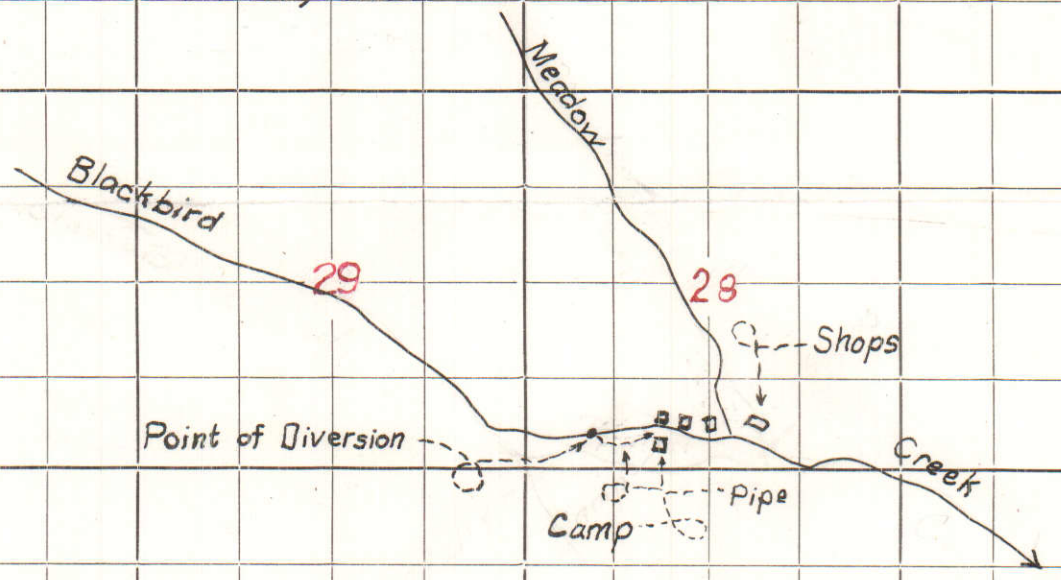


T. 21 N., R. 18 E.



Affidavit of Publication

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11:00 A. M. on the 5th day of October, 1948, at Salmon, County of Lemhi, State of Idaho, before C. Walker Lyon, Notary Public, proof will be submitted of the application to beneficial use of .5 cubic feet per second of the waters of Blackbird Creek in accordance with the terms and conditions of Permit No. 18514 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said

permit are CALERA MINING COMPANY, Forney, Idaho.

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

The amount applied to beneficial use is .5 cubic ft. per second.

The place where said water is used the confluence of Blackbird and Meadow Creeks in approximate unsurveyed Section 21, Township 21 North of Range 18 E. B. M.

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

The right to take water from such works is based upon Permit No. 18514

The source of supply from which such water is diverted is Blackbird Creek.

The date of priority which said user is prepared to establish is September 18, 1937.

18514 MARK R. KULP
State Reclamation Engineer
Pub. 9-9-4tc

STATE OF IDAHO,
County of Lemhi,

ss.

Keith Banette, 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 of application

.....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 9/19, 1948

and ending with the issue dated 9/30, 1948

Keith Banette

Subscribed and sworn to before me, this 6th

day of October, 1948

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

Publication Fee \$ 10.25

18514

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

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18514

MARK R. KULP
State Reclamation Engineer

lb. 9-9-4tc

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

February 3

, 1943

Re: Permit No. 18514

To Howard Sims & J. C. Sims

Salmon, Idaho

It appearing to the Commissioner of Reclamation that the terms and conditions of Permit No. 18514
to appropriate the Public Waters of the State of Idaho, have not been complied with as to

Completion of Works October 5, 1942

you are hereby notified in compliance with Sec. 41-311, Idaho Code Annotated that said Permit No. 18514

is hereby held for cancellation.

You are hereby required to show cause before the Commissioner of Reclamation on or before forty days
from date of this notice why said Permit should not be cancelled.

Said Permit No. 18514 claims the use of 2.5 cubic feet per second of the
waters of Blackbird Creek (2 sec.ft.) and Meadow Creek (.5 sec.ft.)
approximately Section 21, Twp. 21 North, Range 18 East, B.M. (Unsurveyed), and

was approved October 5, 1937

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, this

3rd

February

, 1943

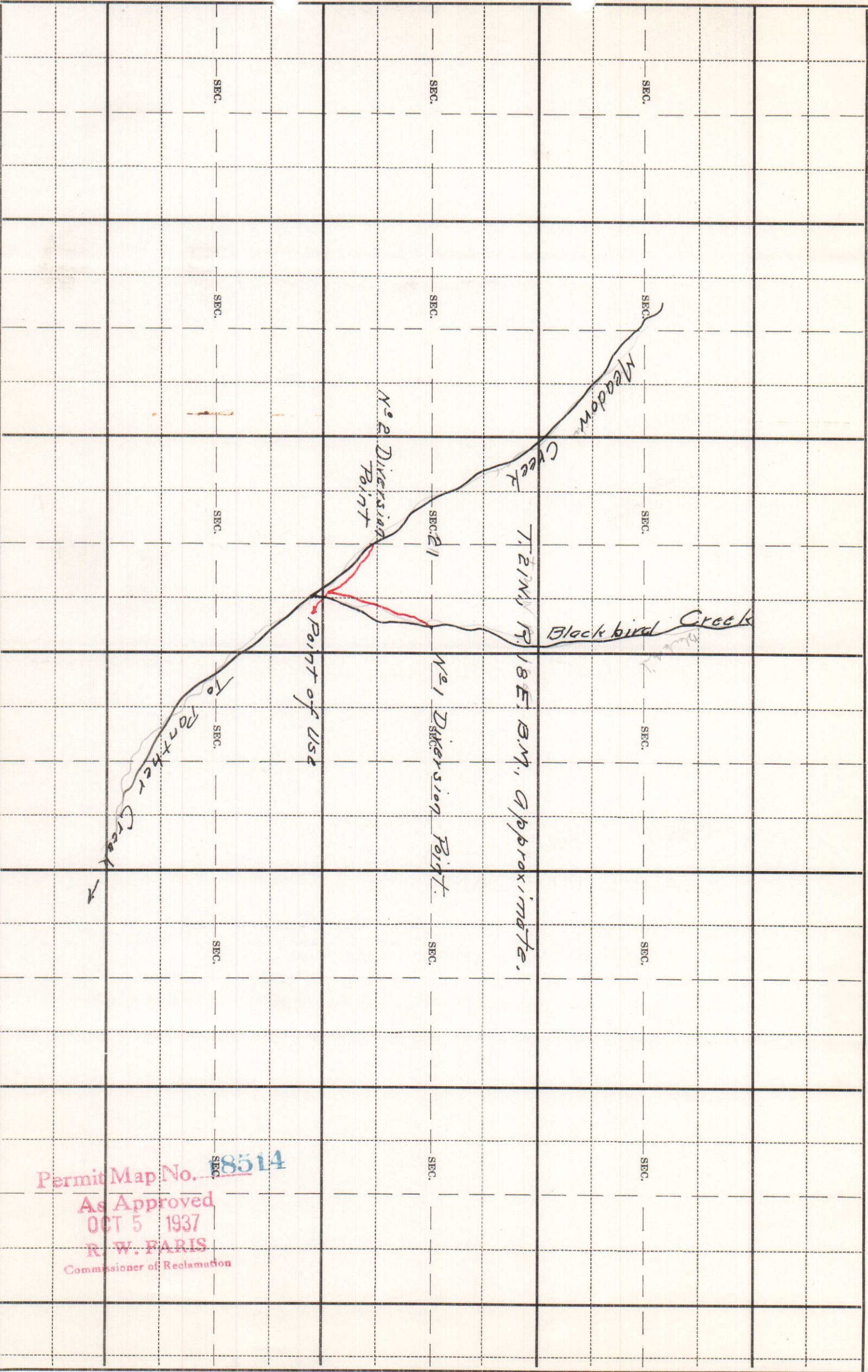


Commissioner of Reclamation.

By

Assistant.

18514



Permit Map No. 8514

As Approved
OCT 5 1937

R. W. FARIS
Commissioner of Reclamation

State of Idaho

Amount 0.5 second foot

Priority September 18, 1937

THIS IS TO CERTIFY that HOWARD SIMS and J. G. SIMS

THE CALERA MINING COMPANY, Assignee,

Creek , a tributary of Panther Creek , for the purpose of mining, milling and domestic use , under Use Permit No. 18514 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 8 of Licenses at page 4528 , on the 20th day of March , 1950 ;

The Point of Diversion is located in Unsurveyed Section 28

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 0.5 cubic feet per second.

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
At the confluence of Blackbird and Meadow Creeks, in unsurveyed Section 28, Township 21 North, Range 18 East, B.M.					

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
20th day of March, 1950.

State Reclamation Engineer

75 209.1

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 25857
Permit No. 18514
District No.

1. Name of Applicant: Howard Sims & J. G. Sims

Postoffice address Salmon

County: Lemhi

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
(b) Amount of capital stock:
(c) Amount paid in:
(d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
(c) Bonds to be issued:

- (b) Treasury stock:
(d) Other resources:

2. Quantity of water claimed: $2\frac{1}{2}$ cubic feet per second.

3. Source of water supply: Blackbird Creek 2 Sec. ft.
Meadow Creek 0.5 Sec. ft. which is a tributary of Panther Creek

4. Location of point of diversion: No. 1- $\frac{1}{2}$ mile above confluence of Blackbird Creek and Meadow Creek
feet distant from the
No. 2- $\frac{1}{4}$ mile above the same confluence.
corner of Section , T. , R. , B. M., and is in the
in approximate section 21, T. 21 N., R. 18 E. B. M., Unsurveyed land
of Section , T. , R. , B. M., County of Lemhi

5. Water is to be used for: Mining & milling.

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

(a) Point of use of water: At confluence of Blackbird Creek & Meadow Creek.
feet distant from corner of Section

T. 21 N, R. 18 E , B. M., in ~~the~~ of Section 21 , T. , R. , B. M.

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

(c) Water is to be returned to Blackbird Creek at ~~a point~~ confluence of Blackbird Creek & ~~the~~
Meadow Creek.

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

7. Estimated cost of works: \$ 1,000.00

8. Kind of works: Open ditch, flume, Pipe, & headgate

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width 2 feet; height 2 feet.

11. Ditch: Width at bottom 2 feet; width at water line 3 feet; depth of water 1
feet; dimensions of flume: 2 x 2 feet

Diameter of pipe 8 inches; length of conduit $\frac{1}{2}$ mile & $\frac{1}{4}$ miles.

Average grade per mile 10 feet.

12. The time required for the completion of such work is 2 years.

13. The time required for the complete application of the water to the proposed use is 1 additional years.

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

15. (a) Is reservoir to be used? ☐ No ☐ Yes 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 waters of the State of Idaho as herein set forth.

Howard Sims and J. G. Sims *Applicant.*

By A. E. FERGUSON *Agent.*

Date of first receipt at Department of Reclamation: 1:00 P. M., Sept. 18, 1937.

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18514
Recorded in Book 67 Page 18514 Approved Oct. 5, 1937
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 4, 1937 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 October 5, 1938
The whole of said work to be completed on or before October 5, 1939
Beneficial use of water appropriated in accordance herewith, to be made on or before October 5, 1940

Witness my hand this 5th day of October, 1937.

R. W. FARIS
Commissioner of Reclamation.

Remarks: Two cubic feet per second is to be used from Blackbird Creek, and one-half cubic foot per second from Meadow Creek, which does not flow any large amount of water. The conduit from Meadow Creek is to be all pipe, and that of Blackbird Creek is to be open ditch and some flumes.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
			In testimony whereof, we, BARZILLA W. CLARK, Governor of the State of Idaho, and IRA H. MASTERS, Secretary of State of the State of Idaho, have hereunto 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 5th day of October, 1937. (SEAL) Countersigned: By IRA H. MASTERS Secretary of State STATE OF IDAHO By BARZILLA W. CLARK Governor APPROVAL OF COMMISSIONER OF RECLAMATION. I, Commissioner of Reclamation of the State of Idaho, hereby expend the time for the completion of construction work under Permit to appropriate the Public Waters of the State of Idaho, No. 18514, to October 5, 1942. Witness my hand this 26th day of September 1939. James Spofford Commissioner of Reclamation																

JAMES SPOFFORD
State Reclamation Engineer

A S S I G N M E N T

For value received, I hereby assign all my right, title, and interest in and to Permit To Appropriate the Public Waters of the State of Idaho, No. 18514 to Celere Mining Company, a foreign corporation authorized to do business in the State of Idaho, of Forney, Idaho.

J. Howard Sims signs in his own right and also with Jessie Sims Stine as the two heirs and devisees of James G. Sims, Deceased. Decree recorded in Book 36 of Deeds at page 582, Records of Lemhi County, Idaho.

JAMES G. SIMS

BY

J. Howard Sims, Permit Holder

Marjorie E. Sims, Wife of Permit Holder

Jessie Sims Stine

STATE OF IDAHO)
) ss.
County of Lemhi)"

On this 23rd day of August, 1948, before me, a Notary Public for the State of Idaho, residing at Salmon, Idaho, personally appeared J. Howard Sims, Marjorie E. Sims, Jessie Sims Stine, known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they 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.

C. Welker Lyon

Notary Public, residing at Salmon, Idaho

My commission expires February 27, 1952.

Received and filed for record in the Department of Reclamation,
at Boise, Idaho, at 9:00 A. M. September 2, 1948
Mark R. Kulp
State Reclamation Engineer

LICENCE FOR THE RIVER 0.51 SEC. FT.

p. 4522

- DATA ENTRY -

Record

Present Owner: Calera Mining Co.

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

from _____ to _____ for ~~#1~~ purposes. Amount .5
(cfs or AC-FT/yr)

from _____ to _____ for D X purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

10179

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. P/D + P/U S.28, T21N, R18E.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

X/mining & milling

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 18514

F. Proof Made (P or blank):

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

H. Conditions of Approval:

14. Diversion Means (brief narrative):

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

Notice is hereby give at at 11:00
A. M. on the 5th da. of October,
1948, at Salmon, County of Lemhi,
State of Idaho, before C. Walker Ly-
on, Notary Public, proof will be sub-
mitted of the application to bene-
ficial use of .5 cubic feet per second
of the waters of Blackbird Creek in
accordance with the terms and condi-
tions of Permit No. 18514 heretofore
issued by the State Reclamation En-
gineer of the State of Idaho.

The name and postoffice address of
the person or corporation holding said
permit are CALERA MINING COM-
PANY, Forney, Idaho.

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

The amount applied to beneficial
use is .5 cubic ft. per second.

The place where said water is used

the confluence of Blackbird and Mea-
dow Creeks in approximate unsurvey-
ed Section 21, Township 21 North of
Range 18 E. B. M.

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

The right to take water from such
works is based upon Permit No. 18514.

The source of supply from which
such water is diverted is Blackbird
Creek.

The date of priority which said user
is prepared to establish is September
18, 1937.

MARK R. KULF

State Reclamation Engineer
Sub. 9-4 etc

18514

IDAHO MINING COMPANY
100 ERIEVIEW PLAZA - 36TH FLOOR
CLEVELAND, OHIO 44114

INVOICE DATE	DESCRIPTION	INVOICE NUMBER	INVOICE AMOUNT	DISCOUNT	BALANCE
1/24/69	Copies of Licenses and Certificates of water rights				\$1.50

DETACH THIS STUB BEFORE CASHING

45-2094
18514

January 17, 1969

#75-2117

J. D. McAuliffe
Manager
Idaho Mining Company
P. O. Box 514
Cobalt, Idaho 83229

Dear Mr. McAuliffe:

Enclosed please find the copies requested by your letter of January 14, 1969.

There is \$1.50 fee for these copies which you may remit to our office.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ajw

Enclosure

rec'd #2579
mailed

18514
75-2094

C
O
P
Y

RECEIVED

JAN 17 1969

Department of Reclamation

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18514
45-2094

December 24, 1968

RE: License No. 18514, 22031, 22353 and R-924

Idaho Mining Company
J. D. McAuliffe, Manager
P. O. Box 514
Cobalt, Idaho 83229

Dear Mr. McAuliffe:

The licensed rights mentioned in your letter of December 6, 1968 are still on file in our office and in good standing. They have been re-numbered but otherwise they are still appurtenant to the place of use and for the purpose licensed. Once a license has been issued then they pass from one owner to another in legal transactions such as deeds, contracts, etc. None of the licenses have been changed to the Machinery Center or the Idaho Mining Company. The first license, 18514 (75-2094) is in the name of Howard Sims and J. G. Sims; all the others are in the name of Calera Mining Company.

We have filed a copy of your letter in each of the folders showing you are the present owners of the licenses.

It is not our office policy to decide abandonment. This would have to be done through the courts. Since we have not been so advised, the present licenses could be used by your company without further modification.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

18514
75-2094

Idaho Mining Company

P. O. BOX 514

COBALT, IDAHO - 83229

December 16, 1968

Idaho State Reclamation Service
Boise
Idaho

Gentlemen:

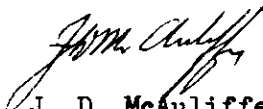
We have been reviewing licenses and certifications of water rights which were formerly held by Calera Mining Company at the Blackbird Mine in Cobalt, Idaho. We note that there were the following:

- (1) License No. 18514 - dated March 20, 1950 ⁷⁵⁻²⁰⁹⁴
Blackbird Creek ^{Howard Sims and J.G. Sims}
Maximum useage 0.5 cubic feet per second
For mining, milling and domestic use
- (2) License No. 22031 - dated October 29, 1953 ⁷⁵⁻²¹⁰⁶
Westfork Creek ^{Calera Mining Company}
Maximum useage 0.69 cubic feet per second
For mining and milling
- (3) License No. 22353 - dated October 29, 1953 ⁷⁵⁻²¹¹⁷
Meadow Creek ^{Calera Mining Company}
Maximum useage 0.11 cubic feet per second
For mining
- (4) License No. R-924 - dated May 13, 1954 ^{Calera Mining Company}
Blackbird Creek
Maximum capacity of 10 acre feet per annum
For settling pond for mill tailings

At the present time we are conducting a development program to determine if and when we might reactivate the mill and mine. We also are curious to know if these licenses were transferred to Machinery Center, from whom we have purchased a 51% interest. We would also like to know what steps we must take to get them transferred from Machinery Center to us or what we should do to renew them in the name of Idaho Mining Company. Please indicate what fee, if any, there is.

Yours very truly,

IDAHO MINING COMPANY


J. D. McAuliffe
Manager

JDM/gj

18514
75-2094

March 27, 1950

Re: Permit No. 18514

The Celera Mining Company
Forney, Idaho

ATT: Mr. Edwin B. Douglas
Manager

Gentlemen:

We enclose License and Certificate of Water Right issued under Permit No. 18514, confirming your right to the use of 0.5 of a second foot of water from the Blackbird Creek, with priority of September 18, 1937, for mining, milling and domestic uses at the confluence of Blackbird and Meadow Creeks, in unsurveyed Section 28, Township 21 North, Range 18 East, B.M.

We also enclose Departmental Receipt No. 21148 for the \$5.00 fee paid in connection with this proof.

Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

18514

March 15, 1950

Re: Permit No. 18514

The Calera Mining Co.
Forney, Idaho

ATT: Mr. Edwin B. Douglas,
Manager

Dear Mr. Douglas:

We now have on file the report of our Field Engineer on examination for Beneficial Use under Permit No. 19514.

Therefore, upon receipt of the statutory fee of \$5.00, a License will be issued for .5 of a second foot of water from Blackbird Creek for domestic, mining, and milling purposes in unsurveyed Section 28, Township 21 North, Range 18 East, B.M.

Very truly yours,

MARK E. TULP
State Reclamation Engineer
By

Chief Clerk

A:bh

18514

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 18514

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

1. Name of applicant Galera Mining Co., Edwin B. Douglas, Manager, Forney, Idaho

2. Source of water supply: Blackbird Creek

3. Location of point of diversion: Is in the Unsurveyed of Section 21 28

T. 21 N. R. 18 E. County of Lemhi

4. Describe works as they exist, giving dimensions and capacities of same: _____

The control dam is made of concrete and is 18 feet long, and 8 feet high. It has

a $3\frac{1}{2}$ slotted spillway and a screened intake box 3 feet by 3 feet by 3 feet. A

6 inch pipe 1000 feet long deliveries the water to the mill and camp with a

static head of 75 feet. There are 16 service outlets for the camp, and shops,

and for cooling purposes.

5. Water is used for: Domestic, mining and milling

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):

Place of use- At confluence of Blackbird and Meadow Creeks, in unsurveyed

Section 21, Township 21 North, Range 18 East, B. M.

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

8. What large stream would the water here appropriated finally reach? Salmon

Remarks: _____

This examination was made on the 16 day of June, 19 49

(Signed) A. A. Johnson Examiner.

18514

Calera Mining Co.
Forney, Idaho

Permit No. 18514

Examination for Beneficial use

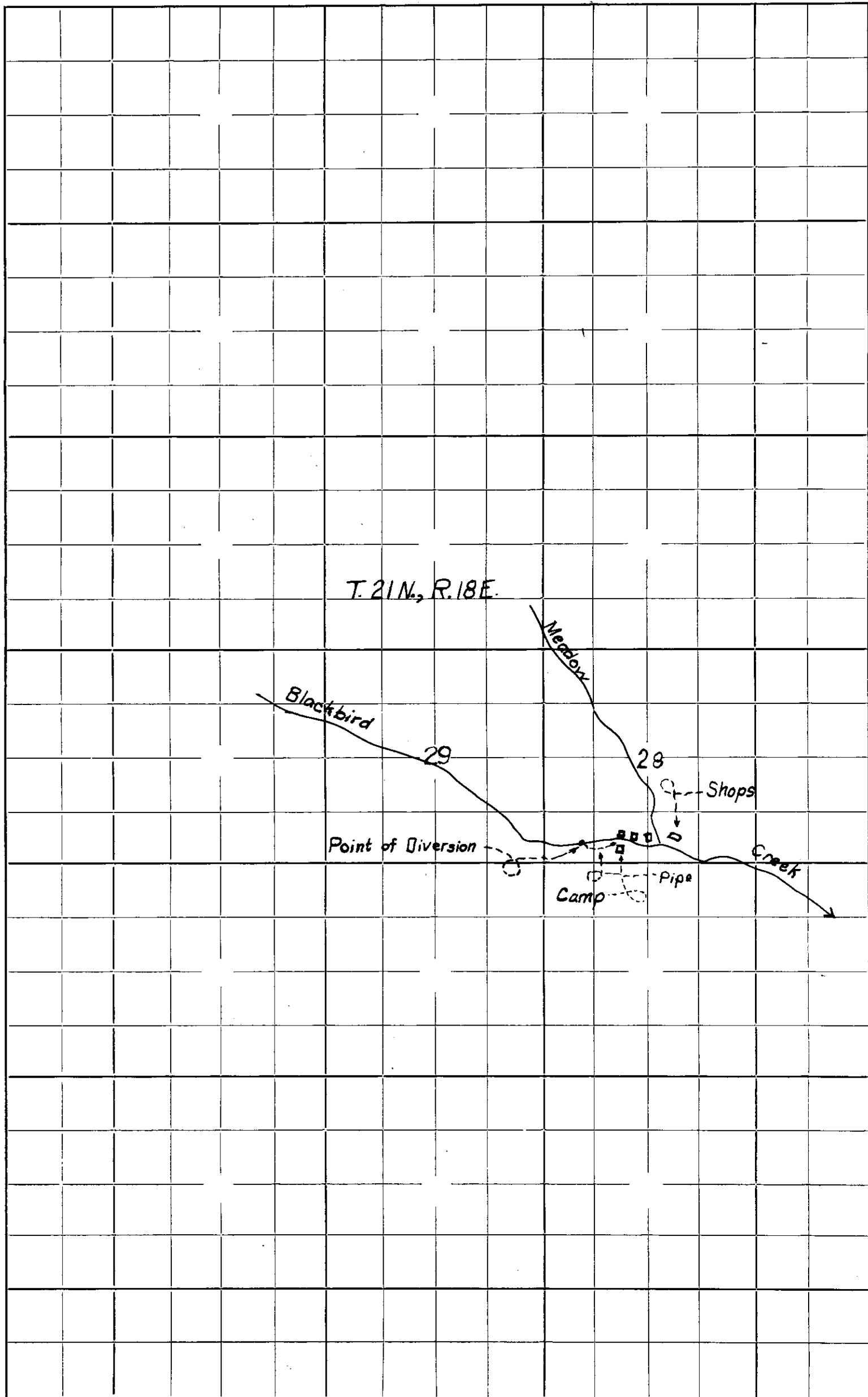
County Lemhi

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
MAR 8 1950

Department of Reclamation



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

18514

October 23, 1948

Re: Permit No. 18514

Mr. C. Walker Lyon
Viel Building
Salmon, Idaho

Dear Mr. Lyon:

Thank you for your prompt reply to office letter of October 19 returning depositions submitted in proof of beneficial use under Permit No. 18514 in the name of the Calera Mining Company.

These have been placed on file but before final action is taken in the matter the law requires that a field examination be made by an Engineer from this Department.

We are unable to say just when this examination will be made as this Department has but one Field Engineer who makes examinations all over the State.

However, Mr. Tolman, Field Engineer for this Department, will try and contact Mr. Douglas, Manager of Calera Mining Company at the time he makes the examination in order that he may arrange to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

18514

LAW OFFICES
C. WALKER LYON
VIEL BUILDING
SALMON, IDAHO
October 20, 1948

OFFICE CITY ATTORNEY

PHONE 74



Department of Reclamation
State of Idaho
Boise, Idaho

Re: Permit No. 18514

Dear Mr. Kulp:

I received a letter from your office dated October 19 enclosing three depositions of the Calera Mining Company under Permit No. 18514 for the purpose of inserting the date on the certificates. The fifth day of October has been inserted in such depositions and I have initialed the day which was missing.

I am sorry that this oversight has caused this inconvenience.

Very truly yours,


C. WALKER LYON

CWL:wb
enc.: 3

18514

October 19, 1948

Re: Permit No. 18514

Mr. C. Walker Lyon
Viel Building
Salmon, Idaho

Dear Mr. Lyon:

We acknowledge receipt of your letter of October 6 enclosing depositions of Edwin B. Douglas and two witnesses, also affidavit of publication in the Salmon Recorder Herald, all submitted in proof of beneficial use under Permit No. 18514 in the name of the Celera Mining Company.

However, your certificate on these depositions is not dated and we are returning them herewith for that purpose.

Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

Encls.

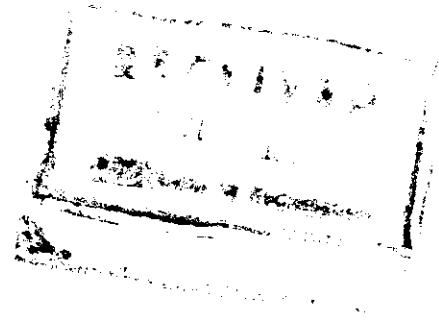
18514

LAW OFFICES
C. WALKER LYON
VIEL BUILDING
SALMON, IDAHO

OFFICE CITY ATTORNEY

October 6, 1948

PHONE 74



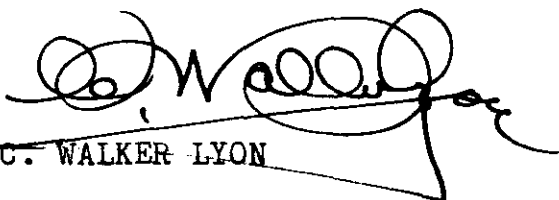
Idaho Department of Reclamation
Boise, Idaho

Gentlemen:

Tuesday, October 5, 1948 at eleven o'clock, the Calera Mining Company made proof of application of water to beneficial use under Permit No. 18514. Although this Company had five witnesses here it could use, the manager, Edwin B. Douglas, wished to use his engineers as witnesses. If it is necessary that the witnesses must testify that they have seen the beneficial use during all the time from September 18, 1937, please send me additional forms and I will have the other witnesses sign them.

I am enclosing herewith the Deposition of Holder, two Depositions of Witnesses, and the Affidavit of Publication from the Recorder Herald newspaper.

Very truly yours,


C. WALKER LYON

CWL:wb
enc.: 4

18514

Affidavit of Publication

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11:00 A. M. on the 5th day of October, 1948, at Salmon, County of Lemhi, State of Idaho, before C. Walker Lyon, Notary Public, proof will be submitted of the application to beneficial use of .5 cubic feet per second of the waters of Blackbird Creek in accordance with the terms and conditions of Permit No. 18514 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said

permit are CALERA MINING COMPANY, Forney, Idaho.

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

The amount applied to beneficial use is .5 cubic ft. per second.

The place where said water is used the confluence of Blackbird and Meadow Creeks in approximate unsurveyed Section 21, Township 21 North of Range 18 E. B. M.

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

The right to take water from such works is based upon Permit No. 18514.

The source of supply from which such water is diverted is Blackbird Creek.

The date of priority which said user is prepared to establish is September 18, 1937.

18514 MARK R. KULP
State Reclamation Engineer
Pub. 9-9-4tc

STATE OF IDAHO,
County of Lemhi,

ss.

Keith Bonetta, 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 of Application

.....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 9/9, 1948

and ending with the issue dated 9/30, 1948

Keith Bonetta

Subscribed and sworn to before me, this 6th

day of October, 1948

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

Publication Fee \$10²⁵

18514

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 18514

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Edwin B. Douglas, Forney, Idaho

Manager for Calera Mining Company, Forney, Idaho

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

Ans. Calera Mining Company, New York City, N. Y., Boise, Idaho

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

Ans. Permit No. 18514, September 18, 1937, September 18, 1937

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

Ans. Blackbird Creek, Lemhi County, Idaho; Unsurveyed Section 21, Township 21 North, 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.

Ans. Dam and approximately 1600 feet 4 inch steel pipe,

Two seconds feet

Unnamed

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. Domestic mining and milling. At the confluence of Blackbird and Meadow Creeks, unsurveyed Section 21, 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. To domestic use for mining camp, mining and milling.

18514

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

Ans. When large mill is built, two seconds feet; now five tenths
seconds feet.

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. Assigned by James G. Sims and J. Howard Sims to Galera Mining Co.

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

Ans. September 18, 1937.

Domestic mining and milling.

Five tenths second feet.

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 rights claimed thereunder.

Ans. _____

(Sign)

Edwin B. Douglas

I hereby certify that the foregoing testimony was read to the above subscribed 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 Salmon, County of Lemhi,

State of Idaho, on this 5th day of October, A. D. 19 48.

My commission expires February 27, 1952

Edwin B. Douglas
Notary Public for Idaho, Residing
at Salmon, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18514

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. G. Robert Jordan, 38, Forney, Idaho

Engineer, Forney, Idaho

Ques. 2. Are you acquainted with Calera Mining Company, the holder of Permit No. 18514? How long have you known him and where does he reside?

Ans. Yes. Two years,

Forney, Idaho

Ques. 3. Have you read or heard read said Permit No. 18514, and are you familiar with its provisions and conditions?

Ans. Yes

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. Blackbird Creek, Unsurveyed Section 21, Township 21 North,
Range 18 East Boise Meridian.

Dam and approximately 1600 feet four inch steel 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. Two second feet. Over five tenths second feet.

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. Domestic mining and milling, at confluence of Blackbird

and Meadow Creeks, unsurveyed Section 21, Township 21 North, Range
18 East Boise Meridian.

18514

11/11/14

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

Ans. _____

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. _____

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

Ans. No. _____

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

Ans. Over two years by personal supervision continuously from
day to day. _____

(Signed) *J Robert Jordan*

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 in Salmon Id.,
County of Lemhi, State of Idaho, on this 5th day of October,
A. D. 19 48.

E. Walling
Notary Public.

My commission expires February 27, 1952.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18514

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Clair C. Chamberlain, 31, Forney, Idaho
Engineer, Forney, Idaho

Ques. 2. Are you acquainted with Calera Mining Company, the holder of Permit No. 18514? How long have you known him and where does he reside?

Ans. Yes. Sixteen months.
Forney, Idaho

Ques. 3. Have you read or heard read said Permit No. 18514, and are you familiar with its provisions and conditions?

Ans. Yes

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. Blackbird Creek, Unsurveyed Section 21, Township 21 North,
Range 18 East Boise Meridian.
Dam and approximately 1600 feet four inch steel 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. Two second feet. Over five tenths second feet.

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. Domestic mining and milling, at confluence of Blackbird
and Meadow Creeks, unsurveyed Section 21, Township 21 North,
Range 18 East Boise Meridian.

18514

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

Ans. _____

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. _____

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

Ans. No.

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

Ans. The last sixteen months by personal supervision continuously
from day to day.

(Signed) Clair C. Chamberlain

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 in Salmon Ind.,
County of Lemhi, State of Idaho, on this 5th day of October,
A. D. 19 48.

[Signature]
Notary Public.

My commission expires February 27, 1952.

September 13, 1948

Re: Permit No. 18514

The Recorder-Herald
Salmon, Idaho

Gentlemen:

We acknowledge receipt of copy of your issue of September 9 enclosing notice of beneficial use proof under Permit No. 18514 in the name of Colera Mining Company.

We find one typographical error in this which we are asking you to kindly correct in the subsequent issued, as follows: In the description of the place where said water is used the last word in the next to last line should be "of" instead of "or", making it read " Township 21 North of Range 18 East B.M.

Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

18514

September 4, 1948

Re: Permit No. 18514

Mr. C. Welker Lyon
Viel Building
Salmon, Idaho

Dear Mr. Lyon:

We return assignment of Permit No. 18514 from J. Howard Sims and the heirs of James C. Sims to Calera Mining Company which has been duly recorded; also Departmental Receipt No. 20856 for the \$.50 assignment fee.

Notice of beneficial use proof to be made under this Permit on October 5, 1948, has been sent to the Recorder-Herald of Salmon, Idaho, with instructions to publish it once a week for four consecutive weeks beginning with the issue of September 9 and to send the affidavit of publication together with statement of costs to the Calera Mining Company at Forney, Idaho

We enclose herewith the necessary forms of deposition consisting of one for a representative of the company and one for each of two witnesses in order that you may have them in ample time for proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

Encls.

18514

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 18514

Date: September 2, 1948

The Recorder-Herald

Salmon, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **October 5, 1948** beginning with your issue of **September 9th** the date set for proof/ the expense of the publication to be paid by the applicant, **Calera Mining Co.** of **Forney, Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

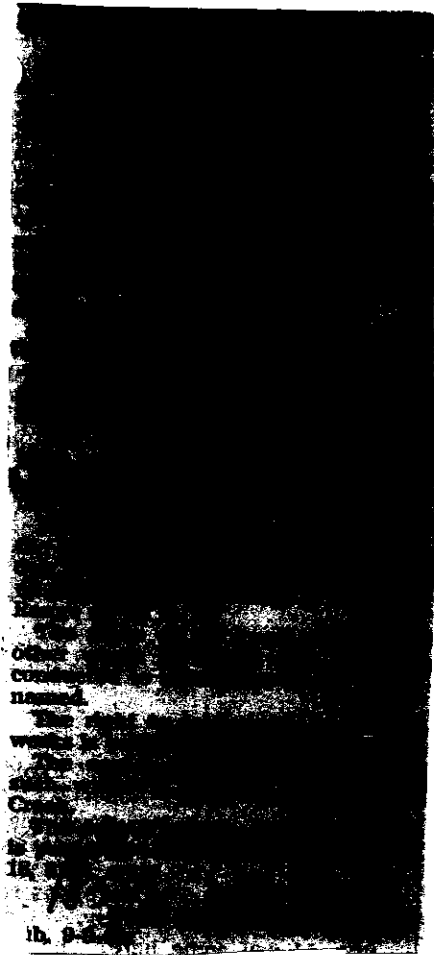
Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

18514



Other
Comments
Noted

The
work
is
in
progress

th. 9-2

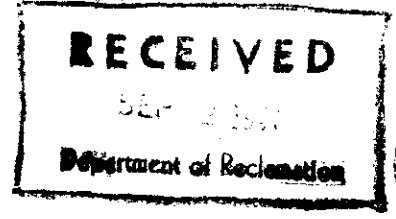
LAW OFFICES
C. WALKER LYON
VIEL BUILDING
SALMON, IDAHO

OFFICE CITY ATTORNEY

August 31, 1948

PHONE 74

Department of Reclamation
Boise, Idaho



Re: Permit No. 18514

Dear Mr. Kulp:

Enclosed herewith is Form No. 11 of the Calera Mining Company, together with two copies of Form 10 for Proof of Application of Water to Beneficial Use under Permit No. 18514.

It was not possible to send these in a full forty days before the date of proof, but I have found from the local newspaper that the notice can run in the issues of September 9th, 16th, 23rd and 30th. This should give ample time for the notice to be sent to the newspaper. I am sorry this delay occurred.

I am also enclosing herewith an assignment of the water right from James G. Sims and J. Howard Sims to the Calera Mining Co. Mr. James G. Sims is deceased, but his Estate was probated in Lemhi County, Idaho, and I have referred to the book and page that the Decree is recorded, and although the Decree does not specifically name this permit or water, it states that all unknown property of the deceased is decreed equally to Jessie Sims Stone and J. Howard Sims, the daughter and son of the deceased.

Fifty cents is enclosed herewith also for recording the assignment.

Very truly yours,

A handwritten signature in dark ink, appearing to be "C. Walker Lyon", written over a horizontal line. The signature is stylized with loops and a long tail.

CWL:GJC
Encls.

18514

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 28, 1948

(P. O.) Forney, Idaho

STATE RECLAMATION ENGINEER
TO THE COMMISSIONER OF RECLAMATION:

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.

Calera Mining Co
By E. B. Langdon, Agent.

(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.

18514

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

Notice is hereby given that at 11:00 A. M. on the 5th day of October, 1948
 at Salmon, County of Leah, State of Idaho, before
C. Walker Lyon, Notary Public, proof will be submitted of the
 application to beneficial use of .5 cubic feet per second of the waters of Blackbird
Creek in accordance with the terms and conditions of Permit No. 18514
 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are.....
CALERA MINING COMPANY, Forney, Idaho

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

The amount applied to beneficial use is .5 cubic ft. per second

The place where said water is used (if for irrigation, give full and accurate description of the
 lands irrigated) the confluence of Blackbird and Meadow Creeks in approximate
unsurveyed Section 21, Township 21 North of Range 18 E. B. M.

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

The right to take water from such works is based upon Permit No. 18514

The source of supply from which such water is diverted is Blackbird Creek

The date of priority which said user is prepared to establish is September 18, 1937

MARK R. KULP

State Reclamation Engineer.

18514

✓

August 12, 1948

Re: Permit No. 18514

Mr. C. Walker Lyon
Viel Building
Salmon, Idaho

Dear Mr. Lyon:

In reply to your letter of August 9 we enclose
a form of assignment for Permit No. 18514 to the Colera
Mining Company.

This form should be executed by Howard Sims and
J. G. Sims and returned for record in this Department with
the statutory fee of \$.50 for recording same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

Enc.

18514

LAW OFFICES
C. WALKER LYON
VIEL BUILDING
SALMON, IDAHO

OFFICE CITY ATTORNEY

August 9, 1948

PHONE 74

Department of Reclamation
State of Idaho
Boise, Idaho

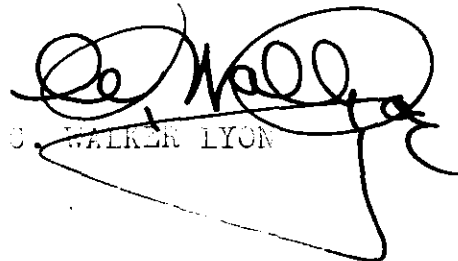
Dear Mr. Kulp:

Mr. Howard Sims brought your letter of August 2nd, relative to making proof of putting water to a beneficial use under permit No. 18514 to my office.

Mr. Sims sold the mining property that this water was to be used upon and informs me that all water rights were included and that the proper owner of the water now is the Calera Mining Company, a foreign corporation authorized to do business in the State of Idaho.

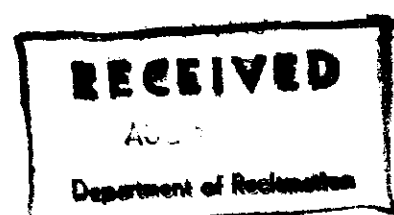
Are there any forms which Mr. Sims should sign to transfer his rights upon your records so that the mining company can make proof?

Very truly yours,


C. WALKER LYON

OWL:cjc

Howard 8 9 48



18514

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

August 2, 1948

Messrs. Howard Sims & J. C. Sims

Salmon, Idaho

Dear Sirs:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 18514. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than October 5, 1948, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

18514

September 8, 1943

Re: Permit No. 18514

Mr. J. Howard Sims
Box 686
Salmon, Idaho

Dear Mr. Sims:

We are enclosing herewith the approval of the State Reclamation of your application for extension of time for beneficial use proof under the above numbered permit until October 5, 1948.

This should be attached to your original permit, of which it becomes a part.

Very truly yours,

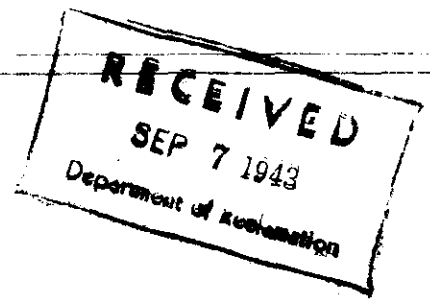
JAMES SPOFFORD
State Reclamation Engineer
By

Chief Clerk

A
Encl.

18514

STATE OF IDAHO
Department of Reclamation



Permit No. 18514

Application for Extension of Time for Beneficial Use Proof

STATE OF IDAHO

County of Lemhi } SS

J. Howard Sims, of Salmon

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

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 18514

That, under the terms and conditions of said permit, proof of beneficial use thereunder was required to be made by Oct. 5, 1943

That he has heretofore put to beneficial use approximately 2.5 second feet of water for domestic use and milling purposes and has irrigated acres.

That, for the following reasons, he is unable to put to beneficial use within the required time the remainder of the water appropriated under his permit, to-wit: The water is to be used for domestic and milling purposes and the mill installed is found to be inadequate and will have to be remodeled and increased in size. This makes it impossible to determine the exact amount of water to be used until the necessary remodeling has been completed.

State Reclamation Engineer

WHEREFORE, He asks that the ~~Commissioner of Reclamation~~ extend the time for the making of proof of beneficial use under said permit to Oct 5, 1948

Subscribed and sworn to before me this 3rd day of September, 1943

My commission expires 2/27/44

Date of receipt at office of Department of Reclamation September 7, 1943

STATE RECLAMATION ENGINEER
APPROVAL OF COMMISSIONER OF RECLAMATION

I, James Spofford, ~~State Reclamation Engineer~~ ~~Commissioner of Reclamation~~ of the State of Idaho, hereby extend the time for the making of proof of Beneficial Use under Permit to Appropriate the Public Waters of the State of Idaho, No. 18514, to

October 5, 1948

Witness my hand this 8th day of September, 1943

James Spofford
Commissioner of Reclamation
State Reclamation Engineer

August 23, 1943

Re: Permit no. 18514

Mr. J. Howard Sims
Box 686
Salmon, Idaho

Dear Mr. Sims:

We acknowledge receipt of your letter of August 17th, and have noted what you say in regard to making your beneficial use proof under the above numbered permit at this time.

The statutes allow a maximum of six years, if necessary, after completion of works, within which to make this proof; and inasmuch as your completion of works proof was extended until October 5, 1942, you would be entitled to a further extension for beneficial use proof- that is, until October 5, 1948- or as much of this time as you deem necessary,

We enclose a form of application for such extension, which you may execute and return to this Department for approval by the State Reclamation Engineer.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

Chief Clerk

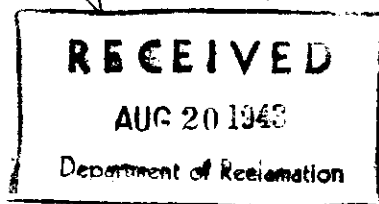
A
Encl.

18514

Salmon Idaho

Aug 17 1943.

Mr Jas Spofford
State Reclamation Eng.
Boise Idaho



Dear Mr Spofford:-

In Reference to Permit no 18514 -

I don't know whether I am in position to make final proof at this time or not. I will try and explain the situation to you, for some further advice.

The water was diverted from the creek some half mile above the mill and has run through the pipe constantly for about 4 years. The mill has not run for over a year and the water was only used for domestic purposes when the mill was shut down.

At the present time there are three diamond drills on the property determining the size and extent of the ore bodies which will have considerable bearing on the final amount of water to be used.

The U.S. Bureau of Mines have also asked for an additional year in which to further explore the property.

Is there any way I can get an extension of time for one year or can I make final proof of beneficial use for more than domestic use.

Yours Truly J. Howard Sims

18514

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Howard Sims & J. G. Sims
Salmon, Idaho

August 7, 1945

Dear Sirs:

I enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 18514, which should be filled out and returned to this office at least 40 days before the date upon which you wish to make proof. The proof must be submitted before a notary public or other officer authorized by law to administer oaths. The date for proof, as set out in your permit, is October 5, 1945, and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly,

JAMES SPOFFORD
State Reclamation Engineer
~~Commissioner of Reclamation~~

18514

March 22, 1943

Re: Permit No. 18514

Mr. C. Walker Lyon
Attorney at Law
Salmon, Idaho

Dear Mr. Lyon:

We enclose Certificate of Completion of Work,
issued under the above numbered permit, in the
name of Harold Simpson and J. C. Simpson, to appro-
ximate five-tenths (5/10) second foot of water
from Blackfoot Creek, in unincorporated Section 24,
Township 24 North, Range 12 East, E.M., Lemhi County, for
mining and milling purposes.

We are also enclosing the Department's Receipt No. 18514,
for the \$2.00 fee paid in connection with completion of
work permit.

Very truly yours,

JAMES HUFFORD
State Reclamation Engineer

By

Chief Clerk

A
Encls.

18514

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Reinstatement
of Permit No. 18514 Under the
Provisions of Section ~~5594~~, ~~Idaho~~
~~Compiled Statutes~~ ~~41-311~~ ~~Idaho~~
Code Annotated

ORDER REINSTATING PERMIT

WHEREAS, Permit No. 18514 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: October 5, 1942; and,

WHEREAS, On the 3rd day of February, 1943 notice to show cause why said permit should not be canceled, under the provisions of Section ~~5594~~, ~~Idaho Code Annotated~~ 41-311 ~~Compiled Statutes of Idaho~~, was duly served on the holder of said permit; and,

WHEREAS, On the 16th day of February, 1943 the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,

WHEREAS, On the 26th day of February, 1943 depositions of the holder and two witnesses were received at the Department of Reclamation showing that the said works of diversion were completed within the time required in the permit; and,

WHEREAS, After examination of the said depositions, the ~~Commissioner of~~ State Reclamation ~~Engineer~~ Reclamation of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. 18514, and that the holder has acted in good faith;

IT IS, THEREFORE, Hereby Ordered that said Permit No. 18514 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 22nd day of March, 1943.


Commissioner of Reclamation-
State Reclamation Engineer
By _____
Assistant

18514

C. WALKER LYON
ATTORNEY AT LAW
SALMON, IDAHO

MCMUTT BUILDING

PHONE 74

March 18, 1943

Department of Reclamation,
State of Idaho,
Boise, Idaho.

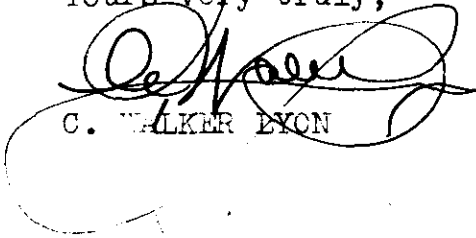
RE: Permit No. 18514
Sims

Dear Mr. Anderson:

As per your request in your letter of March 12th,
I am enclosing herewith Mr. James G. Sims check for
the amount of \$5.00 for payment of the statutory fee
for a Certificate of Completion of works.

Please send the certificate to my office.

Yours very truly,


C. WALKER LYON

CWL/1
Enc. 1

18514

C. A. Bottolfsen
XXXXXXXXXX

XXXXXXXXXXXXXXXXXXXX
James Spofford, State Reclamation Engineer

March 12, 1943

Re: Permit No. 18514
Howard & J. G. Sims

Mr. C. Walker Lyon
Attorney at Law
Salmon, Idaho

Dear Mr. Lyon:

We acknowledge receipt of the depositions of
James G. Sims, and two witnesses, on completion of
works proof under the above numbered permit.

The permit will therefore be reinstated, and upon
receipt of the statutory fee of \$5.00, a Certificate
of Completion of Works will be issued.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

Chief Clerk

A

18514

PERMIT NO. 18514

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. James G. Sims, residence Salmon, Lemhi County, Idaho, occupation rancher and miner, Postoffice address, Salmon, Idaho

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. I am one of the holders of Permit No. 18514

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. Permit No. 18514, Approved October 5, 1937; 2 sec.ft. Blackbird Creek and .5 sec.ft. Meadow Creek; Point of Diversion: Unsurveyed Sec. 21, Tp. 21 N., R. 18 E.

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Mining, milling and domestic purposes

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Yes. August 15, 1939. 400 ft. 3-inch pipe and 1400 ft. 2-inch pipe; head 150 ft. Capacity .5 sec.ft. from Blackbird Creek. No diversion from Meadow Creek.

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. They are fully completed to the extent stated.

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. The works were completed only to the extent above stated and no diversion was made from Meadow Creek. The capacity of the pipe is about .5 sec.ft. Permit granted right to divert 2 sec. ft. from Blackbird Creek.

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. 1) Concrete dam 4 ft. high 14 ft. long across Blackbird Creek. 2) 400 ft. 3-inch pipe and 1400 ft. of 2-inch pipe from dam to mill. Head 150 ft. Capacity .5 sec. ft. No works were constructed from Meadow Creek.

(Sign here.)

James G. Sims

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, in Salmon,

County of Lemhi, State of Idaho, on this 26th

day of February, A. D. 1943

[Signature]
Notary Public.

My Commission expires 2/27/44

18514

274 ft. 0.5" cfs. from Blackbird Creek
from 300
1943

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. 18514

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. Merle Stevenson, residence Blackbird, Lemhi County, Idaho. Occupation housewife and Secretary of Uncle Sam Mining Co. Postoffice Address Shoup, Idaho

Ques. 2. Are you acquainted with Howard Sims and J. G. Sims, the holder of Permit No. 18514, authorizing the diversion of 2 sec. ft. & .5 second-feet of the waters of Blackbird Creek and Meadow Creek, respectively, at Blackbird for mining, etc., purposes? How long have you known him, and where does he reside?

Ans. 10 years. Salmon, Idaho

Ques. 3. Have you read or heard read said Permit No. 18514, and are you familiar with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. The permit is for mining, milling and domestic purposes

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Works were completed to divert .5 sec. ft. of the waters of Blackbird Creek

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. 1) Dam across Blackbird Creek, about 400 feet of 3-inch pipe and 1400 ft. of 2-inch pipe leading from dam to mill of Uncle Sam Mining Co. Capacity about $\frac{1}{2}$ cubic ft. per second. Pipe has pressure of 65 pounds.

(Sign here.)

Merle Stevenson

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 Salmon, County of Lemhi, State of Idaho, on this 26th day of February, A. D. 1943

[Signature]
Notary Public -
Comm. Exp. 2/27/44
18514

Permit No. 18514

Proof of Completion of Works**DEPOSITION OF WITNESS**

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

Ans. Floyd W. Stevenson, residence at Blackbird, Lemhi County, Idaho. Occupation miner and mill man for Uncle Sam Mining Co. Postoffice address, Shoup, Idaho.

Ques. 2. Are you acquainted with Howard Sims and J. C. Sims, the holders of Permit No. 18514, authorizing the diversion of 2 second-feet of the waters of Blackbird Creek and .5 sec. ft. of Meadow Creek, at Unsurveyed Sec. 21, Tp. 21 N., R. 18 E. for Mining purposes? How long have you known him, and where does he reside?

Ans. Yes. 10 years. Reside at Salmon, Idaho.

Ques. 3. Have you read or heard read said Permit No. 18514, and are you familiar with its terms and conditions?

Ans. Yes.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Permit is for mining, milling and domestic purposes.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Works are completed to the extent of .5 sec. ft. of the waters of Blackbird Creek and no works were constructed for the diversion of the waters of Meadow Creek.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. 1) Dam across Blackbird Creek 4 ft. high, 14 ft. long constructed of concrete
2) Pipe leading from dam 3-inches diameter 400 ft. and thence pipe 2 inches diameter 1400 ft. to mill of Uncle Sam Mining Co. Capacity about .5 second-feet. Head 150 ft. pressure 65 pounds per square inch. No works were constructed for the diversion of Meadow Creek.

(Sign here.)

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 Salmon

County of Lemhi, State of Idaho, on this 26th

day of February, A. D. 1943.

Notary Public
Comm. Exp. 2/27/44
18514

C. A. Bottelfnen
XXXXXXXXXXXX

James Spofford XXXXXXXX

Re: Permit No. 18514

February 16, 1943

Mr. C. Walker Lyon
Attorney at Law
Salmon, Idaho

Dear Mr. Lyon:

We are in receipt of your letter of February 14, 1943, relative to the above numbered permit, in the name of Howard and J. G. Sims.

We note your statement that the works were completed prior to the date set for such completion under the terms of the permit, namely October 5, 1942.

Proof of such completion should be made on the forms enclosed, which consist of a deposition for the holder and for two disinterested witnesses, and upon receipt of these proofs and their approval in this department, the permit may be reinstated.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation
By

Chief Clerk

A
Encls.

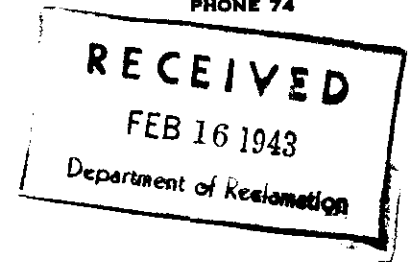
18514

C. WALKER LYON
ATTORNEY AT LAW
SALMON, IDAHO

MCNUTT BUILDING

PHONE 74

February 12, 1943



Department of Reclamation,
Boise, Idaho.

RE: Permit No. 18514

Dear Mr. Spofford:

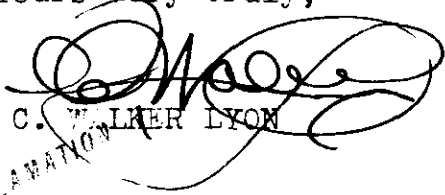
Mr. Howard and J. G. Sims received a notice from your office that the above permit would be cancelled unless cause was shown before forty days.

Mr. Sims explains to me that completion of works was made by the Uncle Sam Mining & Milling Co., Inc. but due to the fact that he thought that such mining company who are lessees of the property were taking care of the proof of completion of works he has paid no attention to the matter. It appears that the completion of works was made within the time allowed by your office and therefore Mr. Sims asks that he be allowed to file the necessary instruments to make proof of such.

If your decision should be that Mr. Sims can make proof, please send the required forms to my office and I will see that they are properly executed and returned to your office.

We thank you for your co-operation in this matter wherein Mr. Sims is innocent of known delay.

Yours very truly,


C. WALKER LYON

CWL/1

RECEIVED
BUREAU OF RECLAMATION
FEB 17 1943

60136 19440

18514

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

1 James G. Simon
(Signature or name of addressee)

2 _____
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery FEB 26 1940, 194__

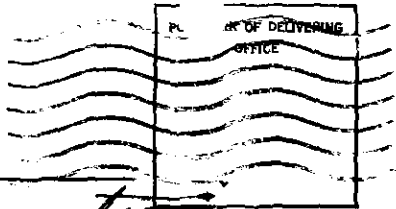
U. S. GOVERNMENT PRINTING OFFICE

16-12421

1,8514

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300



Return to

Dept of Reclamation

Street and Number,
or Post Office Box,

State of Idaho State House

REGISTERED ARTICLE

87081

No. _____

INSURED PARCEL

No. _____

BOISE,
IDAHO

[18514]

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

February 3, 1943

Re: Permit No. 18514

To: Howard Sims & J. G. Sims

Salmon, Idaho

It appearing to the Commissioner of Reclamation that the terms and conditions of Permit No. 18514, to appropriate the Public Waters of the State of Idaho, have not been complied with as to

Completion of works October 5, 1942

you are hereby notified in compliance with Sec. 41-311, Idaho Code Annotated that said Permit No. 18514 is hereby held for cancellation.

You are hereby required to show cause before the Commissioner of Reclamation on or before forty days from date of this notice why said Permit should not be cancelled.

Said Permit No. 18514 claims the use of 2.5 cubic feet per second of the waters of ~~Blackbird Creek~~ (2 sec.ft.) and Meadow Creek (.5 sec.ft.) with point of diversion located approximately Section 21, Twp. 21 North, Range 18 East, B.M.(Unsurveyed) and was approved October 5, 1937

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, this

3rd day of February, 1943

James Spofford
Commissioner of Reclamation.

By _____ Assistant.

18514

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

February 3, 1945

Re: Permit No. **18514**

To **Howard Sims & J. C. Sims**
Salmon, Idaho

It appearing to the Commissioner of Reclamation that the terms and conditions of Permit No. **18514**,
to appropriate the Public Waters of the State of Idaho, have not been complied with as to

Completion of works October 5, 1942

you are hereby notified in compliance with Sec. 41-311, Idaho Code Annotated that said Permit No. **18514**
is hereby held for cancellation.

You are hereby required to show cause before the Commissioner of Reclamation on or before forty days
from date of this notice why said Permit should not be cancelled.

Said Permit No. **18514** claims the use of **2.5** cubic feet per second of the
waters of **Blackfoot Creek (2 sec.ft.) and Menden Creek (.5 sec.ft.)**, with point of diversion located
approximately Section 31, Twp. 31 North, Range 18 East, R.M. (Bannock), and
was approved **October 5, 1937**

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, this

3rd day of **February**, 19**45**

James L. Spillman
Commissioner of Reclamation.

By _____
Assistant.

18514

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

August 19, 1942

INSTRUCTIONS

Howard Sims & J. G. Sims
Salmon, Idaho

PROOF OF COMPLETION OF WORKS

Boise, Idaho,

Dear Sir:—

Under the terms of your permit No. ~~18514~~.....you are required to complete your diversion works on or before.....~~October 5, 1942~~..... 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,

E. V. BERG
Commissioner of Reclamation.

18514

October 18, 1939

Re: Permit No. 18514

Mr. C. Walker Lyon
Attorney at Law,
Salmon, Idaho.

Dear Sir:-

The Application for Extension of Time for Completion of Works under the above numbered Permit, in the name of Howard Sims and J. C. Sims, has been duly approved, and extension allowed until October 5, 1942, as per "Approval" enclosed herein, which may be attached to the original permit.

Very truly yours,

JAMES SPOTFORD
Commissioner of Reclamation
By

JLA
Enc.

Chief Clerk

18514

Permit No. 18514

Application for Extension of Time

FOR COMPLETION OF WORKS

Howard Sims and J. G. Sims, of Salmon
State of Idaho, being first duly sworn, upon his oath deposes and says:

He is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 18514

Under the terms and conditions of said permit, construction work thereunder was required to be
completed by October 5th, 1939.

That he has heretofore performed the following work described under said permit:
Partially made diversion by constructing headgate and fifty feet
of ditch construction.

costing \$100.00

THAT he is unable to complete the remainder of the work within the required time, for the fol-
lowing reasons, to-wit:

is
Because a quartz mill/nov being constructed upon the property
and it has not yet been ascertained exactly where the ditch
will have to be constructed to adequately carry the amount of water
needed.

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the com-
pletion of construction work under said permit, to October 5th, 1942.

Subscribed and sworn to before me this 23rd day of September, 1939.

My commission expires 2/27/40
[Signature] Notary Public.

Date of receipt at Department of Reclamation. Sept. 26, 1939

APPROVAL OF COMMISSIONER OF RECLAMATION

I, JAMES SPOFFORD, Commissioner of Reclamation of the State of Idaho, hereby extend the time for
the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 18514,
to OCT 5, 1942

Witness my hand this 26th day of September, 1939

[Signature]
Commissioner of Reclamation.
BY: 18514

September 20, 1939

Re: Permit No. 18514

Mr. C. Walker Lyon,
Attorney at Law,
Salmon, Idaho.

Dear Sir:-

We are in receipt of your letter of the 16th inst., in regard to extension of time for completion of works under the above numbered permit in the name of Howard Sims and J. C. Sims.

Inasmuch as only two years were requested in the original application, whereas under the statutes an applicant may request up to a maximum of five years- it will be permissible for the applicants to apply for an extension of three additional years, or so much thereof as they may desire/

We enclose an Application for Extension, which may be executed before a Notary Public, and returned to this office, for approval.

If later on it is desired to file an application for change in point of diversion, that can be done, at any time within the period of this extension, as above.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation

JLA
Encs.

By

Chief Clerk

18514

C. WALKER LYON
ATTORNEY AT LAW
SALMON, IDAHO

September 16th, 1939

Department of Reclamation
State House
Boise, Idaho

RE: Permit No. 18514

Gentlemen:

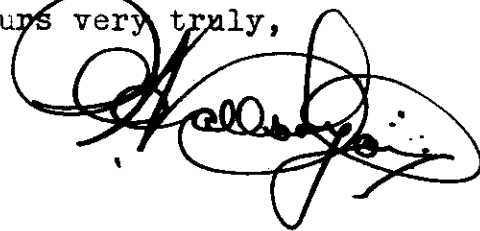
Senator Howard Sims and his Father, J. G. Sims, received a letter from your department, instructing them to make completion of works on or before October 5, 1939.

Senator Sims informs me that the Civil Engineer, who made out the application for the water under the above permit, must have made a mistake in stating that the water should be divided at this time. A mill is being placed upon the property, but at this time the parties do not know exactly where the water should be diverted. The water could be diverted at this time, but there is no doubt that it would necessarily have to be changed later.

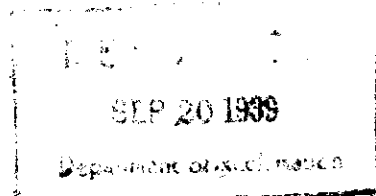
I am writing for the Sims wondering if it is not possible to get an extension of time for the diversion of the water. If this could be accomplished, it would be of a great benefit to the Sims and probably save necessary work later in your office.

date 9-18-39
app. 10-5-37

Yours very truly,



CWL/g



18514

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Re: Permit No. 18514

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Howard Sims & J. G. Sims,
Salmon, Idaho

Boise, Idaho, **August 3, 1939**

Dear Sir:—

Under the terms of your permit No. 18514.....you are required to complete your diversion works on or before October 5, 1939..... 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,

JAMES SPOTFORD

Commissioner of Reclamation.

18514

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 18514

Boise, Idaho, **October 9, 1937**

Dear Sir:

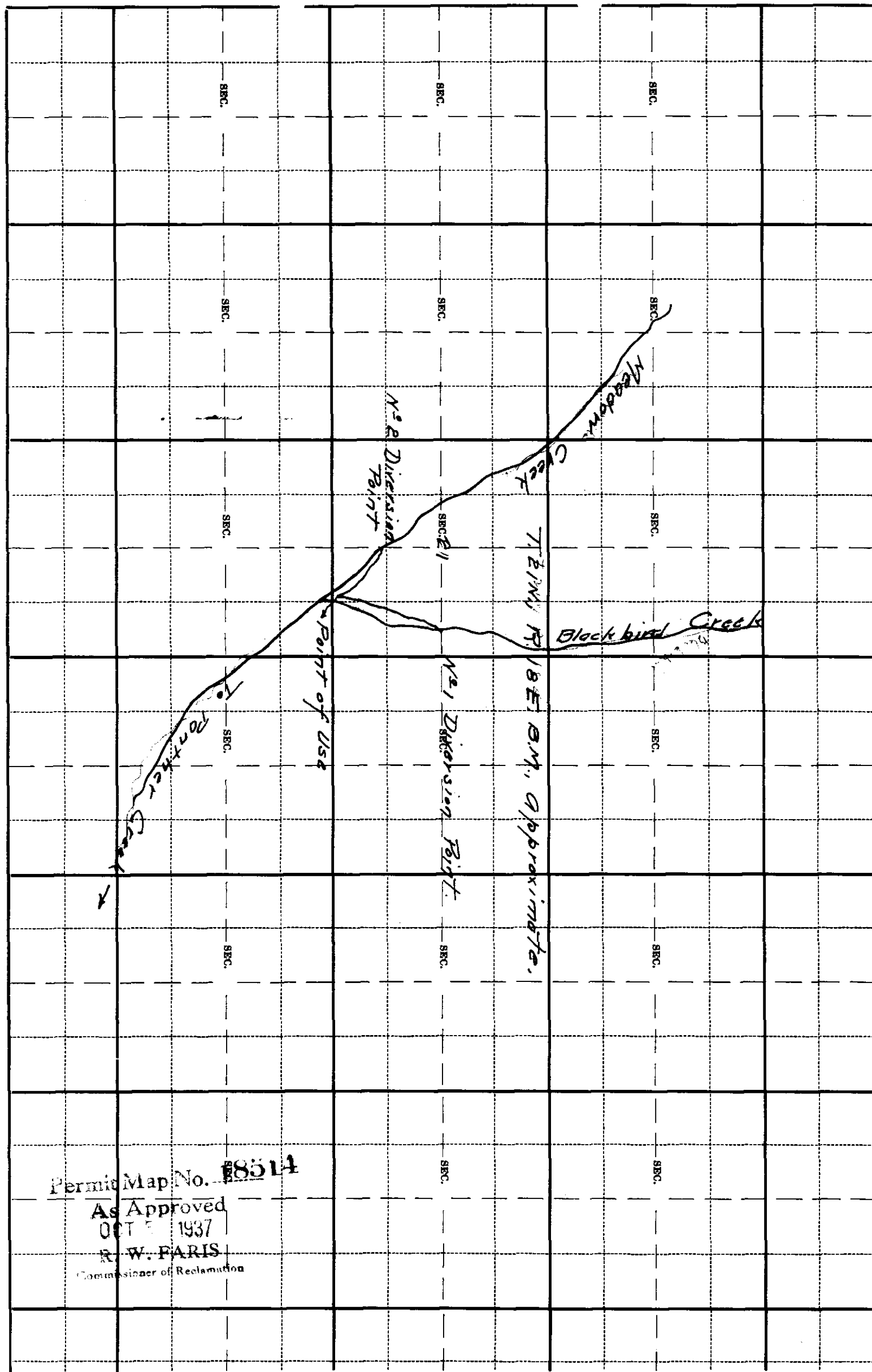
I enclose herewith above numbered permit. BE SURE AND NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the Commissioner of Reclamation on the third page.

A. E. Ferguson, Agent
Howard Sims & J. C. Sims
Salmon, Idaho

R. W. FARIS
Commissioner of Reclamation.

Encl.
Office Receipt for \$5.50.

18514



Permit Map No. **18514**
 As Approved
 OCT 5 1937
 R. W. FARIS
 Commissioner of Reclamation

18514
no. 25857

A. E. FERGUSON
LEMHI COUNTY SURVEYOR
U. S. MINERAL SURVEYOR
SALMON, IDAHO

September 16, 1937.

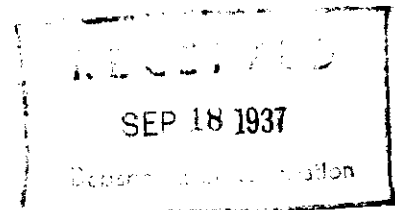
Mr. R. W. Faris,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

Enclosed please find application of Howard Sims
and J. G. Sims, for waters of Blackbird Creek and Meadow Creek, for
mining use. Money order is also enclosed in payment of same.

Yours very truly,

A. E. Ferguson



18514