

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 Gobalt, 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. 21, 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 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.

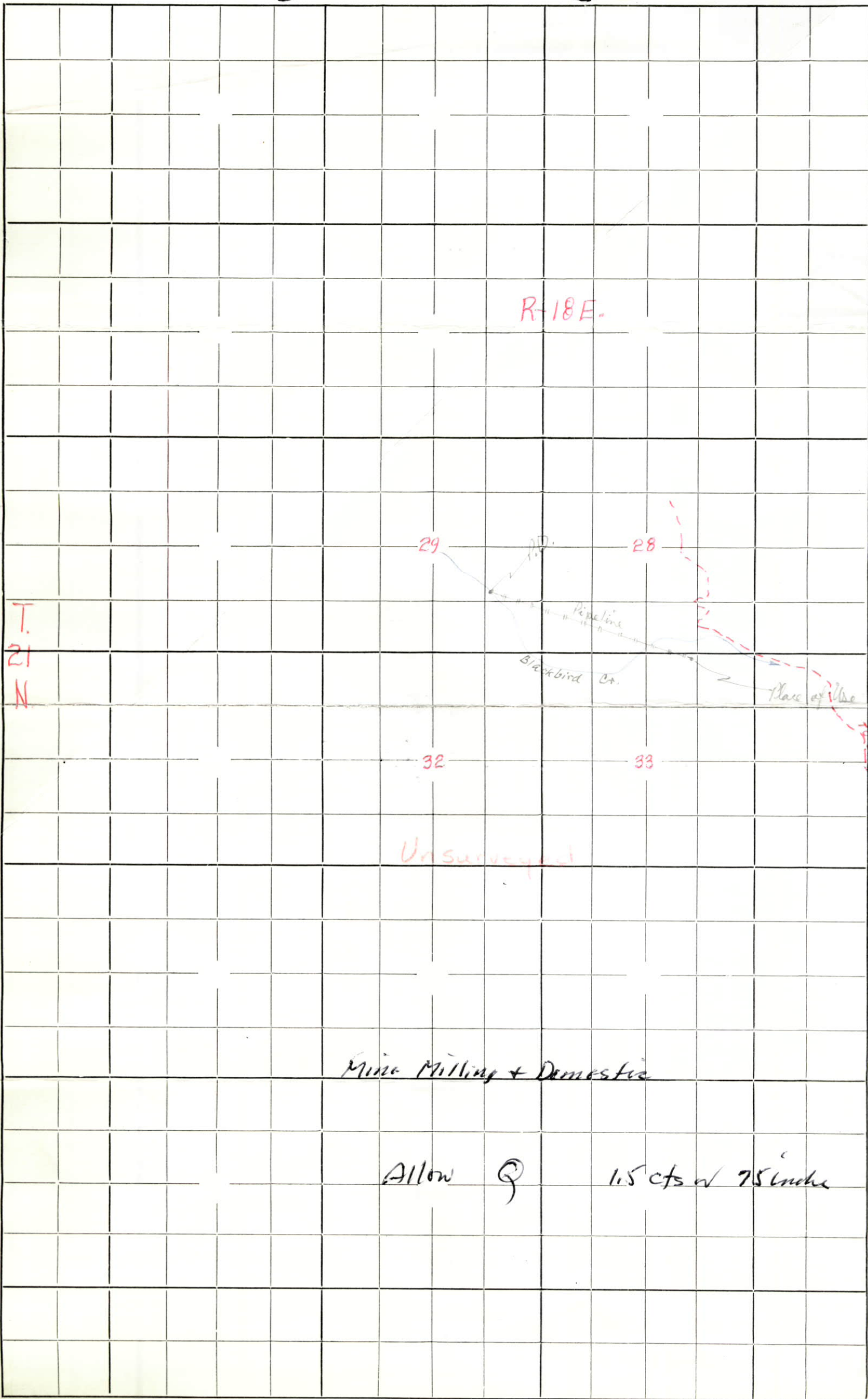
WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

26th day of October, 1962.

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

(SEAL)

77-2101
75-2177



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 $\frac{1}{4}$ 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

20693

10-22-4tc

RECEIVED
MAY 3 1960

Affidavit of Publication

STATE OF IDAHO } ss.
County of Lemhi

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 \$ 23.76

20693

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 $\frac{1}{4}$ 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
20493 10-22-4tc

Affidavit of Publication

STATE OF IDAHO } ss.
County of Lemhi

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.

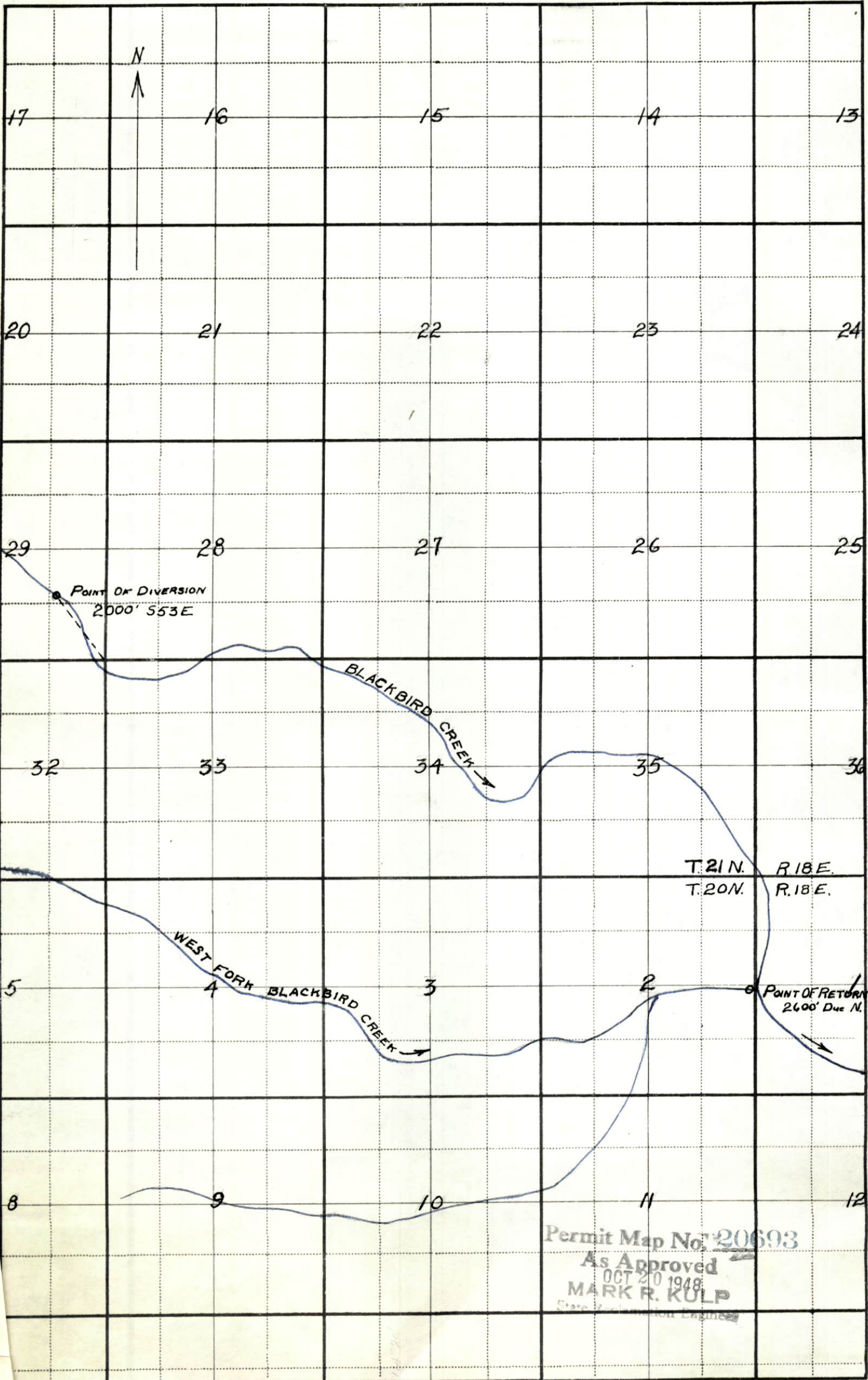
Ronald Burke

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

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

Publication Fee \$ 23.76

20693



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, 1940

THIS IS TO CERTIFY that CALEBA NIELSEN COMPANY - Assignee - MACLEARY CENTER, INC.
of Forney, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated October 8, 1950; 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, 1953, CALEBA NIELSEN COMPANY - Assignee - MACLEARY CENTER, INC.

of Coosaw, Idaho, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Forney Creek,
a tributary of Forney Creek, for the purpose of irrigation 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

2 of Licenses at page 1503, on the 26th day of October, 1962;

The right hereby confirmed dates from November 2, 1940;

The Point of Diversion is located

in the SE 1/4 Sec. 14, Sec. 29, Tp. 21, R. 10 E, B. M. North 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 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 H. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

77-2101
75-2177

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

77-2101

APPLICATION No. 28334
 PERMIT No. 20693
 DISTRICT No.

1. Name of Applicant: CALERA MINING COMPANY

Postoffice address: Forney

County: Lemhi

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation: April 3, 1902- Jersey City, Hudson County, N. J.

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

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

(d) Names and addresses of directors: E. B. 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 N. Y. stock exchange,
Listed with Dun & Bradstreet

2. Quantity of water claimed 4.5

cubic feet per second.

3. Source of water supply: Blackbird Creek

which is a tributary of Panther Creek

4. Location of point of diversion: 2000

feet distant from the Southeast

corner of Section 29, T. 21 N., R. 18 E., B.M., and is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 29, T. 21 N., R. 18 E., B.M., County of Lemhi

5. Water is to be used for Mine, mill, and domestic

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

(a) Point of use of water: 2000 feet distant from S E corner of Section 28

T. 21 N., R. 18 E., B.M., in the SE $\frac{1}{4}$ of Section 28, T. 21 N., R. 18 E., B.M.

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

(c) Water is to be returned to Blackbird Creek at a point 2600 feet

distant from the S W corner of Section 1, T. 20 N., R. 18 E., B.M., in the SW $\frac{1}{4}$

of Section 1, T. 20 N., R. 18 E., B.M.

7. Estimated cost of works: \$ 20,000.00

8. Kind of works: Dam and pipe

9. Height of dam 30 feet; length of dam at top 340 feet; length of dam at bottom 30

feet; material used in dam: Earth

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 3.5 miles.

Average grade per mile 320 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 20693

Recorded in Book 74 Page 20693 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

STATE OF IDAHO

Countersigned:

(SEAL)

By C. A. ROBINS

Governor.

Secretary of State.

REMARKS:

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
							Permit No. 20693												
							CERTIFICATE OF COMPLETION OF WORKS												
TO ALL WHOM IT MAY CONCERN:																			
. This is to certify that CALERAMINING COMPANY of Cobalt, County of Lemhi, and State of Idaho, the holder of Per No. 20693, issued upon Application No. 28334 bearing date of priority of October 8, 1948, authorizing the diversion second feet of the waters of Blackbird Creek, a tributary of Panther Creek, County of Lemhi, State of Idaho, for min milling and domestic pusposes, has fully complied with the provisions of the laws of the state of Idaho relating to proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for verting and conveying to the place of intended use 1.5 second feet of the waters of Blackbird Creek; that the point diversion of said waters is located about 2,000 feet from the Southeast corner of Section 29, Township 21 North, Ran East, B.M., and that the place of use of said water is approximately 1300 feet distant from the Northeast corner of 33, Township 21 North, Range 18 East, B.M.																			
Witness my hand this 4th day of November, A. D. 1953.																			
MARK R. KULP State Reclamation Engineer																			
Proof of Completion of Works made September 16, 1953. Certificate of Completion of Works issued November 4, 1953.																			
LICENSE ISSUED FOR 5 SEC. FL.																			

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. 20693 to MISCO P. C., INC. (Subsidiary of Howe Sound Company) of Cobalt, Idaho

CALERA MINING COMPANY
Permit Holder

By
/s/ E. B. Douglas
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 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 Notarial 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. 20693 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 1.5 SEC. FT.
Page 7503

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 20693 1 75-2127
OTd No. New No.

Record

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

2. Address:

3. City: Cobalt State: Id Zip:4. A. Source of Water: Blackbird 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: 1.5

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>NESE</u>	<u>29</u>	<u>21N</u>	<u>18E</u>		

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

from _____ to _____ for I purposes. Amount 1.5
(cfs or AC-FT/yr)from _____ to _____ for D purposes. Amount _____from _____ to _____ for X purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

October 26, 1962

RE: Permit Nos. 20693, 20695

J. W. 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,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. licenses 2
receipts 2

20693

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

20693

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 25, 1962

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

Re: Permit No. 20693 and 20695

Dear Mrs. Rule:

We are enclosing our check in the amount of \$1.00 and the assignments of the above permits from Misco P. C., Inc., in accordance with your letter of October 16th.

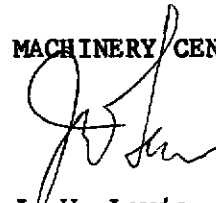
The \$1.00 will cover the filing fee for each permit; we have previously remitted the license fee. Your acknowledgment of the recording will be very much appreciated.

As I understand this gives us the right to the water which is on the property in question. Is this the same as a patented mining claim?

Your help is very much appreciated.

Yours very truly,

MACHINERY CENTER, INC.



J. W. Lewis
Treasurer

JWL bam
Enclosures

20693

October 16, 1962

Re: Permits No. 20693; 20695
Misco P. C., Inc. (Subsidiary of
Howe 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. C., Inc. (Subsidiary of Howe 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,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. assignment forms

20693

400 - June 20-62

State of Idaho
DEPARTMENT OF RECLAMATION

Boise, Idaho

October 4, 1962

Re: Permit No. 20693

F. A. McGonigle, Vice President
Howe Sound Company
500 Fifth Avenue
New Your 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. 20693 shows the dam and pipe line is capable of conveying 75 miner's inches, or 1.5 c.f.s. of water for mine, mill and domestic use. ~~20706.~~

Upon receipt of the statutory fees of \$ 5.00 ~~based on 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 1.5 second feet of surface water with the point of diversion
in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, T. 21 N., R. 18 E., B.M. from Blackbird Creek
for mine, mill and domestic use in the SE $\frac{1}{4}$, Sec. 28, T. 21 N., R. 18 E., B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

20693

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 20693

REPORT ON PROOF OF Beneficial Use

Edwin B. Douglas, Mine Manager
Misco P. C., Inc., (formerly Calera Mining Co.)
Cobalt, Idaho

T.
21
N

R-18E.

29

28

32

33

Pipeline

Blackbird Cr.

Flow at base

U. Survey

Miner Milling + Domestic

Allow Q 1.5 cfs w/ 75 inches

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 20693This proof is for Beneficial Use In Water District No. _____1. Name of applicant Misco P. Co., Inc.,2. Source of water supply: Blackbird Creek3. Location of point of diversion: Is in the NE 1/4 of Section 29T. 21 N R. 18 E.B.M. County of Lemhi4. Describe works as they exist, giving dimensions and capacities of same: Reservoir

Creek is Rectangle shape with 3:1 slope all around inside and Concrete lined. 300' long x 120' wide 13' at outlet end and 5' deep at inlet end. 1' free board. Spillway 17' wide on top, 11' wide on bottom 2' deep, a 5' x 5' x 12' 3 sided concrete tower with wood flash board to control water level. A 3/4" concrete tile outlet in bottom that extends the full length.

5. Water is used for: Mine, mill and domestic6. 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):

SE 1/4 Sec. 28., Twp. 21 N., Rge. 18 E.B.M.

of Mill site to open Creek Channel below Mill site for flood control 6" steel main from Reservoir to Mill. There is a 25 HP Ingersoll-Rand Centrifical Pump booster at toe of Reservoir. Westinghouse Motor # 1558093 Pump # 0855268 - 6" inlet + 4" outlet to 6" main to mill 75' or 100' head. Estimate Res capacity as 1,000,000 gallon.

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

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

Remarks: Mr. Jack Miller, (Foreman for Machinery Center, Inc. 1201 S. 6th W, Salt Lake City, Utah) along

Estimate 30 inches in Black bird Creek below Mill site at time of examination.

This examination was made on the 25th day of September, 1962(Signed) Larry Johnson Examiner.

20693

Misco P. Co., Inc.,
Cobalt, Idaho

(Edwin B. Douglas, Mine Manager)

Permit No. 20693

Examination for Beneficial Use

County Lemhi

29-21N.-18E.

Q₂ 4.5 c.f.s.

S₂ Blackbird Cr.

P.D. = NE.S.E.; Sec. 29, T. 21N. - R. 18E. 3M.

Use = Mine, Mill, and Domestic

Filed = Oct. 8, 1948

Due = Oct. 20, 1959

Delayed B/H proof

Y/W. =

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 1952

Department of Reclamation

March 30, 1961

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

20694 is relinquished
B

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

Dear Sirs:

With reference to a letter, under heading of Minco 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 M. R. Stewart.

Mr. Stewart suggested the field engineer contact Mr. C. Walker Lyons, Attorney, Vial 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. N. CARTER
State Reclamation Engineer

By:

LOY H. JOHNSON
Field Engineer

LHJ:ew

20693

June 7, 1960

Re: Permit Nos. 20693 - ⁶⁹20965
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)

20693

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

20693

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 SE¼ 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

20693

10-22-4tc

RECEIVED
MAY 3 11966

Affidavit of Publication

STATE OF IDAHO } ss.
County of Lemhi }

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**, 19**59** and ending with the issue dated **Nov. 12**, 19**59**.

Ronald Burke

Subscribed and sworn to before me, this **12th** day of **November**, 19**59**

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

Publication Fee \$ **23.75**

20693

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 SE¼ 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
10-22-4tc

20493

Affidavit of Publication

STATE OF IDAHO }
County of Lemhi } ss.

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, 19 59 and ending with the issue dated Nov. 12, 19 59

Ronald Burke

Subscribed and sworn to before me, this 12th day of November, 19 59.

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

Publication Fee \$ 23.76

20693

PERMIT NO. 20693

RECEIVED
MAY 3 11960

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE.

Department of Reclamation

DEPOSITION OF HOLDER

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. 20693, dated October 20, 1948, and date of priority to be established is October 8, 1948. (Late)

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

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

20693

RT

of the point of diversion is in unsurveyed SE $\frac{1}{4}$ of Section 29,
Township 21 N., Range 18 East, Boise Meridian.

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 an earth filled dam approximately nine (9) feet high by thirty-five (35) feet at the top and twenty (20) feet at the bottom, from which the water is diverted by a six-inch (6") metal pipe, through which at least one and five-tenths (1.5) cubic feet per second of the waters of Blackbird Creek are capable of being conveyed from the point of diversion to the place of use and the name of the water conduit is Calera 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 is used is mining,
milling and domestic use and the place of use is in the unsurveyed
SE $\frac{1}{4}$ of Section 28, Township 21 North, Range 18 East Boise Meridian.

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

Ans. The water has been used in a flotation mill with a capacity of twenty-four hundred (2400) tons per twenty-four (24) hours, a portion for mining and a portion for domestic use to various buildings and structures.

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

Ans. The minimum amount of water required was the total run of Blackbird Creek estimated to be about one and one-half ($1\frac{1}{2}$) cubic feet per second, which must be supplemented from the waters of the West Fork of Blackbird Creek, Blackbird Creek proper waters not being sufficient for the use, and right is claimed to the entire flow of Blackbird Creek.

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. 20693 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.

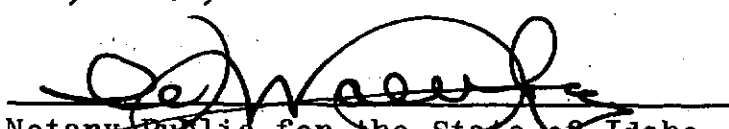
Ans. Such water has been used continuously since June 5, 1951, in the entire amount of Blackbird Creek for said milling, mining and domestic use.

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. Water has been supplemented for use from the West Fork of Blackbird Creek.

Edwin B. Douglas

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.

RECEIVED
MAY 3 11960

PERMIT NO. 20693

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE.

DEPOSITION OF WITNESS:

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

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. 20693? 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. 20693 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. 20693 and are you familiar with its provisions and conditions?

Ans. I have heard read said Permit No. 20693 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 Blackbird Creek, tributary to Panther Creek, Lemhi County, Idaho, with the place of diversion in the unsurveyed $SE\frac{1}{4}$, Section 29, Township 21 North,

20693

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 six-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 and one-half ($1\frac{1}{2}$) cubic feet of the waters of Blackbird Creek have been beneficially used and at all times all of the normal flow of said Blackbird Creek has been used and supplemented, when not sufficient, by waters from the West Fork of Blackbird 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 mining, milling and domestic use and the place of use is in the unsurveyed SE $\frac{1}{4}$ of Section 28, Township 21 North, Range 18 East Boise Meridian.

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 used in a flotation mill with a capacity of twenty-four hundred (2400) tons per twenty-four (24) hours, a portion for mining and a portion for domestic use to various buildings and structures.

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. Such water was not used upon cultivated land for irrigation.

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.

PERMIT NO. 20693

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
MAY 3 11960
Department of Reclamation

DEPOSITION OF WITNESS:

STATE OF IDAHO,)
COUNTY OF LEMHI.) ss

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. 20693? 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. 20693 and have been associated with such Howe Sound Companies since the year 1937.

Ques. 3. Have you read or heard read said Permit No. 20693 and are you familiar with its provisions and conditions?

Ans. I have heard read said Permit No. 20693 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 Blackbird Creek, tributary to Panther Creek, Lemhi County, Idaho, with the place of diversion in the unsurveyed SE $\frac{1}{4}$ of Section 29, Township 21 North,

20693

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 six-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 and one-half ($1\frac{1}{2}$) cubic feet of the waters of Blackbird Creek have been beneficially used and at all times all of the normal flow of said Blackbird Creek has been used and supplemented, when not sufficient, by waters from the West Fork of Blackbird 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 mining, milling and domestic use and the place of use is in the unsurveyed SE $\frac{1}{4}$ of Section 28, Township 21 North, Range 18 East Boise Meridian.

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 used in a flotation mill with a capacity of twenty-four hundred (2400) tons per twenty-four (24) hours, a portion for mining and a portion for domestic use to various buildings and structures.

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. Such water was not used upon cultivated land for irrigation.

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.

20693

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

20693

LAW OFFICES
C. WALKER LYON
VIEL BUILDING
SALMON, IDAHO

RECEIVED
NOV 6 1959
Department of Reclamation

CITY ATTORNEY

PHONE 2814

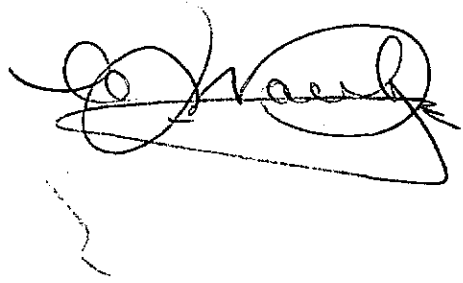
November 5, 1959

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

Dear Mrs. Rutledge:

I hand you herewith two copies of assignment of Water Permit No. 20693 from the Calera Mining Company to Misco P. C., Inc. (Subsidiary of Howe Sound Company) and two copies of assignment of Permit No. 20695 from the Calera Mining Company to Misco P. C., Inc. (Subsidiary of Howe Sound Company), together with my check in the amount of \$1.00 for recording.

Very respectfully,



CWL:li

Incls.

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. 20693 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 24th day of October, 19 59, 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 are 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
Notarial 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.

20693

October 23, 1959

Re:
Permits No. 20693 & 20695

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,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

RT:EPR:ew
Enc. assignment forms

20693



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

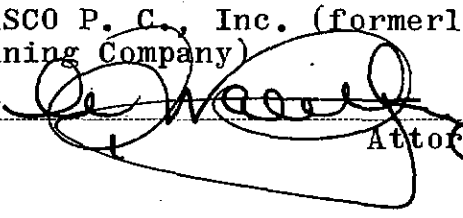
Recorder Herald

of Salmon, Idaho

published in

the county in which the works are situated.

Lenah E.
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

R

RECEIVED
OCT. 23 1959

Department of Reclamation

**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 ^(4.5) 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 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 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 (if for irrigation, give full and accurate description of the lands irrigated)

is the cobalt-copper mill situated on Blackbird Creek in approximate
SE $\frac{1}{4}$ 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
tributary of Panther Creek, Lemhi County, Idaho.

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

State Reclamation Engineer.

20693

RTY

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RE: Permit No. 20693

Date Aug. 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. 20693 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

20693

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 NW¹ SE¹ 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.

20693

CALERA MINING COMPANY

BLACKBIRD DIVISION

COBALT, IDAHO

October 30, 1953

RECEIVED
NOV 3 1953

Department of Reclamation

Mr. Mark R. Kulp, State Reclamation Engineer
Department of Reclamation
State of Idaho
Boise, Idaho

Re: Permits Nos. 20693, 20694,
and 20695

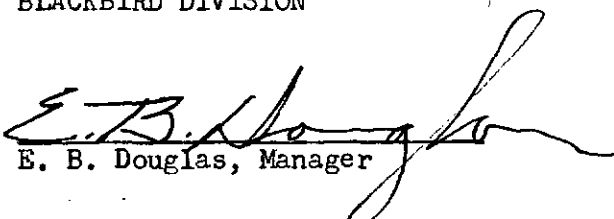
Dear Mr. Kulp:

This will acknowledge your letter of October 27, 1953, in which you point out that in submitting our proof of completion of works on Permits Nos. 20693 and 20695, that we omitted giving the legal description under Question 8 or 9.

We regret this omission, and accordingly are returning herewith the corrected proofs. Likewise enclosed herewith is the relinquishment form for Permit No. 20694.

Yours very truly,

CALERA MINING COMPANY
BLACKBIRD DIVISION


E. B. Douglas, Manager

EBD:ac

Enclosures

20692

Permit No. 20693

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. 20693, 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

Blackbird Creek

Third: That the point of diversion of said water is 2,000 feet from Southeast Corner of Sec. 29, T21R18E B.M. Located in S.E. 1/4 Sec. 29, T21N R18 E B.M.

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 Milling and Domestic Use.

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

I. Kind of works: Dam and Pipeline

(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam 9 feet, length of dam at top 35 feet, length of dam at bottom 20 feet. Material used in construction Earth with Lodge Pole

Facing

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet. 25,000 Gallons.

(c) Size of headgate: Width feet, height feet. 6-inch Pipe.

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

feet, depth of water 6 feet; diameter of pipe 6 inches, average grade per mile is 320 feet. Length of conduit is 0.7 miles.

Seventh: That said works are capable of conducting to the place of intended use 1.5 second feet of water.

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

Ninth: Remarks: That Water will be used in Milling Cobalt-Copper Ore. Approximately 4 Tons of Water are consumed per Ton of Ore Milled. The place of use is approximately 1,300 feet distant from the NE corner of Section 33 T. 21 N. R. 18 E. B.M. in the NW 1/4 NE 1/4 of Section 33. T. 21 N. R. 18 E. B.M.

Calera Mining Co.
E. B. Forney Agent
(Sign Here)

Subscribed and sworn to before me this 16 day of September, 1953

My commission expires July 25, 1956

Notary Public.

20693

October 27, 1953

RE: Permits Nos. 20693, 20694, and 20695

Calera Mining Company
Cobalt
Idaho

ATT: Mr. E. B. Douglas, Manager

Dear Mr. Douglas:

We acknowledge receipt of your letter of October 8, 1953, enclosing proof of completion of works on Permits Nos. 20693 and 20695. 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 Meadow Creek, it will not be necessary to proceed to make proof on Permit No. 20694.

In order to clear our records, will you please execute and return the enclosed form of relinquishment for Permit No. 20694.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

20693

CALERA MINING COMPANY

BLACKBIRD DIVISION

COBALT, IDAHO

October 8, 1953

RECEIVED
OCT 12 1953

Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Dear Sir:

Enclosed please find Proof of Completion of Works
on Permit 20693 and 20695.

On Permit 20693 which you returned for completion
of question 8, we have inserted (None). The use of this
water is described in question 9.

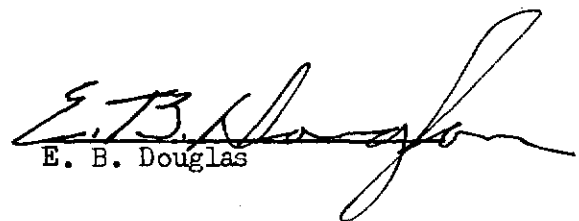
Examination of Permit No. 20694 discloses that two
applications were made for Meadow Creek, one dated in your
office, September 1, 1951 which is numbered 22353, the other
dated October 8, 1948 and numbered 20694. Your Mr. Humphrey
made final examination of this work on September 10, 1953.

In view of the above please advise if it is
necessary to submit Proof on Permit 20694.

Fee for Permit No. 20695 is enclosed.

Yours very truly,

CALERA MINING COMPANY
BLACKBIRD DIVISION


E. B. Douglas

EBD:abd
Encl.

20693

October 3, 1953

RE: Permit No. 20693

Calera Mining Company
Cobalt, Idaho

ATT: Mr. E. B. Douglas, Manager

Gentlemen:

On September 22, we returned your affidavit submitted in proof of Completion of Works on Permit No. 20693 for certain corrections.

To date it has not been returned, and it is important that you give the matter your prompt attention.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/re

20693

September 22, 1953

Re: Permit No. 20693

Calera Mining Company
Cobalt, Idaho

ATT: Mr. E. B. Douglas, Manager

Gentlemen:

We acknowledge receipt of your letter of September 14, 1953 enclosing affidavit in proof of Completion of Works on Permit No. 20693, also for your check for the \$5.00 fee in connection therewith.

We return the affidavit in order that you may describe the place of use under Question 8.

We enclose four other copies of form No. 6, as requested.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/re

20693

CALERA MINING COMPANY

BLACKBIRD DIVISION

COBALT, IDAHO

September 14, 1953

RECEIVED
SEP 19 1953
Department of Reclamation

Mr. Mark R. Kulp, State Reclamation Engineer
Department of Reclamation
State of Idaho
Boise, Idaho

Dear Mr. Kulp:

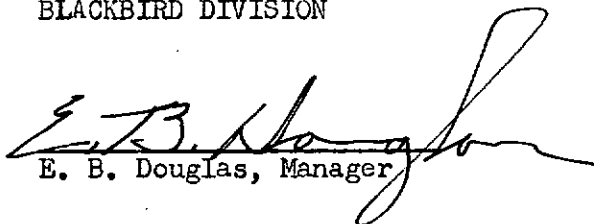
We are enclosing herewith Affidavit of Holder - Proof of Completion of Works for Permit No. 20693.

Your Mr. E. N. Humphrey visited this property September 10, and called to our attention that our tailings dam across the West Fork of Blackbird Creek requires a State of Idaho permit. Accordingly, will you please forward the required forms in order that we may comply with all regulations.

In connection with filing proof of completion on Permit Nos. 20694 and 20695, please send us four additional Forms 6 "Proof of Completion of Works." We prepared the report on Permit No. 20693 in triplicate, thus using all the forms furnished.

Very truly yours,

CALERA MINING COMPANY
BLACKBIRD DIVISION


E. B. Douglas, Manager

EBD:ac

Enclosures

cc: Permit No. 20694
cc: Permit No. 20695

20693

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. 20693 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

20693

20693

October 23, 1948

Re: Permits Nos. 20694, 20695 & 20696

Mr. C. Walker 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.

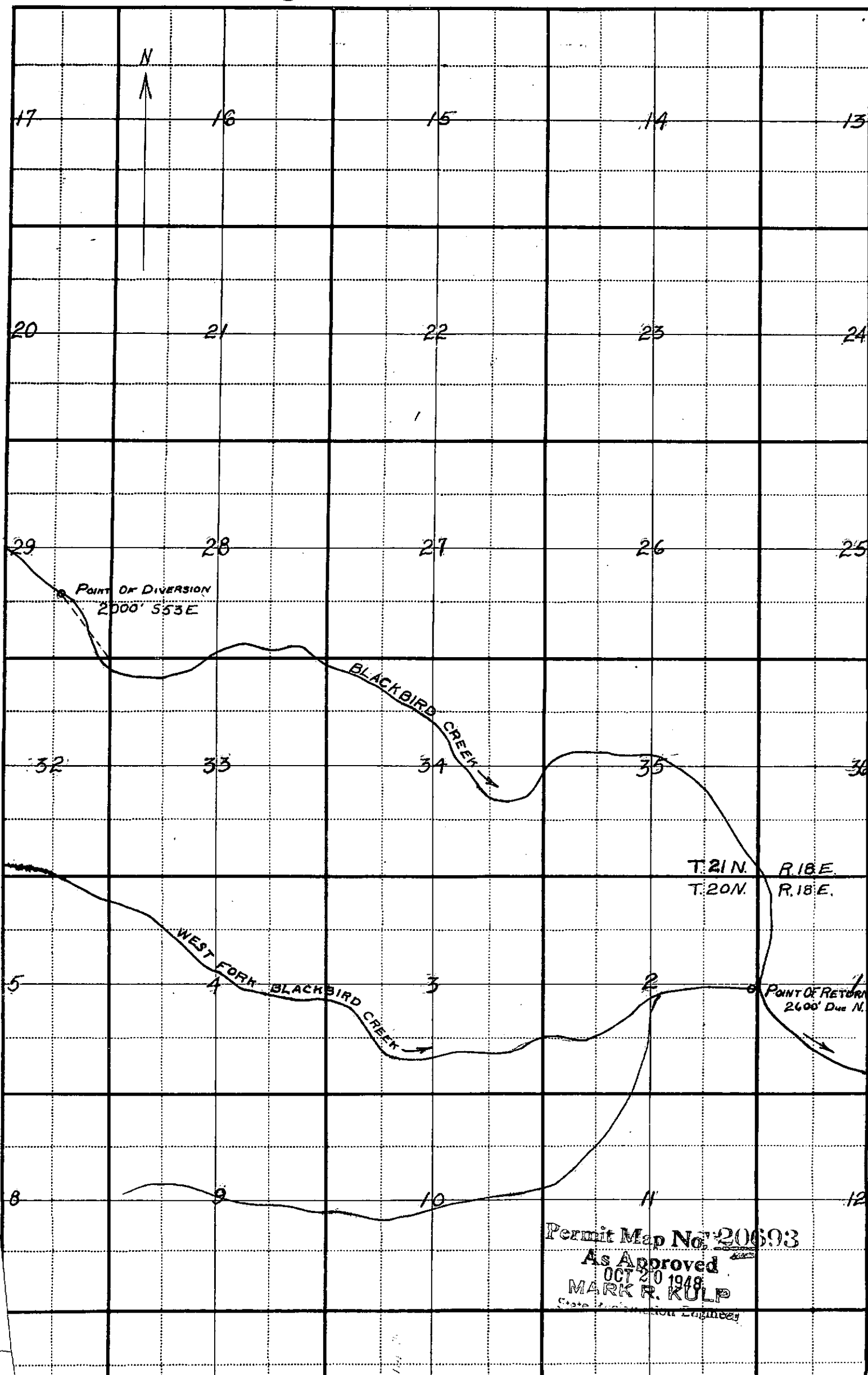
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt
Encls.

20692



LAW OFFICES
C. WALKER LYON
VIEL BUILDING
SALMON, IDAHO

OFFICE CITY ATTORNEY

October 15, 1948

PHONE 74

Department of Reclamation
State of Idaho
Boise, Idaho

Dear Mr. Thompson:

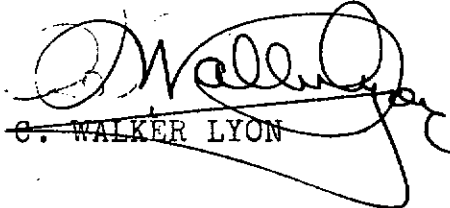
I received your letter of the 8th with respect to the three applications of the Calera Mining Company, Forney, Idaho, to appropriate waters of Blackbird Creek, Meadow Creek, and Spring Creek.

As to questions No. 12 and 13 of the three applications, I think No. 12 should be answered "on or before five years" and No. 13, "on or before six years". The reasons for taking the maximum time is that extensive construction must be completed to use the water and when this can be done will probably depend upon the war situation.

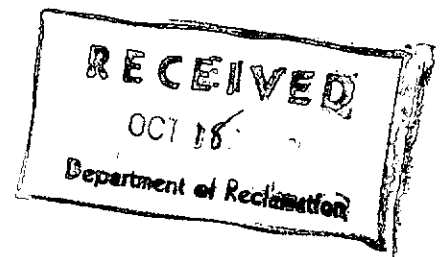
In the application on Spring Creek for domestic purposes, the water is to be used at the Southwest Quarter of Section 4, Township 20 North, Range 19 E.B.M.

Should you wish any further information, please write my office and I thank you for helping us complete these applications.

Very truly yours,


C. WALKER LYON

CWL:wb



20693

October 8, 1948

Mr. C. Walker Lyon, Attorney
Viel Building
Salmon, Idaho

Dear Mr. Lyon:

We wish to acknowledge receipt of three Applications for Permit to Appropriate the Public Waters of the State of Idaho, signed by the Calera Mining Company, of Forney, Idaho.

In checking over the said applications it was found that you failed to answer questions No. 12, "The time required for the completion of such works?" and No. 13, "The time required for the complete application of the water to the proposed use is --- additional years." Also the application filing on domestic water from Spring Creek and the accompanying sketch map failed to show place of use.

We will complete said applications by addition of the above stated information with your permission upon receiving same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

T/rb

20693

LAW OFFICES
C. WALKER LYON
VIEL BUILDING
SALMON, IDAHO

OFFICE CITY ATTORNEY

October 6, 1948

PHONE 74

Idaho Department of Reclamation
Boise, Idaho

Gentlemen:

Enclosed herewith are three Applications For Permit to Appropriate Public Waters of the State of Idaho of the Calera Mining Company, Forney, Idaho, one for 4.5 cubic feet of Blackbird Creek, one for 2 cubic feet of Spring Creek, one for 1 cubic foot of Meadow Creek, all of Lemhi County, Idaho. A check is also enclosed in the amount of \$16.25 as application fees.

After approval, you may return the applications to my office and also any correspondence may be directed there also concerning the enclosed permits.

Very truly yours,


C. WALKER LYON

CWL:wb
enc.: 4



MON, LEMHI COUNTY, ID.

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 $\frac{1}{4}$ 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

10-22-4tc