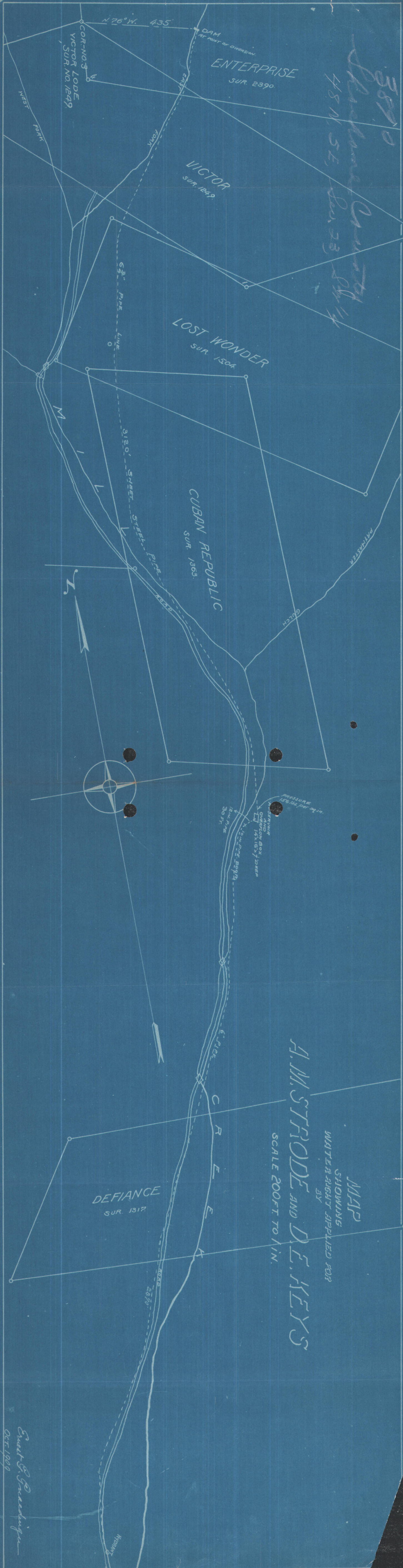


5890
 48 N. 5 E. Sec. 23 T4 N 14 E



MAP
 SHOWING
 WATER RIGHT APPLIED FOR
 BY
 A. M. STRODE AND D. E. KEYS
 SCALE 200 FT. TO IN.

Ernest G. Gooding
 Oct. 1909

County of Shoshone *
East Fork of Mill Creek. *
five sec. ft. *
domestic purposes. *
Priority 6/8/08. *

S T A T E O F I D A H O..
WATER LICENSE No. 3890.

WHEREAS, On the eighth day of June, A. D. 1908, A. M. STRODE and D. E. KEYS, of Mullan, County of Shoshone, State of Idaho, duly made application (No. 5293) to me for a permit to use Five (5) cubic feet per second of the waters of East Fork of Mill Creek, County of Shoshone, State of Idaho, for Domestic purposes, and

WHEREAS, On the eighth day of August, A. D. 1908, Permit No. 3890 was issued to said applicants for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 8th day of August, A. D. 1911, and for the application to beneficial use of said water on or before the 8th day of August, A. D. 1912, and,

WHEREAS, On the 20th day of October, A. D. 1909, A. M. STRODE and D. E. KEYS, the holders of said permit, duly made proof of the completion of adequate works for the diversion of five (5) cubic feet per second of said waters, as evidenced by my Certificate No. 3890, dated November 6th, 1909, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use five (5) cubic feet per second of said waters, with date of priority of June 8th, 1908, and,

WHEREAS, On the 20th day of October, A. D. 1909, A. M. STRODE and D. E. KEYS, the holders of said permit, duly made proof of the application to beneficial use of five (5) 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 A. M. STRODE and D. E. KEYS, of Mullan, County of Shoshone, State of Idaho, the holders and owners of said Permit No. 3890, a perpetual right, dating from June 8th, 1908, to the use of five (5) cubic feet per second of the waters of East Fork of Mill 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 about two miles above the confluence of Mill Creek and the South Fork of Coeur d'Alene River in Southwest quarter of Section 23 T. 48 N. R. 5 East (Approx.) of unsurveyed lands Cor. No. 3 Victor Lode Sur. No. 1249, bears N. 76°W. 435 feet, and conducted to and upon lands comprised in the townsite of Mullan, Shoshone County, Idaho, for the purpose of domestic use, 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 6th day of November, A. D. Nineteen hundred and nine.

Jas. Stephenson, Jr.,
State Engineer.

(SEAL).

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: A. M. Strode and D. E. Keys.

Postoffice address: Mullan.

County: Shoshone State: Idaho.

II. The financial resources of the applicant are:

(a) Cash on hand: Sufficient to complete construction

(d) Other resources: Owners of Mullan Water Works, Mullan, Idaho.

and real estate in Mullan. Value \$20,000.00

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

3. Source of water supply: East Fork of Mill Creek.

County of Shoshone.

4. Location of point of diversion: About 2 miles above the confluence of Mill Creek and South Fork of Coeur D'Alene River, in SW $\frac{1}{4}$ Sec. 23, T. 48 N., R. 5 E. (Approx) of the unsurveyed lands whence Cor. No. 3. Victor Lode, Sur. No. 1249 bears N. 76° W. 435 ft.

5. To be used for:

I. Irrigation and domestic use: Domestic Uses in the Town of Mullan,

II. Mining, power, manufacturing or transportation purposes:

(d) Is water to be returned to any stream: yes.

(e) If so name stream and locate point of return: Mill Creek along line of use

through East $\frac{1}{2}$ of Sec. 27, T. 48 N. R. 5 E. (approx) of the unsurveyed lands.

6. Estimated cost of works: \$4000.00

7. Description of works for diversion:

I. Kind of works: Dam, Pipe-line and reservoir.

II. Dimensions of works:

(a) Height of dam 4 feet, length of dam at top 15 feet, length of dam at bottom 10 feet. Material used in construction : wood and stone.

(b) Capacity of reservoir: 1025 cu. ft.

(d) Conduit Pipe, width at bottom....Diameter of pipe: 6 inches. Average grade per mile is 500 feet. Length of conduit is one and one-seventh miles, and it crosses the following quarter sections: SE $\frac{1}{4}$ Sec. 22, T. 48 N. R. 5 E., NE and SE $\frac{1}{4}$ Sec. 27, T. 48 N., R. 5 E. (approx) of the unsurveyed lands to village of Mullan which is the point of intended use.

8. 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 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.

A. M. Strode and D. E. Keys,

All their right, title and interest in the water right known as and called MULLAN WATER WORKS, situated in and adjacent to the Village of Mullan, in said Shoshone County, State of Idaho, and consisting of two separate water rights, one of them known as the Boulder Creek Water Right, located by A. M. Strode on the 9th day of June, 1898, the notice of location of which is duly recorded in Book "M" of Miscellaneous, at page 105 thereof, in the records of said Shoshone County, Idaho, the other one known as the Mill

(1)

ies

Creek Water Right which was subsequently merged in Permit No. 3890, granted by the State Engineer of the State of Idaho, to appropriate the waters of said Mill Creek, which said permit was approved August 8th, 1908, and is recorded in the office of said State Engineer at Boise, Idaho, in Book 11, page..., and as the said water rights are and heretofore have been held, used and enjoyed by the said Amos M. Strobe in the conduct of the said Mullan Water Works; together with all the rights of said parties of the first part of, in and to any other or further permits and water rights which may be hereafter granted, located or used in connection with the said Mullan Water Works system; and also, all and singular, the tanks, flumes, conduits, mains, dams and other improvements and appurtenances owned, used or connected therewith, together with the franchise granted by the said Village of Mullan, to operate said water works in and through the said Village of Mullan and to furnish water to the said Village and to the inhabitants thereof.

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QUITCLAIM DEED.

Harry C. McAllister, Trustee,
and Harry C. McAllister and
Stephanie McAllister, his wife,
Grantors,

-to-

D. E. Keys
Grantee.

Dated, May 13th, 1919.

Recorded, May 14th, 1919.

Deed Book "53" page 424.

Consideration, \$1.00.

Witnessed.

Acknowledged May 14th, 1919 by both of the above-named Grantors before R. S. Clough, Notary Public, Shoshone County, Idaho. (Seal)

"Do grant, bargain, sell, remise, release and forever quitclaim"

DESCRIPTION.

All the right, title and interest of the parties of the first part, individually or as a trustee or trustees, of, in and to the following described property situated in the County of Shoshone, State of Idaho, to-wit:

An undivided two-thirds (2/3) interest in and to that certain property known as and called Mullan Water Works, situated in and adjacent to the Village of Mullan, in said Shoshone County, State of Idaho, and consisting of two separate water rights, one of them known as the Boulder Creek water right, located by one A. M. Strobe on the 9th day of June, 1898, the notice of location of which is duly recorded in Book "M" of Miscellaneous, at page 105 thereof, in the records of said Shoshone County, Idaho, the other one known as the Mill Creek Water Right which was subsequently merged in Permit No. 3890, granted by the State Engineer of the State of Idaho, to appropriate the waters of said Mill Creek, which said Permit was approved August 8th, 1908, and is recorded in the office of said State Engineer at Boise, Idaho, in Book 11, page.... and as the said water rights are and heretofore have been held, used and enjoyed by the said Amos M. Strobe and the party of the second part, in the conduct of the said Mullan Water Works, together with all the rights of said parties of the first part of, in and to any other or further permits and water rights which may be hereafter granted, located or used in connection with the said Mullan Water Works system; and also, all and singular, the tanks, flumes, conduits, mains, dams and other improvements and appurtenances owned, used, or connected therewith, together with the franchise granted by the said Village of Mullan to operate said water works in and through the said Village of Mullan and to furnish water to the said Village and to the inhabitants thereof.

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(Taken from Abstract of Title No. 398, of water rights situated in Hunter Mining District, County of Shoshone, State of Idaho, known and called the Boulder Creek Water Rights, last certified to on June 11, 1928 by L. L. Brainard, Secretary of the SHOSHONE ABSTRACT COMPANY, LIMITED.)

THIS INDENTURE, made the 7th day of December, 1928, between Daniel E. Keys and Emma B. Keys, husband and wife, both of the Village of Mullan in Shoshone County, State of Idaho, the parties of the first part, and PUBLIC UTILITIES CONSOLIDATED CORPORATION, a corporation organized under the laws of the State of Arizona, the party of the second part,

WITNESSETH, that the said parties of the first part, for and in consideration of the sum of Ten (\$10.00) Dollars in lawful money of the United States of America, and other valuable consideration, to them in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, do by these presents

(a) GRANT, BARGAIN, SELL, CONVEY AND CONFIRM, unto the said party of the second part, and to its successors and assigns forever, the following described real property, to-wit:

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- 7. A certain right to the waters and/or the use of the waters of the East Fork of Mill Creek, situated in Shoshone County, State of Idaho, as based upon a location and appropriation of said water made by A. M. Strobe and D. E. Keys dated August 8, 1908, and as further based upon water permit No. 3890 issued by the State Engineer of the State of Idaho, on August 8th, 1908, and upon water license issued by said State Engineer, to the said A. M. Strobe and D. E. Keys on November 6th, 1909.

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IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year in this instrument first above written.

DANIEL E. KEYS (Seal)
EMMA B. KEYS (Seal)

igned, sealed and delivered in the presence of
S. SUMMERS GUNDLACH
M. YEOMAN

Blank notices of proof of completion and application of water to beneficial use mailed applicant: August 14th, 1909.
Notices received August 21st, 1909, fixing October 20th, 1909, as date and Mullan, Idaho, as place of proof.
Notice for publication mailed applicant: September 15th, 1909.
Deposition blanks mailed applicant September 15th, 1909.
Ernest C. Gnaedinger, authorized September 5, 1909, to make examination of works.
His report received October 18, 1909.
Depositions of holder and witnesses, affidavit of publication and fees received October 25, 1909.
Certificate and license issued November 6th, 1909.

Permit No. 3890
CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that A. M. STRODE and D. E. KEYS, of Mullan, County of Shoshone, and State of Idaho, the holders of Permit No. 3890, issued upon Application No. 5293, bearing date of priority of June 8th, 1908, authorizing the diversion of five (5) second feet of the waters of East Fork of Mill Creek, County of Shoshone, State of Idaho, for domestic purposes, have 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 five (5) second feet of the waters of East Fork of Mill Creek, that the point of Diversion of said waters is at a point about two miles above the confluence of Mill Creek and the South fork of Coeur d'Alene River in Southwest quarter of section 23, T. 48 N. R. 5 East (Approximately) of unsurveyed lands Cor. No. 3 Victor Lode Sur. No. 1249, bears N. 76° W. 435 feet, and that the proposed place of use of said waters is in the town of Mullan, County of Shoshone, Idaho.

Witness my hand this sixth day of November A. D. 1909.

Jas. Stephenson, Jr.
State Engineer of the State of Idaho

LICENSE ISSUED FOR 5 SEC. FT.
Page 552

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QUITCLAIM DEED

Amos M. Strode and Alicia
F. Strode, husband and wife,
Grantors,
-to-
Harry C. McAllister,
Trustee,
Grantee.

Dated, October 2nd, 1918.
Recorded, October 4th, 1918.
Deed Book "53" page 147
Consideration, \$22,500.00
Witnessed.

Acknowledged October 2nd, 1918 by both of the
above-named Grantors before Franklin Pfirman,
Notary Public, Shoshone County, Idaho. (Seal)

"Do grant, bargain, sell, remise, release and forever quitclaim"

DESCRIPTION

The following described property, situated in the County of Shoshone, State of Idaho, to-wit:

All their right, title and interest in and to an undivided two-thirds (2/3) interest in and to that certain property known as and called MULLAN WATER WORKS, situated in and adjacent to the Village of Mullan, in said Shoshone County, State of Idaho, and consisting of two separate water rights, one of them known as the Boulder Creek Water Right, located by A. M. Strode on the 9th day of June, 1898, the notice of location of which is duly recorded in Book "M" of Miscellaneous, at page 105 thereof, in the records of said Shoshone County, Idaho, the other one known as the Mill

Creek Water Right which was subsequently merged in Permit No. 3890, granted by the State Engineer of the State of Idaho, to appropriate the waters of said Mill Creek, which said permit was approved August 8th, 1908, and is recorded in the office of said State Engineer at Boise, Idaho, in Book 11, page..., and as the said water rights are and heretofore have been held, used and enjoyed by the said Amos M. Strode in the conduct of the said Mullan Water Works; together with all the rights of said parties of the first part of, in and to any other or further permits and water rights which may be hereafter granted, located or used in connection with the said Mullan Water Works system; and also, all and singular, the tanks, flumes, conduits, mains, dams and other improvements and appurtenances owned, used or connected therewith, together with the franchise granted by the said Village of Mullan, to operate said water works in and through the said Village of Mullan and to furnish water to the said Village and to the inhabitants thereof.

.....

QUITCLAIM DEED.

Harry C. McAllister, Trustee,
and Harry C. McAllister and
Stephanie McAllister, his wife,
Grantors,

-to-

D. E. Keys
Grantee.

Dated, May 13th, 1919.

Recorded, May 14th, 1919.

Deed Book "53" page 424.

Consideration, \$1.00.

Witnessed.

Acknowledged May 14th, 1919 by both of the above-named Grantors before R. S. Clough, Notary Public, Shoshone County, Idaho. (Seal)

"Do grant, bargain, sell, remise, release and forever quitclaim"

DESCRIPTION.

All the right, title and interest of the parties of the first part, individually or as a trustee or trustees, of, in and to the following described property situated in the County of Shoshone, State of Idaho, to-wit:

An undivided two-thirds (2/3) interest in and to that certain property known as and called Mullan Water Works, situated in and adjacent to the Village of Mullan, in said Shoshone County, State of Idaho, and consisting of two separate water rights, one of them known as the Boulder Creek water right, located by one A. M. Strode on the 9th day of June, 1898, the notice of location of which is duly recorded in Book "M" of Miscellaneous, at page 105 thereof, in the records of said Shoshone County, Idaho, the other one known as the Mill Creek Water Right which was subsequently merged in Permit No. 3890, granted by the State Engineer of the State of Idaho, to appropriate the waters of said Mill Creek, which said Permit was approved August 8th, 1908, and is recorded in the office of said State Engineer at Boise, Idaho, in Book 11, page.... and as the said water rights are and heretofore have been held, used and enjoyed by the said Amos M. Strode and the party of the second part, in the conduct of the said Mullan Water Works, together with all the rights of said parties of the first part of, in and to any other or further permits and water rights which may be hereafter granted, located or used in connection with the said Mullan Water Works system; and also, all and singular, the tanks, flumes, conduits, mains, dams and other improvements and appurtenances owned, used, or connected therewith, together with the franchise granted by the said Village of Mullan to operate said water works in and through the said Village of Mullan and to furnish water to the said Village and to the inhabitants thereof.

.....

(Taken from Abstract of Title No. 398, of water rights situated in Hunter Mining District, County of Shoshone, State of Idaho, known and called the Boulder Creek Water Rights, last certified to on June 11, 1928 by L. L. Brainard, Secretary of the SHOSHONE ABSTRACT COMPANY, LIMITED.)

THIS INDENTURE, made the 7th day of December, 1928, between Daniel E. Keys and Emma B. Keys, husband and wife, both of the Village of Mullan in Shoshone County, State of Idaho, the parties of the first part, and PUBLIC UTILITIES CONSOLIDATED CORPORATION, a corporation organized under the laws of the State of Arizona, the party of the second part,

WITNESSETH, that the said parties of the first part, for and in consideration of the sum of Ten (\$10.00) Dollars in lawful money of the United States of America, and other valuable consideration, to them in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, do by these presents

(a) GRANT, BARGAIN, SELL, CONVEY AND CONFIRM, unto the said party of the second part, and to its successors and assigns forever, the following described real property, to-wit:

.....

- 7. A certain right to the waters and/or the use of the waters of the East Fork of Mill Creek, situated in Shoshone County, State of Idaho, as based upon a location and appropriation of said water made by A. M. Strode and D. E. Keys dated August 8, 1908, and as further based upon water permit No. 3890 issued by the State Engineer of the State of Idaho, on August 8th, 1908, and upon water license issued by said State Engineer, to the said A. M. Strode and D. E. Keys on November 6th, 1909.

.....

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year in this instrument first above written.

DANIEL E. KEYS (Seal)
EMMA B. KEYS (Seal)

Signed, sealed and delivered in the presence of
S. SUMMERS GUNDLACH
M. YEOMAN

STATE OF IDAHO)
) ss.
County of Shoshone)

On this 7th day of December, A. D. 1928, before me, S. Summers Gundlach, a notary public in and for the County and State aforesaid, personally appeared DANIEL E. KEYS and EMMA B. KEYS, his wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Wallace, State of Idaho, the day and year in this certificate first above written.

S. SUMMERS GUNDLACH
Notary Public in and for the State of
Idaho, residing at Wallace, Idaho.

(SEAL)

Com. Exp. Feb. 1, 1930

FOR VALUE RECEIVED, the undersigned does hereby transfer and assign to CITIZENS UTILITIES COMPANY, A Delaware corporation, all right, title and interest in and to Permit to appropriate the public waters of the State of Idaho, No. 3890.

(SEAL)

PUBLIC UTILITIES CONSOLIDATED CORPORATION

By R. J. ANDRUS
Its President
H. F. Welch
Its Assistant Secretary

STATE OF MINNESOTA)
) SS
COUNTY OF HENNEPIN)

On this 24th day of October, 1936, before me, a Notary Public within and for said county and state, personally appeared R. J. Andrus and H. F. Welch, personally known to me to be the President and Assistant Secretary, respectively, of Public Utilities Consolidated Corporation, the corporation that executed the foregoing instrument and acknowledged to me that such corporation executed the same.

WALDO F. MARQUART
Waldo F. Marquart, Notary Public, Henn. Co., Minn.
My commission expires October 29, 1940.

(SEAL)

Received and filed for record in the
Department of Reclamation at Boise,
Idaho, at 9:00 A. M., Oct. 29, 1936.

R. W. FARIS
Commissioner of Reclamation
By P.L.H.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

June 10, 1980

Mr. B. E. Pierce
Vice President
Citizens Utilities Company
High Ridge Park
Stamford, Connecticut 06905

*Please
file
3890
94-2042*

Re: Water Right Nos. 3890, 15472, 16846, 179 and 15359

Dear Mr. Pierce:

If the license for each of the above-referenced water rights accurately reflects the use of the water, then no further action is required on your part.

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

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

pms

CITIZENS



UTILITIES

COMPANY

ADMINISTRATIVE OFFICES • HIGH RIDGE PARK • STAMFORD, CONNECTICUT 06905 • 203/329-8800

June 2, 1980

ELECTRIC

KINGMAN, ARIZ.
LAKE HAVASU CITY, ARIZ.
NOGALES, ARIZ.
KAUAI, HAWAII
WALLACE, IDAHO
NEWPORT, VT

Idaho Department of Water Resources
Route 5, Box 203
4055 Government Way
Coeur d'Alene, Idaho 83814

RECEIVED
JUN 9 1980

Department of Water Resources
Northern District Office

GAS

NOGALES, ARIZ.
LA JUNTA, COLO.

Gentlemen:

Citizens Utilities Company (Citizens) is the holder, inter alia, of the following Water Licenses:

TELEPHONE

BULLHEAD CITY, ARIZ.
KINGMAN, ARIZ.
LAKE HAVASU CITY, ARIZ.
ALTURAS, CAL.
BURNET, CAL.
ELK GROVE, CAL.
FERNDALE, CAL.
RIO VISTA, CAL.
SUSANVILLE, CAL.
BIG RUN, PA.
NEW BETHLEHEM, PA.

Mullan System

- (1) Water License No. 3890, which permits the diversion of 5 cfs of the waters of East Fork of Mill Creek for domestic purposes;
- (2) Water License No. 15472, which permits the diversion of 5.0 cfs of the waters of the West Fork of Mill Gulch (Intake No. 5), a tributary of South Fork Coeur d'Alene River, for domestic use;
- (3) Water License No. 16846, with a priority date of March 30, 1928, which permits the appropriation of the waters of Mill Creek;

WATER

RIVIERA, ARIZ.
SUN CITY, ARIZ.
TUBAC, ARIZ.
FELTON, CAL.
FERNDALE, CAL.
GUERNEVILLE, CAL.
JACKSON, CAL.
LOS ALTOS, CAL.
MONTARA, CAL.
NO. SACRAMENTO, CAL.
SANTA ROSA, CAL.
WEST SACRAMENTO, CAL.
WALLACE, IDAHO
ADDISON, ILL.
KOKOMO, IND.
BRIMFIELD, OHIO
WESTERVILLE, OHIO
LAKE HERITAGE, PA.
ROYERSFORD, PA.
WEST LAWN, PA.
WIND GAP, PA.

Burke System

- (4) Water License No. 179, which permits the diversion of 30 cfs of the waters of Canyon Creek for electric power and domestic purposes;
- (5) Water License No. 15359, which permits the diversion of 6 cfs of the waters of Canyon Creek, a tributary of South Fork Coeur d'Alene River for the purpose of domestic use. Water License No. 15359 also permits the diversion of the waters of Sawmill Gulch.

CITIZENS UTILITIES COMPANY

Idaho Department of Water Resources

- 2 -

June 2, 1980

Copies of the above-mentioned licenses, with the exception of Water License No. 16846, are enclosed. Water License No. 16846 was granted by the State of Idaho to Public Utilities Consolidated Corporation on December 10, 1928, with a priority date of March 30, 1928 and assigned to Citizens. The license was entered of record December 10, 1928, in Volume 7 of Licenses, page 3550, Records of Idaho Water Licenses.

Citizens respectfully requests that the Department of Water Resources confirm that these License Nos. 3890; 15472; 16846; 179; and 15359 conform to the requirements of Idaho Code 42-243 and that no further recordation is required.

Very truly yours,



B. E. Pierce
Vice President

BMS:fes

Encls.: Water License No. 3890;
Water License No. 15472;
Water License No. 179; and
Water License No. 15359.

cc: Brigid Marie Smith
D. E. Chardavoyne
Paul Leonowich

.....
 County of Shoshone o
 East Fork of Mill Creek. o
 five sec. ft. o
 domestic purposes. o
 Priority 6/8/08. o

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

WATER LICENSE No. 3890.

WHEREAS, On the eighth day of June, A. D. 1908, A. M. STRODE and D. E. KEYS, of Mullan, County of Shoshone, State of Idaho, duly made application (No. 5293) to me for a permit to use Five (5) cubic feet per second of the waters of East Fork of Mill Creek, County of Shoshone, State of Idaho, for Domestic purposes, and

WHEREAS, On the eighth day of August, A. D. 1908, Permit No. 3890 was issued to said applicants for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 8th day of August, A. D. 1911, and for the application to beneficial use of said water on or before the 8th day of August, A. D. 1912, and,

WHEREAS, On the 20th day of October, A. D. 1909, A. M. STRODE and D. E. KEYS, the holders of said permit, duly made proof of the completion of adequate works for the diversion of five (5) cubic feet per second of said waters, as evidenced by my Certificate No. 3890 dated November 6th, 1909, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use five (5) cubic feet per second of said waters, with date of priority of June 8th, 1908, and,

WHEREAS, On the 20th day of October, A. D. 1909, A. M. STRODE and D. E. KEYS, the holders of said permit, duly made proof of the application to beneficial use of five (5) 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 A. M. STRODE and D. E. KEYS, of Mullan, County of Shoshone, State of Idaho, the holders and owners of said Permit No. 3890, a perpetual right, dating from June 8th, 1908, to the use of five (5) cubic feet per second of the waters of East Fork of Mill Creek, in the County of Shoshone,

WITNESS, My hand and the seal of my office at Boise, Idaho, this 6th day of
November, A. D. Nineteen hundred and nine.

State Engineer.

ATTENTION

onish to etst2

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D. T. Kays
A. P. Proctor

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D. E. Kova
A. M. Shtogol

ATLANTA, Ga.

Office of
Tuition

STATE OF IDAHO)
) ss.
County of Ada)

I, R. W. FARIS, Commissioner of Reclamation of the State of Idaho, hereby certify the attached to be a full, true and correct copy of Water License No. 3890, recorded on Page 552, Book 1 of Licenses, and issued by the Office of the State Engineer at Boise, Idaho, on November 6, 1909, to A. M. STRODE and D. E. KEYS, of Mullan, County of Shoshone, State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office at Boise, Idaho, this 15th day of September, 1936.



Commissioner of Reclamation

101230

(SEAL)

WATER LICENSE

State of Idaho

WATER LICENSE

State of Idaho

to

A.M.Strode

D.E.Keys

to

A.M.Strode

D.E.Keys

STATE OF IDAHO
COUNTY OF SHOSHONE

SS.

I hereby certify that the within instrument
was filed for record at the request of
Junell, Driscoll, Fletcher, Dorsey
& Barker SEP 23 1936

at 9 o'clock A.M., and recorded in Book
No. of Misc. 537, records
of said County.

Samuel A. Rogers
County Recorder

By _____ Deputy

Fee \$ 1.00 pd

Return To _____

1st Nat'l-Soo Line Bldg

Minneapolis, Minn

State Engineer.

1936. SEPTEMBER. 21.

November, A. D. Nineteen hundred and nine.

WITNESSE, my hand and the seal of my office at Boise, Idaho, this 20th day of
for their object the economical use of such water.
latered from which such water may be taken, when such rules and regulations have
time to time by a majority of the users from a common source of supply, canal or
or community customs, rules and regulations which have been or may be adopted from
a license for the use of the waters of the State, and subject, also, to the local
domestic use, subject, however, to the laws of the State of Idaho applicable to
comprised in the township of Millan, Shoshone County, Idaho, for the purpose of
Road No. 1242, bears N. 70° W. 432 feet, and connected to and upon lands
Section 23 T. 48 N. R. 2 East (approx.) of unsurveyed lands Cor. No. 3 Victor
of Mill Creek and the South Fork of Coeur d'Alene River in southeast quarter of
below mentioned, to be diverted at a point about two miles above the confluence
State of Idaho, or so much thereof as may be necessary for the purposes herein-

PUBLIC UTILITIES CONSOLIDATED CORPORATION

By

Its President

Its Assistant Secretary

On this 24th day of October, 1936, before me, a Notary Public within and for said county and state, personally appeared R. J. Andrus and H. F. Welch, personally known to me to be the President and Assistant Secretary, respectively, of Public Utilities Consolidated Corporation, the corporation that executed the foregoing instrument and acknowledged to me that such corporation executed the same.

Walter L. Marquand

Waldo F. Marquart, Notary Public, Henn. Co., Minn.
My commission expires October 29, 1940.

9:00A

Oct. 29 3/6
R. W. Jarvis

By P.H.

TRANSFER AND ASSIGNMENT

OF

POLICY NO. 8090

Jur. O., Driscoll, Fletcher, Dorsey & Barker
1300 First National-Soo Line Building
MINNEAPOLIS, MINNESOTA

Report of Engineer

1. State name of applicant and number of permit: *A.M. Strode and J.E. Keys* Permit No. *3890*
2. State source of water supply: *East Fork of Hill Creek*
3. Location of point of diversion: *About 3 miles from the mouth of said Creek in SW 1/4 Sec. 23, T48N. R. 5E. (approximate) of unsurveyed land, Cor. 3 Victor Lode Sur. No. 124.9 bears N 76° W. 435 ft.*
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: *The works are fully completed as in application for permit*
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: *Pipe line averaging 6 inches diameter*
 - (b) Width at water line:
 - (c) Depth of water:
 - (d) Grade per mile:
6. State whether or not water has been turned into works of diversion and if so, to what extent: *The water has been turned in and is being used in town of Mullan for domestic purposes*
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: *No irrigation. Area of use includes the townsite of Mullan*
8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

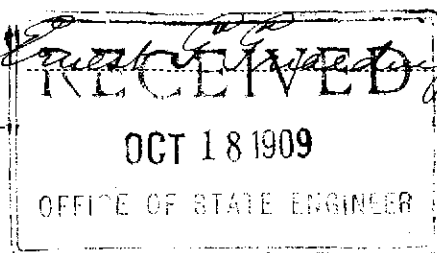
Remarks: *This permit has been followed in construction exactly as called for in the application (no. 5293) except that the head-box has dimensions of 14' x 16' x 7' and that parts of the pipe line are greater than 6 inches diameter, found necessary for good operation.*

STATE OF IDAHO,

County of *Shoshone* } ss.*Ernest T. Snodinger*

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 *14th* day of *October* 190*9*.

My Commission Expires *June 22nd 1912**Thomas McKeate*

Notary Public.

3890

COR-M
VICI

N 76° W. 435'

DAM
AT POINT OF DIVERSION

ENTERPRISE
SUR. 2390

VICTOR
SUR. 1849

LOST WONDER
SUR. 1504

CUBAN REPUBLIC
SUR. 1363

FIANCE
SUR. 1312

SCALE 200 FT TO 1 IN.

M. STRODE AND D. ALTO

MAP
SHOWING
WATER RIGHT APP.
BY