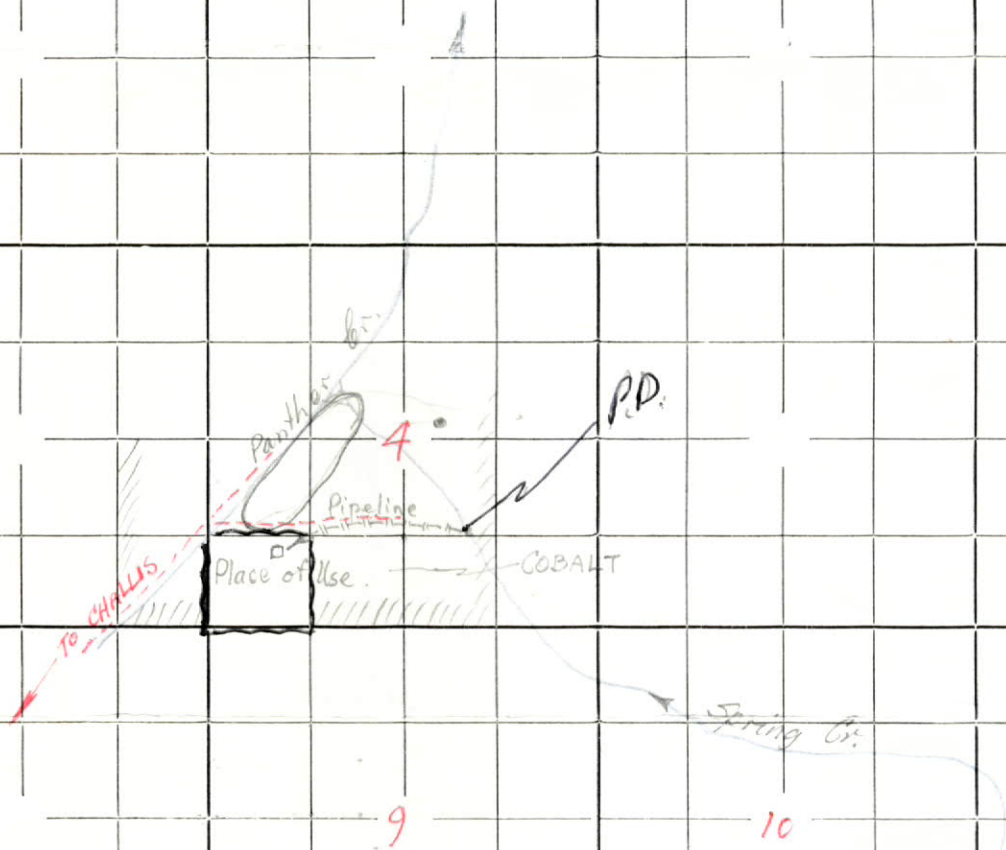


R-19E.

T.
20
N.



Unsurveyed land

Irrigation Domestic Use.

Allow 1.0 cfs. or 50 inches

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:30 A. M. on the 14th day of November, 1959, at Viel Bldg., Salmon, County of Lemhi, State of Idaho, before C. Walker Lyon, Notary Public, proof will be submitted of the application to beneficial use of one cubic foot per second of the waters of Spring Creek in accordance with the terms and conditions of Permit No. 20695 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is Misco P. C., Inc. (formerly Calera Mining Company), subsidiary of Howe Sound Company, Cobalt, Idaho.

The use to which said water has been applied is domestic use.

The amount applied to beneficial use is one cubic foot per second.

The place where said water is used is at Cobalt Townsite, in unsurveyed Section 4, Township 20 North, Range 19 East Boise Meridian.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Cobalt Townsite pipe line.

The right to take water from such works is based upon Permit No. 20695.

The source of supply from which such water is diverted is Spring Creek, tributary to Panther Creek, Lemhi County, Idaho.

The date of priority which said user is prepared to establish is October 8, 1948.

GEO. N. CARTER

State Reclamation Engineer

20695

10-22-4tc

Affidavit of Publication

STATE OF IDAHO } ss.
County of Lemhi }

RECEIVED
MAY 3 11960

Department of Reclamation

RONALD BURKE

being first duly sworn, deposes and says that he is one of the printers (publisher) of the RECORDER HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein,

NOTICE OF PROOF APPLICATION OF WATER

That the TO BENEFICIAL USE

a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for FOUR consecutive issues, commencing with the issue dated Oct. 22, 1959 and ending with the issue dated Nov. 12, 1959

Ronald Burke

Subscribed and sworn to before me, this 12th day of November, 1959

Geo. N. Carter
Notary Public for the State of Idaho,
Residing at Salmon, Idaho.

Publication Fee \$23.32

20695

NOTICE OF PROOF APPLIC
TION OF WATER TO
BENEFICIAL USE

Notice is hereby given that at 10:30 A. M. on the 14th day of November, 1959, at Viel Bldg., Salmon, County of Lemhi, State of Idaho, before C. Walker Lyon, Notary Public, proof will be submitted of the application to beneficial use of one cubic foot per second of the waters of Spring Creek in accordance with the terms and conditions of Permit No. 20695 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is Misco P. C., Inc. (formerly Calera Mining Company), subsidiary of Howe Sound Company, Cobalt, Idaho.

The use to which said water has been applied is domestic use.

The amount applied to beneficial use is one cubic foot per second.

The place where said water is used is at Cobalt Townsite, in unsurveyed Section 4, Township 20 North, Range 19 East Boise Meridian.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Cobalt Townsite pipe line.

The right to take water from such works is based upon Permit No. 20695.

The source of supply from which such water is diverted is Spring Creek, tributary to Panther Creek, Lemhi County, Idaho.

The date of priority which said user is prepared to establish is October 8, 1948.

GEO. N. CARTER
State Reclamation Engineer
20695 10-22-4tc

Affidavit of Publication

STATE OF IDAHO }
County of Lemhi } ss.

NOV 16 1959
Department of Reclamation

RONALD BURKE

, being first duly sworn, deposes and says that he is one of the printers (publisher) of the RECORDER HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein,

That the NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

a true
printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for four
consecutive issues, commencing with the issue dated Oct. 22, 1959
and ending with the issue dated Nov. 12, 1959

Ronald Burke

Subscribed and sworn to before me, this 12th
day of November, 1959

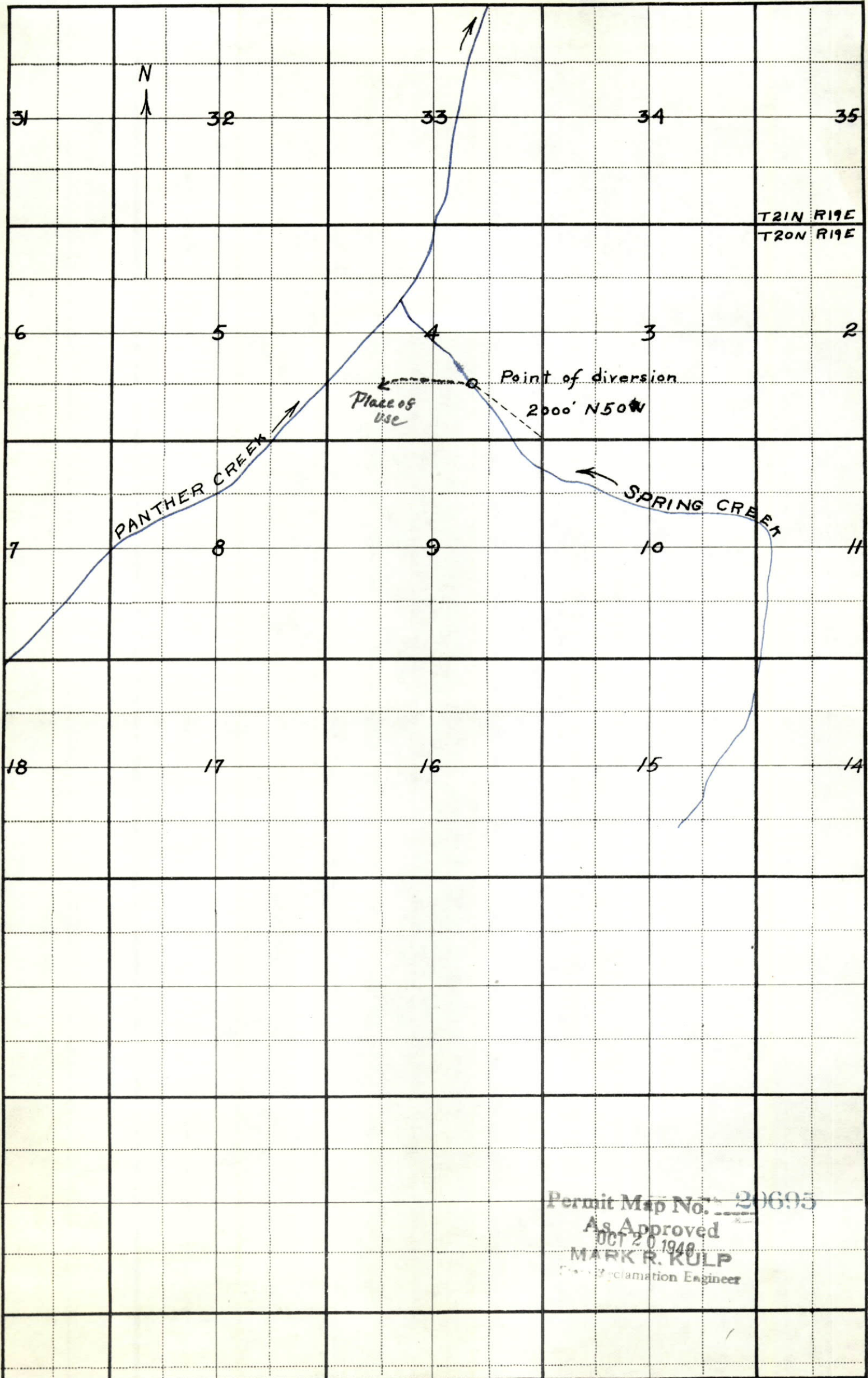
Geo. N. Carter
Notary Public for the State of Idaho,
Residing at Salmon, Idaho.

Publication Fee \$ 23.32

20695

NAME OF APPLICANT CAMERA MINING COMPANY

FORM No. 0



SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.

20695

7504

State of Idaho
License and Certificate of Water Right

Water License No. 20695 Amount 1.0 c.f.s.
Water District No. Priority November 2, 1948

THIS IS TO CERTIFY that CALERA MINING COMPANY - Assignee - MACHINERY CENTER, INC.
of Forney, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated October 8, 1948; that Permit No. 20695
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.0 second feet, was issued thereunder on November 4, 1953, showing that said works
were completed on the 8th day of October, 1953; and that on the 14th
day of November, 1959, CALERA MINING COMPANY - Assignee - MACHINERY CENTER,
INC.

of Cobalt, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Spring Creek
, a tributary of Panther Creek, for the purpose of Domestic use
, under Use Permit No. 20695 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
12 of Licenses at page 7504, on the 26th day of October, 1962;

The right hereby confirmed dates from November 2, 1948;

The Point of Diversion is located
in the NW 1/4 SE 1/4, Sec. 4, Tp. 20 N, R. 19 E, B. M. Lemhi County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
20 N	19 E	4	SW 1/4 For domestic purposes	1	

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
26th day of October, 1962.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

77-2102
75-2178

State of Idaho
License and Certificate of Water Right

Water License No. 20693 Amount 1.5 c.f.s.
Water District No. Priority November 2, 1948

THIS IS TO CERTIFY that CALERA MINING COMPANY - Assignee - MACHINERY CENTER, INC. of Forney, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 8, 1948; that Permit No. 20693 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.5 second feet, was issued thereunder on November 4, 1953, showing that said works were completed on the 16th day of September, 1953; and that on the 14th day of November, 1959, CALERA MINING COMPANY - Assignee - MACHINERY CENTER, INC. of Cobalt, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Blackbird Creek, a tributary of Panther Creek, for the purpose of Mine, mill and domestic use, under Use Permit No. 20693 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 12 of Licenses at page 7503, on the 26th day of October, 1962; The right hereby confirmed dates from November 2, 1948; The Point of Diversion is located

in the NE 1/4 SE 1/4, Sec. 29, Tp. 21N R. 18 E, B. M. Lemhi County
That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
21 N	18 E	28	SE 1/4 For mine, mill and domestic use		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.
WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 26th day of October, 1962.
/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

47-310

APPLICATION No. 28336
 PERMIT No. 20695
 DISTRICT No.

1. Name of Applicant: CALERA MINING COMPANY

Postoffice address: Forney

County: Lemhi

State: Idaho

I. If applicant is a corporation, give: April 3, 1902, Jefsey City, Hudson County, N. J.

(a) Date and place of incorporation:

(b) Amount of capital stock: \$200,000.00

(c) Amount paid in: \$200,000.00

(d) Names and addresses of directors: E. R. Schley, H. H. Sharp, Reeve Schley, Reeve Schley, Jr., H. M. Durning, C. E. Dunlap, P. D. Wagoner, E. Richter, G. H. Howard, 730 Fifth Avenue New York City, N. Y.

II. The financial resources of the applicant are:

(b) Treasury stock:

(d) Other resources:

(a) Cash on hand: Fully owned subsidiary Howe Sound Co.

(c) Bonds to be issued: Members of N.Y. stock exchange
 Listed with Dun & Bradstreet

2. Quantity of water claimed: Two (2)

cubic feet per second.

3. Source of water supply: Spring Creek

which is a tributary of Panther Creek

4. Location of point of diversion: 2000

feet distant from the Southeast

corner of Section 4, T. 20 N., R. 19 E., B.M., and is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 4, T. 20 N., R. 19 E., B.M., County of Lemhi

5. Water is to be used for Domestic purposes

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T., R., B.M., in the of Section, T., R., B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section, T., R., B.M., in the
 of Section, T., R., B.M.

7. Estimated cost of works: \$ 10,000.00

8. Kind of works: Dam, flume and pipe line

9. Height of dam 20 feet; length of dam at top 115 feet; length of dam at bottom 10

feet; material used in dam: Earth fill

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe 6 inches; length of conduit 0.2 miles.

Average grade per mile 250 feet.

12. The time required for the completion of such work is Five (5) years.

13. The time required for the complete application of the water to the proposed use is Six (6) additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

CALERA MINING CO.

Applicant.

By

E. B. Douglas

Agent.

Date of first receipt at Department of Reclamation: 10:00 A. M. October 8, 1948

Returned to applicant for correction: October 8, 1948

Corrected application received: October 18, 1948

Approval of State Reclamation Engineer

The number of this permit is 20695

Recorded in Book 74 Page 20695 Approved October 20, 1948

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before December 20, 1948 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before April 20, 1951

The whole of said work to be completed on or before October 20, 1953

Beneficial use of water appropriated in accordance herewith, to be made on or before October 20, 1959

WITNESS My hand this 20th day of October, 1948

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, C. A. ROBINS, Governor of the State of Idaho,

and J. D. "CY" PRICE, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 20th

day of October 19 48.

STATE OF IDAHO

Countersigned:

(SEAL)

By C. A. ROBINS

Governor.

By J. D. "CY" PRICE

Secretary of State.

REMARKS: Water is to be used in the SW $\frac{1}{4}$ Section 4, Township 20 North, Range 19 East, B. M.

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
							Permit No. 20695												
							CERTIFICATE OF COMPLETION OF WORKS												
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that CALERA MINING COMPANY of Cobalt , County of Lemhi, and State of Idaho, the holder of Permit No. 20795, issued upon Application No. 28336 bearing date of priority of October 8, 1948, authorizing the diversion of Two (2) second feet of the waters of Spring Creek, a tributary of Panther Creek, County of Lemhi, State of Idaho, for domestic 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 One (1) second foot of the waters of Spring Creek; that the point of diversion of said waters is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4, Township 20 North, Range 19 East, B.M., and that the place of use of said water is the same.																			
Witness my hand this 4th day of November, A. D. 1953.																			
MARK R. KULP State Reclamation Engineer																			
Proof of Completion of Works made October 8, 1953. Certificate of Completion of Works issued November 4, 1953.																			
LICENSE ISSUED FOR 10 SEC. F1. Page 7504																			

A S S I G N M E N T

For value received, I hereby assing my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 20695 to MISCO P. C., INC. (Subsidiary of Howe Sound Company) of Cobalt, Idaho.

CALERA MINING COMPANY
Permit Holder

BY E. B. DOUGLAS
Authorized Agent

SS

State of Idaho)
: ss
County of Lemhi)

On this 21st day of October, 1959, before me, a Notary Public for the State of Idaho, residing at Salmon, Idaho, personally appeared E. B. DOUGLAS, residing at Cobalt, Idaho, duly authorized agent of Calera Mining Company known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notorial Seal, the day and year in this certificate first above written.

/s/ C. Walker Lyon
Notary Public, residing at Salmon, Idaho

My commission expires 2/27/60

Recorded: November 12, 1959

A S S I G N M E N T

For value received, I hereby assign my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 20695 to MACHINERY CENTER, INC. of SALT LAKE CITY, UTAH.

Permit Holder
Misco P. C. Inc.,
/s/ William T. Holmes, Vice President

STATE OF NEW YORK)
: ss
County of New York)

On this 22 day of Oct, 1962, before me, a Notary Public for the State of New York, residing at Bronx, New York personally appeared William T. Holmes known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

/s/ Helene Quinn
Notary Public Residing at Bronx, New York

My commission expires March 30, 1963

(SEAL)

LICENSE ISSUED FOR 12 SEC. FI.
Page 7504

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 20695 175-2178
OTd No. New No.

Record

1. Original Owner: Calera Mining Co.Present Owner: Machinery Center Inc.

2. Address:

3. City: Forney State: Id Zip:4. A. Source of Water: Spring CreekB. Tributary of: Panther Creek5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 11-2-1948D. County: 59E. Total Diversion Rate: 1

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NW SE</u>	<u>4</u>	<u>20N</u>	<u>17E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for (D) purposes. Amount 1
(cfs or AG-FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

C

A. B.

Decree Name:

Other Uses (Non-irrigation explanatory information):

Other Rights for Same Use:

Proof Due Date:

Date Permit Approved or Denied:

Protested Date:

Hearing Date:

Old Number: 20695

Proof Made (P or blank):

Field Exam Made (P,R,F or blank):

Conditions of Approval:

Diversion Means (brief narrative):

October 26, 1962

RE: Permit Nos. 20693, 20695

J. H. Lewis, Treasurer
Machinery Center, Inc.
Box 964
Salt Lake City, Utah

Dear Mr. Lewis:

Enclosed are the Assignment and License and Certificate of Water
Right on each of the above numbered permits.

Also enclosed are departmental receipts No. 31284 in the amount
of \$10.00 covering the fees for the licenses, and 31296 in the
amount of \$1.00 for the fee for recording the assignments.

Very truly yours,

W. A. GARNER
State Reclamation Engineer
By

(Mrs.) Edna P. Mills
Chief Clerk

WAG:mr

Enc. licenses 2
receipts 2

20695

October 26, 1962

Re: Permit Nos. 20693 & 20695

Machinery Center, Inc.,
Box 964,
Salt Lake City, Utah.

Attention: J. W. Lewis, Treasurer

Gentlemen:

The licenses under the permits noted above will be mailed to you in a few days. They represent a perpetual water right for the amount of water and date of priority from the named source of supply. All water rights are subject to prior water rights from the same source of supply.

Water rights are based on beneficial use of the water. Non-use of the water for a period of five years is abandonment of the right, however, upon proper request, the State Reclamation Engineer can extend the time for an additional five year period. Abandonment of a water right is not final until proof is shown in a District Court action which has been started by a subsequent appropriation of the water.

I am not familiar with the terms of a patented mining claim and cannot compare the two rights.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RWT:pmk

October 16, 1962

Re: Permits No. 20693; 20695
Misco P. Co., Inc. (Subsidiary of
Kona Sound Co.)

J. W. Lewis, Treasurer
Machinery Center, Inc.
Box 964
Salt Lake City, Utah

Dear Mr. Lewis:

Enclosed are two forms for assignment of permit which should be completed by Misco P. Co., Inc. (Subsidiary of Kona Sound Co.) who is the holder of both permits.

The water licenses can be issued to your company upon receipt of the assignment with the \$0.50 recording fee for each permit, or total of \$1.00.

The assignment forms will be returned to you after being recorded in this office.

Very truly yours,

W. F. GASTON
State Reclamation Engineer

By:

WILLIAM W. THOMAS, Deputy
State Reclamation Engineer

WFGW

Enc. assignment forms

206 95

MINING AND MILLING MACHINERY

PLANT LIQUIDATIONS

machinery center, inc.

1201 SOUTH 6TH WEST
P. O. BOX 964

PHONE HUNTER 4-7601
SALT LAKE CITY, UTAH

CABLE ADDRESS
"ROGER"

October 12, 1962

RECEIVED
OCT 15 1962
Department of Reclamation

Mrs. Edna P. Rule
Chief Clerk
Department of Reclamation
State of Idaho
Boise, Idaho

Re: Permit No. 20693 & 20695

Dear Mrs. Rule:

We are in receipt of your letter of October 4th, which was sent to Mr. F. A. McGonigle, Vice President, Howe Sound Company in New York City, concerning the captioned permits.

We have acquired from Howe Sound Company all of their interests at Cobalt, Idaho, and consequently your letters were forwarded to us.

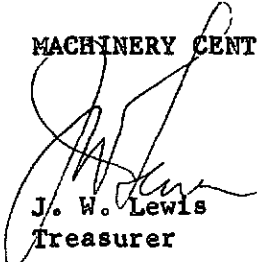
We are enclosing our check in the amount of \$10.00 to cover the permit fee on these two items and would very much appreciate your having the permits transferred to the name of Machinery Center, Inc., Post Office Box 964, Salt Lake City 10, Utah.

Please advise if there are any questions or if additional information must be submitted to you in order to have this accomplished.

Our purchase and recording of the claims, etc., have been filed with the County Recorder at Salmon, Idaho.

Yours very truly,

MACHINERY CENTER, INC.


J. W. Lewis
Treasurer

JWL bam
Enclosure-check

20695

400 - June 20-62

State of Idaho
DEPARTMENT OF RECLAMATION

Boise, Idaho
October 4, 1962

Re: Permit No. 20695

F. A. McGonigle, Vice President
Howe Sound Company
500 Fifth Avenue
New York 36, New York

Dear Mr. McGonigle:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. 20695 shows the dam and pipe line are ~~25~~ capable of conveying 50 miner's inches, or 1.0 c.f.s. of water for domestic purposes. ~~acres.~~

Upon receipt of the statutory fees of \$ 5.00 ~~- based at the~~
~~rate of \$2.00 for each 40-acre subdivision -~~ we will issue the License and Certificate of Water Right, confirming the right with priority of November 2, 1948 to the use of 1.0 second feet of surface water with the point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, T. 20 N., R. 19 E., B.M. from ~~from~~ Spring Creek for domestic purposes in the SW $\frac{1}{4}$, Sec. 4, T. 20 N., R. 19 E., B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

20695

127

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 20695

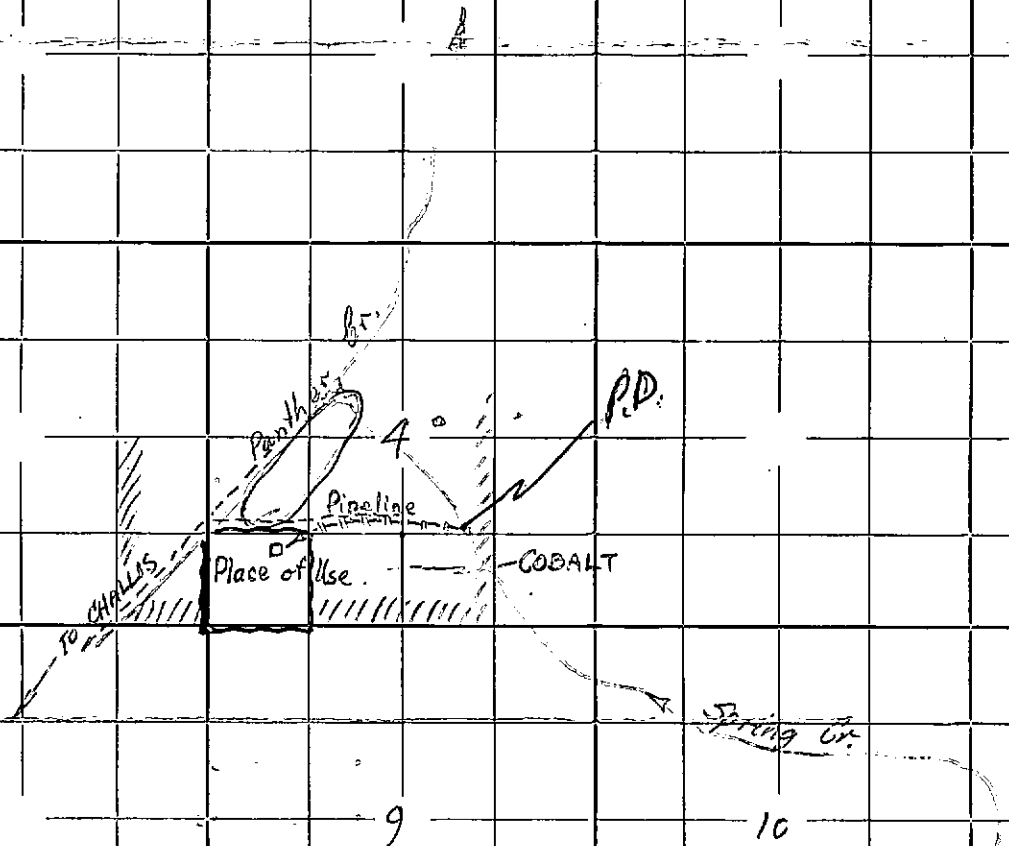
REPORT ON PROOF OF Beneficial Use

Edwin B. Douglas, Mine Manager

Misco P. C., Inc., (formerly Calera Mining Co.,)
Cobalt, Idaho

R 19E.

T.
20
N.



Unsurveyed land

Irrigation Domestic Use.

Allow 1.0 cts. of 50 inches

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 20695

This proof is for Beneficial Use In Water District No. _____

1. Name of applicant Misco P. C., INC. Edwin B. Douglas, Mine Manager

2. Source of water supply: Spring Creek

3. Location of point of diversion: Is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 4

T. 20 N R. 19 E.B.M. County of Lemhi

4. Describe works as they exist, giving dimensions and capacities of same: Spring Creek is im-
pounded into a .6 acre-foot Reservoir - Dam - 80' length x 9' high - 2' free board
Concrete spillway - 1' deep x 9' wide x 18' long, 10 screw Gate to outlet conduit. Pond size
80' x 150' x 7' with approximately 150' of 4" x 150' cast iron pipe
to a steel storage tank 16' x 22' dia
of 44,000 gal capacity, then to 4" steel main line to places of use.
Estimate capacity of Reservoir at 200,000 gallons.

5. Water is used for: Domestic purposes

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Approximate location of place of use in SW $\frac{1}{4}$ Sec. 4, Twp. 20 N., Rge. 19 E.B.M. Unsurveyed
Place of use: SW $\frac{1}{4}$ Sec. 4., Twp. 20 N., Rge. 19 E.B.M. Territory

At peak of population there was

50 Private built houses.

75 Government Housing Units

8 Company houses.

3 Dorms for bachelor quarters of 200 people.

4 Apartment buildings 4 units each.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Donner Creek to Salmon River.

Remarks: Mr. Jack Miller, Foreman for Machinery Center Inc,
1201 S. 6th W, Salt Lake City, Utah, in charge of present operations.

Spring only flowing approximately 3 inches at time of examination

This examination was made on the 25th day of September, 19 62

(Signed)

Lynn Johnson

Examiner.

20692

Misco P. C., INC., (formerly Calera Mining Co.)
Cobalt, Idaho
Edwin B. Douglas, Mine Manager
Permit No. 20695

Examination for Beneficial Use

County Lemhi

4-20N. -19E.

Q₂ 2.0 a.f.s.

S₂ Spring br.

N.W. 2. NW. SE., Sec. 4, T. 20N. - R. 19E. E. 1/4

W. 2. 11-4-53

Filed Oct. 8, 1948

Due Oct. 20, 1959

W. 2 11-4-53

no other right notes

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
OCT 3 1948

Department of Reclamation



500 FIFTH AVENUE / NEW YORK 36 / PENNSYLVANIA 6-5577

RECEIVED
APR 12 1961

Department of Reclamation

April 10, 1961

20695

Mr. Loy H. Johnson
Field Engineer
State of Idaho
Department of Reclamation
Room 107, State House
Boise, Idaho

Dear Mr. Johnson:

In reply to your letter of March 30 re Permits Nos. 20693 and 20694 (Water Filings), I am pleased to advise that Mr. C. Walker Lyon, Attorney, Viel Building, Salmon, Idaho, still will be available to show your Field Engineer around the Cobalt property.

You can contact Mr. Lyon direct in order to make the necessary arrangement.

Very truly yours,

F. A. McGonigle
Vice President

FAM:id
cc: Mr. W. Lyon

20695

March 30, 1961

Re: Permits No. 20693 & No. 20694⁵
(Water Filings)

Howe Sound Company
500 Fifth Avenue
New York 36, N. Y.

Dear Sirs:

With reference to a letter, under heading of Misco P. C., Inc., Cobalt, Idaho, dated June 22, 1960, stating any correspondence dated after June 30, 1960, should be mailed to the parent company, as you were closing the Cobalt office permanently; signed by H. R. Stewart.

Mr. Stewart suggested the field engineer contact Mr. C. Walker Lyons, Attorney, Viel Building, Salmon, Idaho, as he could show him over the ground at the time of the examination, if the examination was made after June 30, 1960.

We were unable to make the examination last year and would like to know if Mr. Lyons will be available to represent you to make the examination this year.

Very truly yours,

GEO. R. CARTER
State Reclamation Engineer

By:

LOY A. JOHNSON
Field Engineer

LHJ:ew

20695

Leo Bureau
Postmaster

MISCO P. C. INC.
CALERA MINING COMPANY
BLACKBIRD DIVISION
COBALT, IDAHO
June 22, 1960

RECEIVED
JUN 27 1960
Department of Reclamation

Mr. Geo N. Carter
State Reclamation Engineer
State of Idaho
Department of Reclamation
Boise, Idaho

Re: Permit No's. 20693 and 20695

Dear Mr. Carter:

We received your letter of May 31, 1960 by Mrs. Edna P. Rutledge, Chief Clerk, to Mr. E. B. Douglas formerly manager at this mine. In this letter you stated that a field examination by an engineer would be made regarding beneficial use on Permit No's. 20693 and 20695.

As we have not been contacted on this matter as yet I wish to advise that our office will be permanently closed here after June 30, 1960.

If the examination is not made by that date I would suggest that the field engineer contact Mr. C. Walker Lyons, attorney, Viel Building, Salmon, Idaho, who could show him over the grounds.

Any future correspondence after June 30, 1960 should be mailed to the parent company, namely
Howe Sound Company
500 Fifth Avenue
New York 36, New York

Yours very truly,

N. R. Stewart
N. R. Stewart

NRS:abd

cc: F. A. McGonigle
C. Walker Lyon

20695

June 7, 1960

Re: Permit Nos. 20693 - 20695⁶⁹
Misco P. C., Inc.

C
O
P
Y

C. Walker Lyon
Attorney at Law
Salmon, Idaho

Dear Mr. Lyon:

Enclosed herewith is the original certificate of completion of works you submitted with the affidavits of beneficial use of water and forms for amending the point of diversion and the point of use under Permit No. 20695.

The affidavits are acceptable if the enclosed forms for amending the point of diversion and the point of use of water are completed and returned to this office. Actually, the revised location are not too important in an unsurveyed area.

The Certificate of Completion of Works will not be changed as it has been on record since November, 1953.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS
Office Engineer

RT:ew

Enc. certificate
amendments (2)

20695

May 31, 1960

RE: Permit Nos. 20693 and 20695

Mr. Edwin B. Douglas
Mine Manager
Misco P. C., Inc.,
Cobalt, Idaho

Dear Mr. Douglas:

We acknowledge receipt of the Depositions of Holder and two witnesses, also affidavits of publication in the Recorder Herald, all submitted in proof of beneficial use on Permit Nos. 20693 and 20695.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR

20695

LAW OFFICES

C. WALKER LYON
SALMON, IDAHO

VIEL BUILDING

May 27, 1960

RECEIVED
MAY 3 11 1960
Department of Reclamation

SKYLINE 6-2814

Mrs. Edna P. Rutledge, Chief Clerk
Department of Reclamation
Boise, Idaho

Dear Mrs. Rutledge:

Inclosed herewith are the proofs of application of water to beneficial use of the Misco, P. C., Inc., formerly Calera Mining Company, for the waters of Blackbird Creek, Permit No. 20693, and for the waters of Spring Creek, Permit No. 20695, together with the affidavits of publication of notice by the Recorder Herald.

The hearings were duly held before me, as Notary Public, at Salmon, Idaho, on the 14th day of November, 1959, in accordance with the notice of hearing and, due to the fact that we had no forms to fill out we typed the required information, following the previous form, and hope this is satisfactory with your office.

I am also returning the original certificate of completion of works on Permit No. 20695, which Mr. Carter and Mr. Thompson wished to clarify as to the place of use of the water. We talked about this in the office in Boise and decided that after proof was the best time to make the completion conform to the proof.

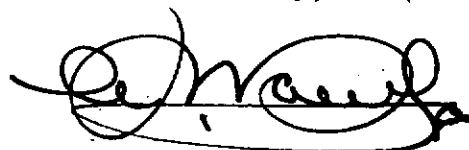
It has been determined by the engineers of the company that we are only safe in using the full Section Four as the place of use as proven because of the peculiar shape of the Cobalt townsite property which appears, until officially surveyed otherwise, to extend in all quarters of Section Four. Your consent to me to use Section Four in the notice was very beneficial.

I am late in filing these completed forms because I wanted to bring them with me to Boise but the other day when I was there I found that I had left the file at Salmon.

If you need any additional information or proof please write my office and we will submit the same.

Very respectfully,

CWL:li
Incls.


20695

PERMIT NO. 20695

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF HOLDER

RECEIVED
MAY 3 11960
Department of Reclamation

STATE OF IDAHO,)
COUNTY OF LEMHI.) ss

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

Ans. Edwin B. Douglas, of lawful age, residing at Cobalt, Idaho, by occupation Mine Manager, with postoffice address Cobalt, Idaho.

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

Ans. Acting in behalf of the corporation, Misco P. C., Inc., formerly Calera Mining Company, subsidiary of Howe Sound Company, with principal place of business in Idaho, at Cobalt, Idaho, and his authority for appearing in behalf of the applicant is by order of the Board of Directors of said company, being duly authorized.

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

Ans. Permit No. 20695, dated October 20, 1948, and date of priority to be established is October 8, 1948. (Late proof)

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

Ans. Source of supply is Spring Creek, which is tributary to Panther Creek, Lemhi County, Idaho; and the exact location of

20695

RT

the point of diversion is in unsurveyed North Half ($N\frac{1}{2}$) of Section Four (4), Township 20 N., Range 19 East, Boise Meridian, Lemhi County, Idaho.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. The diversion works consist of a ten-foot (10') high earth filled diversion dam and over three thousand (3,000) feet of four-inch (4") metal pipe, which is capable of conveying and taking all of the waters of said Spring Creek, and is conveyed through the Cobalt Townsite pipe line.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water). State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. The purpose for which the water was placed to beneficial use is domestic, irrigation and municipal uses and such water is used at the Cobalt Townsite in unsurveyed Section Four (4), Township Twenty (20) North, Range Nineteen (19) East of the Boise Meridian, Lemhi County, Idaho.

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

Ans. The water has been partially used to irrigate lawns and gardens of residents of Cobalt, Idaho, and was further used for domestic and all municipal purposes.

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

Ans. The minimum amount of water required for the uses above specified is the entire flow of the waters of said Spring Creek, which at times has to be supplemented by pumping the waters of Panther Creek; the waters of Spring Creek being estimated at approximately one cubic foot per second.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. Misco P. C., Inc., acquired Permit No. 20695 by assignment from the Calera Mining Company, duly filed in the office of the Department of Reclamation, Statehouse, Boise, Idaho.

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

Ans. The waters of Spring Creek have been used continuously since the year 1948 for the herein purposes and the entire flow of the waters of Spring Creek have been so used.

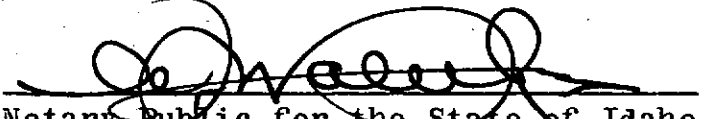
Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and all rights claimed thereunder.

Ans. When the waters of Spring Creek are insufficient they are supplemented with waters from said Panther Creek.

Edwin B. Hough

20695

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in the Viel Building, Salmon, County of Lemhi, State of Idaho, on this 14th day of November, A. D., 1959.


Notary Public for the State of Idaho,
Residing at Salmon, Idaho.

PERMIT NO. 20695

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF WITNESS:

RECEIVED
MAY 3 11960
Department of Reclamation

STATE OF IDAHO,)
) ss
COUNTY OF LEMHI.)

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

Answer. George B. Deacon, of lawful age, residence Cobalt, Idaho; occupation, chief accountant; postoffice address, Cobalt, Idaho.

Ques 2. Are you acquainted with Calera Mining Company and Misco, P. C., Inc., subsidiaries of Howe Sound Company, holder of Permit No. 20695? How long have you known said companies, and where is its principal place of business in Idaho.

Ans. I am acquainted with Calera Mining Company and Misco, P. C., Inc., subsidiaries of Howe Sound Company, holder of Permit No. 20695 and have been associated with such Howe Sound Companies since the year 1937. Principal place of business of said companies in Idaho is Cobalt, Idaho.

Ques. 3. Have you read or heard read said Permit No. 20695 and are you familiar with its provisions and conditions?

Ans. I have heard read said Permit No. 20695 and am familiar with its provisions and conditions.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. The source of water supply is Spring Creek, tributary to Panther Creek, Lemhi County, Idaho, with the place of diversion in the unsurveyed North Half (N $\frac{1}{2}$) of Section Four (4), Township 20 N., Range 19 East, Boise Meridian, and the works for conveying the water

20695

from the point of diversion to the place of use is an earth filled dam, through a four-inch metal pipe.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed.

Ans. An estimated one cubic foot per second of the waters of Spring Creek have been beneficially used and at all times all of the normal flow of said Spring Creek has been used and supplemented, when not sufficient, by waters from Panther Creek.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. The purpose for which the water is used is domestic, irrigation and municipal uses and the place of use is in the Cobalt Townsite in unsurveyed Section Four (4), Township Twenty (20) North, Range Nineteen (19) East of the Boise Meridian, Lemhi County, Idaho.

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

Ans. The water has been partially used to irrigate lawns and gardens of residents of Cobalt, Idaho, and was further used for domestic and all municipal purposes.

Ques. 8. (If for irrigation) State character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. The water has been partially used to irrigate lawns and gardens of residents of Cobalt, Idaho.

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

Ans. I have no interest in the works, in the waters or in the lands herein mentioned.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of the water diverted under said permit.

Ans. I have personally witnessed the use of said waters in said amounts since the month of March, 1955, by personally being present upon the herein described property.

George B Deacon

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in the Viel Building, Main Street, Salmon, County of Lemhi, State of Idaho, on this 14th day of November, 1959.

[Signature]
Notary Public for the State of Idaho,
Residing at Salmon, Idaho.

PERMIT NO. 20695

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE.

DEPOSITION OF WITNESS:

RECEIVED
MAY 3 11960
Department of Reclamation

STATE OF IDAHO,)
COUNTY OF LEMHI.) ss

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

Answer. N. Russell Stewart, of lawful age, residence Cobalt, Idaho; occupation, mill superintendent; postoffice address, Cobalt, Idaho.

Ques. 2. Are you acquainted with Calera Mining Company and Misco, P. C., Inc., subsidiaries of Howe Sound Company, holder of Permit No. 20695? How long have you known said companies, and where is its principal place of business in Idaho?

Ans. I am acquainted with Calera Mining Company and Misco, P. C., Inc., subsidiaries of Howe Sound Company, holder of Permit No. 20695 and have been associated with such Howe Sound Companies since the year 1936. Principal place of business of said companies in Idaho is Cobalt, Idaho.

Ques. 3. Have you read or heard read said Permit No. 20695 and are you familiar with its provisions and conditions?

Ans. I have heard read said Permit No. 20695 and am familiar with its provisions and conditions.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. The source of water supply is Spring Creek, tributary to Panther Creek, Lemhi County, Idaho, with the place of diversion in the unsurveyed North Half ($N\frac{1}{2}$) of Section Four (4), Township 20 N.,

20695

Range 19 East, Boise Meridian, and the works for conveying the water from the point of diversion to the place of use is an earth filled dam, through a four-inch metal pipe.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed.

Ans. An estimated one cubic foot per second of the waters of Spring Creek have been beneficially used and at all times all of the normal flow of said Spring Creek has been used and supplemented, when not sufficient, by waters from Panther Creek.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. The purpose for which the water is used is domestic, irrigation and municipal uses and the place of use is in the Cobalt Townsite in unsurveyed Section Four (4), Township Twenty (20) North, Range Nineteen (19) East of the Boise Meridian, Lemhi County, Idaho.

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

Ans. The water has been partially used to irrigate lawns and gardens of residents of Cobalt, Idaho, and was further used for domestic and all municipal purposes.

Ques. 8. (If for irrigation) State character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. The water has been partially used to irrigate lawns and gardens of residents of Cobalt, Idaho.

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

Ans. I have no interest in the works, in the waters or in the lands herein mentioned.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of the water diverted under said permit?

Ans. I have personally witnessed the use of said water in said amounts since the month of August, 1952, by personally being present at various times upon the herein described property and inspecting the use of the same.

H. Russell Stewart.

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, and that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in the Viel Building, Main Street, Salmon, County of Lemhi, State of Idaho, on this 14th day of November, 1959.

[Signature]
Notary Public for the State of Idaho,
Residing at Salmon, Idaho.

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:30 A. M. on the 14th day of November, 1959, at Viel Bldg., Salmon, County of Lemhi, State of Idaho, before C. Walker Lyon, Notary Public, proof will be submitted of the application to beneficial use of one cubic foot per second of the waters of Spring Creek in accordance with the terms and conditions of Permit No. 20695 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is Misco P. C., Inc. (formerly Calera Mining Company), subsidiary of Howe Sound Company, Cobalt, Idaho.

The use to which said water has been applied is domestic use.

The amount applied to beneficial use is one cubic foot per second.

The place where said water is used is at Cobalt Townsite, in unsurveyed Section 4, Township 20 North, Range 19 East Boise Meridian.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Cobalt Townsite pipe line.

The right to take water from such works is based upon Permit No. 20695.

The source of supply from which such water is diverted is Spring Creek, tributary to Panther Creek, Lemhi County, Idaho.

The date of priority which said user is prepared to establish is October 8, 1948.

GEO. N. CARTER
State Reclamation Engineer
20695 10-22-4tc

Affidavit of Publication

STATE OF IDAHO } ss.
County of Lemhi

RECEIVED
MAY 3 11960

Department of Reclamation

RONALD BURKE

being first duly sworn, deposes and says that he is one of the printers (publisher) of the RECORDER HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

NOTICE OF PROOF APPLICATION OF WATER

That the TO BENEFICIAL USE

a true printed copy of which is attached to the margin hereof, has been and was correct-

ly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for FOUR

consecutive issues, commencing with the issue dated Oct. 22 1959

and ending with the issue dated Nov. 12 1959

Ronald Burke

Subscribed and sworn to before me, this 12th

day of November 1959

John S. Blundin
Notary Public for the State of Idaho
Residing at Salmon, Idaho.

Publication Fee \$23.32

20695

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:30 A. M. on the 14th day of November, 1959, at Viel Bldg., Salmon, County of Lemhi, State of Idaho, before C. Walker Lyon, Notary Public, proof will be submitted of the application to beneficial use of one cubic foot per second of the waters of Spring Creek in accordance with the terms and conditions of Permit No. 20695 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is Misco P. C., Inc. (formerly Calera Mining Company), subsidiary of Howe Sound Company, Cobalt, Idaho.

The use to which said water has been applied is domestic use.

The amount applied to beneficial use is one cubic foot per second.

The place where said water is used is at Cobalt Townsite, in unsurveyed Section 4, Township 20 North, Range 19 East Boise Meridian.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Cobalt Townsite pipe line.

The right to take water from such works is based upon Permit No. 20695.

The source of supply from which such water is diverted is Spring Creek, tributary to Panther Creek, Lemhi County, Idaho.

The date of priority which said user is prepared to establish is October 8, 1948.

GEO. N. CARTER
State Reclamation Engineer

20695 10-22-4tc

Affidavit of Publication

STATE OF IDAHO } ss.
County of Lemhi }

NOV 1 6 1959

Department of Reclamation

RONALD BURKE

being first duly sworn, deposes and says that he is one of the printers (publisher) of the RECORDER HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

NOTICE OF PROOF APPLICATION OF WATER

That the

TO BENEFICIAL USE

a true

printed copy of which is attached to the margin hereof, has been and was correctly

printed and published in the regular and entire issue of every number of said

newspaper and not in any supplement thereof or thereto for four

consecutive issues, commencing with the issue dated Oct. 22, 1959

and ending with the issue dated Nov. 12, 1959

Ronald Burke

12th

Subscribed and sworn to before me, this

day of November, 1959

Geo. N. Carter
Notary Public for the State of Idaho,
Residing at Salmon, Idaho.

Publication Fee \$ 23.32

20695

November 12, 1959

RE: Permit No. 20693
20695

C. Walker Lyon
Attorney
Salmon, Idaho

Dear Mr. Lyon:

Enclosed are assignments executed by E. B. Douglas of Calera Mining Company under Permit No. 20693 and 20695.

Also enclosed is departmental receipt No. 29859 for the \$1.00 fee for recording the assignments.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR:mr
Enc. assignments
receipt

cc to E. B. Douglas
Cobalt, Idaho

See Deed in 20693

20695

LAW OFFICES
C. WALKER LYON
SALMON, IDAHO

VIEL BUILDING

RECEIVED
OCT 28 1959
Department of Reclamation
SKYLINE 6-2814

October 26, 1959

20693
20695

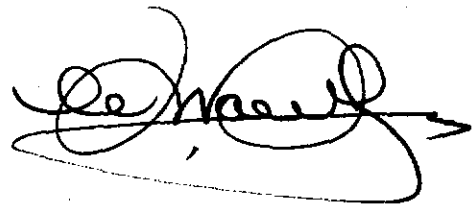
Mrs. Edna P. Rutledge, Chief Clerk
Department of Reclamation
State of Idaho
State House
Boise, Idaho

Dear Mrs. Rutledge:

Received your letter of October 23 enclosing
the blank assignments, for which we thank you.

As you have requested, I am enclosing the
first publication of the two notices which appeared
in the Recorder Herald, Salmon, Idaho, Thursday,
October 22, 1959.

Very respectfully,



CWL/dr

Encl.

20693

A S S I G N M E N T

For value received, I hereby assign my right, title, and interest
in and to Permit to Appropriate the Public Waters of the State of Idaho,
No. 20695 to MISCO P. C., INC. (Subsidiary of Howe Sound Company)
of Cobalt, Idaho
*

CALERA MINING COMPANY

Permit Holder

BY E. B. Douglas

~~Wife of Permit Holder~~

Authorized Agent

State of Idaho)
 : ss
County of LEMHI)

On this 21st day of October, 1959, before me, a Notary Public
for the State of Idaho, residing at Salmon, Idaho,
personally appeared E. B. Douglas, residing at Cobalt, Idaho, duly auth-
orized agent of Calera Mining and Company
known to me to be the person whose name is subscribed to the within instru-
ment, and duly acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
Notorial Seal, the day and year in this certificate first above written.

My commission expires 2-27-60

[Signature]
Notary Public, residing at
Salmon, Idaho.

*
If fractional part of permit is to be assigned, the same fractional part of
the land to which the assigned fraction is appurtenant should be shown.

20695

October 23, 1959

Re:
Permits No. 20693 & 20695
Calera Mining Co.

C. Walker Lyon
Attorney at Law
Salmon, Idaho

Dear Mr. Lyon

We acknowledge receipt of copies of the legal notices in regard to proof of beneficial use of water under the two permits. Kindly request the Recorder Herald to send us a copy of the first publication for checking.

Enclosed is a supply of assignment forms which can be used. If you must write the assignment kindly make it as short as possible.

There is a fee of \$0.50 for recording each assignment on our form. There is an additional charge for longer assignments.

Very truly yours,

J. L. CHASE
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

RT:LFM:ew
Enc. assignment forms

20695

21

LAW OFFICES
C. WALKER LYON
VIEL BUILDING
SALMON, IDAHO

RECEIVED
OCT. 23 1959
Department of Reclamation

CITY ATTORNEY

PHONE 2814

October 21, 1959

Mrs. Edna P. Rutledge, Chief Clerk
Department of Reclamation
State of Idaho
Boise, Idaho

Dear Mrs. Rutledge:

Inclosed herewith are the filled in Notices of Proof of Application of Water to Beneficial Use, which we discussed over the telephone to-day, together with the letters authorizing the publication in the Recorder Herald, to be charged to the Misco P. C., Inc.

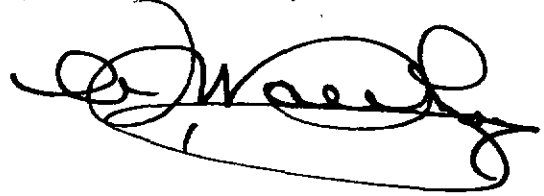
As I informed you we have taken the liberty of placing this publication in the Thursday, October 22, 1959, issue of the Recorder Herald and have asked that it be published four weeks.

As to the place where the water is used: You will notice that I have placed it in unsurveyed Section 4 because we find, from the Company records and the County Assessor's records, that Homestead Entry Survey No. 71, where the water is used, runs along Panther Creek through this Section 4. We have an abstract to the Townsite but even the Government patent does not give any approximate location and only ties the property to an established monument.

We are obtaining the assignments made from the Calera Mining Company to Misco P. C. Inc., and will send them to you at the time of proof, or before.

Thanks for your kind cooperation in helping me in this matter.

Very respectfully,



CWL:li

Incls.

20695

RECEIVED
OCT 23 1959
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 20, 1959

(P. O.) Salmon, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

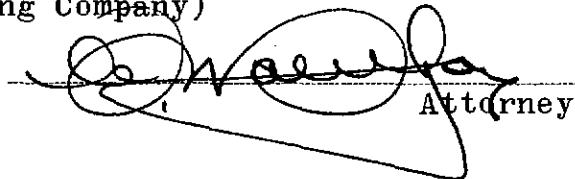
Recorder Herald of Salmon, Idaho published in

the county in which the works are situated.

Lemhi Co.

MISCO P. C., Inc. (formerly Calera
Mining Company)

By


Attorney

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

20693

RT

RECEIVED
OCT. 23 1959
Department of Reclamation

NOTICE FOR RECORDATION
**NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 10:30 A. M. on the 14th day of November, 1959,
at Viel Bldg., Salmon, County of Lemhi, State of Idaho, before
C. Walker Lyon, Notary Public, proof will be submitted of the
application to beneficial use of one ^(2.0) cubic feet per second of the waters of Spring Creek
in accordance with the terms and conditions of Permit, No. 20695
heretofore issued by the Department of Reclamation of the State of Idaho.

? The name and postoffice address of the person or corporation holding said permit are Misco P. C.,
Inc. (formerly Calera Mining Company), subsidiary of Howe Sound Company,
Cobalt, Idaho.

The use to which said water has been applied is domestic use.

The amount applied to beneficial use is one cubic feet per second

The place where said water is used ~~(if for irrigation, give full and accurate description of the lands irrigated)~~ ^{veyed} is
at Cobalt Townsite - in unsurveyed Section 4, Township 20 North, Range 19
East Boise Meridian

The name of the canal or ditch or other works by which said water is conducted to such place of use is

Cobalt Townsite pipe line

The right to take water from such works is based upon Permit No. 20695

The source of supply from which such water is diverted is Spring Creek, tributary to
Panther Creek, Lemhi County, Idaho.

The date of priority which said user is prepared to establish is October 8, 1948.

State Reclamation Engineer.

20695

RT

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RE: Permit No. 20695

Date August 1, 1959

Calera Mining Co.
Cobalt, Idaho

Dear Sir:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. 20695 is due not later than Oct. 20, 1959. If by this date you are not prepared to make this proof, you may make it at a later date, however, your priority will be advanced the same length of time for which the proof is late.

Before this proof can be made, the statutory requirement is that a Notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county.

We enclose Form 10, in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date or before the time you intend to make proof. This form, in duplicate, is to include the time of day, the date (allowing for four weeks publication), the name of the town, the address of the Notary Public before whom you will appear to make the depositions of proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use or lands which are irrigated--by 40-acre legal land description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your Notice is published.

Also enclosed is Form 11, which is the authorization for us to have the Notice published in the designated county newspaper, at your expense. This is to be returned with Forms 10.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set and at the place named, before the Notary Public, as advertised in the publication notice.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

Enc.

Form 10-11-Instructions

20695

November 4, 1953

RE: Permits Nos. 20693 and 20695

Calera Mining Company
Cobalt
Idaho

Gentlemen:

We enclose Certificate of Completion of Works issued on Permit No. 20693, for the diversion of 1.5 second feet of water from Blackbird Creek for mining, milling and domestic purposes.

We also enclose Certificate of Completion of Works issued on Permit No. 20695 for the diversion of 1 second foot of water from Spring Creek for domestic use on the NW 1/4 Section 4, Township 20 North, Range 19 East, B.M.

We also enclose departmental receipts Nos. 26273 and 26299 for \$5.00 each in payment of fees for proof of completion of works on these two permits.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

20695

Permit No. 70695

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Lemhi

ss.

Calera Mining Company

, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 20695, and that his postoffice address is Cobalt (formerly Forney)

State of Idaho

Second: That the name of the stream from which said water is to be diverted is Spring Creek

Third: That the point of diversion of said water is 3500 feet distant from the Southeast corner of Section 4, T.20N R. 19E

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by October 20, 1953

Fifth: That the use for which said water is intended is Domestic

Sixth: That on the date above mentioned, the works constructed under said permit were (~~never used~~) fully completed and consisted of the following:

I. Kind of works: 10 Foot Diversion Dam & Over 3000 Feet of 4 inch Iron Pipe
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam 10 feet, length of dam at top 60 feet, length of dam at bottom 20 feet. Material used in construction Concrete and Earth

(State whether wood, earth, stone or concrete)

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

(c) Size of headgate: Width feet, height feet 4 Inch Pipe

(d) Conduit width at bottom feet, width at water line 4 Inch Pipe
(State whether ditch, flume or pipe)

feet, depth of water 5 feet; diameter of pipe 4 inches, average grade per mile is 100 feet. Length of conduit is .6 miles.

Seventh: That said works are capable of conducting to the place of intended use 1 second feet of water.

✓ Eighth: That water appropriated under said permit is available for none acres of land described as follows:

Ninth: Remarks: That The water is used Domestically in the homes in Cobalt, Idaho. The place of use is approximately 3,000 feet distant from the NE Corner of Section 4, T. 20 N., R 19 E. B.M. in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 4, T 20 N R 19 E B.M.

(Sign Here)

Subscribed and sworn to before me this 8 day of OCTOBER, 1953

My commission expires July 25, 1956

Notary Public.

20695

✓
October 27, 1953

Re: Permits Nos. 22693, 22694, and 22673

Salera Mining Company
Cobalt
Idaho

ATTN: Mr. E. B. Douglas, Manager

Dear Mr. Douglas:

We acknowledge receipt of your letter of October 8, 1953, enclosing proof of completion of work on Permits Nos. 22693 and 22673. We return both of these affidavits in order that you may state under Question 8, or Question 9, the legal description of the place where the water is used. We note your statement that this is answered in Question 9, but what is required is the legal description.

Since Permit No. 22353 covers the water from Shoshone Creek, it will not be necessary to proceed to make proof on Permit No. 22694.

In order to clear our records, will you please execute and return the enclosed form of relinquishment for Permit No. 22694.

Very truly yours,

JOHN R. WILF
State Reclamation Engineer
BY

Chief Clerk

A:23
Enc.

20695

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

August 1, 1953

INSTRUCTIONS

Calera Mining Company
Forney
Idaho

PROOF OF COMPLETION OF WORKS

Boise, Idaho

Dear Sir:-

Under the terms of your Permit No. 20695.....you are required to complete your diversion works on or before October 20, 1953..... I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

MARK R. KULP

State Reclamation Engineer

20695

October 23, 1948

Re: Permits Nos. 20694, 20695 & 20696

Mr. C. Welker Lyon
Viel Building
Salmon, Idaho

Dear Mr. Lyon:

We enclose herewith Permits Nos. 20694, 20695 and 20696 in the name of the Calera Mining Company, together with Departmental Receipt No. 20941 for the \$16.25 filing fee, and direct their attention to the limitations and conditions of said permits as given on the fourth page under approval of the State Reclamation Engineer.

On Permits Nos. 20695 and 20696 it will be necessary to submit plans and specifications for approval by the State Reclamation Engineer before construction is commenced. This is in accordance with Section 41-1507, Idaho Code Annotated, a reprint of which is enclosed.

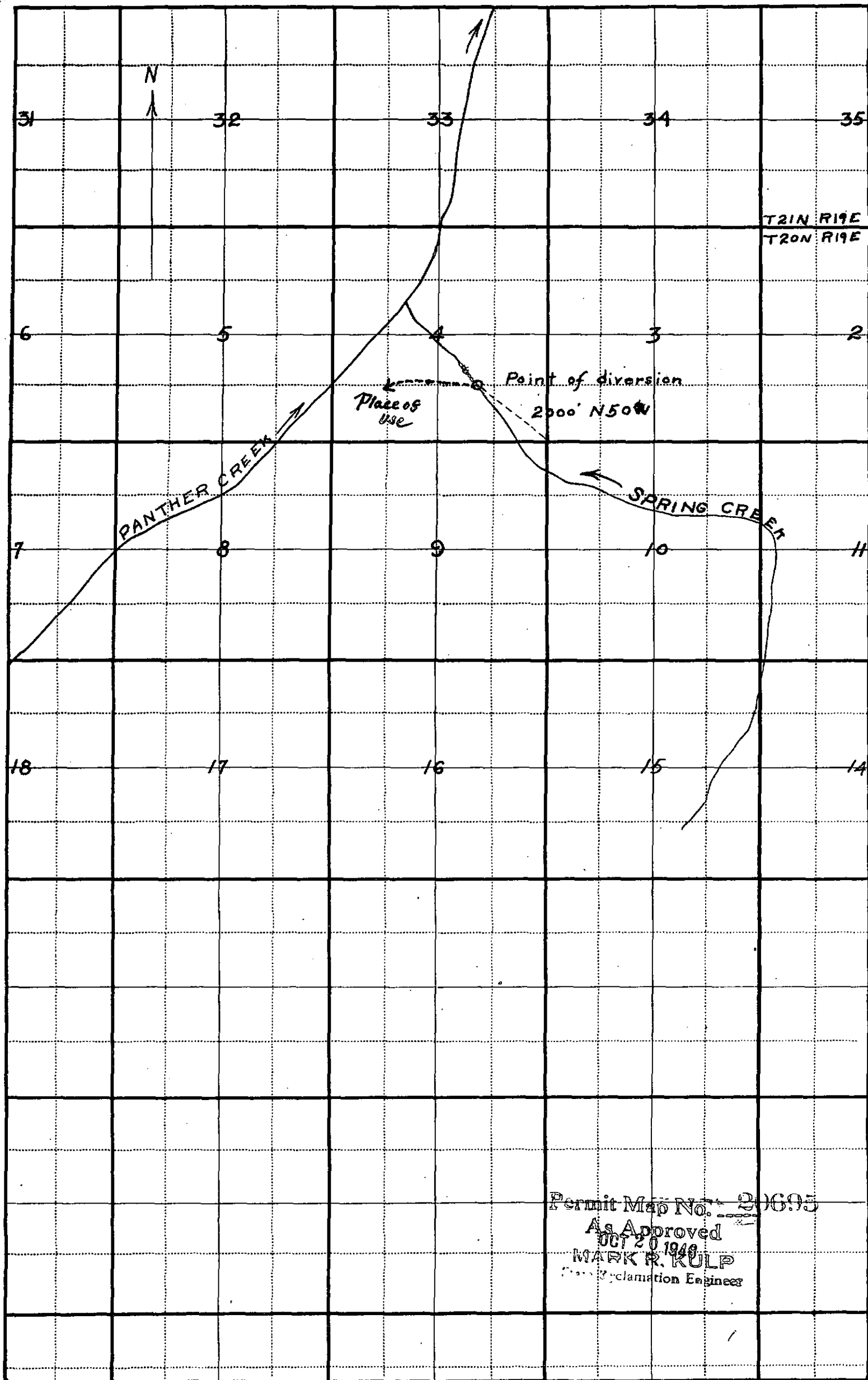
Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt
Encls.

20695



NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:30 A. M. on the 14th day of November, 1959, at Viel Bldg., Salmon, County of Lemhi, State of Idaho, before C. Walker Lyon, Notary Public, proof will be submitted of the application to beneficial use of one cubic foot per second of the waters of Spring Creek in accordance with the terms and conditions of Permit No. 20695 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is Misco P. C., Inc. (formerly Calera Mining Company), subsidiary of Howe Sound Company, Cobalt, Idaho.

The use to which said water has been applied is domestic use.

The amount applied to beneficial use is one cubic foot per second.

The place where said water is used is at Cobalt Townsite, in unsurveyed Section 4, Township 20 North, Range 19 East Boise Meridian.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Cobalt Townsite pipe line.

The right to take water from such works is based upon Permit No. 20695.

The source of supply from which such water is diverted is Spring Creek, tributary to Panther Creek, Lemhi County, Idaho.

The date of priority which said user is prepared to establish is October 8, 1948.

GEO. N. CARTER
State Reclamation Engineer
10-22-4tc

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:30 A. M. on the 14th day of November, 1959, at Viel Bldg., Salmon, County of Lemhi, State of Idaho, before C. Walker Lyon, Notary Public, proof will be submitted of the application to beneficial use of one cubic foot per second of the waters of Spring Creek in accordance with the terms and conditions of Permit No. 20695 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is Misco P. C., Inc. (formerly Calera Mining Company), subsidiary of Howe Sound Company, Cobalt, Idaho.

The use to which said water has been applied is domestic use.

The amount applied to beneficial use is one cubic foot per second.

The place where said water is used is at Cobalt Townsite, in unsurveyed Section 4, Township 20 North, Range 19 East Boise Meridian.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Cobalt Townsite pipe line.

The right to take water from such works is based upon Permit No. 20695.

The source of supply from which such water is diverted is Spring Creek, tributary to Panther Creek, Lemhi County, Idaho.

The date of priority which said user is prepared to establish is October 8, 1948.

GEO. N. CARTER
State Reclamation Engineer
10-22-4tc

MON, LEMHI COUNTY

LEGAL ADVERTISING

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 14th day of November, 1959, at Viel Bldg., Salmon, County of Lemhi, State of Idaho, before C. Walker Lyon, Notary Public, proof will be submitted of the application to beneficial use of 1.5 cubic feet per second of the waters of Blackbird Creek in accordance with the terms and conditions of Permit No. 20693 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is Misco P. C., Inc. (formerly Calera Mining Company), subsidiary of Howe Sound Company, Cobalt, Idaho.

The use to which said water has been applied is mining, milling and domestic.

The amount applied to beneficial use is one and one-half cubic feet per second.

The place where said water is used is the cobalt-copper mill situated on Blackbird Creek in approximate SE 1/4 of Section 28, Township 21 North, Range 18 East Boise Meridian.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Calera pipe line.

The right to take water from such works is based upon Permit No. 20693.

The source of supply from which such water is diverted is Blackbird Creek, which is a tributary of Panther Creek, Lemhi County, Idaho.

The date of priority which said user is prepared to establish is October 8, 1948.

GEO. N. CARTER
State Reclamation Engineer
10-22-4