to make final proof on this permit and 9197 at the same time.

Kindly furnish the necessary blanks so that these can be completed as soon as possible.

Yours very truly,

NATIONAL COPPER MINING COMPANY, LTD

Herbington Moore
Chief Engineer.



9197

February 16, 1914.

Permit 9197

F. Cushing Moore,
Chief Engineer Nat. Cop. Mng. Co.,
Wallace, Idaho.

Sir:

Replying to your letter of the 13th inst. would say that proof of completion of works under the above permit is not required until April, 1915, and proof of beneficial use, April, 1916. However, if you desire to make these proofs at an earlier date, the enclosed forms should be filled out and returned to this office in time for the notice to be sent to the paper for the required four weeks publication prior to date of proof. If you desire to make proof of completion of works, only, at this time, please to advise us and the notice for this proof will be sent to the paper and not the combined notice.

Very truly yours,

F. P. KING,

State Engineer.

By _____

3N7&U

9197

National Copper Mining Company Limited

WALLACE, IDAHO

Feb. 13, 1914

F. P. King, State Engineer,
Boise, Idaho.

Dear Sir:-

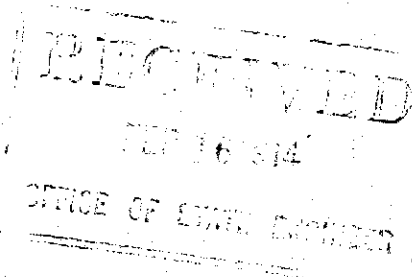
Kindly advise me what is the status of
water permit #9197, held by the National Copper
Mining Company, Ltd. on waters of the South Fork
of the Coeur d'Alene River.

We have completed the work on this water
right and are ready to make final proof, but find
no record where application has been made to your
office for the necessary papers.

Yours very truly,

NATIONAL COPPER MINING CO., LTD

J. Haskins Moore
Chief Engineer.



9197

Send combined notices

Apr 15
16

June 27, 1913.

Permit 9197

Charles McKinnis, Agent
National M. Co., Ltd.,
Wallace, Idaho.

Sir: Am herewith returning the affidavit of
change of point of diversion under above permit,
the same having been recorded in this office. Am
also returning one copy of the map, the other being
placed on file here.

Very truly yours,

F. P. KING,

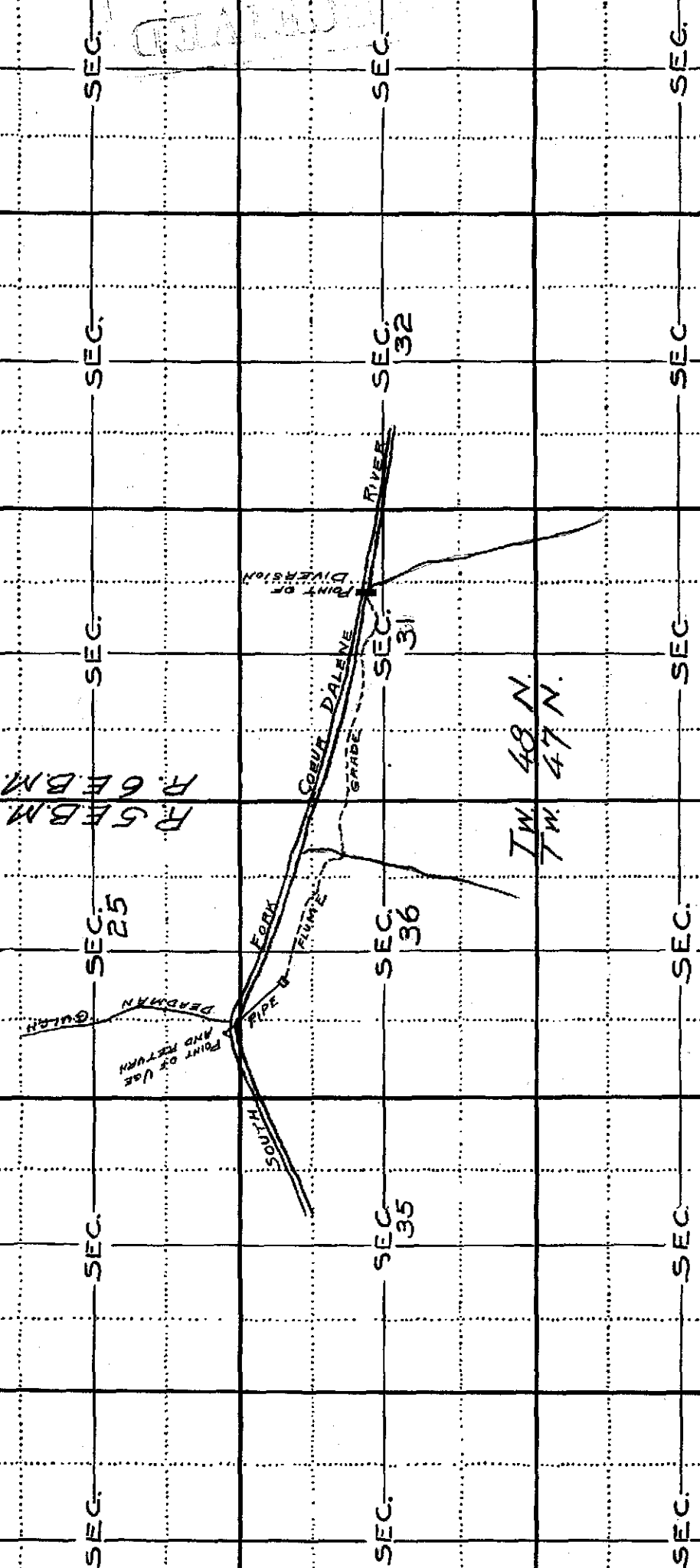
State Engineer.

APD-M

By _____

9197

2616



STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

A. E. ROBINSON,
STATE ENGINEER

Permit No. 9197. Nat'l Copper Mining Co.,
Charles McKinnis,
Wallace, Idaho.

BOISE, IDAHO. April 5, 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.

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

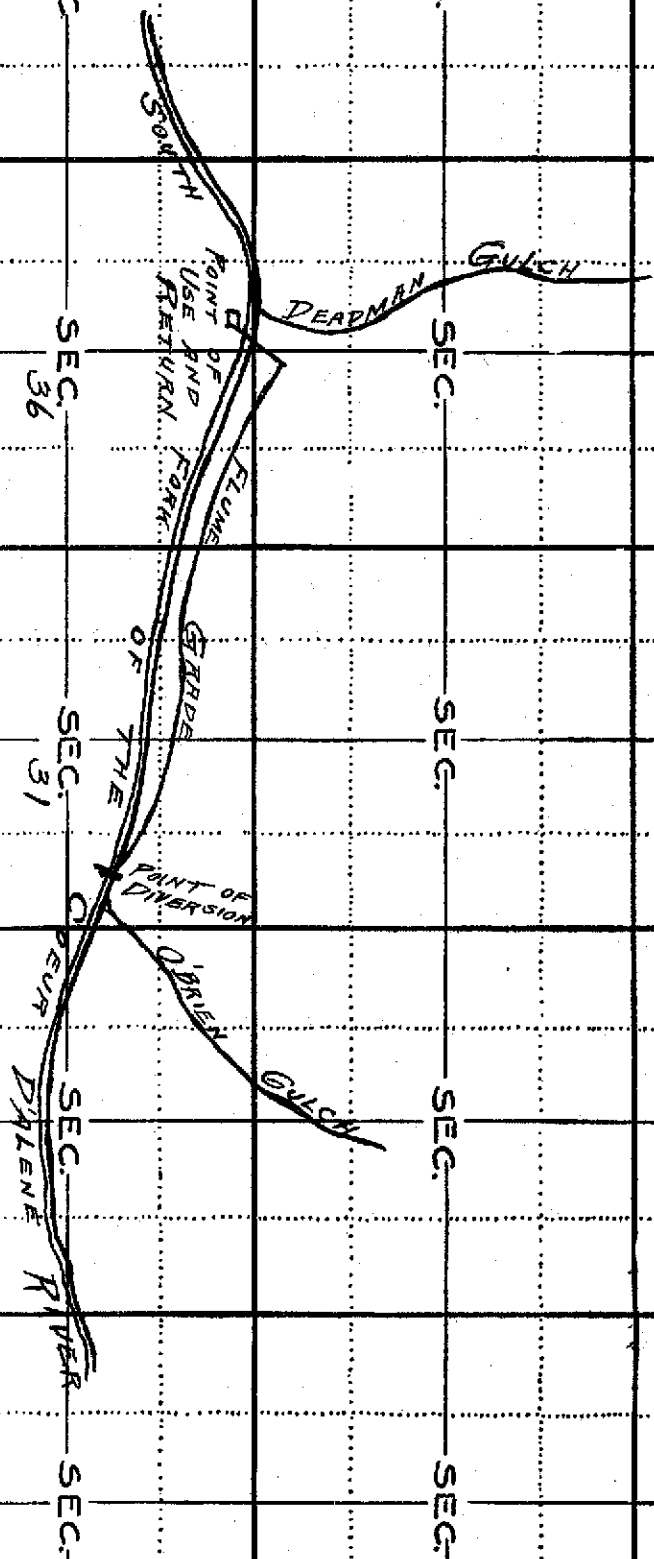
State Engineer.

9197

Name of Applicant

TW. 48 N.
TW. 47 N.

R. 5 E.B.M.
R. 6 E.B.M.



9197