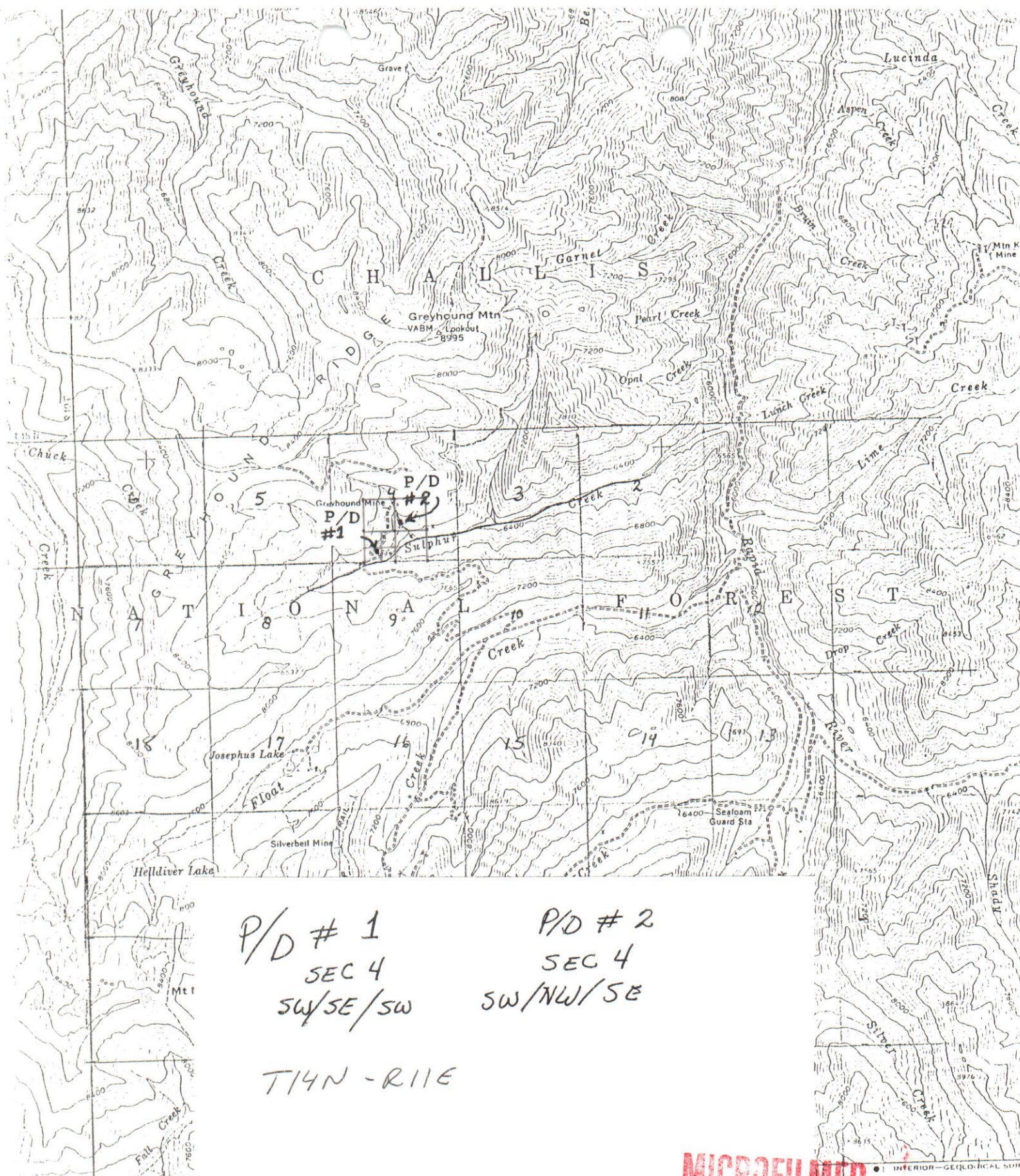




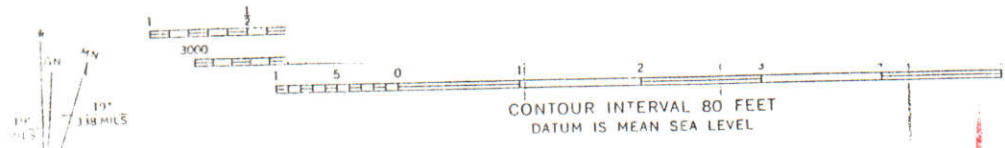
P/D # 1
SEC 4
SW/SE/SW

P/D # 2
SEC 4
SW/NW/SE

T14N - R11E

MICROFILMED

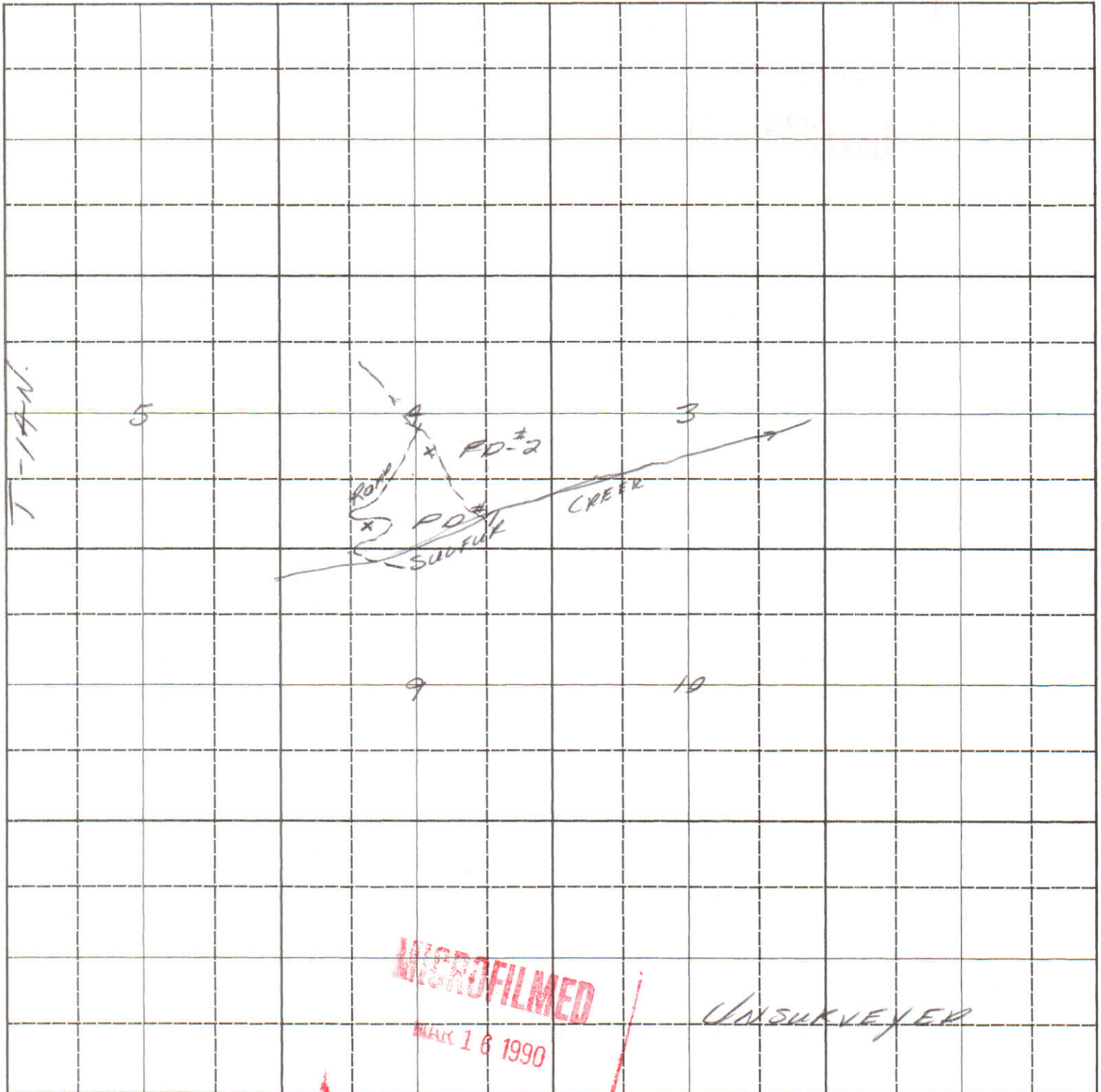
MAR 16 1990



CONTOUR INTERVAL 80 FEET
DATUM IS MEAN SEA LEVEL



13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Don K. Yanke

(Applicant)

DANIEL R. YANKE

The only map available
is the 15' Greyhound Ridge
quad. Unsurveyed area.

This map prep. contains
map submitted with application.

9-26-89

CHALLIS

Greyhound Mtn
VABM Lookout
8995

Greyhound Mine
Sulphur

MICROFILMED

MAR 16 1980

SCALE 1:62500

680 000 FEET (WEST) :
STANLEY 27 MI.

INTERIOR-GEOLOGICAL SURVEY

4 MILES

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Margaret Parks, Publisher of the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated Oct 5 19 89 and ending with the issue dated Oct 12 19 89.

Margaret Parks

STATE OF IDAHO

COUNTY OF CUSTER

On this 16th day of Oct. in the year of 1989, before me, a Notary Public,

personally appeared Margaret Parks known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Echel M. Peck
Notary Public for Idaho

Residing at Challis

My commission expires: 3-21-92

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

77-07297 *vat*

YANKE, DANIEL R. P.O. BOX 5411 BOISE, ID 83705

Source: SPRINGS Tributary: SULPHUR CREEK

Diversion Pt: SWSESW Sec 4 T 14N R 11E

SWNWSE Sec 4 T 14N R 11E

Use: MINING (.350 CFS)

DOMESTIC (.050 CFS)

Date Filed: 9/15/1989

In: T14N R11E S04 SESW NWSE SWSE

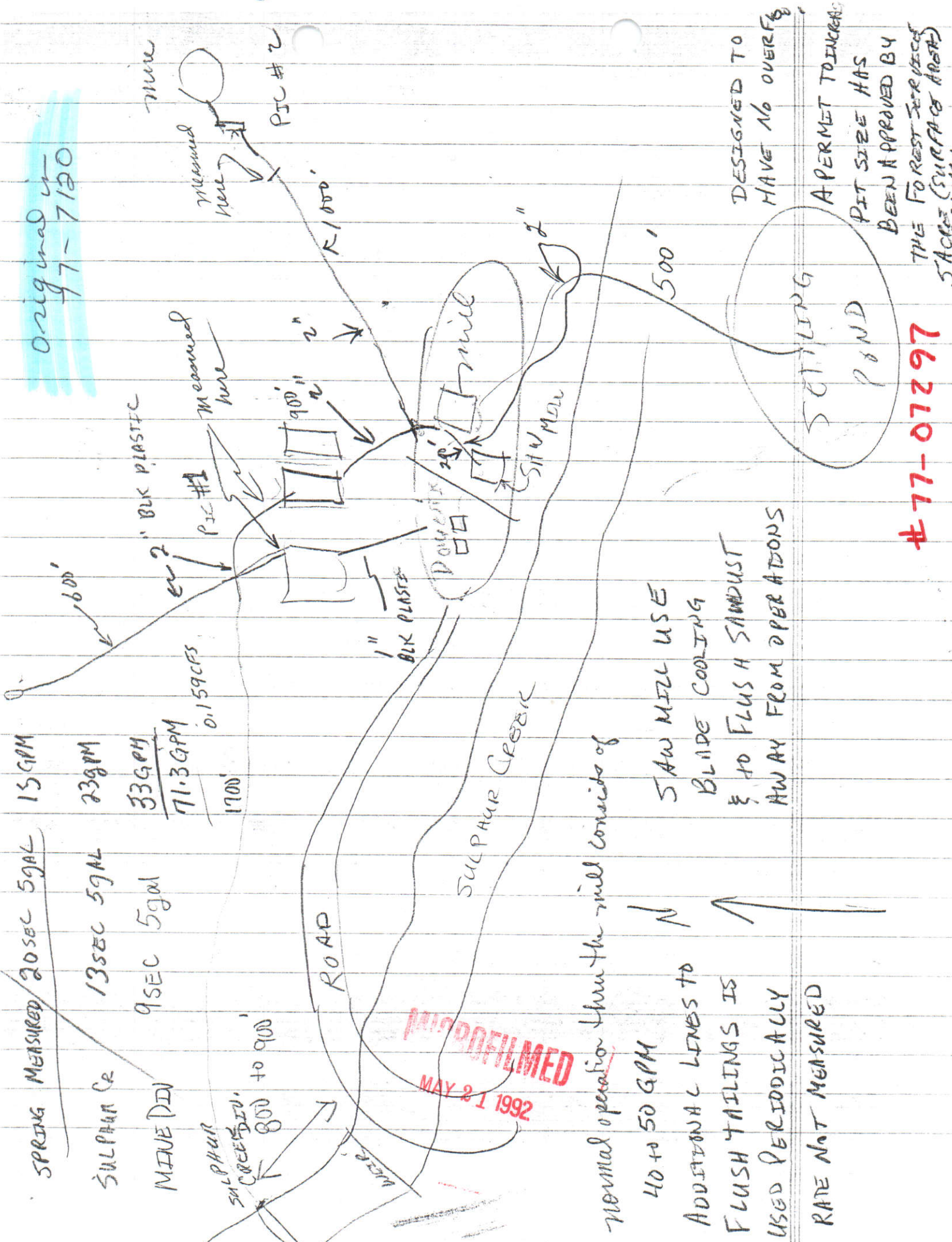
The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before OCTOBER 23, 1989.

R. KEITH HIGGINSON, Director
Pub: October 5 & 12, 1989.

MICROFILMED

MAR 16 1990

original in
77-7120



SPRING MEASURED	20 SEC	5 GAL	15 GPM
SULPHUR CR	13 SEC	5 GAL	23 GPM
MINE DIV	9 SEC	5 GAL	33 GPM
			<u>71.3 GPM</u>
			0.159 CFS
			1700'

normal operation thru the mill consists of

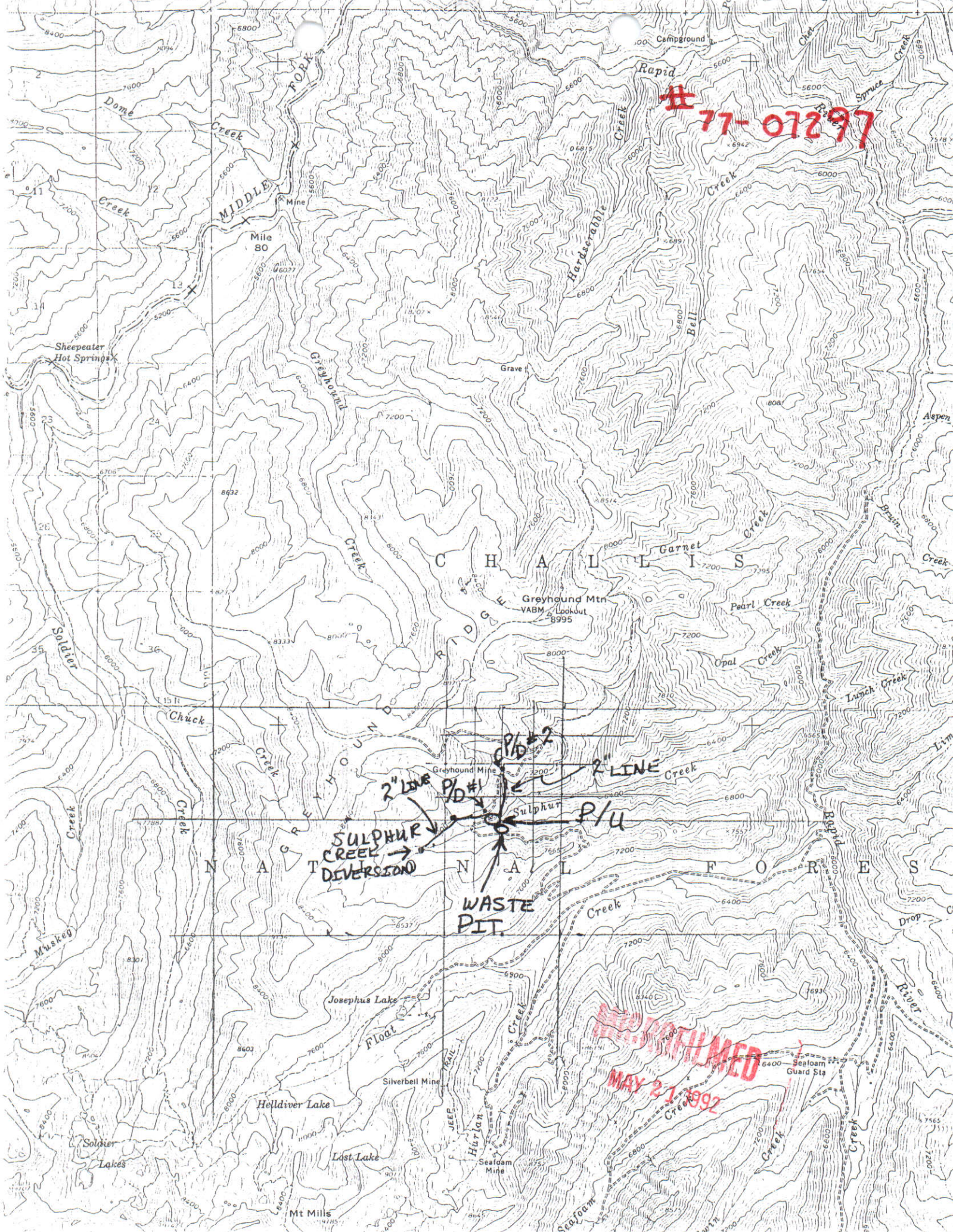
- 40 to 50 GPM
- ADDITIONAL LINES TO FLUSH TAILINGS IS USED PERIODICALLY
- RATE NOT MEASURED
- SAW MILL USE BLADE COOLING & TO FLUSH SAWDUST AWAY FROM OPERATIONS

DESIGNED TO HAVE NO OVERFLOWS

SETTLING POND

A PERMIT TO INCREASE PIT SIZE HAS BEEN APPROVED BY THE FOREST SERVICE 5 ACRES (SURFACE AREA)

#77-07297



PERMIT 22-7297

PICTURE # 1

This picture identifies one of two diversions. The diversion is a pipe placed in the stream with gravity flow to 3 holding tanks and then to either the domestic use or the mining use. The head of the spring is further up hill and therefore this is not actually a spring development. Rather this is a diversion from an unnamed stream. The photo was taken from the edge of a road and the diversion is at the mouth of a culvert that carries the water under the road. This photo is looking southeast.

DIVERSION LINE

STORAGE TANKS



PICTURE # 2

This photo was taken just to the right and closer to the edge of the road and is looking southeast like the previous picture. This view clearly shows the holding tanks. The domestic use is to the right and would be visible if the trees were gone. The mining use is down hill and to the left.



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MAY 21 1992

This picture shows the second diversion listed on the permit. This is also an unnamed stream diversion rather than a spring. The diversion is a small rock dam diverting water through two 2" pipes and into the barrel. The water is then carried through the 2" black plastic line to the mill site. The barrel is used as a silt trap. The mine portal is located just out of the photo range to the left. (approximately 50 feet.) This diversion is east of the first diversion pictured. The use from this diversion is for mining use only.



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MAY 21 1992

PERMIT ⁷⁷~~65~~-7297

PICTURE # 4

This is a picture of the cook house which is the domestic use. The line is tied into a bathroom and the kitchen sink. The overflow runs into a washtub which is used to keep pop and such cold. This picture is looking west.



PICTURE # 5

This is a photo of the bathroom. Facilities consist of the shower, the stool, the water heater, and the clawfoot bathtub.



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This picture shows the three storage tanks and the water lines leading to them. The line going to the center tank comes from the Sulphur Creek. The line that discharges into the right tank comes from the unnamed stream shown in picture # 1. This picture is looking south. Shown through the trees to the right of the tanks is the roof of the cookhouse shown in picture # 4.



PICTURE # 7

This is the P/U. Shown is the vats used to extract the mineral from the ore. The ore crusher is located to the left of the vats. The cook house is further west from this location. This picture is looking west.





(above)

PICTURE # 8



This picture shows the waste water line that crosses Sulphur Creek. A two inch line carries the water while the white 6 inch line shown is for safety factors. If the main line were to break then the six inch line would keep the water out of the river. Also shown is the original saw mill. This mill is no longer operational. This picture is looking south.

<-----

PICTURE # 9

This picture shows the discharge line into the waste pit. This picture is looking northwest.

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MAY 21 1992

Attachment A

PICTURE # 1

This picture shows the diverting works for P/D # 1. This picture is looking north. The permit # shown is incorrect. The # is for the overlapping permit.



Roadway above the P/D

PICTURE # 2

This picture was taken at the P/D looking southeast and shows the relationship between the P/D and the storage tanks.

Storage tanks

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PICTURE # 3

This picture shows P/D # 2 and is looking northwest. The mine portal is just out of the picture to the left.

DRAINAGE FROM THE MINE SHAFT



PICTURE # 4

This picture was taken from the road leaving the mine site and is looking north.

P/D # 2

P/U

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PICTURE # 5

This picture shows the location of the domestic use. The photo is looking northwest. The location of P/D # 1 is north of the cabin amongst the trees.



PICTURE # 6

This picture shows the saw mill as a portion of the use of water. This picture is looking northeast and is below the milling site which is located just left of this picture. The mine portal and P/D # 2 is located in the timber above these works.



APR 16 1990

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This picture shows the milling site and crusher. This picture is looking west toward the cabin.

2" line from P/D # 2



PICTURE # 8

This picture shows the lines carrying the waste water from the milling operations to the settling ponds. This picture is looking south and the settling pond is located south of Sulphur Creek.

Waste water lines



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MAR 16 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 77-07297

Priority: September 15, 1989

Maximum Diversion Rate:
Maximum Diversion Volume:

0.11 CFS
24.8 AF

This is to certify, that DANIEL R YANKE
PO BOX 5405
BOISE ID 83705

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated September 15, 1989; and
has submitted Proof of Beneficial Use on June 5, 1990. An examination indicates
that the works have a diversion capacity of .110 cfs of water from:

UNNAMED STREAMS

tributary to **SULPHUR CREEK**

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
MINING	01/01 to 12/31	0.11 CFS	24.8 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF
	Totals	0.11 CFS	24.8 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 4, Township 14N, Range 11E
NWSE , Sec. 4, Township 14N, Range 11E
CUSTER County

PLACE OF USE: MINING
TWN RGE SEC

14N 11E 4 SESW NWSE SWSE

PLACE OF USE: DOMESTIC
TWN RGE SEC

14N 11E 4 SESW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.

RECORDED

MAY 21 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 77-07297

CONDITIONS/REMARKS:

4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. When water used under this license is discharged into the natural channel, settling ponds must be maintained which are capable of reducing the silt load to such a level that the quality of water will not be impaired for other beneficial uses.
6. Return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.
7. Domestic use is for a mining camp.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 27th day of April, 1992.

Acting for R. Keith Higginson, Director

RECORDED
MAY 21 1992

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 77-07297

Proposed Priority: September 15, 1989 Maximum Diversion Rate: 0.40 CFS

This is to certify, that **DANIEL R. YANKE**
P.O. BOX 5411
BOISE, ID 83705

has applied for a permit to appropriate water from:

SPRINGS

tributary of **SULPHUR CREEK**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
MINING	01/01 to 12/31	0.35 CFS
DOMESTIC	01/01 to 12/31	0.05 CFS
	Totals	0.40 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWSESW Sec. 4, Township 14N, Range 11E
SWNWSE Sec. 4, Township 14N, Range 11E
 CUSTER County

PLACE OF USE: MINING

TWN RGE SEC

14N 11E 4 SESW NWSE SWSE

PLACE OF USE: DOMESTIC, same as MINING use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1991.
2. Subject to all prior water rights.
3. In the event that water used under this permit should be discharged into a natural channel, settling ponds will be required which are capable of reducing the silt load to such a level that the quality of the water would not be impaired for other beneficial uses.
4. Water used under this permit if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
5. Domestic use is for a mining camp.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

14th day of December, 1989.

MICROFILMED

MAR 16 1990

R. Keith Higginson
for R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant DANIEL R. VANKE Phone 342-8901
Post office address P.O. Box 5411, Boise, ID 83705
SPRINGS *
2. Source of water supply UNNAMED STREAM which is a tributary of SULPHUR CREEK
3. Location of point of diversion is SW * $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 4 Township 14N Range 11E B.M. CLUSTER County; additional
points of diversion if any: SW * NW/SE SEC 4 14N, 11E (AN UNSURVEYED AREA)
4. Water will be used for the following purposes:
Amount 0.05 for DOMESTIC purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.35 for MINING purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.40 cubic feet per second and/or (b) - acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 2" PIPELINE FROM STREAM TO P/U USING GRAVITY FOR DELIVERY. (BOTH P/D's)
 - b. Height of storage dam NA feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
 - c. Proposed well diameter is NA inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? MICROFILMED
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1.0 years (minimum 1 year).

* Per telcon with Dan Yanke & additional information based on field exam of 77-07125 (see attachment A).
10 ac. locations per topo (only 15' gual available)
and applicants info on map page. - JL 9/26/87

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. MENING CAMP
- e. Other; describe fully. MILLING OF ORE

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14N	11E	4												M/D		M	M		

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. 77-7/20 DIVERSION FROM SULPHUR CREEK FOR MENING

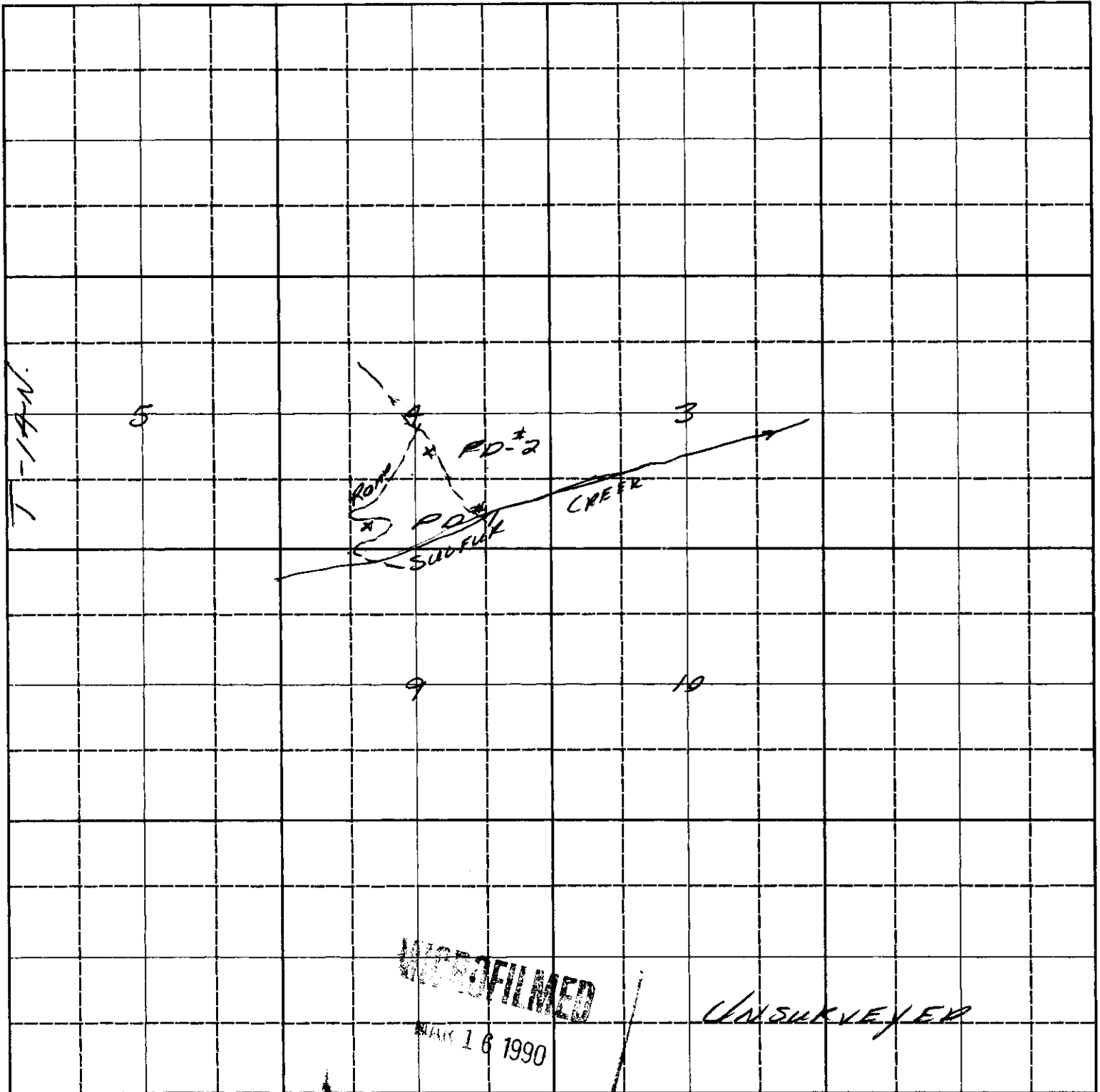
11. a. Who owns the property at the point of diversion? APPLICANT
- b. Who owns the land to be irrigated or place of use? APPLICANT
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

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MAR 16 1990

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Dan R. Yanke
(Applicant)
DANIEL R. YANKE

Received by YLS Date 9-15-89 Time 11:55am Preliminary check by SL
Fee \$ 45.00 Receipted by VH # W005953 Date 9-15-89
Publication prepared by GG Date 9-27-89 Published in Custer Publishing Co.
Publication approved st Date 10-23-89
10/5 & 10/12/89

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

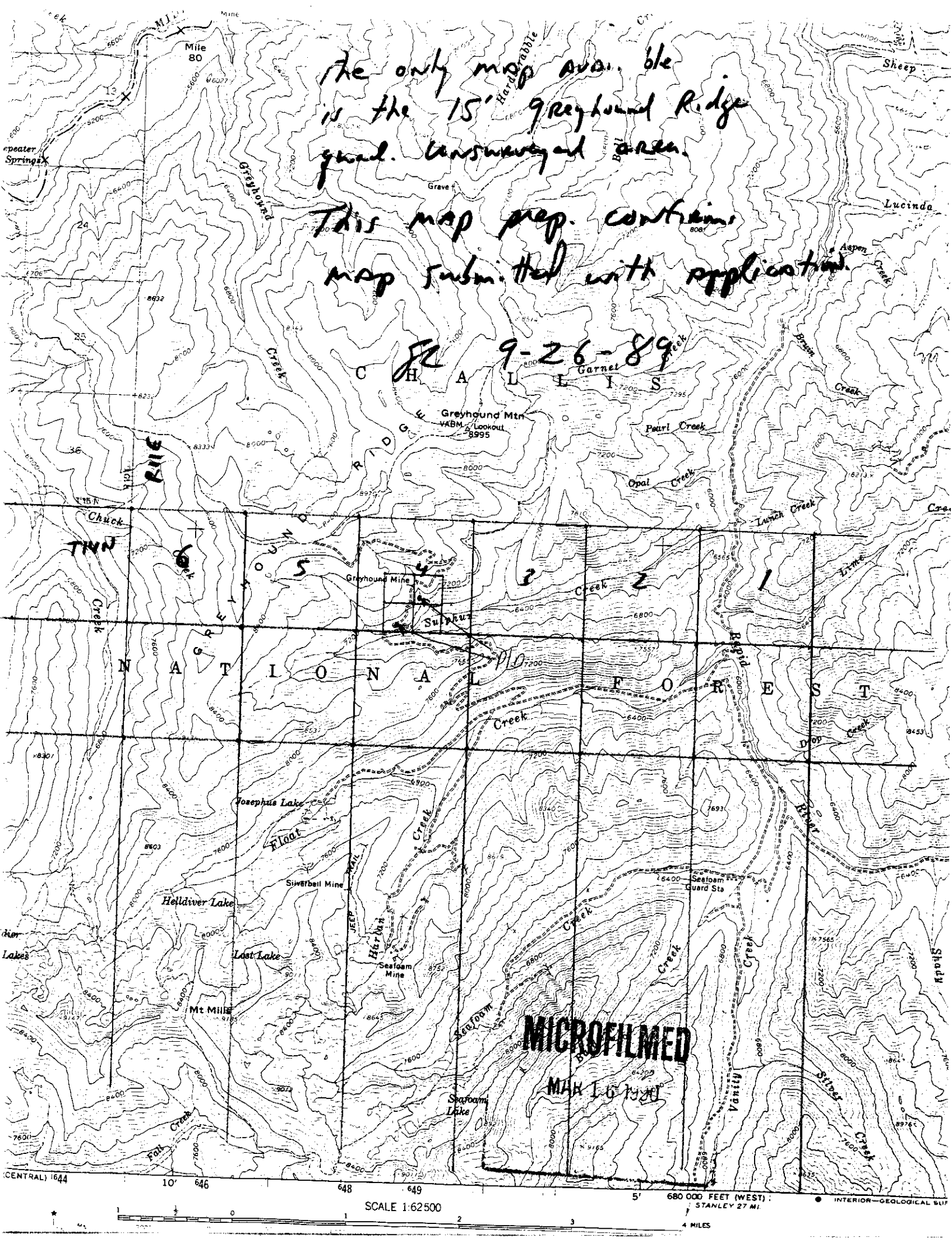
MICROFILMED

MAR 16 1990

The only map available
is the 15' Hardgrave
quad. Unsurveyed area.

This map prep. contains
map submitted with application.

9-26-89



AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Margaret Parks, Publisher of the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated Oct 5 1989 and ending with the issue dated Oct 12 1989

Margaret Parks

STATE OF IDAHO

COUNTY OF CUSTER

On this 16th day of Oct. in the year of 1989, before me, a Notary Public,

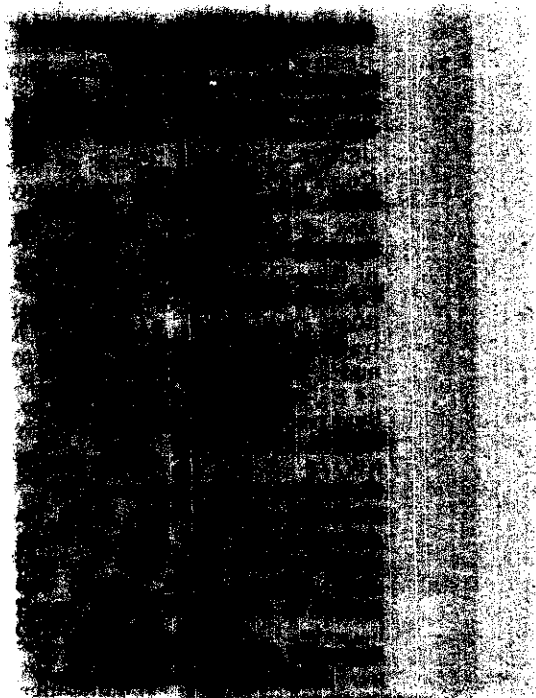
personally appeared Margaret Parks, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Echel M. Park

Notary Public for Idaho

Residing at Challis

My commission expires: 3-21-92



MICROFILMED

MAR 16 1990

April 28, 1992

DANIEL R YANKE
PO BOX 5405
BOISE ID 83705

RE: WATER RIGHT NO. 77-07297

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

SHARLA CURTIS
Water Resource Agent

SC:clh

Enclosure

RECEIVED
MAY 21 1992

April 3, 1992

DANIEL R YANKE
PO BOX 5405
BOISE ID 83705

RE: WATER RIGHT NO. 77-07297

Dear Water Right Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

SHARLA CURTIS
Water Resource Agent

SC:clh

Enclosure

MICROFILMED
MAY 21 1992

MEMORANDUM

TO: Files 77-7120 & 77-7297
FROM: Sharla
DATE: March 30, 1992
RE: Annual Volume for Mining Use

The field examination reports for the two above referenced files contained no annual volume calculations for the mining use. I contacted Keith Stokes (consultant who is very familiar with the mining operation) for estimates of use.

Keith informed me that the mining use occurs between May 15 and October 15 (153 days). During that time period, water is used 18 hrs/day, 7 days/wk. Based upon this information, the volume for each permit was calculated as follows:

77-7120 - 22 gpm X 1080 min. X 153 days/325,850 = 11.4 AF
77-7297 - 49 gpm X 1080 min. X 153 days/325,850 = 24.8 AF

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MAY 21 1992

LICENSE REVIEW CHECKLIST

Permit No. 77-7297

Date 3/27/92

Name _____ Address change? ☒ _____

Priority date _____ Advance? No
Memo to advance _____
Order to reinstate needed? _____

Total cfs _____ Fee sufficient for rate recommended? ☒
Limited by capacity? ☒ _____

Total volume _____ Limited by flow? _____
Rate/ac N/A afa (irrigation)
Calculations from examiner appropriate? _____

Capacity _____ Actual measurement checked ☒ (bucket)
Theoretical checked _____

Source _____ Clarification of originally intended source is
the only change allowed - if any other change in
source has occurred, a notice of intent to void
is needed ☒ *documented by examiner*

P/D _____ Verify with map ☒ Amendment req'd? _____
Remark needed for more than one per $\frac{1}{4}$ _____
Is overlap analysis a consideration in final
recommendations? N/A

Uses _____ Period of use for each use compatible with
appropriate maps, data entry standards, etc. ☒
Change(s) in nature of use - amendment req'd _____

P/U _____ Verify with map _____ Amendment req'd? _____
Is overlap analysis a consideration in final
recommendations? N/A

Remarks _____ More than one p/d in $\frac{1}{4}$ _____
Non-irrig uses _____
Special overlap condition _____
Other _____

Conditions - _____ Dates/Misc. - _____
Measuring device _____ Water Dist _____
W.Master control _____ App Rec'd ☒
Overlap _____ Proof Rec'd ☒
Water quality 208/206 Exam Made _____
Other _____

Comments/Memos needed:

License ☒ Paragraphs _____
10-day ☒ Paragraphs _____
30-day ☒ Paragraphs _____

Special correspondence req'd? _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAR 13 1991

Department of Water Resources

A. GENERAL INFORMATION

PERMIT NO: 77-07297

DATE EXAM

CONDUCTED: 08-20-90

1. CURRENT OWNER

Name: Daniel R. Yanke
Address: P.O. Box 5405
City, State: Boise, ID Zip 83705
Phone No. (208) 342-8901

Name/Address Changed From Permit ☒

2. PERSON ACCOMPANYING EXAMINER

Name: Same
Relationship to Permit holder: Owner

3. SOURCE: unnamed streams (two) TRIBUTARY TO: Sulphur Creek

B. DOCUMENTS INCLUDED WITH THIS REPORT

- | | |
|---|--|
| 1. ☒ Copy of U.S.G.S Quadrangle | 5. ☐ Aerial Photo (if required) |
| 2. ☐ No. of Photo Pages Attached | 6. ☐ Overlap Sheet (form) |
| 3. ☒ Hand Sketch | 7. ☐ Pump Efficiency form |
| 4. ☐ P/D Overlap Field Exams Copy | 8. ☐ Ground Water Irrigation Ck |

* The original is in file 77-07120

C. OVERLAP REVIEW

1. Overlap found, water right number/s and type of overlap --

77-07120; A P/U overlap

2. Overlap Analysis Narrative

That right has Sulphur Creek as a source and ties into the storage tank system that feeds the mill works.

RECEIVED
MAY 21 1992

D. SYSTEM DESCRIPTION (General system description)

1. Diagram found on;

a. Aerial Photo	--	--	--	--	--	--	--	☐
b. Hand Sketch	--	--	--	--	--	--	--	☒

2. Narrative

The sketch includes the two unnamed stream diversions under this permit (77-07297) and the Sulphur Creek Diversion (77-07120). Data from the diversion rate measurements from each source and the measurement locations are included on the sketch.

This system is two P/D's on different streams feeding the same milling operations.

P/D # 1

From the west stream a 2" black plastic line runs to a three tank storage system. This source ties into the western tank which feeds the cook house via a 1" black plastic line.

The tank is normally isolated from the other two tanks but can be tied into them if the mill operations need additional water. The other two tanks normally receive water from the Sulphur Creek diversion (77-07120) which then delivers water to the mill operations.

P/D # 2

This P/D is located within 50' of the mine portal and is approximately 2,000' north northeast from P/D # 1. That development consists of two 2" steel pipes diverting water from the stream into a barrel (used as a settling basin). From that barrel a 2" black plastic line runs south for slightly over 2,000' to the mill operations. The line is tied into the same system as the line coming from P/D # 1 and Sulphur Creek. They are tied together at the mill sight. The system consists of the milling operation which uses the majority of the water, normally 40 to 50 gpm. Other lines are used on the milling sight to occasionally flush tailings and debris. A 2" line runs from the mill operations to a saw mill, used to cut mine supports, where water is used to cool the saw blade and flush out sawdust.

Waste water from the milling operations flows into a 2" black plastic line which runs south for approximately 500'. The line crosses Sulphur Creek inside a 6" safety line which is designed to carry water across the creek if the 2" line were to break. The line discharges into a settling pond. The current surface area of the pond is between 1 and 2 acres. The Forest Service has approved a permit to increase the surface area of the pit to 5 acres. The dike is expected to be approximately 10' high upon completion.

NOTE:

Both permits, 77-07120 and 77-07297, were examined on the same day. Because both permits service the same mining use data, sketches, and photos are shared for these examinations.

RECEIVED
MAY 21 1992

E. FLOW MEASUREMENT DESCRIPTION

- 1. Diagram** See attachment.

2. Narrative (measurement conditions/sketch clarification/ flow calculations; include the results from any measurements.)

P/D # 1

This source was measured at the storage tank sight. The 2" line discharged into the tank and by using a stop watch and a 5 gal. bucket I measured 5 gal. in 20 seconds. The measurement was fair. The supply line followed the contour of the ground which caused the discharge to surge. I believe that the discharge rate could be improved if the air could be bled out of the line in the high spots. Dan Yankee was satisfied with the measurement as he felt that he did not need additional water at this time.

P/D # 2

This source was measured approximately 150' below the barrel that was used to settle out debris. The flow was good and, although it is above the mill sight, the line running from the measurement sight to the mill was not obstructed by any ridges or unusual obstacles. This measurement, I feel, represents the diversion capabilities of this system. I measured 5 gal. in 9 seconds.

SUMMARY:

$$P/D \# 1: \frac{5 \text{ gal}}{20 \text{ sec}} * \frac{60 \text{ sec}}{1 \text{ min}} \div 448.8 \text{ gal/min} = \underline{0.033 \text{ cfs}}$$

$$P/D \# 2: \frac{5 \text{ gal}}{9 \text{ sec}} * \frac{60 \text{ sec}}{1 \text{ min}} \div 448.8 \text{ gal/min} = \underline{0.074 \text{ cfs}}$$

TOTAL -- -- -- -- -- -- -- -- = **0.11 cfs**

3. Alternate method for checking purposes
None made.

- #### 4. Measurement Equipment Used During Field Exam

Measurement Equipment	Type	Make	Model No.	Serial No.	Size
5 gallon bucket					
stop watch					

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5. Point of Diversion Legal Description

Ident. No.	Twp	Rng	Sec	1/4	1/4	1/4	Gov't Lot	County	Remarks and Method of Determination
P/D# 1	14N	11E	4		SE	SW		CUSTER	QUAD MAP*
P/D# 2	14N	11E	4		NW	SE		CUSTER	QUAD MAP*

* This is an unsurveyed area and the legal description is therefore just an approximation.

F. PLACE OF USE (if acres, show acres recommended for the license)

METHOD OF DETERMINATION ----- Quad map*

TWP	RGE	SEC	NE				NW				SW				SE				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	11E	4												M		M	M		
14N	11E	4												D					

* Again this is an unsurveyed area and the Q/Q locations are only approximate.

G. VOLUME CALCULATIONS (for irrigation, use the acres and the diversion rate recommended for licensing)

1. Volume Calculations for Domestic use

^{Domestic}
~~In home only~~; 0.60 Afa. Although this is a mining camp, the use is less than 13,000 gal/day and can be considered domestic.

For the mining use no volume calculation is required.

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H. RECOMMENDATIONS

1. Permit Summary

Domestic	--	--	--	--	--	--	--	1-Home	0.05	cfs	Rate
MINING	--	--	--	--	--	--	--		0.35	cfs	Rate
						TOTAL	--	--	0.40	cfs	Rate
Fees Paid for	--	--	--	--	--	--	--	--	1.00	cfs	Max.

2. Found during field exam

								Mine Camp						
Domestic	--	--	--	--	--	--	--	Home	0.04	cfs	Rate			
MINING	--	--	--	--	--	--	--		0.11	cfs	Rate			
						TOTAL	--	--	0.11	cfs	Rate			

3. LEGAL LIMIT

LEGAL LIMIT

Domestic	--	--	--	--	--	--	--	Mine Camp ~~1 Home~~ 0.04 cfs Rate
----------	----	----	----	----	----	----	----	--

4. Recommended Amounts

Beneficial use			Period of Use		Q-- Rate of	V-- Annual
			From	To	Diversion	Volume
Domestic	--	--	1-1	12-31	0.04 Cfs	0.60 Afa
Mining	--	--	1-1	12-31	0.11 Cfs	N/A Afa

Totals 0.11 CFS 0.60 AFA

5. Recommended Amendments

[illegible]

I. AUTHENTICATION

Field Examiner Kelly K. Christensen

Signature

Field Report

Preparation Date

JFW 3/14/91

Reviewed by

Signature

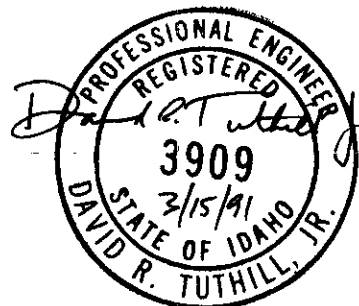
Date

Certification Date

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31 1992

pp 5



SPRING MEASURED 20 SEC 59AL

SULPHUR CR 13 SEC 59AL

MINUE DIN 9 SEC 59AL

15 GPM

23 GPM

33 GPM

71.3 GPM

0.159 CFS

1700'

SULPHUR CREEK

800 to 900'

ROAD

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SULPHUR CREEK

normal operation thru the mill consists of

40 to 50 GPM

ADDITIONAL LINES TO
FLUSH TAILINGS IS
USED PERIODICALLY
RATE NOT MEASURED

SAW MILL USE
BLADE COOLING
& TO FLUSH SANDUST
AWAY FROM OPERATIONS

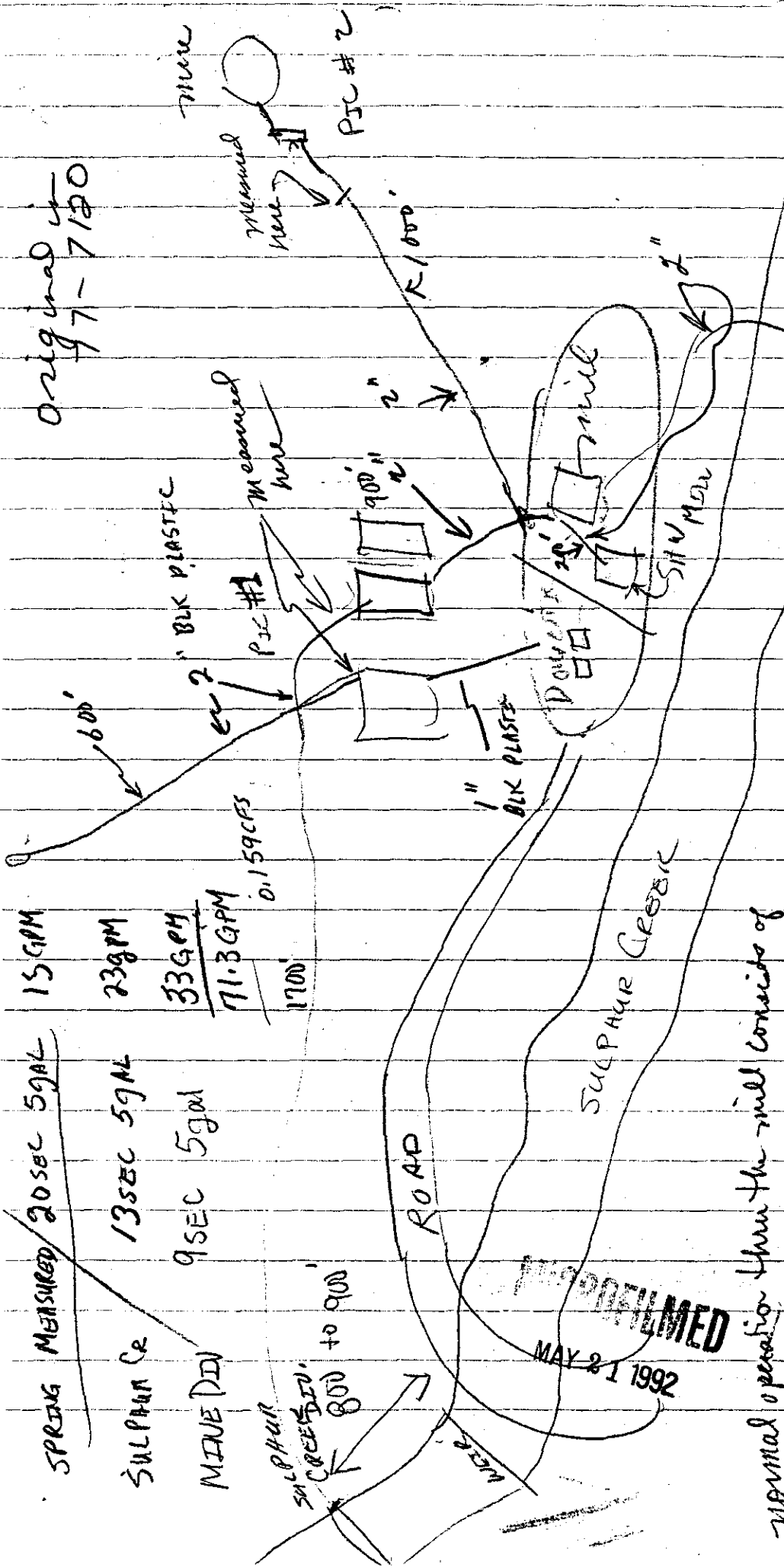
DESIGNED TO
HAVE NO OVERFLOW

A PERMIT TO DRAIN
PIT SIZE HAS
BEEN APPROVED BY
THE FOREST SERVICE
SAC (SURFACE AREA)

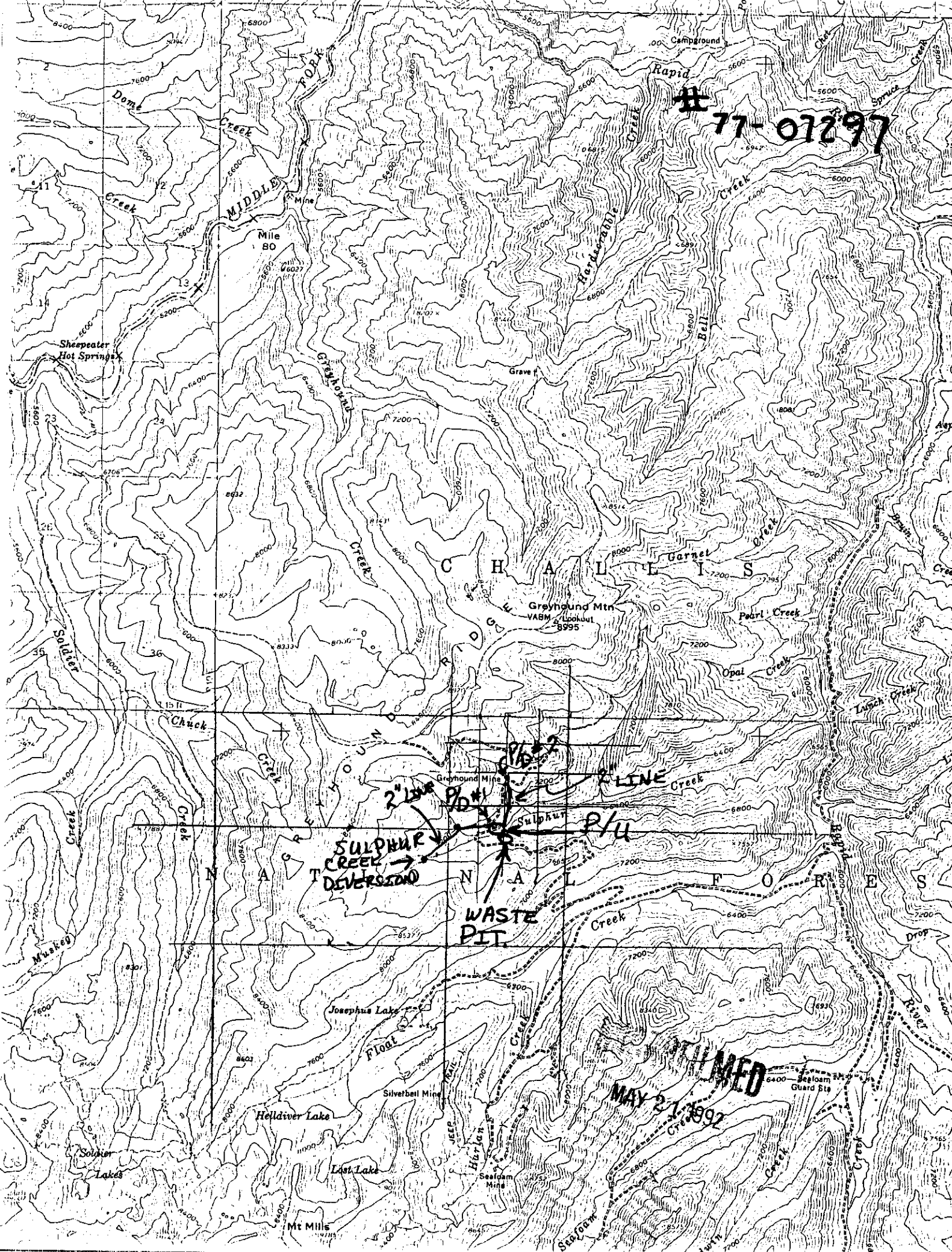
SETTLING
POND

#77-07297

original in
#77-7120



77-01297

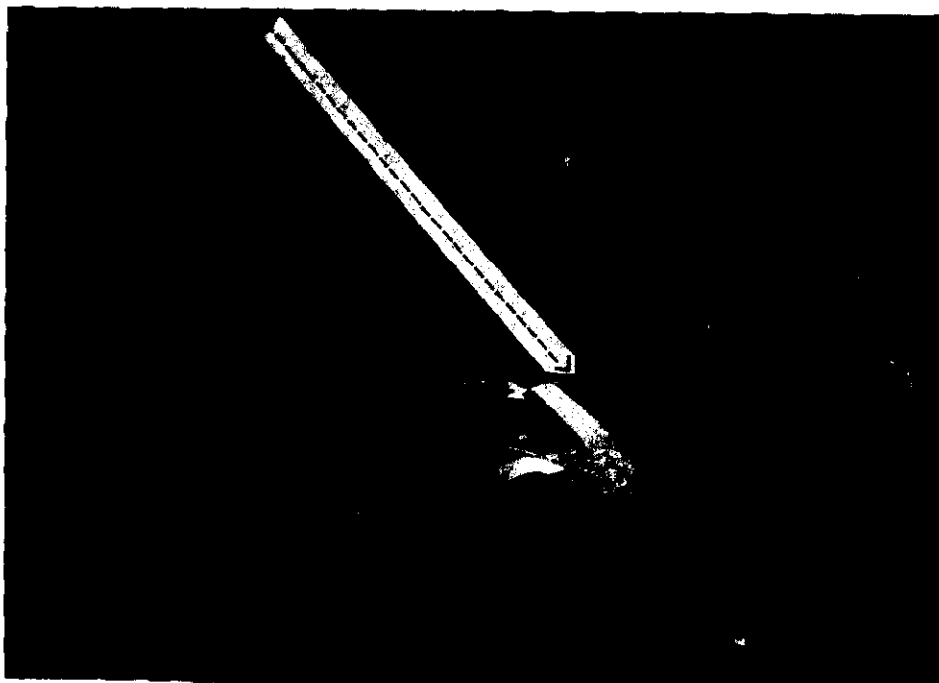


PERMIT **22** 3-7297

PICTURE # 1
This picture identifies one of two diversions. The diversion is a pipe placed in the stream with gravity flow to 3 holding tanks and then to either the domestic use or the mining use. The head of the spring is further up hill and therefore this is not actually a spring development. Rather this is a diversion from an unnamed stream. The photo was taken from the edge of a road and the diversion is at the mouth of a culvert that carries the water under the road. This photo is looking southeast.

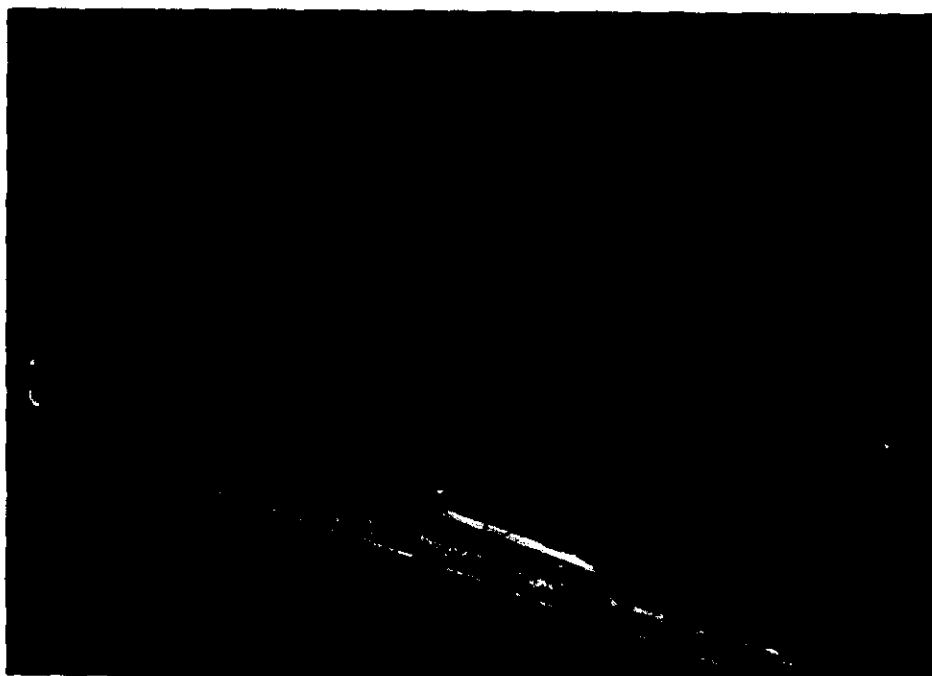
DIVERSION LINE

STORAGE TANKS



PICTURE # 2

This photo was taken just to the right and closer to the edge of the road and is looking southeast like the previous picture. This view clearly shows the holding tanks. The domestic use is to the right and would be visible if the trees were gone. The mining use is down hill and to the left.



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PERMIT ⁷⁷~~68~~-7297

PICTURE # 3

This picture shows the second diversion listed on the permit. This is also an unnamed stream diversion rather than a spring. The diversion is a small rock dam diverting water through two 2" pipes and into the barrel. The water is then carried through the 2" black plastic line to the mill site. The barrel is used as a silt trap. The mine portal is located just out of the photo range to the left. (approximately 50 feet.) This diversion is east of the first diversion pictured. The use from this diversion is for mining use only.



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77
PERMIT ~~65~~-7297

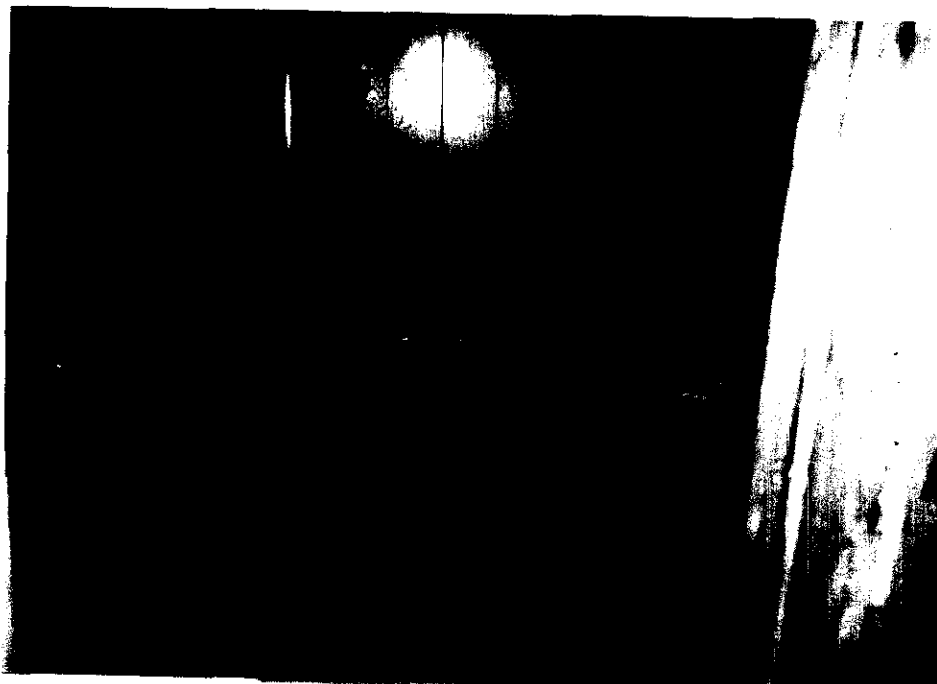
PICTURE # 4

This is a picture of the cook house which is the domestic use. The line is tied into a bathroom and the kitchen sink. The overflow runs into a washtub which is used to keep pop and such cold. This picture is looking west.



PICTURE # 5

This is a photo of the bathroom. Facilities consist of the shower, the stool, the water heater, and the clawfoot bathtub.



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PERMIT 77-07297

PICTURE # 6

This picture shows the three storage tanks and the water lines leading to them. The line going to the center tank comes from the Sulphur Creek. The line that discharges into the right tank comes from the unnamed stream shown in picture # 1. This picture is looking south. Shown through the trees to the right of the tanks is the roof of the cookhouse shown in picture # 4.



PICTURE # 7

This is the P/U. Shown is the vats used to extract the mineral from the ore. The ore crusher is located to the left of the vats. The cook house is further west from this location. This picture is looking west.



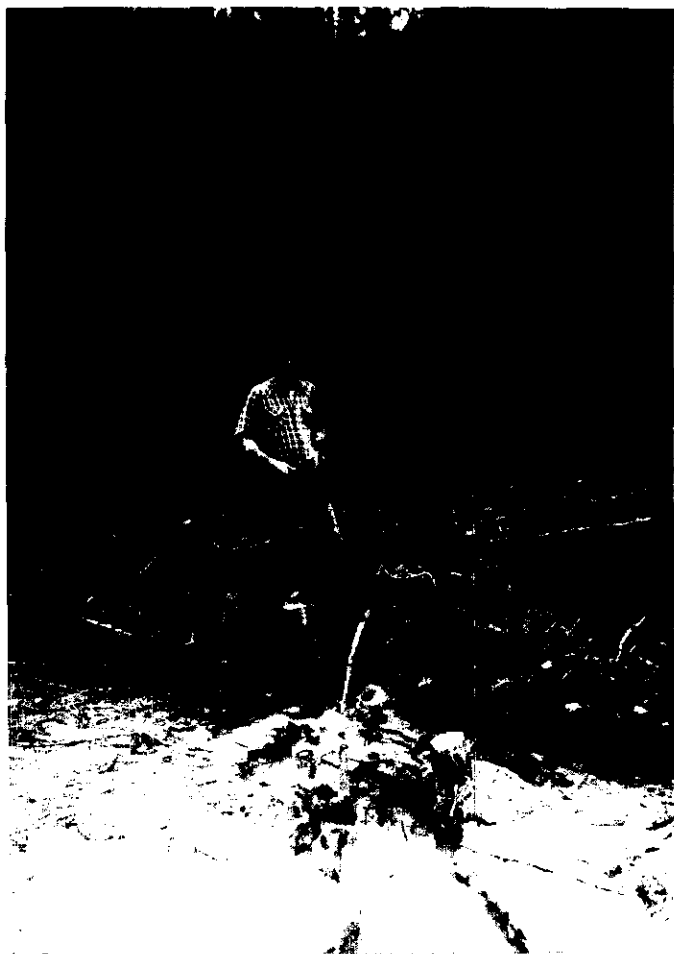
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(above)

PICTURE # 8

This picture shows the waste water line that crosses Sulphur Creek. A two inch line carries the water while the white 6 inch line shown is for safety factors. If the main line were to break then the six inch line would keep the water out of the river. Also shown is the original saw mill. This mill is no longer operational. This picture is looking south.



<----- PICTURE # 9

This picture shows the discharge line into the waste pit. This picture is looking northwest.

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MAY 21 1992

June 26, 1990

DANIEL R. YANKE
P.O. BOX 5411
BOISE, ID 83705

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 77-07297

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

JUN 28 1990

RECEIVED
JUN 5 1990

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

For Office Use Only
Amt. of Fee \$ 100.00
Date 6/5/90
Receipt No. 601749
Received by J. D. [Signature]
6-6-25-90

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. P 77 07297 Telephone No. 342-8901

Name(s) of Permit Holder(s): DANIEL R. YANKE

Post Office Address: P.O. Box 5411

Source of Water: SPRINGS

If ground water, well driller's name: N/A Date drilled: -

Extent of Use:
Domestic - 1 (No. of households) Irrigation - (No. of acres)
Stockwater - (No. and type of stock) Other MINING

Total rate and/or volume for which proof is submitted 0.40 cfs - acre/feet

Show date water was first diverted and beneficially used under this permit: Sept 15, 1989

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes XNo Installed? Yes -No

OR

Flow Measurement Port: Required? Yes XNo Installed? Yes -No

Fee Enclosed: \$ 100⁰⁰ (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Dan R Yanke 342-8901
Name Telephone No.

same
Address

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

Jun 31, 1990 Dan R Yanke
Date Signature (and title if on behalf of a company or organization)

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 77-7297

Date: 6-25-90

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change _____ If yes, prepare a data entry
☒ Proof received timely _____
_____ Reinstated

Source of Water:

- ☒ Surface water
_____ Groundwater
_____ NA 1. well log in file
_____ 2. drilling permit
_____ NA A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

- ☒ Rate of diversion appropriate for uses
_____ ☒ Is rate or volume and fee appropriate?
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- NO Is a measuring device or access port required?
_____ Has one been installed?
_____ Waiver or modification of measuring device requested

Remarks:

Proof acceptable

Priority Calculation:

Date proof received	<u>NA</u>	_____
Date proof due	_____	_____
No. of days late	_____	= _____
Priority date	_____	+ _____
NEW PRIORITY DATE	_____	= _____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

Statehouse
Boise, Idaho 83720
(208) 327-7900
December 15, 1989

DANIEL R. YANKE
P.O. BOX 5411
BOISE, ID 83705

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P77-07297

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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MAR 16 1990

PO 14N 11E S. 4 SWSE
SWNWSE

Form No. 202a. *pu*
3/89

SESW
NWSE
SWSE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: *SL* DATE: 9/26/89 APPLICATION: 77-07297

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
- ☒ Address:
- ☒ Source: (See USGS Quad for names of water sources) *- See Attachment A in appl.*
- ☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County:
- ☒ Quantity: (flow and/or volume)
- ☒ Period of use:
- ☒ Nature of proposed use: (Include description of use)
- ☒ Description of diverting works:
- ☒ Time required for beneficial use of water:
- ☒ Place of use or acres irrigated:
- ☒ Map: *unsurveyed area - if 1/4, 1/2, 1/4, 1/8, 1/16, 1/32, 1/64, 1/128, 1/256, 1/512, 1/1024, 1/2048, 1/4096, 1/8192, 1/16384, 1/32768, 1/65536, 1/131072, 1/262144, 1/524288, 1/1048576, 1/2097152, 1/4194304, 1/8388608, 1/16777216, 1/33554432, 1/67108864, 1/134217728, 1/268435456, 1/536870912, 1/1073741824, 1/2147483648, 1/4294967296, 1/8589934592, 1/17179869184, 1/34359738368, 1/68719476736, 1/137438953472, 1/274877906944, 1/549755813888, 1/1099511627776, 1/2199023255552, 1/4398046511104, 1/8796093022208, 1/17592186044416, 1/35184372088832, 1/70368744177664, 1/140737488355328, 1/281474976710656, 1/562949953421312, 1/1125899906842624, 1/2251799813685248, 1/4503599627370496, 1/9007199254740992, 1/18014398509481984, 1/36028797018963968, 1/72057594037927936, 1/144115188075855872, 1/288230376151711744, 1/576460752303423488, 1/1152921504606846976, 1/2305843009213693952, 1/4611686018427387904, 1/9223372036854775808, 1/18446744073709551616, 1/36893488147419103232, 1/73786976294838206464, 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IDAHO DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

✓ *one*
Wte Rt File

RECEIVED
OCT 11 1989

STANLEY F. HAMILTON
DIRECTOR

Department of Water Resources
Western Regional Office

October 6, 1989

BOARD OF LAND COMMISSIONERS
CECIL D. ANDRUS
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Secretary of State
JIM JONES
Attorney General
J.D. WILLIAMS
State Auditor
JERRY L. EVANS
Sup't. of Public Instruction

TO: ✓ Department of Water Resources
Western Region

FROM: Bryce Taylor
Leasing Specialist
Bureau of Range Management
and Surface Leasing

RE: 77-07297
Daniel R. Yanke

This application does not involve a navigable stream or state land. No permit is required from this department.

Bryce
BDT:lr

MICROFILMED
MAR 16 1990

KEEP IDAHO GREEN
PREVENT WILDFIRE



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

October 3, 1989

Idaho Dept. of Health & Welfare
Division of Environment
Statehouse
Boise, ID 83720

Re: Application for Permit No. 77-07297 in the name of Daniel R. Yanke

Dear Sir:

Enclosed is a copy(s) of the above-referenced application(s) for permit which may be of interest to your agency. Please review the application(s) and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application(s), your written protest must be received in this office by October 23, 1989.

If you have any questions regarding the application, please contact this office.

Sincerely,

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT:st

Enclosure(s):

MICROFILMED

MAR 16 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

October 3, 1989

Idaho Department of Lands
Bureau of Navigable Waters
Statehouse Mail
Boise, ID 83720

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DRT:st

Enclosure(s):

MICROFILMED

MAR 16 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region
2735 AIRPORT WAY

Boise, Idaho 83705
(208) 334-2190

SEPTEMBER 27, 1989

Custer Publishing Company
P.O. Box 405
Challis, ID 83226

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before OCTOBER 23, 1989.

Yours truly,

GAIL GARRETT
Secretary

Encl.

MICROFILMED

MAR 16 1990

77-07297

YANKE, DANIEL R.
P.O. BOX 5411
BOISE, ID 83705

Source: SPRINGS

Tributary: SULPHUR CREEK

Diversion Pt: SWSESW Sec 4 T 14N R 11E
 SWNWSE Sec 4 T 14N R 11E

Use: MINING (.350 CFS)
 DOMESTIC (.050 CFS)

Date Filed: 9/15/1989

In: T14N R11E S04

SESW NWSE SWSE

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MAR 16 1990

Attachment 1

PICTURE # 1

This picture shows the diverting works for P/D # 1. This picture is looking north. The permit # shown is incorrect. The # is for the overlapping permit.



Roadway above the P/D

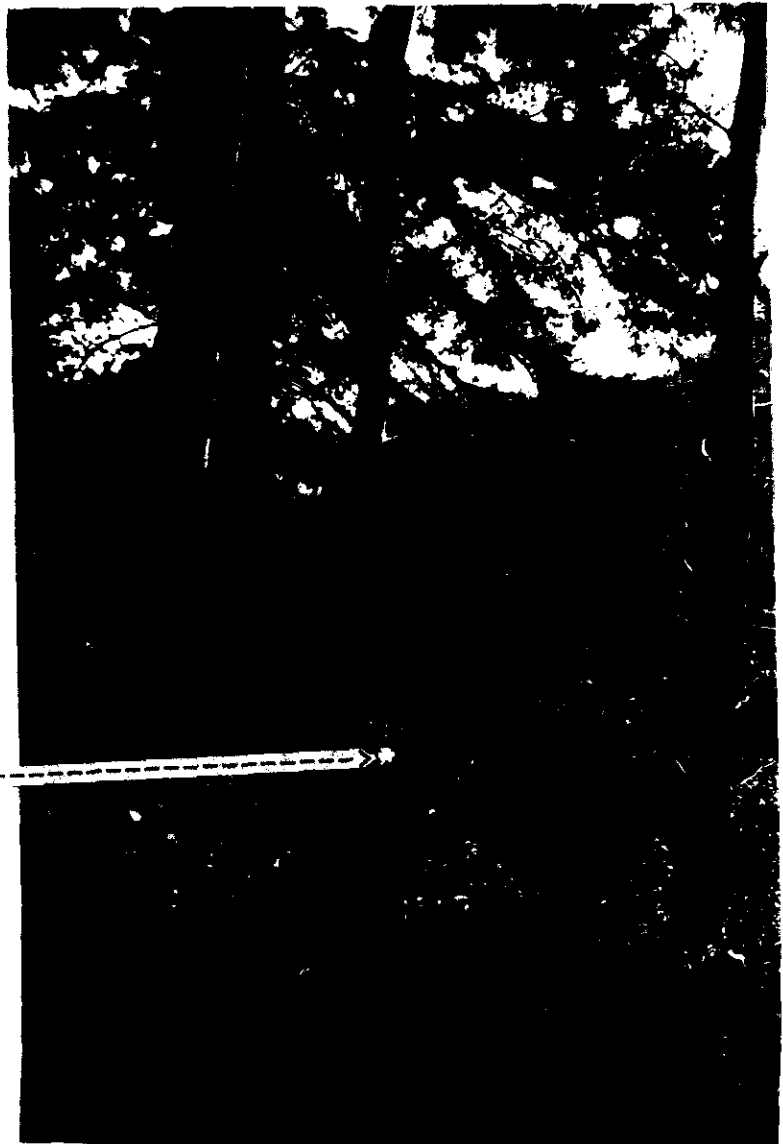
PICTURE # 2

This picture was taken at the P/D looking southeast and shows the relationship between the P/D and the storage tanks.

Storage tanks

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MAR 16 1950



Additional info
submitted 9/26/89 by
Kelly Christensen.
Info gathered during
field exam of
77-07120.

82

PICTURE # 3

This picture shows P/D # 2 and is looking northwest. The mine portal is just out of the picture to the left.

DRAINAGE FROM THE MINE SHAFT



PICTURE # 4

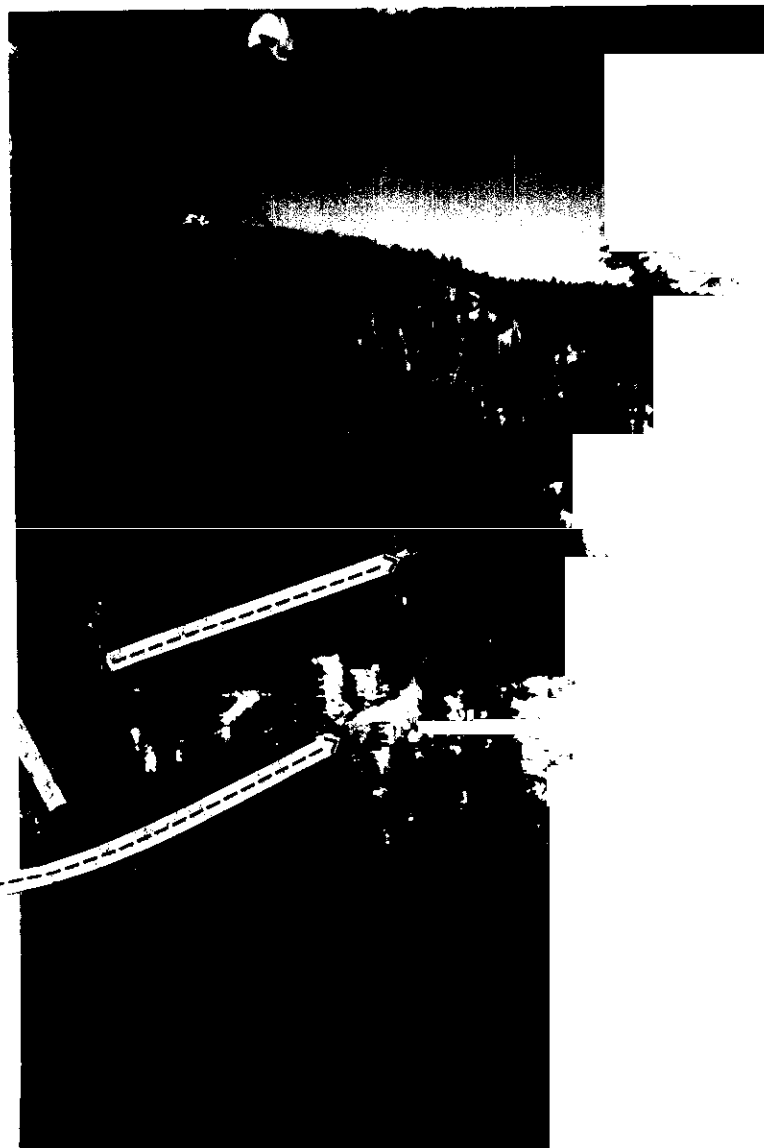
This picture was taken from the road leaving the mine site and is looking north.

P/D # 2

P/U

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MAR 16 1990



PICTURE # 5

This picture shows the location of the domestic use. The photo is looking northwest. The location of P/D # 1 is north of the cabin amongst the trees.



PICTURE # 6

This picture shows the saw mill as a portion of the use of water. This picture is looking northeast and is below the milling site which is located just left of this picture. The mine portal and P/D # 2 is located in the timber above these works.



APR 16 1950

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PICTURE # 7

This picture shows the milling site and crusher. This picture is looking west toward the cabin.

2" line from P/D # 2



PICTURE # 8

This picture shows the lines carrying the waste water from the milling operations to the settling ponds. This picture is looking south and the settling pond is located south of Sulphur Creek.

Waste water lines



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MAR 16 1990

Aug 19, 1989

measured 5 gal in 8.5 sec $\approx .08 \text{ cfs}$

measured at input of 700 gal tank.

Found Diversion from spring North of cabins 200 to 300 yards. Water is diverted via a 2" plastic line and is carried approx 100 yds to a 700 Gal storage tank. A mother line carries water from the tank to the cabin. No other uses found.

A second spring diversion was found at the entrance of the Rufus mine. A 2" line carries water to a 15 gal barrel and then through a 2" line (Black Plastic) running to the mill site. The mill was not operating and no water was being diverted at exam time.

The Sulfur creek diversion was originally a rock dam with a dirt ditch carrying water to the mill site. This site is the same P/U as the second spring. Currently the ditch is being replaced with an 8" aluminum line. The line was not completely installed at exam time.

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Grayhound mine

3 permits
one active

By Stanley

{ Dan Yankee }
{ 342-8901 }

2" P.C. LINE

- Aug 19th morning

JACK GUIDI or Sam

between mill markers 112 & 113

Seafoam ranger dist

21 miles of Dirt road

left off highway

make an immediate fork take

right fork ~~in to find~~ cross marsh

creek. Big sign take Seafoam Road

Station 12 mi in. Wagon

At ranger Station go straight

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MAR 16 1990