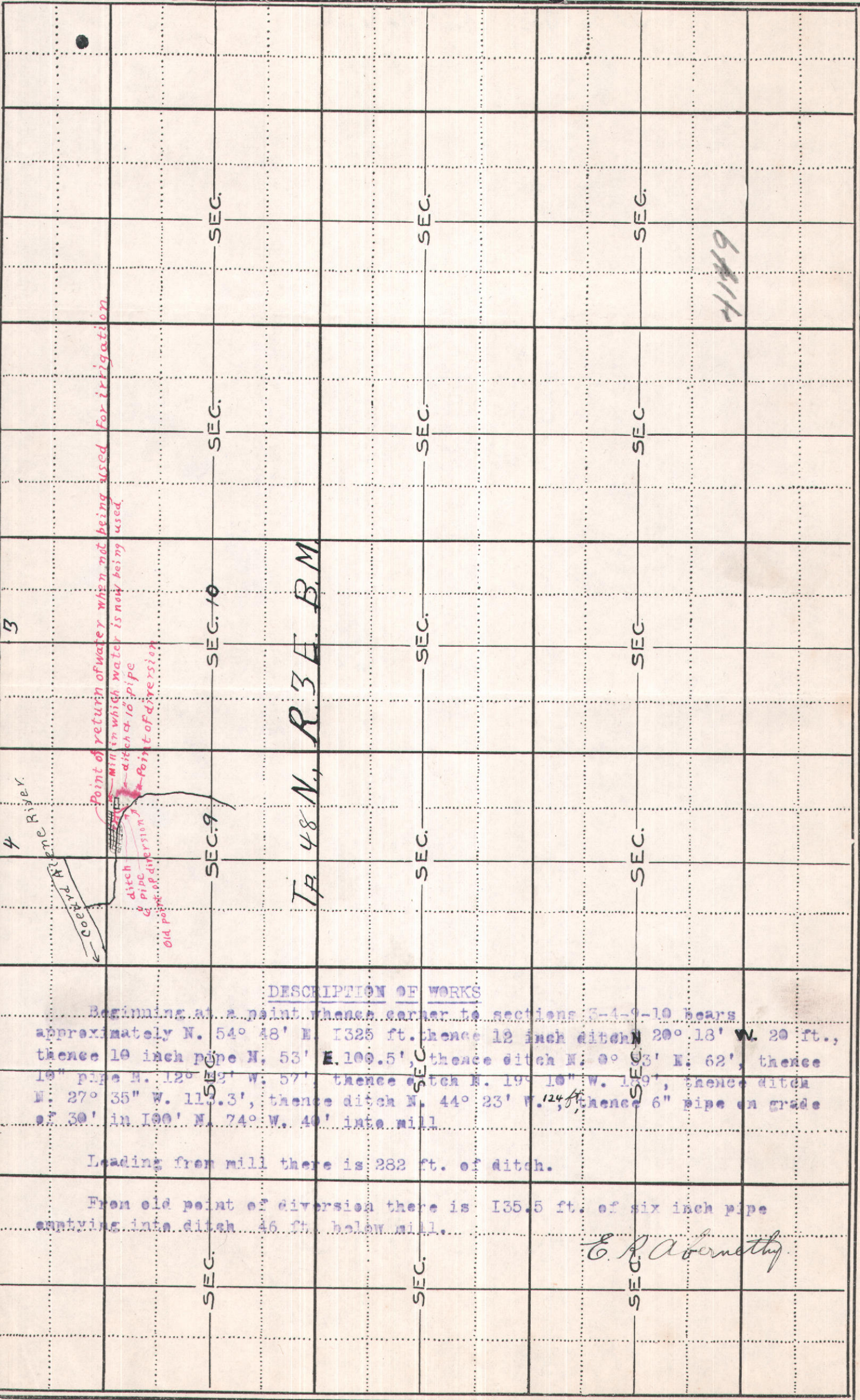




 Shoshone County *
 Gold Run Creek *
 Milling and irrigation *
 .2 of 1 second foot *
 Priority Sept. 21, 1908. *

S T A T E O F I D A H O.

WATER LICENSE No. 4149.

WHEREAS, On the 26th day of September, A. D. 1908, THE NEW JERSEY GOLD MINING AND MILLING COMPANY of Glassport, County of, State of Pennsylvania, duly made application (No. 5705) to me for a permit to use .2 of 1 cubic foot per second of the waters of Gold Run Creek, County of Shoshone, State of Idaho, for milling and irrigation purposes, and

WHEREAS, On the 21st day of November, A. D. 1908, Permit No. 4149 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 21st day of May, A. D. 1909, and for the application to beneficial use of said water on or before the 21st day of May A. D. 1913, and,

WHEREAS, On the 21st day of May, A. D. 1909, the New Jersey Gold Mining and Milling Company, the holder of said permit duly made proof of the completion of adequate works for the diversion of .2 of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 4149, dated July 1, 1909, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use .2 of 1 cubic foot per second of the waters of Gold Run Creek, with date of priority of September 26, 1908, and

WHEREAS, On the 21st day of May, A. D. 1909, the New Jersey Gold Mining and Milling Company, the holder of said permit duly made proof of the application to beneficial use of .2 of 1 cubic foot 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 The New Jersey Gold Mining and Milling Company, of Glassport, County of State of Pennsylvania, the holder and owner of said permit No. 4149, a perpetual right, dating from September 26, 1908, to the use of .2 of 1 cubic foot per second of the waters of Gold Run Creek, 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 whence corner to sections 3-4-9-10, Township 48 North, Range 3 East of Boise Meridian, bears N. 54 deg. 48 min. East, 1325.3 feet, and conducted to and upon about (10 acres in the Northwest quarter of the Northeast quarter (NW4 NE4) Section 9, Township 48 North, Range 3 East of Boise Meridian. The water is also used for milling purposes on the New Jersey Mill site, for the purpose of mining and irrigation, 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 nine.

Jas. Stephenson, Jr.

(SEAL)

State Engineer.

Recorded July 1, 1909.

No. 5705.

94-2044

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: New Jersey Gold Mining & Milling Company.

Postoffice address: Kellogg.

County: Shoshone State: Idaho.

I. If applicant is a corporation give:

(a) Date and place of incorporation: December 10th, 1898.

(b) The amount of capital stock: one million shares. Amended Oct. 22, 1902 to two million shares.

(d) The names and addresses of directors: H.E. Ginter, DuBoise Penn; J.B. Eberhart, Punxsutawney, Penn; J. W. Jones, Pittsburg, Penn; Austin Blakesley, DuBoise, Penn; P.S. McMullan, Glassport, Penn; S.H. Schrecongost, DuBoise, Penn and W.H. Iilsley, Spokane, Wash.

II. The financial resources of the applicant are:

(a) Cash on hand: Eight Hundred Dollars.

(d) Other resources: 61½ acres of mining claims, mill & machinery costing twenty thousand dollars and eighty acres of patented homestead land.

2. The quantity of water claimed is one fifth of one cubic foot per second.

3. Source of water supply: Gold Run creek.

County of Shoshone.

4. Location of point of diversion: in NW¼ of NE¼ of Section 9 Tp. 48 N. R. 3 E. B. M.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: ten acres.

(b) In the following legal subdivisions: NW¼ of NE¼ Sec. 9 Tp. 48 N. R. 3 E. B. M.

II. Mining, power, manufacturing or transportation purposes:

(a) To be used for: washing tailings from New Jersey Mill.

(d) Is water to be returned to any stream: returned to Gold Run creek.

(e) If so, name stream and locate point of return: water when used for washing tailings is to be returned to Gold Run creek in NW¼ of NE¼ Sec. 9 Tp. 48 N. R. 3 E. B. M.

6. Estimated cost of works: Two Hundred Dollars.

7. Description of works for diversion:

I. Kind of works: Headgate & pipe & ditch.

II. Dimensions of works:

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

(d) Conduit pipe & ditch width at bottom ditch, one foot, width at water line 1.8 feet, depth of water one third of one foot. Diameter of pipe: 8 & 4 inches.

Average grade per mile is 300 feet. Length of conduit is 1/16 miles, and

crosses the following quarter sections: NE $\frac{1}{4}$ Sec. 9, Tp. 48 N. R. 3 E. B. M. to land described in 5 I (b) above and point described in 5 II (c) above which is the point of intended use.

8. Time required for the completion of the construction of such work is one half year.
9. Time required for the complete application of the water to the proposed use is 4 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.

New Jersey Gold Mining & Milling Company,
Applicant.

By.....E. R. Abernethy.....Agent.

Remarks: The water as described above is to be used for irrigation at such times as it is not needed for washing tailings from the New Jersey Mill.

The reason for it requiring five years for the complete application of the water to the proposed use is that the land to be irrigated is not all cleared, having large stumps & roots which will have to rot out. The water will all be used immediately upon the completion of construction of the conduit for the washing of tailings.

APPROVAL OF STATE ENGINEER.

The number of this permit is 4149.

Date of first receipt of application 9.00 a.m. September 26, 1908.

Returned to applicant for correction September 29, 1908.

Corrected application received November 14, 1908.

Recorded in Book 11 Page 4149 Approved November 21, 1908.

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 grant the same, subject to the following limitations and conditions:

Work to be completed on or before January 20, 1909 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 February 21, 1909.

The whole of said work to be completed on or before May 21, 1909.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to May 21, 1913.

Witness my hand this twenty-first day of November, 1908.

Jas. Stephenson, Jr.,
State Engineer.

Blank Notice of proof of completion and beneficial use mailed applicant February 1, 1909.

Notice Received March 27, 1909, fixing May 21st, 1909 as date and Kellog Idaho, as place of proof.

Notice for publication Mailed Wardner News, April 1st, 1909.

Deposition blanks mailed applicant April 1, 1909.

E. R. Abernethy authorized April 1, 1909 to make examination of works.

Affidavit of publication, depositions and fee for proof of completion of works received May 24, 1909.

Deposition and fee for proof of beneficial use received June 18, 1909.

Certificate and license issued July 1st, 1909.

PERMIT No. 4149.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that the New Jersey Gold Mining & Milling Company of Glassport, County of, and State of Pennsylvania, the holder of Permit No. 4149, issued upon Application No. 5705, bearing date of priority of September 26, 1908, authorizing the diversion of .2 of 1 second foot of the waters of Gold Run Creek, County of Shoshone, State of Idaho, for mining and irrigation 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 .2 of 1 second foot of the waters of Gold Run Creek; that the point of Diversion of said waters is at a point whence corner to sections 3-4-9-10, Township 48 North, Range 3 East of Boise Meridian, ^{bears N. 54°48' East 1325.3 feet} and that the place of use of said water is at New Jersey Millsite in the Northwest quarter of the Northeast quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) Section 9, Township 48 North, Range 3 East of Boise Meridian.

Witness my hand this 1st day of July, A. D. 1909.

Jas. Stephenson, Jr.,

State Engineer of the State of Idaho.

License issued for 2/10 second feet

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Report of Engineer

1. State name of applicant and number of permit: *Permit 4149. New Jersey Gold Mining & Milling Co.*
2. State source of water supply: *Gold Run creek.*
3. Location of point of diversion: *A point on Gold Run creek whence corner to sections 3-4-9-10, T₄₈N, R₃E, B.M. bears north 54° 48' east 132.5 feet.*
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: *Yes*
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: *ditch one foot, pipe 10 inches in diameter*
 - (b) Width at water line: *" one foot, " " " " "*
 - (c) Depth of water: *water is now 3 inches deep. Ditch is built to carry water 1 foot deep.*
 - (d) Grade per mile: *52.8 ft. for ditch and 105.6 ft. for pipe line.*
6. State whether or not water has been turned into works of diversion and if so, to what extent: *All the water of Gold Run creek is turned into the works of diversion, being 127 cubic feet per second, as measured by me on May 14, '09*
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: *On New Jersey Millsite in NW 1/4 of NE 1/4 Sec. 9, T₄₈N, R₃E, Boise Meridian.*
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 diversion is at a point about 600 ft. farther up stream than that at which the water right was first located and is now in NE 1/4 of NE 1/4 Sec. 9, T₄₈N, R₃E, B.M. This change does not interfere with any other water-right or user of water. The headgate and pipeline of 6 inch pipe at the old point of diversion is still in place and in high water diverts any water not taken from the creek at the regular point of diversion and carrying it 128 ft through a 6 inch pipe empties it into the present water ditch at a point 46 ft below where the water now comes from the mill. The water after being used in the mill is used to irrigate garden on New Jersey Millsite*

E. R. Abernethy.

STATE OF IDAHO,

County of *Shoshone* } ss.

E. R. Abernethy, 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 *21st* day of *May* 190*9*.

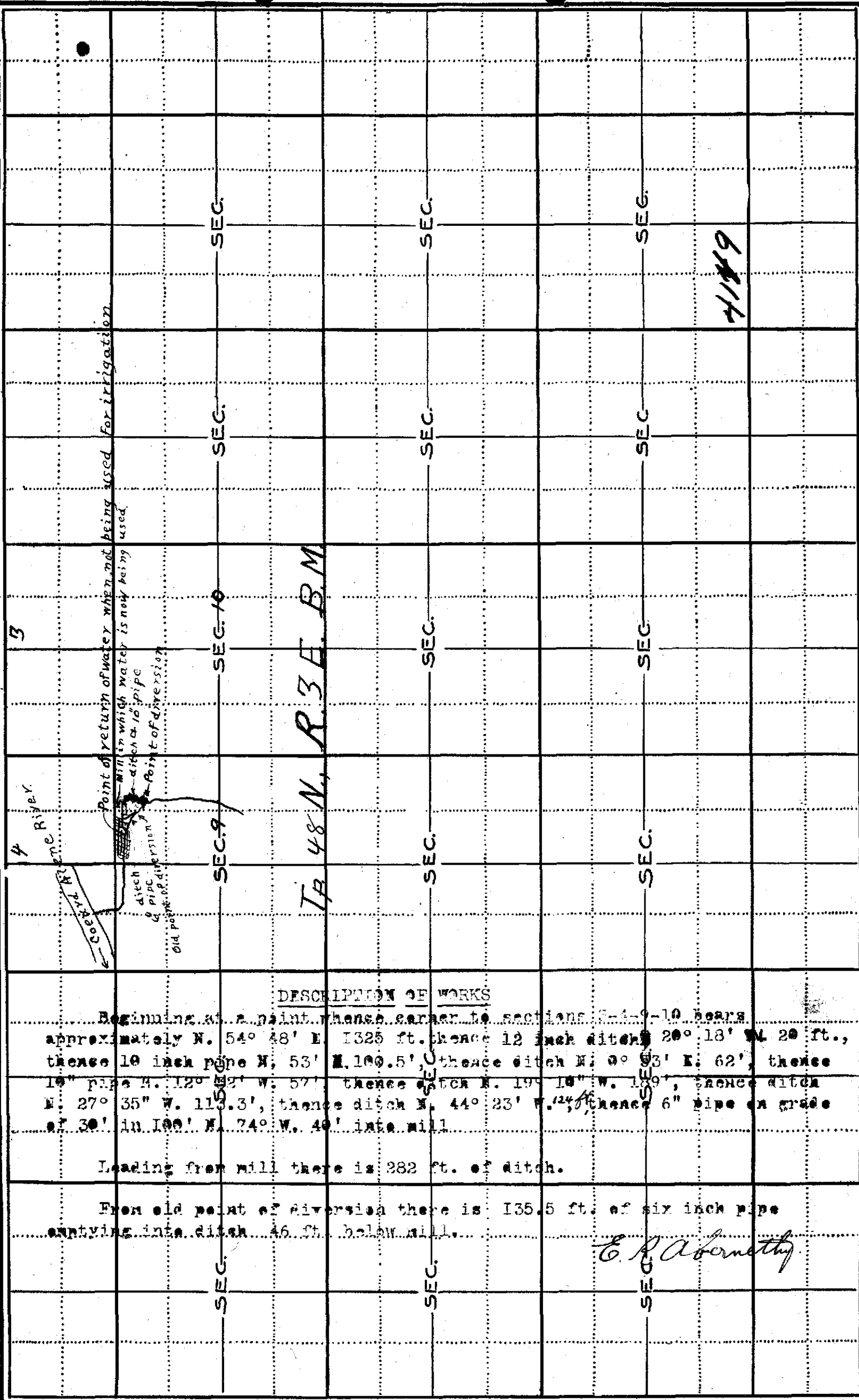
My Commission Expires

Feb 28th 1912

E. H. Hinch

Notary Public.

4149



DESCRIPTION OF WORKS

Beginning at a point whence corner to sections 6-4-9-10 bears approximately N. 54° 48' E. 1325 ft. thence 12 inch ditch 20° 18' N. 20 ft., thence 10 inch pipe N. 53' E. 100.5', thence ditch N. 0° 03' E. 62', thence 10" pipe N. 12° 02' W. 57', thence ditch N. 19° 10' W. 189', thence ditch N. 27° 35' W. 113.3', thence ditch N. 44° 23' W. 124', thence 6" pipe on grade of 30' in 100' N. 74° W. 40' into mill

Leading from mill there is 282 ft. of ditch.

From old point of diversion there is 135.5 ft. of six inch pipe emptying into ditch 46 ft. below mill.

E. R. Abernethy