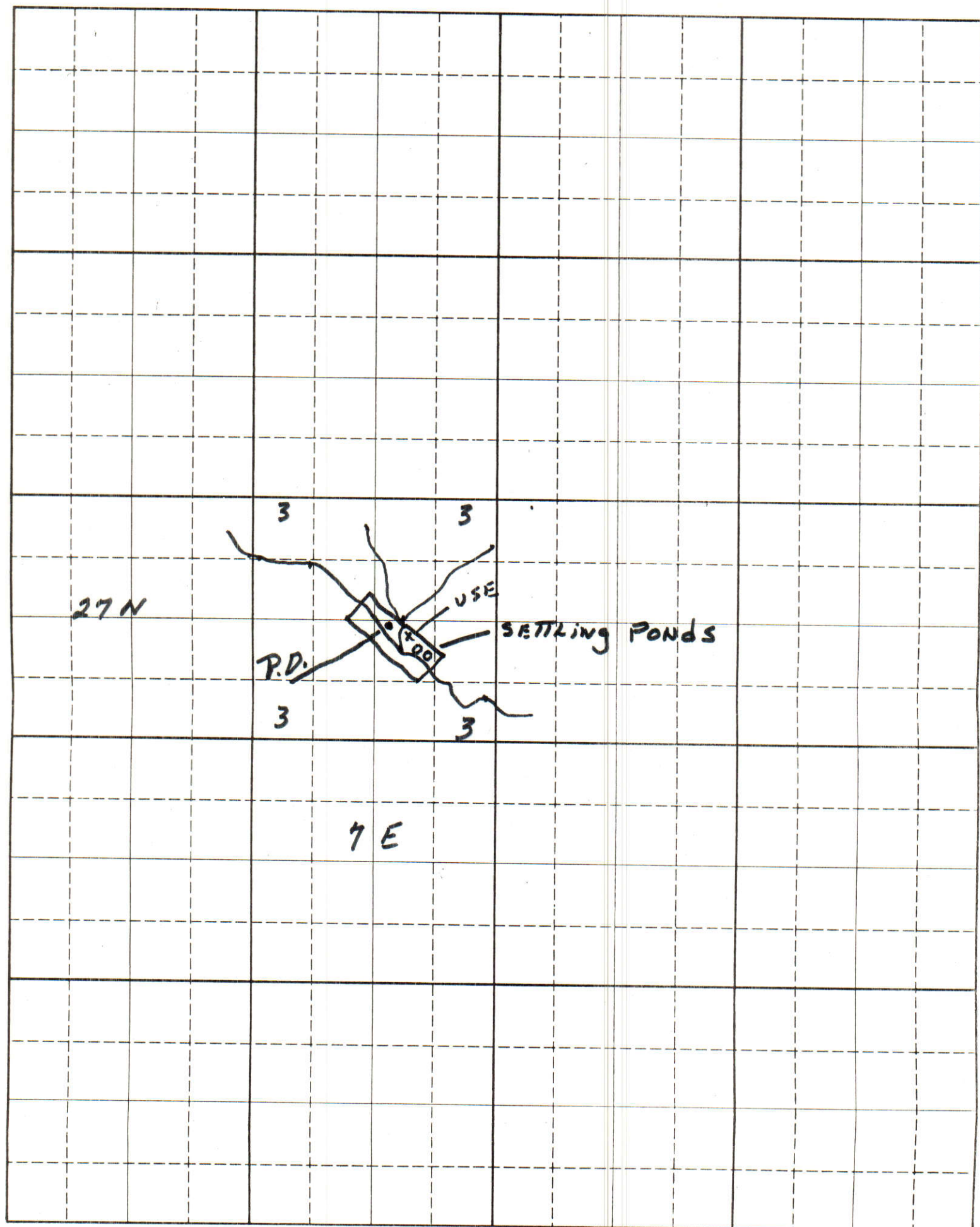


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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

Joe Linsker
(Applicant)

MICROFILMED

RECEIVED

MAR 10 1976

Department of Water Resources
Northern District Office

AFFIDAVIT OF PUBLICATION

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Joe Swisher, 3609 - 14th Street, Lewiston, Idaho has on February 19, 1976 submitted Application No. 82-7045 for a permit to appropriate 2.00 cubic feet per second of water from Umatilla Creek, tributary of Crooked River by means of pipeline, sluice boxes, and settling ponds within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T. 27N, R. 7E, B.M., Idaho County to be used from Jan. 1 to Dec. 31 for mining purposes within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T. 27N, R. 7E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before March 15, 1976.

R. KEITH HIGGINSON
Director

Published in the Idaho
County Free Press,
Grangeville, Idaho on Feb.
25 and March 3, 1976.

F25-M3

..... Karen Clement being first duly

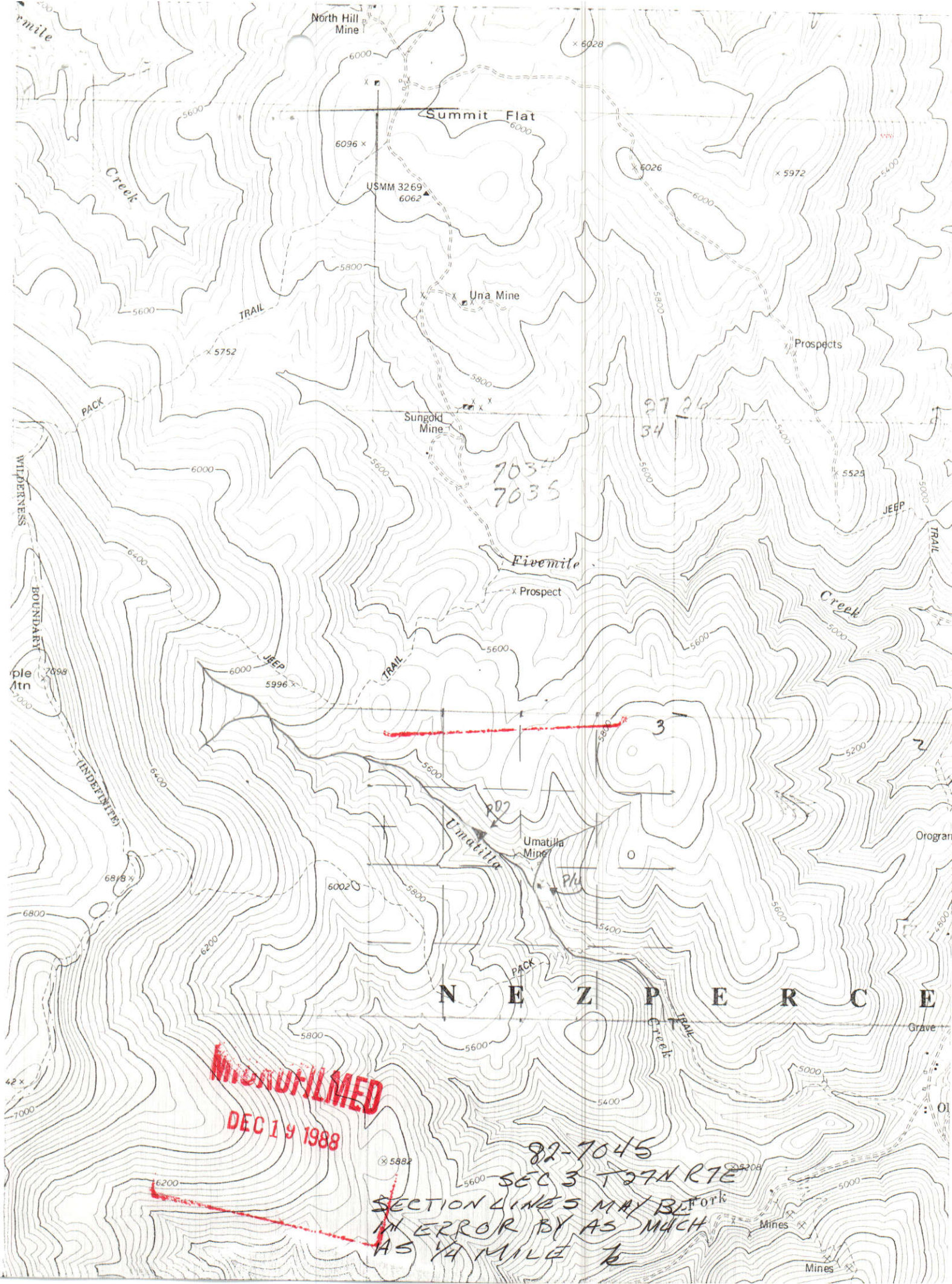
sworn, says he is the Office Manager
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which
is published and issued weekly at Grangeville, Idaho County,
State of Idaho, and which is of general circulation in said county
and state; that the said notice, of which the one hereto attached
is a true copy, was published in said paper for two weeks,
being published two times, the first publication being
on the 25th day of February 1976
and the last publication on the 3rd day of
..... March 1976; and that the said notice
was published in the newspaper proper and not a supplement;
that said newspaper has been continuously and uninterruptedly
published in said county during a period of more than seventy-
eight consecutive weeks prior to the first publication of said
notice or advertisement.

..... Karen Clement

Subscribed and sworn to before me this 3rd day
of March 1976

..... Marilyn J. Stolley Notary Public
for State of Idaho, residing at Grangeville, Idaho.

MICROFILMED



Summit Flat

USMM 3269
6062

Una Mine

Sungold Mine

Five mile

Umatilla Mine

N E Z P E R C E

MICROFILMED

DEC 19 1988

82-7045

SEC 3 T27N R7E

SECTION LINES MAY BE
IN ERROR BY AS MUCH
AS 1/4 MILE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

February 10, 1981

Mr. Joe Swisher
200 S. Gollese
Grangeville, Id. 83530

RE: 82-7045

Dear Mr. Swisher:

We acknowledge receipt of your statement of completion of water development and use for the above-referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We do not know at this time when he will be able to conduct the examination, however, the examiner will try to contact you at the time he makes the examination so that you may show him the system. If you will not be available to show the system, please provide this office with the name and address of someone who will be able to do so. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office.

Very truly yours,



TOM D. KING
Senior Water Resource Agent

TDK/rms

cc: IDWR - State Office

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 82-07045

Priority: February 19, 1976 Amount: 0.32 CFS 231.7 AFA

This is to certify, that JOE SWISHER
RT. 1 BOX 119

COTTONWOOD, ID 835220000 has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated February 19, 1976, and has submitted proof to the Department of Water Resources on January 21, 1981, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .320 cfs of water from:

UMATILLA CREEK tributary to CROOKED RIVER

source and that a water right has been established as follow:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
MINING	01/01 to 12/31	0.32 CFS	231.7 AFA

LOCATION OF POINT OF DIVERSION(S): SENW , Sec. 3, Township 27N, Range 07E
IDAHO County

PLACE OF USE: MINING

TWN RGE SEC

27N 07E 3 NWSE

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. When water used under this license is discharged into the natural channel, settling ponds must be maintained which are capable of reducing the silt load to such a level that the quality of water will not be impaired for other beneficial uses.
5. This right is located in an unsurveyed area

MICROFILMED

DEC 19 1988

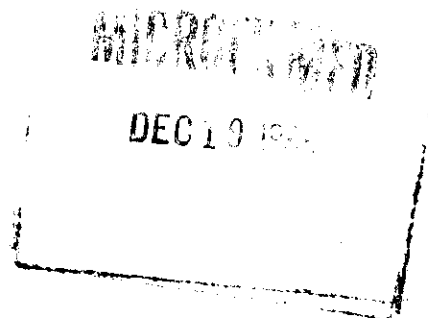
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 82-07045

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 20th
day of OCTOBER, 1988.

Norm C. Young
Director



State of Idaho
Department of Water Resources

RECEIVED
MAY 23 1988

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 82-7045

Department of Water Resources

Date of Priority: February 19, 1976

Comes now JOE SWISHER
RT. 1 BOX 119
COTTONWOOD, ID 83522

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 82-7045, and requests that the permit be changed as follows:

Source: UMATILLA CREEK

tributary to: CROOKED RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Mining	01/01 to 12/31	.32 cfs	231.7 afa

LOCATION OF POINT OF DIVERSION(S): SENW, Sec. 3, Township 27N, Range 7E
Idaho County

PLACE OF USE: Mining

TWN RGE SEC

27N 7E 3 NWSE

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Cottonwood, Idaho, this 14th day of May, 19 88.

MICROFILMED

DEC 19 1988

(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 82-7045

FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = \$20.00✓ Received by CW Date 5/23/88

ACTION OF THE DEPARTMENT OF WATER RESOURCES

#000836

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 82-7045 with the following;

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. When water used under this license is discharged into the natural channel, settling ponds must be maintained which are capable of reducing the silt load to such a level that the quality of water will not be impaired for other beneficial uses.
5. This right is located in an unsurveyed area.

Witness my hand this 20TH day of OCTOBER, 1988.

Norm Young
(Director)

MICROFILMED

DEC 19 1988

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No: C000836

Date: 05/23/88
Time: 14:38:34

Received

From: JOE SWISHER

Type of Payment	Program Acct	Amount
LIC. AMENDMENT 82-7045	0610199 1238 6390	\$20.00
Total		\$20.00

CHECK 1220

Idaho Department of Water Resources

Region: State

Signature: Cheryl C. Wilson

MICROFILMED

DEC 19 1988

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVING THE MEASURING)
DEVICE REQUIREMENT FOR PERMIT NO. 82-7045) ORDER
IN THE NAME OF JOE SWISHER)

WHEREAS, on March 23, 1976 the Department of Water Resources issued Permit No. 82-7045 in the name of Joe Swisher with the requirement that:

The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department;

and,

WHEREAS, on August 21, 1986 the Department received a request from the permit holder to remove the measuring device requirement; and,

WHEREAS, the Department of Water Resources has determined that a measuring device is not required at this time for a determination of the quantity of water appropriated under the permit;

NOW THEREFORE, the condition of approval on Permit No. 82-7045 requiring that a measuring device or access port be installed is hereby REMOVED.

Dated this 22nd day of September, 1987.

MICROFILMED

DEC 19 1988

L. Glen Saxton
L. GLEN SAXTON
Chief, Operations Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 82-7045

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

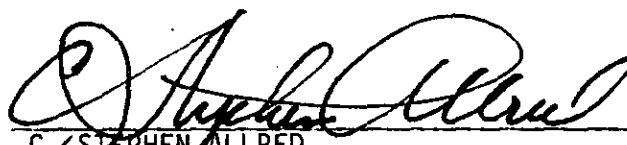
WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director

MICROFILMED

REC'D. 2/19/76 1:12 p.m.

Identification No. 82-7045

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Joe Swisher
post office address 3609 14th Street, Lewiston, Idaho 83501
2. Source of water supply Umatilla Creek which is a tributary of Crooked River
3. a. location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 3 Township 27N
Range 7E B.M. Idaho County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into Umatilla Creek at a point in NW $\frac{1}{4}$
of SE $\frac{1}{4}$ of Section 3 Township 27N Range 7E B.M. _____
4. Water will be used for the following purposes:
Amount 2.0 for mining purpose from January 1 to December 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 2.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. piping from creek through sluice
boxes and other concentrators, then to settling ponds and back to creek.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 2500.00
8. Description of proposed uses:
a. If water is **not** for irrigation: mining
(1) Give the place of use of water: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 3 Township 27N
Range 7E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: sluice mining and concentration.

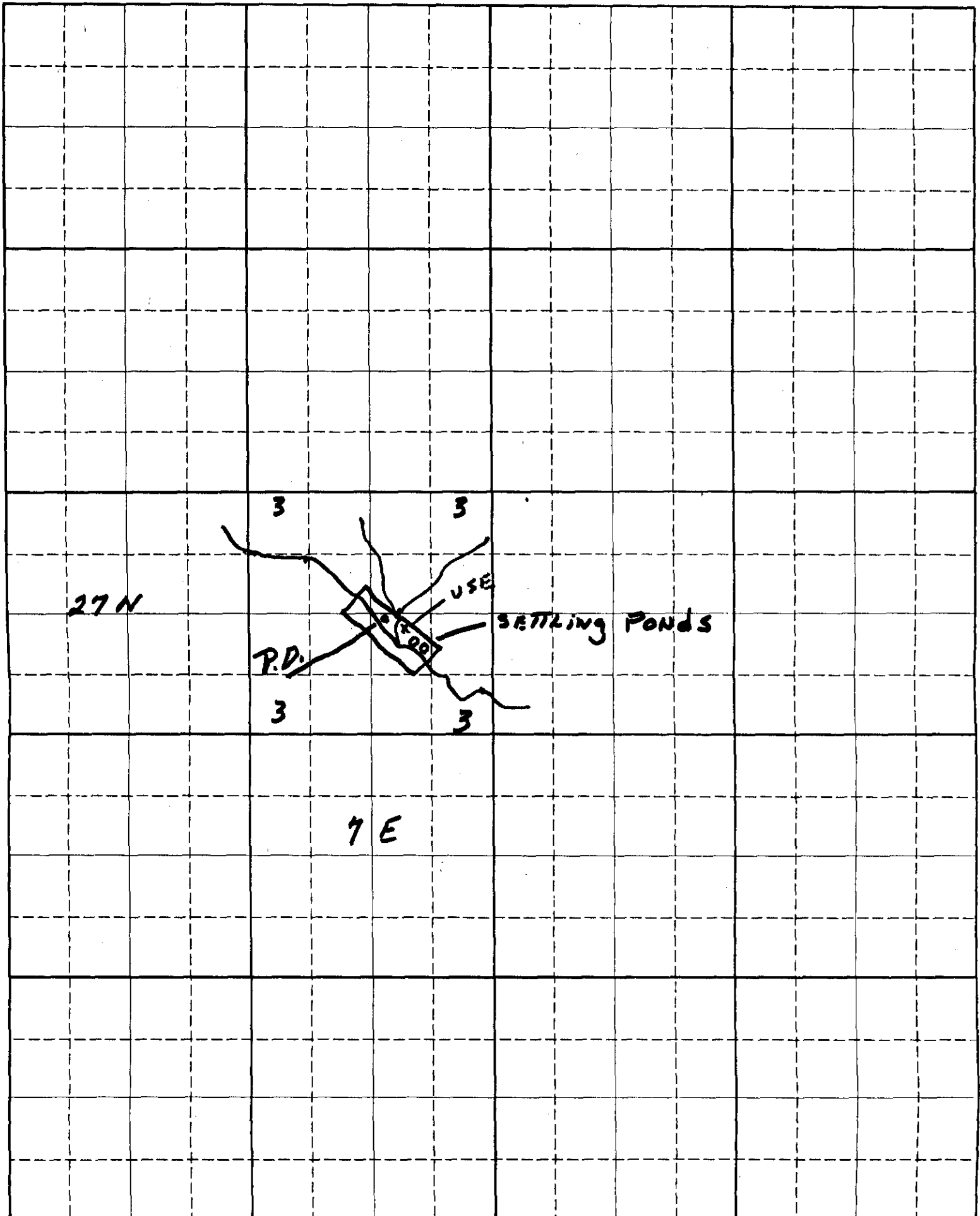
[illegible]

c. Describe any other water rights used for the same purposes as described above. _____

10. Remarks settling ponds will allow water to clear before it is returned to
Five Mile Creek.

MICROFILMED

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



Scale: 2 inches equal 1 mile

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

Joe Linder
(Applicant)

MICROFILMED

Proposed Priority 2-19-76

Received by CP Date 2-19-76 Time 1:00 pm

Preliminary check by RGH Fee \$ 35.00

Receipted by CP Date 2-19-76 (Rec. #3927)

Publication prepared by CP Date 2-20-76

Published in Idaho County Free Press

Publication dates 2-25 & 3-3-76

Publication approved CP Date 3-16-76

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RGH OK

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 82-7045, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 1981.

c. Other: A measuring device of a type approved by the Director shall be installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 23 day of March, 19 76.

R. Keith Higinbotham
Director

MICROFILMED

RECEIVED

MAR 10 1976

Department of Water Resources
Northern District Office

AFFIDAVIT OF PUBLICATION

.....Karen Clement..... being first duly
sworn, says he is the Office Manager.....
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which
is published and issued weekly at Grangeville, Idaho County,
State of Idaho, and which is of general circulation in said county
and state; that the said notice, of which the one hereto attached
is a true copy, was published in said paper for two.... weeks,
being published two..... times, the first publication being
on the 25th. day of February....., 1976.,
and the last publication on the 3rd..... day of
.....March..... 1976.; and that the said notice
was published in the newspaper proper and not a supplement;
that said newspaper has been continuously and uninterruptedly
published in said county during a period of more than seventy-
eight consecutive weeks prior to the first publication of said
notice or advertisement.

Karen Clement
.....

Subscribed and sworn to before me this 3rd..... day
of March....., 1976..

Maile J. Stalling
....., Notary Public
for State of Idaho, residing at Grangeville, Idaho.

MICROFILMED

October 25, 1988

JOE SWISHER
RT. 1 BOX 119
COTTONWOOD, ID 835220000

RE: PERMIT NO. 82-07045

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

FILED

DEC 19 1988

April 15, 1988

JOE SWISHER
RT. 1 BOX 119
COTTONWOOD, ID 83522

RE: Permit No. 82-7045

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

DEC 19 1988

30 day
PIP

- Date 3/10/88

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

Permit No. _____

1. **Measurement Calculations**

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

$$(38.583333)(0.0247917)(0.3370999) = 0.32 \text{ cfs}$$

b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{I.R.} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}} \\ V_{D.R.} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}} \\ V &= \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}} \end{aligned}$$

c) Volume Calculations for Other Uses:

2. **Overlap Review** *see VAX:*

a) Other water rights with same place of use: _____

b) Other water rights with same point of diversion: *none*

c) Analysis:

MICROFILMED

DEC 19 1988

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

RECEIVED

SEP 24 1986

82-7045

Permit No.

CONTACT WITH PERMIT HOLDER

DATE

INITIALS

Department of Water Resources

REMARKS

☐ Appointment letter mailed:

☐ Telephone call made:

(List Telephone No. used)

☐ Appointment scheduled for:

(Date, time, location)

RECEIVED

OCT 26 1987

Department of Water Resources

EXAMINATION

Date 8/23/83

Accompanied by JOE SWISHER

Total Q measured 0.42 cfs

If source is surface water, estimate total flow of source

Methods of measurement CALC

Meets Permit requirements? YES

$h = 125'$

$125'$

Measurement calculations
NOTE "n" VALUE FROM
US DASC'S ENG
MEMO 10-15
PLUS .002 FOR OTHER
IRREGULARITIES IN
PIPE SURFACE,
JOINTS & FITTINGS

$$Q = \frac{.463}{n} D^{2.667} S^{.5}$$

$$D = 3"$$

$$S = .012$$

$$h = 125'$$

$$Q = \left(\frac{.463}{.012} \right) \left(\frac{3}{12} \right)^{2.667} \left(\frac{125}{1100} \right)^{.5}$$

$$Q = .42 \text{ cfs} \quad .32 \text{ cfs JK}$$

$$V = Q (\text{DAYS}) (1.9835)$$
$$(0.42)(1.9835)(365) = 304.4 \text{ AF}$$
$$.32 \quad 231.7 \text{ JK}$$

WHEN IN OPERATION BLUICE
RUNS 24 HRS/DAY UNTIL VEIN
GIVES OUT OR PRICE OF ORE
CLOSES MINE

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS

System Description A 40' x 5' ~~10'~~ DAM IN STREAM W/ ~~10'~~ SPILLWAY AND 3" PVC PIPE
TO MINE EFFLUENT TO SETTLING PONDS & BACK TO STREAM

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement =

AFA/Acre

USE

Q (cfs)

V (afa)

FROM

TO

MINING

0.42

304.4

1-1

12-31

0.32 JK

231.7

0.32 JK

231.7

Total

0.42

304.4

1

Remarks 8/23/83 MR S. NOT PLEASED WITH CALCULATED RESULTS HE WILL
INSTALL MEASURING DEVICE.

10/3/83 NOTIFIED MR. S. OF M.D. REQ

7/17/86 CALLED MR S. ABOUT M.D. HE SAID HE WOULD ACCEPT Q = .42 cfs
IF M.D. REQUIREMENT CANCELED

10/20/87 - ERROR IN MAP READING CREATED ERROR IN CALC. - JK

INDEXED

DEC 19 1988

[illegible][illegible]

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: ^{SE NW} ~~NW SW~~ S. 3. T 27N, R 7E
UNSURVEYED SECTION TOWNSHIP

Place(s) of Use

[illegible]

Recommended Amendments:

DEC 19 1988

☒ Change P.D. as reflected above
☐ Change P.U. as reflected above

☐ Add P.D. as reflected above

☐ Add P.U. as reflected above

☒ None
☐ Other

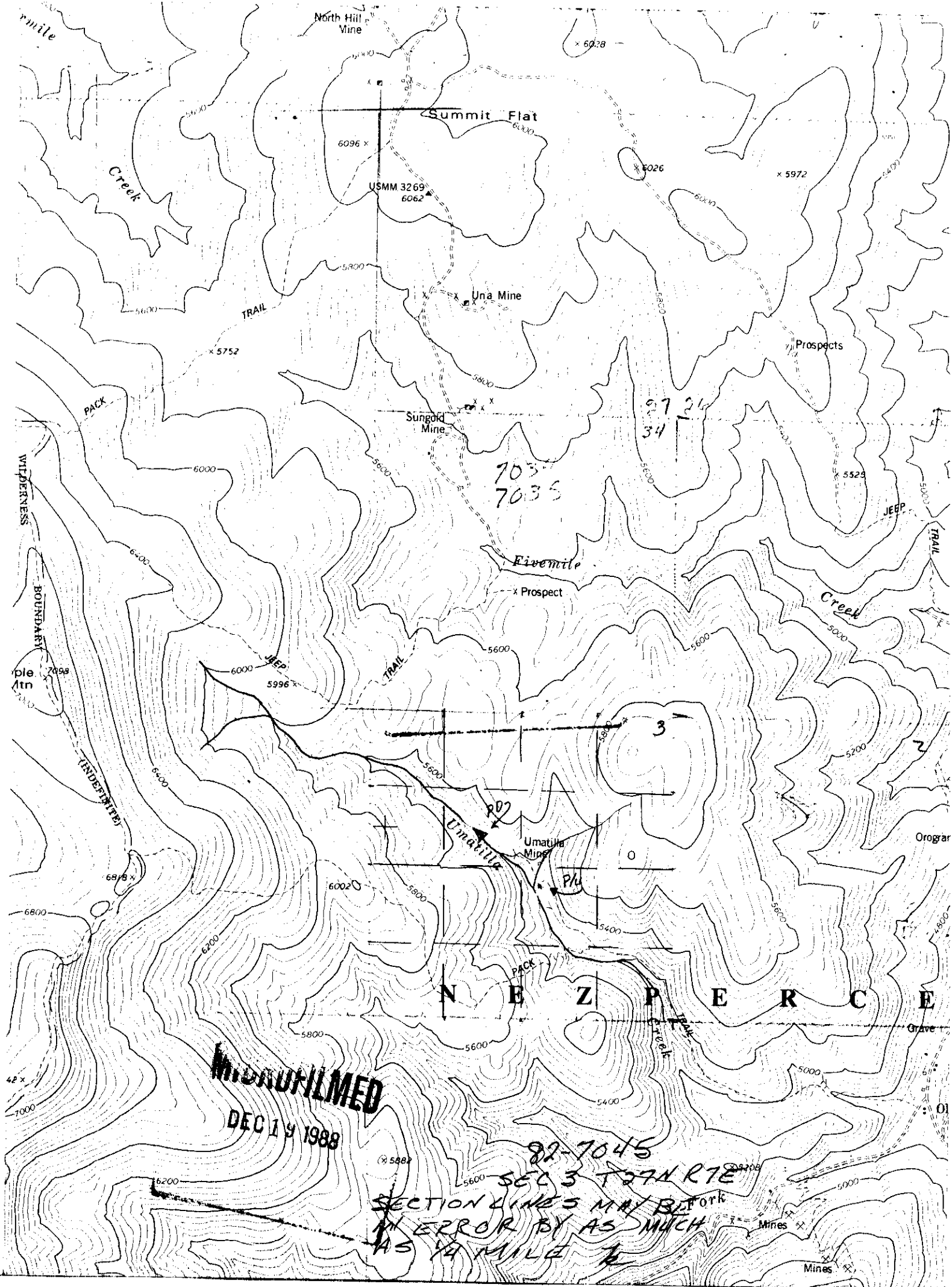
Examiner's Signature

Checked by

Approved by _____

Date 8/20/86
Date 9/18/86
Date _____

Date _____





State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS

Governor

R. KEITH HIGGINSON

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

October 16, 1987

RE: Permit Nos. 82-7014/7015/7034/7045

Joe Swisher
Rt. 1, Box 119
Cottonwood, ID 83522

Dear Mr. Swisher:

Enclosed are copies of orders removing the measuring device requirements from the above referenced permits.

If you have any questions concerning these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosures

MICROFILMED

DEC 19 1988

DATE 8-19-86

Director
Idaho Dept. of Water Resources
Statehouse Mail
Boise, Id. 83720

Dear Sir:

I request the removal of the Condition of Approval that I install and maintain a measuring device or measuring port, since my usage of the water under Permit No. 82-7045 is less than 0.70 cfs (315 gpm).

Sincerely,

NAME John Smith
ADDRESS Box 115
CITY & STATE Colton, Wyo. Id. 83522

UNRECORDED
FILMED

DEC 19 1988

RECEIVED
DEC 22 1988
Department of Water Resources
Nonham District Office

RECEIVED

SEP 24 1986

82-7045

INTER-DEPARTMENT MEMO — 1

FROM

T. KING

Department of Water Resources

DATE

9-1-86

TO

FILE

SUBJECT EXAM FEES FOR 82-7014, 82-7015, 82-7016, 82-7034, 82-7035
#82-7045 & 82-7137

THE EXAMINATIONS FOR THE ABOVE LISTED PERMITS WERE CONDUCTED ON 8/23/86. THE MEASUREMENTS AND CALCULATED RESULTS WERE NOT SATISFACTORY TO MR. SWISHER, ALSO HE HAD NOT INSTALLED THE REQUIRED MEASURING DEVICES. HE HAS SINCE RECONSIDERED HIS POSITION & HAS ~~HAD~~ DECIDED TO ACCEPT THE RESULTS OF THE EXAMINATION. NO FEE IS REQUIRED SINCE NO FURTHER FIELD WORK WAS NECESSARY.

Z

SIGNATURE

MICROFILMED

DEC 19 1988



STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 765-4639

August 14, 1986

Mr. Joe Swisher
Rt. 1 box 119
Cottonwood, Id. 83522

Re: 82-7014, 82-7015, 82-7034 and 82-7045

Dear Mr. Swisher:

When I conducted the examination of your various permits, I learned that the required measuring devices were not installed. This fact would invalidate the examinations, unless the measuring device requirement can be waived. I am enclosing waiver requests for 82-7014, 82-7015, 82-7034 and 82-7035. To file these requests, please sign them and return them to this office as quickly as possible.

If the requests are approved and the measuring device requirement is waived, I can recommend licensing of Permit Nos. 82-7015 at 0.46 CFS, 82-7034 at 0.17 cfs and 82-7045 at 0.42 cfs. As for 82-7014, I have attempted to contact you on several occasions concerning this permit. Please call me at 765-4639. The best time to contact me is between 7:00 AM and 8:00 AM, Monday through Friday.

Sincerely,

A handwritten signature of Tom D. King is written over the typed name.

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Waivers (4)

MICROFILMED

DEC 19 1988

4/86

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Sent to S.O. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EXAMINATION FEE INFORMATION

RECEIVED

JUN 30 1986

1. Permit No. 82-7045

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☐ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: JOE SWISHER

3. Post Office Address: Rt 1 Box 119 Cottonwood, Id. 83522

Telephone No. (208) 962-7190

4. Source of Water: UMATILLA CREEK

5. Extent of Use:

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation _____ (acres) Other/Remark mining this permitted

USE WAS EXAMINED BY THE DEPT. IN 1983.

6. Total rate &/or volume for which proof is submitted 2.0 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

JUNE 20, 1978

8. Person to contact to accompany the department representative during the field examination:

(Name)

(Address)

(Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner that he has selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

MICROFILMED

DEC 19 1988

Date _____

Signature of Permit Holder (and title, if appropriate) _____



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

October 3, 1983

Mr. Joe Swisher
Rt. 1 Box 119
Cottonwood, Id. 83522

Dear Joe:

I am enclosing the Application for Permit we discussed; it requires your signature and a \$30.00 filing fee. It should not require a measuring device, but I have enclosed a pamphlet which gives instructions for building the weirs required on #82-7014 (spring tributary to Four Mile Creek for mining), #82-7015 (Four Mile Creek for mining), #82-7034 (Five Mile Creek for mining), and #82-7045 (Umatilla Creek for mining).

When you finish the weirs, the roads become passable for a two-wheel drive vehicle, assuming one does not drive into obvious mud holes, and if you again have time to show me around, please contact me and I will make arrangements to visit your area again.

If you need any assistance, please contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Application
Pamphlet

MICROFILMED

DEC 19 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

Mailing address:
Statehouse
Boise, Idaho 83720

A. KENNETH DUNN
Director

82-7045
SWISHER, JOE
RT. 1 BOX 119
COTTONWOOD, ID 83522

138088

April 30, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you can change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

RECEIVED
MAY 1 1986

DEC 1 4 1988

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

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DEC 19 1988



STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 765-4639

March 28, 1985

Dennis MacMenamin
MacMenamin & Sons Mining
120 S.E. 7th
Grangeville, ID 83530

Dear Mr. MacMenamin:

This is in response to your request for information concerning permits issued to Joe Swisher, Jean Swisher, Del Steiner, Jim Maxwell or the Idaho Mining and Development Co. during the years 1982 to present. In 1983 we received a stream channel alteration application from Maxwell Placers and the Idaho Mining and Development Co. It was determined the activity proposed involved construction of a diversion to take water under a valid water permit, and as such was exempted from the requirements of the stream channel alteration act. As a result no action was taken by the department on that application.

Joe Swisher holds a number of water appropriation permits for different areas. The following is a synopsis of them:

- 82-7014 filed 2/31/73, T28N, R7E, Sec. 16&17
- 82-7015 filed 2/31/73, T28N, R7E, Sec. 17
- 82-7034 filed 4/3/75, T28N, R7E, Sec. 34
- ✓82-7045 filed 2/19/76 T27N, R7E, Sec. 3
- 82-7137 filed 10/31/83, T28N, R7E, Sec. 27

I hope this information covers your needs.

Sincerely,

Robert G. Haynes, P.E.
Regional Supervisor

MICROFILMED



MacMenamin and Sons Mining

"Put It In Writing"

120 S.E. 7th St.
Grangeville, Idaho 83530
(208) 983-2488

Idaho Dept. of Water Resources
Northern Dist. Office
4055 Government Way, Suite #9,
Coeur D'Alene, Idaho 83814

March 21, 1985

Dear Sirs,

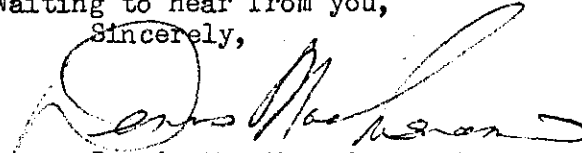
I would be interested in finding out some information concerning some Idaho mining claimants and if they had applied and if so, did they receive any dredge permits, or other water orientated mining permits.

I hope this is in line with public information requests, and if not, would you use this letter as my request under the "Freedom of Information Act (FOIA)." I would like copies of their permits, but if that would complicate matters, then just the knowledge of permits would suffice.

The years 1982-present 1985 and the name of the applicant might be Idaho Mining and Development Inc., or Jean Swisher, Joe Swisher, Del Steiner, and Jim Maxwell. If any permits were applied for or received would you list them by name of applicant and year? Thank you.

My apologies for causing this extra work for you, but the information will help help in clearing my clouded claims.

Waiting to hear from you,
Sincerely,



Dennis Mac Menamin

PS: also enclosing my dredge permit application.

enclosures: 1
cc: file

RECEIVED
MAR 25 1985

Department of Water Resources
Northern District Office

MICROFILMED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN W. EVANS
Governor
C. STEPHEN ALLRED
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

February 10, 1981

Mr. Joe Swisher
200 S. Gallese
Granseville, Id. 83530

RE: 82-7045

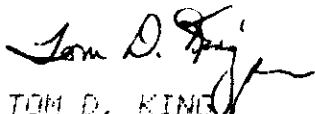
Dear Mr. Swisher:

We acknowledge receipt of your statement of completion of water development and use for the above-referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We do not know at this time when he will be able to conduct the examination, however, the examiner will try to contact you at the time he makes the examination so that you may show him the system. If you will not be available to show the system, please provide this office with the name and address of someone who will be able to do so. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office.

Very truly yours,



TOM D. KING
Senior Water Resource Agent

TDK/pms

cc. IDNR - State Office

MICROFILMED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 82-7045.

Name(s) of Permit Holder: JOE SWISHER

Post Office Address: 200 S COLLEGE
GRANGEVILLE, IDAHO 83530 Tel. No. 983-0504

Source of Water: UMITILA CREEK

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☐ Irrigation (acres)
☒ Other MINING

Measuring Device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No
Access Port: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

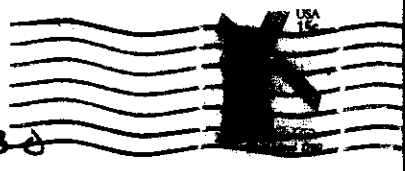
JAN 16, 1981
Date

Joe Swisher
Signature of Permit Holder

Joe Swisher

2003 College

Grangeville



85530

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JAN 21 1981

IDAHO DEPARTMENT OF WATER RESOURCES

STATEHOUSE

Department of Water Resources

BOISE, IDAHO 83720

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

SWISHER, JOE
RT. 2 BOX 55C-2
GRANGEVILLE, ID 83530

1083.3

DECEMBER 31, 1980

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 82-7045 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MARCH 01, 1981. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENCLOSURES

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720

PRESORTED
FIRST-CLASS



82-7045

~~369~~
Joe Swisher
3609 14th Street
Lewiston, Idaho 83501

ATTEMPTED - NOT KNOWN

RT# 18 DATE 7-17-80 INIT DM

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returned
RECEIVED

JUL 21 1980

Department of Water Resources
Batch # 11

Box # 2 Box 5502
Grangeville
83530
09-08-80



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

July 11, 1980

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the Regional Office nearest to you.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL JR., P.E.
Supervisor, Water Allocations Section

DRT:jg

Enclosures

Northern Region Office
Rt. #5 Box 203, Government Way
Coeur d'Alene, Idaho 83814

Southern Region Office
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301

Eastern Region Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Western Region Office
92 South Cole Road
Boise, Idaho 83705

MICROFILMED

March 23, 1976

Re: Permit No. 82-7045

Joe Swisher
3609 14th Street
Lewiston, ID 83501

Dear Mr. Swisher:

Enclosed is a copy of your approved Application for Permit No. 82-7045. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

Enclosure: Copy of permit

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 82-7045 Joe Swisher

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) RGH 2-19-76

In form to receipt

(2) CP 3/8

Send Copies to:

☒ Idaho State Health Department
☒ Idaho Fish and Game Department
☒ Bureau of Land Management
☒ USFS and Dept of Lands
☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant

(4) RGH 2-19-76

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) CP 3/16

Affidavit of Publication received(date) MARCH 10, 1976

(12) CP 2/20

Final date for protests MARCH 15, 1976
Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or applicant: yes ☒ no _____

(14) _____

Action recommended:

☒ Approve

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MAR 16 1976

Proposed Priority 2-19-76

Reason for Reduction _____ Department of Water Resources

☒ Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

(15) District Northern

By Bob Haynes

Date 3-8-76



STATE OF IDAHO

DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

10 March 1976

STATE BOARD OF LAND COMMISSIONERS

CECIL D. ANDRUS
GOVERNOR AND PRESIDENT
PETE T. CENARRUSA
SECRETARY OF STATE
WAYNE L. KIDWELL
ATTORNEY GENERAL
JOE R. WILLIAMS
STATE AUDITOR
ROY TRUBY
SUPT OF PUBLIC INSTRUCTION

Robert G. Haynes
Department of Water Resources
Northern District
Route #5, Box 203, Suite 1
Coeur d'Alene, ID 83814

RECEIVED

MAR 12 1976

Department of Water Resources
Northern District Office

RE: 82-7045
Joe Swisher

Dear Bob:

The above designated application does not involve state endowment land or navigable streams.

The Department of Lands has no objection to the work as proposed. Thank you for the opportunity to review this application.

Very truly yours,

DIVISION OF EARTH RESOURCES

WILLIAM A. SCRIBNER, Chief
Bureau of Navigable Waters

WAS:ph

ALL KINDS
OF
COMMERCIAL
PRINTING
LETTERPRESS AND OFFSET



USE FREE PRESS
CLASSIFIED ADS

"THEY GET RESULTS"



TELEPHONES:
983-1070 OR 983-1071

"PROMPT SERVICE"

STATEMENT

RECEIVED IDAHO COUNTY FREE PRESS

COUNTY SEAT NEWSPAPER OF IDAHO COUNTY — FOUNDED JUNE 18, 1886

E. Q. AND J. L. OLMSTED

PRINTERS AND PUBLISHERS

FEB 10 1976

Grangeville, Idaho March 8, 1976

Department of Water Resources

Northern District Office

State of Idaho
R. Keith Higginson, Director
Idaho Department of Water Resources
4055 Government Way
Coeur D'Alene, Id. 83814

DATE	INVOICE NO. / ITEMS	AMOUNT
Feb. 25	36 li. 2X Not. of App. for Water Permit--Swisher	\$12.24

4055 Government Way - Suite #1

(208) 667-6484

March 9, 1976

Re: Application for Permit No. 82-7045 - Joe Swisher

District Supervisor
U.S. FOREST SERVICE
Nez Perce National Forest
319 East Main
Grangeville, ID 83530

Dear Sir:

We have enclosed a copy of the above referenced application for your information.

Feel free to contact us if we may be of any further assistance.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:CP

Enclosure



4055 Government Way - Suite #1

(208) 667-6484

March 9, 1976

Re: Application for Permit No. 82-7045 - Joe Swisher

Idaho Department of Lands
Statehouse
Boise, ID 83720

Gentlemen:

We have enclosed a copy of the above referenced application for your information.

Feel free to contact us if we may be of any further assistance.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:CP

Enclosure

4055 Government Way - Suite #1

(208) 667-6484

March 8, 1976

Re: Application for Permit No. 82-7045 - Joe Swisher

Idaho State Health Department
Environmental Improvement Division
Statehouse
Boise, ID 83720

Gentlemen:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, please submit them to our office as soon as possible. We normally complete the processing of an application within a four-week period and we are required to take final action shortly thereafter.

Feel free to contact us if we may be of any further assistance.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

REH:CP

Enclosure

4055 Government Way - Suite #1

(208) 667-6484

February 23, 1976

Re: Application for Permit No. 82-7045

Mr. Joe Swisher
3609 - 14th Street
Lewiston, ID 83501

Dear Mr. Swisher:

Attached is your receipt No. 3927 in the amount of \$35 for the filing fee
on the above referenced application which was received in this office.

Very truly yours,

Corda M. Patterson
Secretary

CP

Attachment



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN DISTRICT

Route 5, Box 203 - Suite #1
4055 Government Way

COEUR D'ALENE, IDAHO 83814

(208) 667-6484

February 20, 1976

Re: Application No. 82-7045 - Joe Swisher

Idaho County Free Press
Box 267
Grangeville, ID 83530

Gentlemen:

Enclosed is a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES
District Supervisor

RGH:CP

Enc: Legal Notice(s)

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Joe Swisher,
3609 - 14th Street, Lewiston, Idaho
has on February 19, 1976 submitted Application No. 82-7045
for a permit to appropriate 2.00 cubic feet per second ~~and x feet per second~~
of water from Umatilla Creek, tributary of Crooked River
by means of pipeline, sluice boxes, and settling ponds
within the NW 1/4, Sec. 3, T. 27N, R. 7E, B.M., Idaho County

to be used from Jan. 1 to Dec. 31
for mining purposes

within the NW 1/4, Sec. 3, T. 27N, R. 7E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before March 15, 1976.

R. KEITH HIGGINSON
Director

Published in the Idaho County Free Press, Grangeville, Idaho
on Feb. 25 and March 3, 1976

IDENT. NO. 82-7045

WATER RIGHT
DATA ENTRY LOG[illegible]