

JAN-20-1998 10:45

THOMPSON CREEK MINING CO.

208 838 2299 P.20/24

Wa Right Nos. 72-00048, 72-00051M,
72-00051P, and 72-00051B.

ELD BM

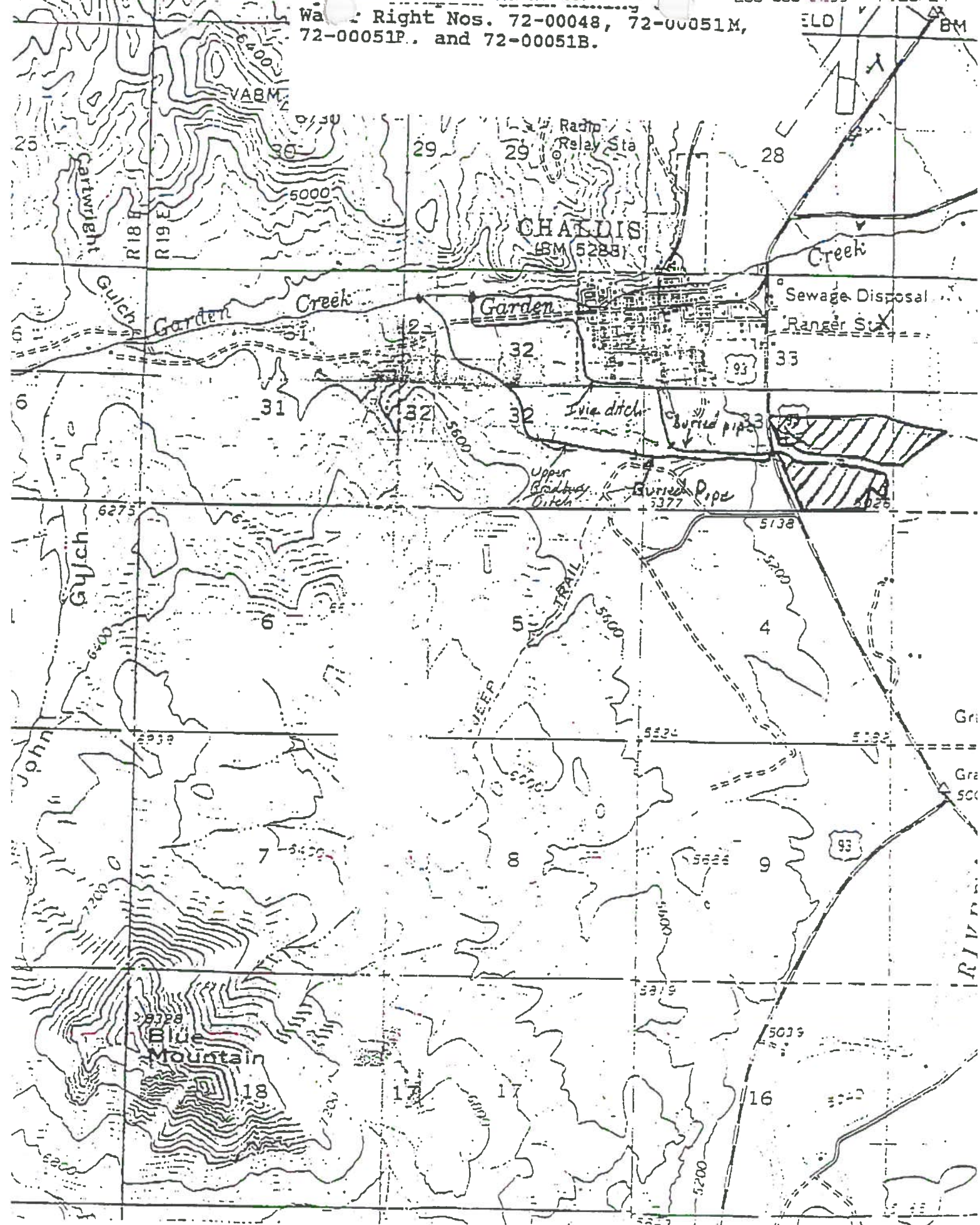


EXHIBIT "A"

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A72-00048
Date Received: 1/12/1990
Receipt No: C013965
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CYPRUS THOMPSON CREEK MINING CO 208-838-2200
Address: C/O BERT DOUGHTY
PO BOX 62
CLAYTON ID 83227

2. Date of Priority: MAY 15, 1901

3. Source: GARDEN CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	32		NW	NW		CUSTER

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.600		

7. Total Quantity Appropriated is:
2.600 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 225.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	33	NE	SE		IRR	10.0
			NW	SE		IRR	10.0
			SW	SE		IRR	20.0
			SE	SE		IRR	33.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	73.0
		34	NW	SW	IRR	6.0
			SW	SW	IRR	11.0
					Section Acres	17.0
					Total Acres	90.0

11. Place of use in counties: CUSTER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
72-00051P, 72-00051B, 72-00051M

14. Remarks:

ITEM 5

WATER IS DIVERTED WITH ROCK JETTY INTO 24" CEMENT CULVERT WHICH FEEDS DIRECTLY INTO METAL MEASURING FLUME. FLOW IS CONTROLLED BY WHEEL VALVE AT DIVERSION. WATER THEN FLOWS INTO EARTHEN DITCH SYSTEM FOLLOWED BY A BURIED PIPE AND THE END POINTS ARE SPRINKLERS. OPEN DITCH SEGMENT IS APPROXIMATELY 3900 FEET LONG AND BURIED PIPE SEGMENT IS APPROXIMATELY 1000 FEET LONG FOR TOTAL LENGTH OF 4900 FEET TO FINAL POINT OF USE.

THE AMENDED NOTICE OF CLAIM REFLECTS THE CHANGES APPROVED IN TRANSFER NO 3745. THE AMENDED NOTICE OF CLAIM ALSO REFLECTS ACTUAL IRRIGATED ACREAGE AND REPRESENTS A REDUCTION IN THE NUMBER OF ACRES IRRIGATED, SUBSEQUENT TO TRANSFER NO 3745. THOMPSON CREEK MINING COMPANY IS THE SOLE OWNER OF ALL OF THE ASSETS OF CPRUS THOMPSON CREEK MINING COMPANY, INCLUDING THE WATER RIGHTS. DATA ENTERED 3-19-98 KKC
A SECOND POINT OF DIVERSION IS ALSO CLAIMED AT THE SAME LEGAL. THE DITCH IS ALSO KNOWN AS THE UPPER BRADBURY DITCH.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

RECEIVED

MAR 12 1998

WATER RESOURCES
WESTERN REGIONIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 72-00048

Date Received

Receipt Number

RECEIVED

MAR 13 1998

Department of Water Resources
Southern Region

AMENDED

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED

MAR 09 1998

Department of Water Resources

Please type or print clearly

- Name of Claimant (s) Cyprus Thompson Creek Mining Co. Phone (208) 838-2200
Mailing Address c/o Bert Doughty, PO Box 62, Clayton, ID Zip 83227
- Date of Priority (Only one (1) per claim) May 15, 1901
- Source of water supply (a) Garden Creek
which is tributary to (b) Salmon River
- a. Location of existing point of diversion is: Township 14N Range 19E Section 32,
1/4 of NW 1/4 of NW 1/4, Govt. Lot, B.M., County of Custer (Ivie Ditch)
Additional points of diversion if any: T14N, R19E, S32, NW1/4 NW1/4, County of Custer (Upper Bradbury Ditch)
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
- Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Water is diverted with a rock jetty into a
metal measuring flume. Flow is controlled by a wheel valve at the diversion point.
There is an earthen ditch system to an 8" steel pipe connected to sprinkler wheel lines.

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 4/1 to 11/1 amount 2.6 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.6 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 225 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
14N	19E	33													10	10	20	33	73
14N	19E	34										6	11						17

Total number of acres irrigated 90

11. In which county (ies) are lands listed above as place of use located? Custer

12. Do you own the property listed above as place of use? Yes ☒ No ☐

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

72-00051P, 72-00051B, 72-00051M or None ()

14. Remarks: The amended notice of claim reflects the changes approved in transfer no. 3745.

The amended notice of claim also reflects actual irrigated acreage and represents a reduction in the number of acres irrigated, subsequent to transfer no. 3745.

Thompson Creek Mining Company is the sole owner of all of the assets of X Cyprus

Thompson Creek Mining Company, including the water rights.

Last Name Cyprus Thompson Creek Ident No. 72-00048
Mining Company

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

A 16x16 grid of squares, each containing a crosshair pattern. The grid is divided into four 8x8 quadrants by a central vertical and horizontal line. The top-left and bottom-right quadrants are white. The top-right and bottom-left quadrants are light gray. The central vertical and horizontal lines are red.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree xx
If applicable provide IDWR Water Right Number 72-00048
Court 6th District; Idaho Case Number _____ Decree Date May 19, 1914
Plaintiff vs Defendant Adams, et al. v. Vandervoort, et al.

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Supervisor of Environmental Affairs
of Thompson Creek Mining Company, that I have signed the foregoing
document in the space below as Supervisor of Environmental of Thompson Creek Mining Co.
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization Supervisor of Environmental Affairs
Thompson Creek Mining Company

Date 3/3/98

State of Idaho/or Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 3rd day of March 19 98

SEAL

Notary Public

Residing at

My Commission Expires

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Scott L. Campbell will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature

Address

Date

Last Name Cyprus Thompson Creek Mining Company Ident. Number 72-00048

Copies White-State, Yellow-Claimant



RIGHTS 72-000511
 TRANSFER 72-000511
 3745
 TRANSFER 72-000511
 3747

UPPER

BRADSHAW

LOWER

BRADSHAW

DIKE

28 27

CLAIM INIT KKE
 T. R. S. 0/0 enlarged
 P/D PHOTO ID 6LM 10-9C-5
 7-16-88 Hglt

Original mailed to Spencer
 Strand, RE Change of ownership
 & PA problems.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

29-Mar-1994

THOMPSON CREEK MINING COMPANY
BERT DOUGHTY
PO BOX 62
CLAYTON ID 83227

RE: FEES SUBMITTED FOR AN APPLICATION FOR TRANSFER RELATING
TO WATER RIGHTS 72-00051B, 72-00051M, 72-00051P, AND
72-00048.

Dear Mr Doughty

I am returning your money order for \$50.00 that you submitted with your transfer. I discussed the transfer actions with the allocations section and with the legal staff and they both felt that a formal transfer was not necessary as there was no change in the point of diversion or place of use. This is the information that I will use to update your adjudication filings which will eventually become your decreed rights.

The place of use identified in the application is larger than the place of use we identified during the field verification on 8-20-93 and I need to discuss this with you prior to the final recommendation. Also the total diversion rate you claimed on the application was the total of the four combined rights. Transfer 3745 records the total diversion rate to be limited to one inch per acre, or 2.60 cfs. The combined rights total diversion rate in the adjudication review will reflect the one inch per acre limitation similar to transfer 3745.

I prefer to discuss these changes with you prior to making my recommendation so if I have not reached you by phone by the time you receive this letter, please give me a call.

Sincerely

Kelly K. Christensen
Sr. Water Resource Agent

enclosure

CUSTER COUNTY TITLE INC.
P.O. BOX 370 • CHALLIS, IDAHO 83226
(208) 879-4424 • FAX (208) 879-5249

MESSAGE

REPLY

TO

IDWR Southern Region Office
222 Shoshone St. East
Twin Falls, Idaho 83301

DATE

NOV 22 1993

RECEIVED

RE: 8332 Cyprus-Challis Recreation

Department of Water Resources

DATE

11-17-93

Southern Region Office

Dear Sirs:

Enclosed is a Change of Water Right
Ownership Form regarding the above
sale which recently closed in our
office.

If you should have any questions
concerning the transfer, please contact
the buyer and seller directly.

Thank you,

*Returned to
Spencer Spang
11-30-93. Prob with right.
KHC*



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 12, 1994

Scott L. Campbell
Elam & Burke
P.O. Box 1539
Boise, ID 83701

A72-00048

RECEIVED

JAN 18 1994

Department of Water Resources
Eastern District Office

RE: Snake River Basin Adjudication (SRBA)
Change of Firm Affiliation of Counsel and
Change of Company Name for Thompson Creek
Mining Company

Dear Mr. Campbell:

A copy of a report documenting your change of address and affiliation is enclosed.

To process the name change for the company, please supply a copy of the document filed with the Secretary of State or other document verifying the change. If the property was conveyed to new owners, a change of ownership form (enclosed) could be completed and filed in lieu of any copy above.

IDWR records indicate a claim A72-04151 for Cyprus Thompson Creek Mining Company that was not included on the list you supplied. Please notify us if you will also represent your client for this claim also.

Thanks for keeping us informed. If you have any questions, please give me a call.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:region
Enclosures:

Adjudication Attorney Name Add/Update Report
Form 42-1409(7)

RECEIVED

JAN 19 1994

Department of Water Resources
Southern Region Office

AJ514NP

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION ATTORNEY NAME ADD/UPDATE

DATE: 01/11/94
TIME: 23:58:38.9
PAGE: 1

INPUT: AJ_SELECTION:SHAF-CAMPBELL.SEL

TYPE OF ACTION: MODIFY
MODIFY ALL FIELDS FLAG: N

LAST NAME:
ADDRESS LINE 1: ELAM & BURKE
ADDRESS LINE 3: PO BOX 1539
CITY: BOISE

STATE: ID ZIP: 837011539

FIRST NAME:
ADDRESS LINE 2: 702 W IDAHO ST
PHONE NUMBER: (208) 343-5454

A72-00048 SUCCESSFULLY CHANGED ON HOST
A72-00051B SUCCESSFULLY CHANGED ON HOST
A72-00051L SUCCESSFULLY CHANGED ON HOST
A72-00051N SUCCESSFULLY CHANGED ON HOST
A72-00110 SUCCESSFULLY CHANGED ON HOST
A72-00111 SUCCESSFULLY CHANGED ON HOST
A72-00133 SUCCESSFULLY CHANGED ON HOST
A72-00135 SUCCESSFULLY CHANGED ON HOST
A72-00136 SUCCESSFULLY CHANGED ON HOST
A72-00137 SUCCESSFULLY CHANGED ON HOST
A72-04055C SUCCESSFULLY CHANGED ON HOST
A72-04080H SUCCESSFULLY CHANGED ON HOST
A72-07193 SUCCESSFULLY CHANGED ON HOST
A72-07219 SUCCESSFULLY CHANGED ON HOST
A72-07220 SUCCESSFULLY CHANGED ON HOST
A72-07257 SUCCESSFULLY CHANGED ON HOST
A72-07414 SUCCESSFULLY CHANGED ON HOST
A72-10488 SUCCESSFULLY CHANGED ON HOST
A72-00048 SUCCESSFULLY CHANGED ON HOST
A72-00051B SUCCESSFULLY CHANGED ON HOST
A72-00051L SUCCESSFULLY CHANGED ON HOST
A72-00051N SUCCESSFULLY CHANGED ON HOST
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A72-07257 SUCCESSFULLY CHANGED ON HOST
A72-07414 SUCCESSFULLY CHANGED ON HOST
A72-10488 SUCCESSFULLY CHANGED ON HOST

RECEIVED

JAN 19 1994

Department of Water Resources
Southern Region Office

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
Established in 1928

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

SCOTT L. CAMPBELL

RECEIVED

DEC 29 1993

Department of Water Resources

RECEIVED

JAN 18 1994

Department of Water Resources
Eastern District Office

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

December 28, 1993

Mr. David B. Shaw
Bureau chief
Adjudications Bureau
State of Idaho
Department of Water Resources
1301 North Orchard
Boise, Idaho 83706

RECEIVED

JAN 19 1994

Department of Water Resources
Southern Region Office

Re: Change of Firm Affiliation of Counsel and Change of Company Name
for Thompson Creek Mining Company

Dear Mr. Shaw:

This correspondence is to notify the Department of my change of address and affiliation. I am presently a partner with the law firm Elam & Burke at the following address:

Scott L. Campbell
Elam & Burke
702 West Idaho Street
P.O. Box 1539
Boise, Idaho 83701
(208) 343-5454

Additionally, the name of the company has been changed from Cyprus Thompson Creek Mining Company to Thompson Creek Mining Company.

Mr. David Shaw
December 28, 1993
Page Two

These changes are applicable to the following water rights for Thompson Creek Mining Company:

A72-00048	A72-00137
A72-00051B	A72-04055C
A72-00051L	A72-04080H
A72-00051N	A72-07193
A72-00110	A72-07219
A72-00111	A72-07220
A72-00133	A72-07257
A72-00135	A72-17414
A72-00136	A72-10488

Thank you for your cooperation. If you have any questions, please do not hesitate to call.

Very truly yours,

ELAM & BURKE
A Professional Association


Scott L. Campbell

SLC:ma

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
Established in 1928

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

SCOTT L. CAMPBELL

RECEIVED

DEC 29 1993

Department of Water Resources

RECEIVED

TELEPHONE
208-343-5454

JAN 18 1994

FACSIMILE
208-384-5844

Department of Water Resources
Eastern District 0

RECEIVED

JAN 19 1994

December 28, 1993

Department of Water Resources
Southern Region Office

Mr. David B. Shaw
Bureau chief
Adjudications Bureau
State of Idaho
Department of Water Resources
1301 North Orchard
Boise, Idaho 83706

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Elam & Burke
702 West Idaho Street
P.O. Box 1539
Boise, Idaho 83701
(208) 343-5454

Additionally, the name of the company has been changed from Cyprus Thompson Creek Mining Company to Thompson Creek Mining Company.

1-5-94
DID WE GET
SOMETHING ALREADY
DOCUMENT CO. NAME
CHANGE? ☐ 1-6-94
modify?

Mr. David Shaw
December 28, 1993
Page Two

RECEIVED
JAN 18 1994
Department of Water Resources
Eastern District Office

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A72-00048	A72-00137
A72-00051B	A72-04055C
A72-00051L	A72-04080H
A72-00051N	✓ A72-07193
A72-00110	A72-07219
A72-00111	A72-07220
✓ A72-00133	A72-07257
✓ A72-00135	A72-07414
✓ A72-00136	A72-10488

Thank you for your cooperation. If you have any questions, please do not hesitate to call.

Very truly yours,

ELAM & BURKE
A Professional Association


Scott L. Campbell

SLC:ma



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

30-Nov-1993

SPENCER STRAND
CHALLIS RECREATION AND DEVELOPMENT CORP
PO BOX 81
CHALLIS ID 83226

RE: CHANGE OF OWNERSHIP FOR ADJUDICATION CLAIMS A72-00048,
A72-00110 & A72-00111

Dear Mr Strand

Enclosed are copies of the two transfers approved for Cyprus that relate to the combined systems and rights as they requested.

Transfer 3745 placed rights 72-00051N, 72-00051B, 72-00051L, and 72-00048 on the same ground which lays east of highway 93.

Transfer 3747 placed rights 72-00110 and 72-00111 on ground west of the highway. This place of use includes both the ground west of the highway and south of the subdivision (approximately 40 acres) and the golf course and surrounding ground now idle (approximately 134 acres).

Neither the transfers or the related adjudication claims completely agree with the current or historic place of use. I have also enclosed a copy of the BLM photo 10-9C-5 (1988 flight) which was enlarged 200%. On that photo I have outlined what I feel to be the recent historic place of use and the place of use identified by Bert Daughtery as the intended transfer place of use. I have discussed the circumstances of the transfer place of use confusion with the department's legal staff and they stated that it would be proper for me to recognize the place as outlined rather than the place of use as described in the transfers. This would result in a net reduction of acres on both transfers. Based upon my found acres of 134 and a combined diversion rate of 2.96 cfs the system rate per acre is 1.1 inches. This is slightly greater than the standard legal limit, however, as a portion of the place of use is currently flood irrigation and soils analysis for neighboring claims indicates a need for greater than 1 inch per acre, the decreed rate likely would be recommended for these rights.

STRAND
PAGE 2
30-Nov-1993

The transfers indicate intent to place 72-00048 on acres east of highway 93 whereas your warranty deed indicates that it is now to be appurtenant to the irrigated ground west of highway 93. I have not plotted the place of use as described in the warranty deed but have checked some of the general descriptions and confirmed the place of use as the ground west of highway 93. I have enclosed a second photo for your use to identify any discrepancies in the place of use boundary that I may have missed. If there are any differences, please mark them and return the photo to me.

Because of this conflict, I am also returning the change of ownership form and related correspondence. I have also enclosed the change in attorney form that we discussed during our telephone conversation. Once the discrepancies have been answered please re-submit the paperwork and I will complete the change of ownership and the adjudication recommendations for these systems.

If you have any further questions please contact this office and I will discuss them with you.

Sincerely

Kelly K. Christensen
Sr. Water Resource Agent

enclosures

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

COPY

**IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 39576
Ident. Number 72-0048 A72-00048
Date Received 1-12-90
Receipt Number C013965

**NOTICE OF CLAIM
TO A
WATER RIGHT**

RECEIVED
JAN 12 1990

ACQUIRED UNDER STATE LAW

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Cyprus Thompson Creek Mining Company Phone (208) 838-2200
Mailing Address c/o Bert Doughty, P.O. Box 62, Clayton, ID Zip 83227

2. Date of Priority (Only one (1) per claim) May 15, 1901

3. Source of water supply (a) Garden Creek
which is tributary to (b) Salmon River

4. a. Location of existing point of diversion is: Township 14N Range 19E Section 32,
NW 1/4 of NW 1/4 of 1/4, Govt. Lot, B.M., County of Custer

Additional points of diversion if any: _____

b. If Instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Water is diverted with rock jetty into
24" cement culvert which feeds directly into metal measuring flume. Flow is controlled
by wheel valve at diversion. Water then flows into earthen ditch system followed by a
buried pipe and the end points are sprinklers. Open ditch segment is approximately 3900
feet long and buried pipe segment is approximately 1000 feet long for total length of
4900 feet to final point of use.

MICROFILMED

MAR 18 1993

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For irrigation purposes from April 1 to Nov. 1 amount 3.20 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.20 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 500.0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
14N	19E	33									10	20	40						70
14N	19E	32			30		5	5	15	35				20				20	130

Total number of acres irrigated 200

11. In which county (ies) are lands listed above as place of use located? Custer

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
72-0111, 72-0110 or None ()

14. Remarks:

MICROFILMED

MAR 18 1993

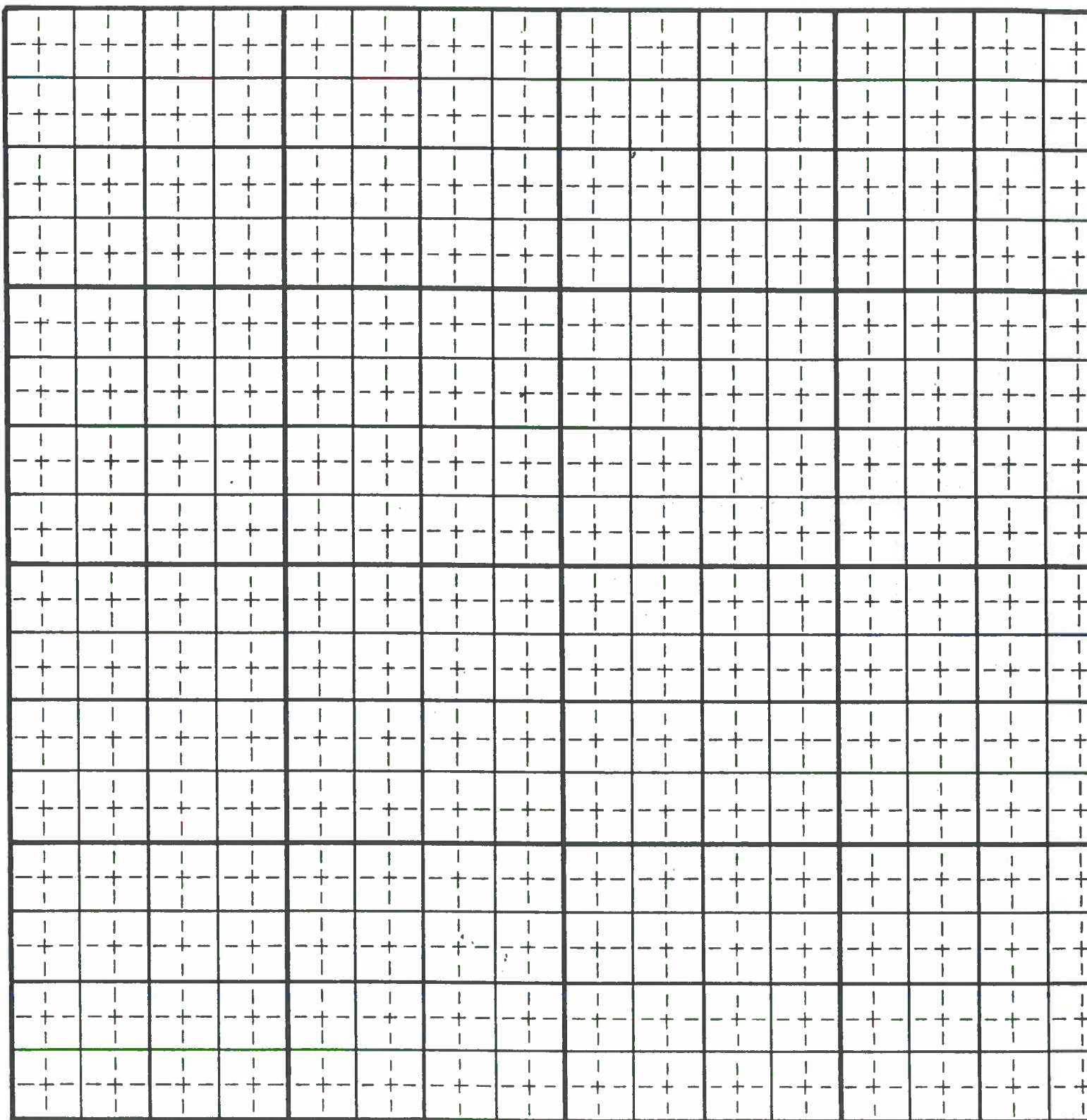
Last Name Cyprus Ident No. _____

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

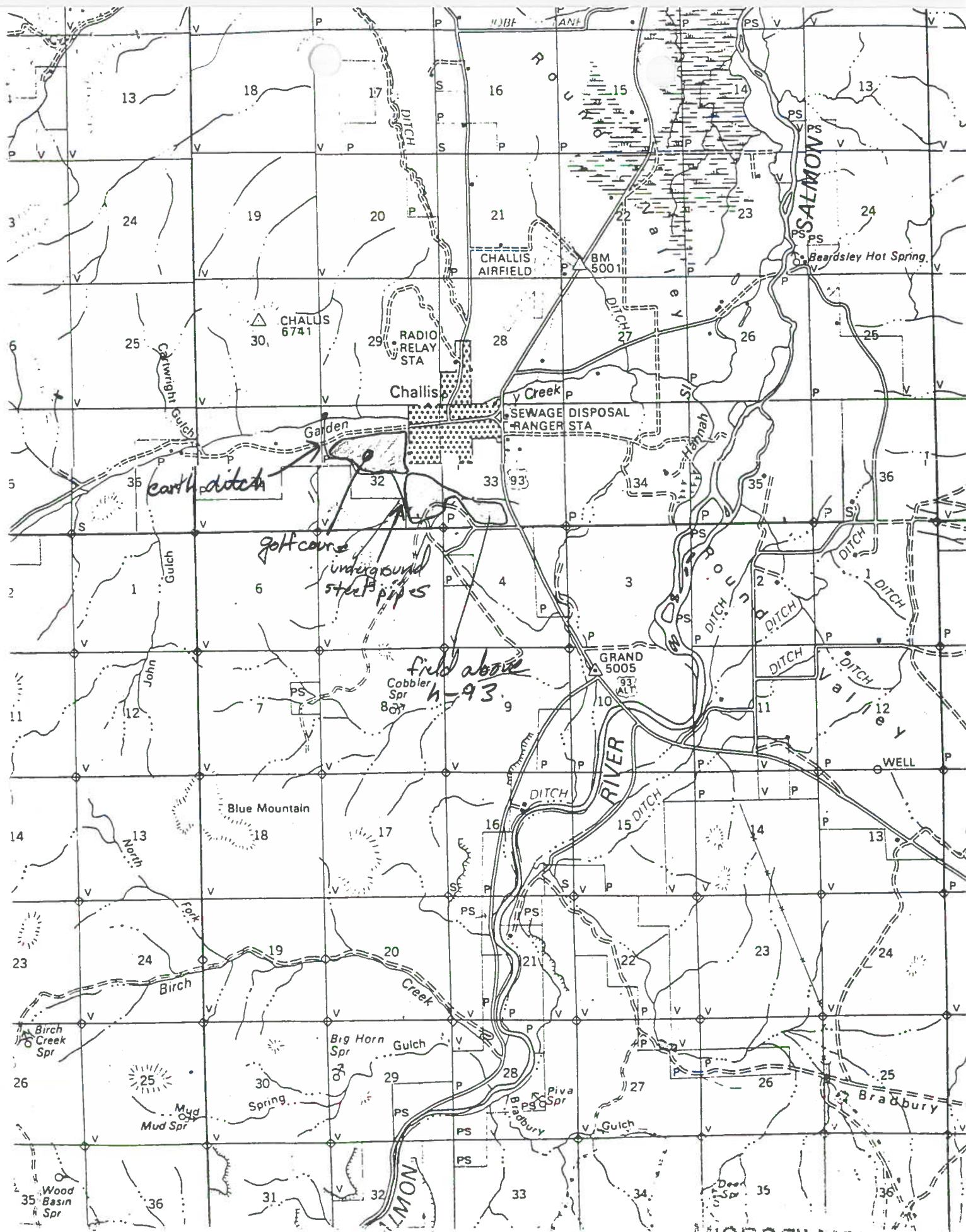
See Exhibit A



MICROFILMED

Last Name Cyprus Ident No. _____

MAR 18 1993
Copies: White-State, Yellow-Claimant



MICROFILMED

EXHIBIT A 72-0048 MAR 18 1993

CLAIMANT'S NAME Cyprus Thompson Creek Mining Co. CLAIM IDENT. NO. A72-00048
 DATE RECEIVED 1-12-90 ^{copy} ~~FILE~~ # C013965 AMOUNT \$ 710.00 20 claims

	YES	NO	Require Info
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered? Is the priority date acceptable in view of mandatory filing dates? See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	*
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒ N/A	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☒ N/A	☐	
Is the consumptive use correct?	☒ N/A	☐	
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	☒ N/A	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒ N/A	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	☒ N/A	☐	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
19. Was this claim filed on time, or was an extension granted?	☒	☐	*
20. Is the fee enclosed correct?	☐ Exempt	☒ ?	*
21. If this claim is based on an existing water right, has the identification number been entered?	☒ N/A	☐	
22. Should this claim be data entered?	☒	☐	

Claim checked by: CF Date: 5-24-90
 Claim must be returned to claimant: (Yes) / (No)
 Claimant must be notified of modifications: (Yes) / (No)

Receipt Prepared by: _____ Date: _____
 Claim data entered by: CF Date: _____
 Sent to claimant by: _____ Date: _____
 Checked by: _____ Date: _____

Comments: 50.00 + 200.00 = 250.00 50.00 + 90.00 = 140.00 140.00 + 135.00 = 275.00

MICROFILMED

MAR 18 1993

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A72-00048
Date Received: 1/12/1990
Receipt No: C013965
Received By: _____

RECEIVED

JUN 13 1990

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CYPRUS THOMPSON CREEK MINING CO. 208-838-2200
Address: C/O BERT DOUGHTY
P.O. BOX 62
CLAYTON, ID 83227

2. Date of Priority: MAY 15, 1901

3. Source: GARDEN CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	32	NW	NW			CUSTER

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.200		

7. Total Quantity Appropriated is:
3.200 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 500.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	32	SW	NE		IRR	30.0
			NE	NW		IRR	5.0
			NW	NW		IRR	5.0
			SW	NW		IRR	15.0

A72-00048

Page 1

Date: 05/24/90

MICROFILMED
MAR 18 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	32	SE	NW		IRR	35.0
			NE	SE		IRR	20.0
			SE	SE		IRR	20.0
					Section Acres		130.0
		33	NW	SW		IRR	10.0
			SW	SW		IRR	20.0
			SE	SW		IRR	40.0
					Section Acres		70.0
					Total Acres		200.0

11. Place of use in counties: CUSTER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
72-00111, 72-00110

14. Remarks:

ITEM 5

WATER IS DIVERTED WITH ROCK JETTY INTO 24" CEMENT CULVERT WHICH FEEDS DIRECTLY INTO METAL MEASURING FLUME. FLOW IS CONTROLLED BY WHEEL VALVE AT DIVERSION. WATER THEN FLOWS INTO EARTHEN DITCH SYSTEM FOLLOWED BY A BURIED PIPE AND THE END POINTS ARE SPRINKLERS. OPEN DITCH SEGMENT IS APPROXIMATELY 3900 FEET LONG AND BURIED PIPE SEGMENT IS APPROXIMATELY 1000 FEET LONG FOR TOTAL LENGTH OF 4900 FEET TO FINAL POINT OF USE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

ADAMS ET AL

Decree Plaintiff

vs

VANDERVOORT ET AL

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

Y903

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 22, 1992

RECEIVED

MAY 29 1992

Department of Water Resources
Southern Region Office

Scott L. Campbell
Davis, Wright, Tremaine
702 W. Idaho St., #700
Boise, ID 83702

RE: Change in Notice of Appearance of Counsel on the Snake River Basin Adjudication Claims for Owen Ranches, Pioneer Irrigation District, Cyprus Thompson Creek Mining Company, Conversion Industries U.S.A., Inc. and Settlers Irrigation District

Dear Scott:

The five computer reports enclosed confirm the change in firm and address you requested in your letter dated February 13, 1992. By comparing these reports to the list you supplied with your letter, you will see not all of the water right claims listed in your attachments were changed. Those claim records not changed are filed by persons other than your client(s).

The possibility of questions I raised in our telephone conversation last week were resolved for my part. If you have any questions or need some points clarified, please feel free to contact me.

Thank you for supplying the claim lists in an orderly fashion.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:region(s)

Enclosures:

Five Computer Reports

MICROFILMED

MAR 18 1993

CYPRUS THOMPSON CREEK MINING COMPANY
Snake River Basin Adjudication

Notice of Claim to Water Right:

Number

Priority Date

A72-00048		
A72-00051B		
A72-00051N		
A72-00051L		
A72-00110		
A72-00111		
A72-00133		
A72-00135		
A72-00136		
A72-00137		
A72-04047		
A72-04055		
A72-04055C	Beneficial Use	April 15, 1885
A72-04080	Beneficial Use	May 1, 1885
A72-04080H	Beneficial Use	May 1, 1885
A72-04151		
A72-04159		
A72-07083		
A72-07084		
A72-07099		
A72-07100		
A72-07101		
A72-07117		
A72-07118		
A72-07134		
A72-07193		
A72-07219		
A72-07220		
A72-07257		
A72-07267		
A72-07414		
A72-08811		
A72-10488		

Notice Posted for "Getty Place" Water Right Holman Ditch
Claim dated 01/09/90 for water from Salmon River,
Priority Date: May 24, 1888

MICROFILMED

MAR 18 1993

11-18-99

RE: Cyprus Thompson Creek objection

I agree with the data entry error showing the P/U for Sec 33 in the NE 1/4.

It should have been in the SE 1/4 at the same acreage.

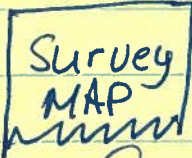
I do not agree that the amended claim represents the correct acreage by Q/Q.

See Yellow Tab documents

MEMO
RE: P/U

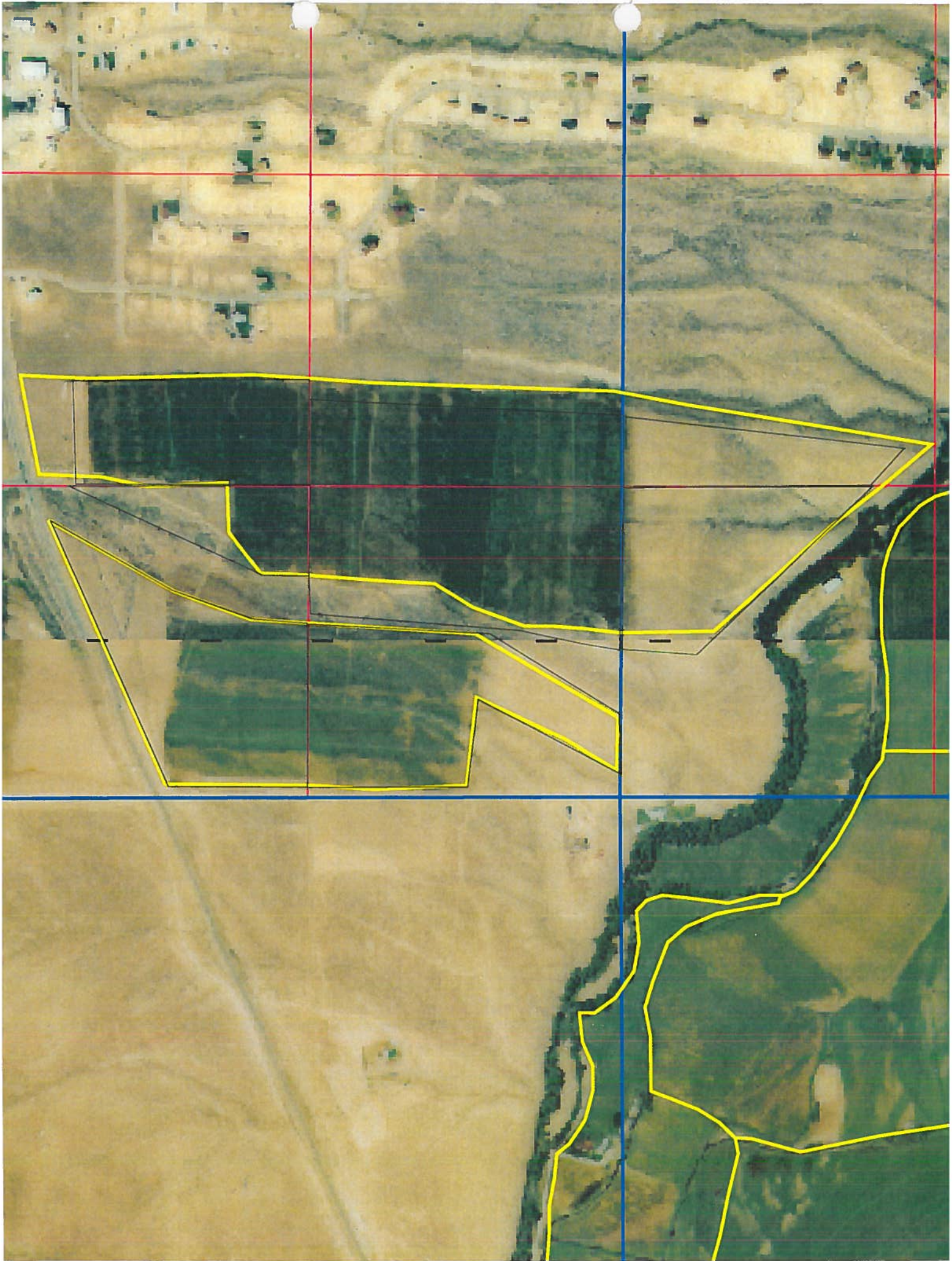
and

LAND LIST
REGIS
Recom P/U

The survey, Blue tab  identified the overall boundary for the two fields but did not break the acres down by Q/Q. I believe the acres listed are estimates as to the number of acres by Q/Q.

The Survey map does not list the multo & Bound for the 2. parcels. I created the shape file in GIS based upon a combination of the physical features shown on the aerial photo and the Survey map. I would suggest that there is room to adjust the shape file but I do not believe that the amended claim is entirely accurate.

Kelly K. Christensen



RECEIVED

MAY 26 1999

Department of Water Resources

RECEIVED

JUN 01 1999

Department of Water Resources
Southern Region

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

A. Subcase 72-00048

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Cyprus Thompson Creek Mining Company

Address: c/o Bert Doughty, Post Office Box 62

Clayton, ID 83227

Daytime Phone: (208) 838-2200

Name & Address of Attorney, if any:

Scott L. Campbell and Angela D. Schaer

Elam & Burke

PO Box 1539

Boise, ID 83701

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Same as above

Address: _____

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See Attachment A

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): See Attachments B and C

F.

VERIFICATION (Must be Completed)

State of IDAHO)
)ss.
County of ADA)

Angela D. Schaefer, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. 42-1401A(1) and (6)
or that I am the attorney for the party/claimant objecting and that I have read this objection, know
its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Angela D. Schaefer
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

May 25, 1999

Pamela Woodies
Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 2/25/2004



INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on May 25, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

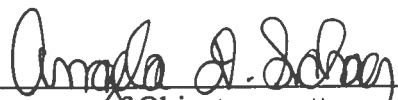
Name: Thompson Creek Mining Company
Address: c/o Bert Doughty, Post Office Box 62
Clayton, ID 83227

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

SRBA CLAIM NUMBER 72-00048

**STANDARD FORM 1
OBJECTION
ATTACHMENT A**

The place of use for this water right should be decreed as follows:

Township	Range	Section	$\frac{1}{4}$ of $\frac{1}{4}$		Acres
14N	19E	33	NE	SE	10
			NW	SE	10
			SW	SE	20
			SE	SE	33
		Section Acres 73			
		34	NW	SW	6
			SW	SW	11
		Section Acres 17			
		Total Acres 90			

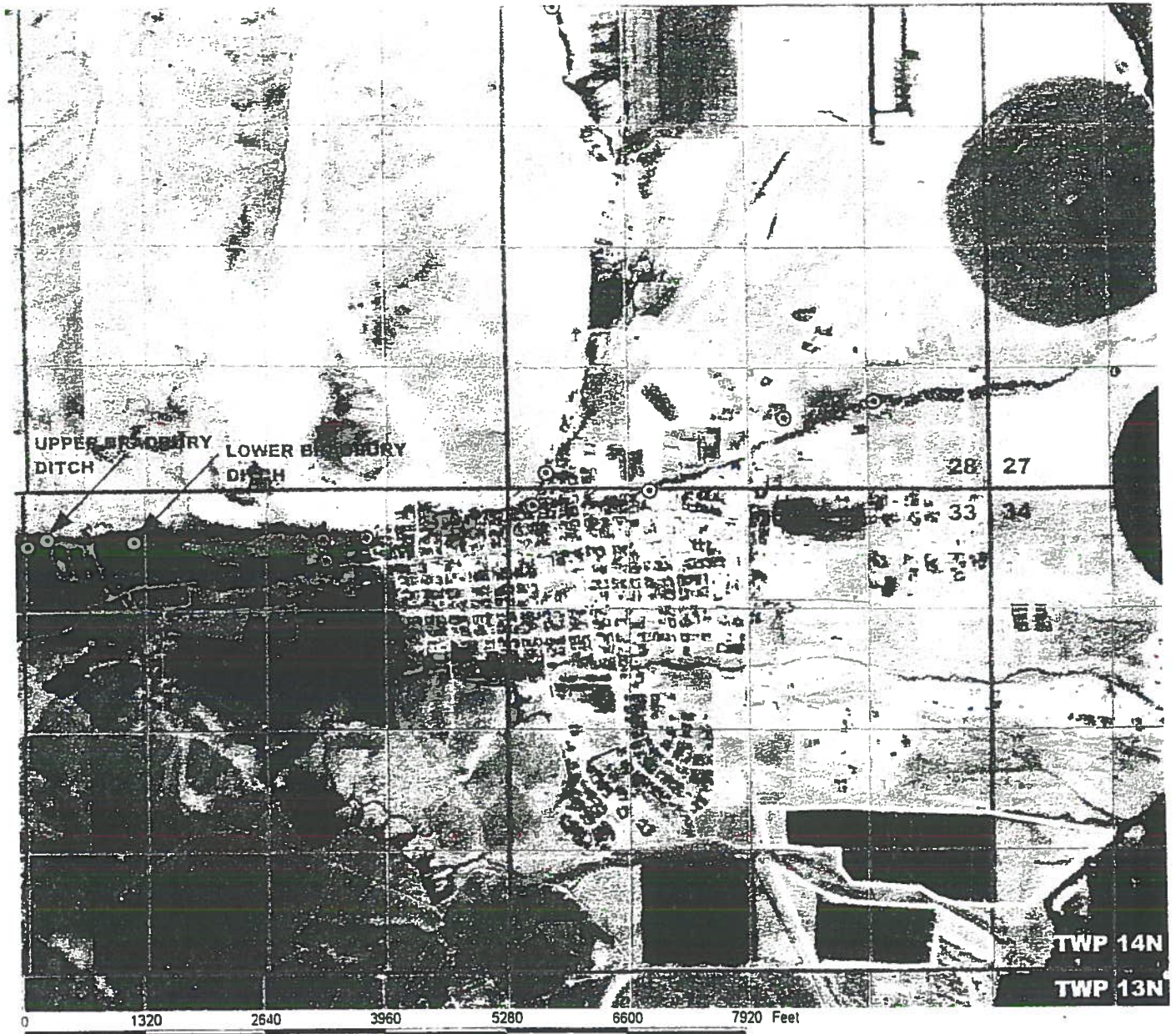
SRBA CLAIM NUMBER 72-00048

**STANDARD FORM 1
OBJECTION
ATTACHMENT B**

1. There is apparently a clerical error in the legal description for the place of use. The legal description for the place of use in Township 14N, Range 19E, Section 33 should be in the SE $\frac{1}{4}$ instead of the NE $\frac{1}{4}$. The Idaho Department of Water Resources GIS Map, included as Attachment C to this Objection, shows that the place of use in Section 33 is indeed in the SE $\frac{1}{4}$.

2. The place of use as set forth in the Amended Notice of Claim filed by Thompson Creek in 1998 was determined by a survey, and provides a more accurate assessment of the place of use than the GIS map, upon which the Idaho Department of Water Resources apparently relied in setting forth the number of acres in the place of use. Therefore, the place of use, including the number of acres, should be decreed as claimed and surveyed, and as described in Attachment A to this Objection.

72-00048, 72-00051B, 72-00051L, & 72-00051N



PLACE OF USE RECOMMENDATION
TWP 14N, RNG 19E, SEC 33 & SEC 34
 data entry on November 9, 1998



- RECOMMENDED POINT OF DIVERSION
- RECOMMENDED PLACE OF USE
- SECTION LINES
- QUARTER/QUARTER LINES

GIS PLACE OF USE PRESENTATION
1992 USDA-F AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us/idwr/idwrhome.htm

January 8, 1999

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ELAM & BURKE
SCOTT CAMPBELL
PO BOX 1539
BOISE ID 83701

**RE: NOTICE OF ERROR FOR THOMPSON CREEK MINING COMPANY PRELIMINARY
RECOMMENDATION FOR 72-00048, 72-00051B, 72-00051L, & 72-00051N**

Dear Scott

1. The point of diversion legal descriptions represent the descriptions of the diversion point for the two ditch systems that deliver water to the property, as determined during the 1993 field season and identified in the approved transfer 3745.
2. The place of use recommendation was based upon a survey and plat submitted by Bert Doughty. We viewed the place of use in August of 1993 and were in agreement as to the actual irrigated ground.
3. The quantity and volume recommendations are based upon the hearing conducted by the department in the matter of the application for transfer 3745 dated June 1 1992.

If you have any further questions please contact me at this office.

Sincerely

Kelly K Christensen
Senior Water Resource Agent

72-00048
RECEIVED

DEC 21 1998

Department of Water Resources
Region

ELAM & BURKE

A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454

FACSIMILE

SCOTT L. CAMPBELL

December 18, 1998

208-384-5844

SENT VIA FACSIMILE

Ms. Trish Fawcett
IDWR Southern Regional Office
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Re: Thompson Creek Mining Company's Snake River Basin Adjudication
Water Right Claims/Preliminary Recommendations

Dear Ms. Fawcett:

Our firm represents Thompson Creek Mining Company. Attached please find a Notice of Error form for the following preliminary recommendations:

72-00048
72-00051B
72-00051L
72-00051N
72-00133
72-00135
72-00136

72-00137
72-04159F
72-07193
72-07220
72-07257
72-07414
72-10488

I am sending the originals of these Notice of Error Forms via U.S. mail today, along with a copy of each. If you could please date-stamp the copies and return them to me in the enclosed self-addressed, stamped envelope, I would appreciate it.

Thank you for your assistance in this matter, and if you have any questions, please do not hesitate to contact me.

Very truly yours,

ELAM & BURKE
A Professional Association


Scott L. Campbell

SLC:thm G:\Thm\WPDATA\0016\00075-ltr.wpd
encl.

cc: Bert Doughty (w/ encl.)
Kevin Loughrey (w/ encl.)

November 20, 1998

**Notice of Error
Reply**

RECEIVED
DEC 21 1998
Department of Water Resources
Southern Region

Please type or print clearly, fill out this completely and mail.

Return this reply to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 18, 1998

Water right number: 72-00048

SCOTT L. CAMPBELL
ELAM & BURKE
PO BOX 1539
BOISE, ID 83701

Daytime Telephone Number: (208) 343-5454

Evening Telephone Number: (208) 343-5454

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Place of use, point of diversion, quantity, volume

2. Describe the changes you wish to make in the proposed recommendation:

Changes must be provided in personal conference in order to fully explain

3. Give a brief explanation as to why you disagree with these portions:

Because the preliminary recommendations are incorrect

 I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12-18-98

SIGNATURE:



Please print your name: Scott L. Campbell

Attorneys for: Thompson Creek Mining Company

IDWR Southern Regional Office, 1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380, (208) 736-3033

COPY

MEMORANDUM

RECEIVED

SEP 09 1998

Department of Water Resources
Southern Region

TO: D. Shaw

FROM: D. Shaff

DATE: December 21, 1995

RE: AMENDMENTS - 72-00051 TRANSFER

The trail for these water rights certainly became confusing as numbers were swapped and reversed in the processing toward a director's decision. Buried in the files, however, was some sense the answers to your questions.

On 7/20/90 an application was filed to change 72-00048 only and given Trans. No. 3745. On 8/03/90 an application was filed to change 72-00051N,B,L and given Trans. No. 3746. Each of these forms is in 72-00048 and marked VOID. On 5/21/91 an application to change all the above water rights was filed and given Trans. No. 3745. The original of this application is in 72-00048. At this time I do not have the date of the application for 72-00110 and 72-00111 given Trans. No. 3747. My conclusion No. 3746 can be ignored and treated as No. 3745. All of the water rights in No. 3745 and No. 3747 became the subject of a joint decision.

Figure 1

Trans. No.	Date Rec'd	Action	WR Nos.
3745	7/20/90	VOID	72-00048
3746	8/03/90	VOID	72-00051N,B,L
3745	5/21/91	Approved	All Above
3747	5/21/91	Approved	72-00110/111

A copy of the newspaper ad is attached.

Preparing for the transfer workgroup meeting last week, I investigated the standards for water right descriptions. Attached is a rough sketch of what I found in my extensive, but perhaps not exhaustive, research. Saxton, Young and Johnson received a copy December 7 when another water right matter (Leno) with similar circumstances arose.

Public Notices

The People's Right To Know

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NOS. 72-00051B, 72-00051N, 72-00051L, 72-00048

Notice is hereby given that CYPRUS THOMPSON CREEK MINING COMPANY of Clayton, ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

WATER RIGHT AS RECORDED

Water right No. 72-00051B, Transfer #353

Basis of right: Decreed to Charles F. Zillkey in case of Adams et al vs Vandervoort, dated May 19, 1914 in 6th District Court, Custer County.

Source: Garden Creek tributary to Salmon River

Priority Date: May 15, 1880
Amount of water: .50 cfs Water use: Irrigation

Point(s) of diversion: NW1/4NW1/4, S32, T14N, R19E (Ivie Ditch); Custer County.

Place of use: 160 acres within S1/2NE1/4, N1/2SE1/4, S33, T14N, R19E.

WATER RIGHT CLAIMED IN SNAKE RIVER BASIN ADJUDICATION AND RECORDED AS FOLLOWS:

Water Right No. A72-00051B
Name: Cyprus Thompson Creek Mining Co.

Basis of right: Decreed Right 72-00051B.

Priority Date: May 15, 1880
Source: Garden Creek, tributary to Salmon River

Amount of Water: .50 cfs Water use: Irrigation

Points of Diversion: NW1/4NW1/4, S32, T14N, R19E (Ivie Ditch); Custer County.

Place of Use: 190 acres within SE1/4, S33, T14N, R19E; SW1/4NW1/4, W1/2SW1/4, S34, T14N, R19E.

WATER RIGHT AS RECORDED

Water right No. 72-00051L, Transfer #372 & #2258

Basis of right: Decreed to Charles F. Zillkey in case of Adams et al vs Vandervoort dated May 19, 1914 in 6th District Court, Custer County.

Source: Garden Creek tributary to Salmon River

Priority Date: May 15, 1880
Amount of water: .25 cfs Water use: Irrigation

Point(s) of diversion: NE1/4NW1/4, S32, T14N, R19E (Ivie Ditch); Custer County.

Place of use: 160 acres within S1/2NE1/4, N1/2SE1/4, S33, T14N, R19E.

WATER RIGHT CLAIMED IN SNAKE RIVER BASIN ADJUDICATION AND RECORDED AS FOLLOWS:

Water Right No. A72-00051L
Name: Cyprus Thompson Creek Mining Co.

Basis of right: Decreed Right 72-00051L

Priority Date: May 15, 1880
Source: Garden Creek tributary to Salmon River

Amount of Water: .25 cfs Water use: Irrigation

Points of Diversion: NW1/4NW1/4, S32, T14N, R19E (Ivie Ditch); Custer County.

Place of Use: 190 acres within SE1/4, S33, T14N, R19E; SW1/4NW1/4, W1/2SW1/4, S34, T14N, R19E.

WATER RIGHT AS RECORDED

Water right No. 72-00051N, Transfer #776

Basis of right: Decreed to Charles F. Zillkey in case of Adams et al vs Vandervoort dated May 19, 1914 in 6th District Court, Custer County.

Source: Garden Creek tributary to Salmon River

Priority Date: May 15, 1880
Amount of water: .30 cfs Water use: Irrigation

Point(s) of diversion: NW1/4NW1/4, S32, T14N, R19E (Ivie Ditch); Custer County.

Place of use: 160 acres within SE1/4NW1/4, NE1/4SW1/4, NW1/4SW1/4, SE1/4SW1/4, S33, T14N, R19E.

WATER RIGHT CLAIMED IN SNAKE RIVER BASIN ADJUDICATION AND RECORDED AS FOLLOWS:

Water Right No. A72-00051N
Name: Cyprus Thompson Creek Mining Co.

Basis of right: Decreed Right 72-00051N.

Priority Date: May 15, 1880
Source: Garden Creek tributary to Salmon River

Amount of Water: .30 cfs Water use: Irrigation

Points of Diversion: NW1/4NW1/4, S32, T14N, R19E (Ivie Ditch); Custer County.

Place of Use: 190 acres within SE1/4, S33, T14N, R19E; SW1/4NW1/4, W1/2SW1/4, S34, T14N, R19E.

WATER RIGHT AS RECORDED

Water right no. 72-00048, Transfer #193 & #177

Basis of right: Decreed to John G. Adams in case of Adams et al vs Vandervoort et al dated May 19, 1914 in 6th District Court, Custer County.

Source: Garden Creek tributary to Salmon River

Priority Date: May 15, 1901
Amount of water: 3.20 cfs Use: Irrigation

Point(s) of diversion: NW1/4NW1/4, S32, T14N, R19E (Ivie Ditch); Custer County.

Place of use: 140 acres within SE1/4NW1/4, NE1/4SW1/4, NW1/4SW1/4, SE1/4SW1/4, S33, T14N, R19E.

WATER RIGHT CLAIMED IN SNAKE RIVER BASIN ADJUDICATION AND RECORDED AS FOLLOWS:

Water Right No. A72-00048
Name: Cyprus Thompson Creek Mining Co.

Basis of right: Decreed Right 72-00048

Priority Date: May 15, 1901

Source: Garden Creek tributary to Salmon River

Amount of Water: 3.20 cfs Use: Irrigation

Points of Diversion: NW1/4NW1/4, S32, T14N, R19E (Ivie Ditch); Custer County.

Place of Use: 200 acres within NW1/4SW1/4, SW1/4SW1/4, SE1/4SW1/4, S33, T14N, R19E; SW1/4NE1/4, NW1/4, E1/2SE1/4, S32, T14N, R19E.

WATER RIGHT NO. 72-00051N & ADJUDICATION CLAIM NO. A72-00051N TO BE CHANGED AS FOLLOWS:

Amount: .30 cfs Water use: Irrigation

WATER RIGHT NO. 72-00051B & ADJUDICATION CLAIM NO. A72-00051B TO BE CHANGED AS FOLLOWS:

Amount: .50 cfs Water use: Irrigation

WATER RIGHT NO. 72-00051L & ADJUDICATION CLAIM NO. A72-00051L TO BE CHANGED AS FOLLOWS:

Amount: .25 cfs Water use: Irrigation

WATER RIGHT NO. 72-00048 & ADJUDICATION CLAIM NO. A72-00048 TO BE CHANGED AS FOLLOWS:

Amount: 2.6 cfs Water use: Irrigation

Total amount of water being transferred: 2.6 cfs

Source: Garden Creek tributary to Salmon River

Points of diversion: NW1/4NW1/4, S32, T14N, R19E (Ivie Ditch); NW1/4NW1/4, S32, T14N, R19E (Upper Bradbury Ditch); Custer County.

Place of use: 130 acres within SE1/4, S33, T14N, R19E; W1/2SW1/4, S34, T14N, R19E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before September 2, 1991.

R. Keith Higginson, Director
Pub: Aug. 15 & 22, 1991.

JUN 26 1992

OK
8-20-91
JTB

IDWR'S DILEMMA WHEN PLACE OF USE CHANGES

I. 42-108

A. The person "may change the point of diversion, period of use, or nature of use, and/or may voluntarily abandon the user of such water in whole or in part of the land which is receiving the benefit of the same and transfer the same to other lands, . . ."

B. "Any person desiring to make such a change of point of diversion, place of use . . . shall make application for change with the department of water resources under the provisions of section 42-222, Idaho Code."

II. 42-222

A. Any person entitled to use of water represented by license or claims under this chapter or decree, "who shall desire to change the point of diversion, place of use, period of use or nature of use of all or part of the water, under the right shall first make application to the department . . ."

B. No further guidance

MEMO #8
MEMO #9

III. Time between 1903 and 1995 has not been kind

A. 42-202 initially codified in 1903

1. Content of Application - Pertinent parts

- a. "4. The location of the point of diversion and description of the proposed (works) and the amount of water to be diverted and used."
- b. "The application shall be accompanied by a plan and map of the proposed works for the diversion and application of the water to a beneficial use, showing the character, location and dimensions of the proposed reservoirs, dams (etc) proposed to be used by them in the diversion of the water, and the area and location of the lands proposed to be irrigated, or location of place of use."
- c. "In case the proposed right of use is for agricultural purposes, the application shall give the legal subdivisions of the land proposed to be irrigated, with the total acreage to be reclaimed as near as may be . . ."
- d. "Provided further, that the plan of irrigation submitted shall provide for the distribution of

water to within not more than one mile of each legal subdivision of the land proposed to be reclaimed by the use of such water . . ."

e. Language of 42-202 at number 4 above was the model for 42-243 in 1977.

2. 42-219 Issuance of license provides no clarity

a. "Such license shall be issued under the seal of the office . . . and shall state the name and post-office address of such user, the purpose for which such water is used, the quantity of water which may be used . . . If such use is for irrigation, such license shall give a description, by legal subdivisions, of the land which is irrigated by such water."

b. Point of diversion not cited at all.

3. 42-108 silent of legal descriptions.

4. 42-203A [amend. and redesigned in 1985] lends no added guidance.

5. Equally of no help are 42-217 (proof) and 42-237 (GW) that defers to 42-222.

IV. Adjudication Statutes

- A. 42-1411(2,h) requires the place of use described to 40-acre tract(s) with the number of acres in each tract.
- B. 42-1425(2) begins "Any change" to a major element of a water right initiated by decree or statute can have the advantage of the accomplished transfer process.

V. Water Appropriation Rules

A. Rule 35,3,b,iii

- 1. Requires an application for permit for to describe the point of diversion to no less than a 40-acre tract and for springs to a 10-acre tract
- 2. Requires the application to describe the place of use to 40-acre tract(s) with the number of acres in each tract.

VI. 42-1427 - Descriptions of water rights (1994) - sheds light

- A. "The legislature finds that existing water rights are not uniformly described."
- B. "Over time, the legislature and courts have made this original description of a water right" (source, priority date and diversion rate) "more specific by the addition of other

elements. Because of the increasing demand for water, it is important that the elements of a water right be standardized to allow for fair and efficient administration of the limited water supply."

- C. "If a license or decreed water right does not describe all of the elements of a water right in section 42-1409, Idaho Code, the director shall include in his report recommendations for those elements not defined by the prior license or decree based upon the extent of beneficial use of the water right as of the date of the commencement of an adjudication."

To: Dave Tutill
From: TERRY BLAU

RE: 72-0051 Split Analysis

Original RIGHT =

3.2 cfs

TRANS =

(2.7 cfs) A

B (.5 cfs)

B 353

-10% ~~38~~ 3745

(2.2) C

D (.5)

D

354

(1.7) E

F (.5)

F

358

(1.5) G

H (.2)

H

359

(0.5) I

J

(1.0)

split

^

362

(.75) K

L (.25)

-10% ~~.19~~ ~~#3745~~

372

TR. # 2258

M (0.2) N

N (0.3)

5/N

3745

776

MICROFILMED

RECEIVED

JAN 15 1985

Department of Water Resources

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U S E
P O D
*M

WATER SOURCE: GARDEN CREEK

Well ID	Company	Depth (ft)	Interval	Flow (cfs)	Pressure (psi)	Notes
72-00051B	CYPRUS THOMPSON CREEK MINING CO.	14N 19E 32	N1W1	0.380	274.5	
72-00051D	ADAMSON, W. W.	14N 19E 32	N1W1	0.500		
72-00051F	ADAMSON, W. W.	14N 19E 32	N1W1	0.500		
72-00051H	ADAMSON, W. W.	14N 19E 32	N1W1	0.200		
72-00051K	CRANE, CLIFFORD	14N 19E 33	N1W1	0.750		
72-00051L	CYPRUS THOMPSON CREEK MINING CO.	14N 19E 32	N1W1	0.190	374.5	
72-00051M	ZILKEY, CHARLES F.	14N 19E 32	N1W1	0.200		
72-00051N	CYPRUS THOMPSON CREEK MINING CO.	14N 19E 32	N1W1	0.300		

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '2' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

[illegible]

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '2' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)[illegible]

7200048	T14N R19E S34	GARDEN CREEK	:	:	20	10	:	:	30
7200032G	CHALLIS CR	:	:	:	1	1	:	:	30
7200051B	GARDEN CRE	:	:	:	20	10	:	:	80
7200051B	GARDEN CRE	:	:	:	40	20	:	:	40
7200051K	GARDEN CRE	:	:	:	20	10	:	:	30
7200051L	GARDEN CRE	:	:	:	40	20	:	:	80
7200051L	GARDEN CRE	:	:	:	20	20	:	:	30
7200051N	GARDEN CRE	:	:	:	40	20	:	:	80
A7200051N	GARDEN CRE	:	:	:	12	17	:	:	12
7204040	SALMON RIV	:	:	:	02	08	:	:	40
7204055	SALMON RIV	:	:	:	23	40	:	:	04
A7204055B	SALMON RIV	:	:	:			:	:	71
7204080A	SALMON RIV	:	:	:			:	:	96
7204080B	SALMON RIV	:	:	:			:	:	3
A7204080B	SALMON RIV	:	:	:			:	:	6
A7204080C	SALMON RIV	:	:	:			:	:	15
A7204080D	SALMON RIV	:	:	:			:	:	37
A7204080E	SALMON RIV	:	:	:			:	:	1
A7204080F	SALMON RIV	:	:	:			:	:	20
A7204080G	SALMON RIV	:	:	:			:	:	2
A7204080L	SALMON RIV	:	:	:			:	:	4
A7204080N	SALMON RIV	:	:	:			:	:	6
A7204080P	SALMON RIV	:	:	:			:	:	11
A7204080Q	SALMON RIV	:	:	:			:	:	03
7204147	SALMON RIV	:	:	:			:	:	3
7204151	SALMON RIV	:	:	:			:	:	15
7207261	SALMON RIV	:	:	:			:	:	51
7207450	GROUNDWATE	:	:	:			:	:	10

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
A7210208	GROUNDWATE :																	1
A7210480	SALMON RIV :		35				40				08				40			163
A7210481	SALMON RIV :		35				40				08				40			163
A7210482	SALMON RIV :		35				40				08				40			163

[illegible]

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
A7210208	GROUNDWATE :																	1
A7210480	SALMON RIV :		35				40						08				40	163
A7210481	SALMON RIV :		35				40						08				40	163
A7210482	SALMON RIV :		35				40						08				40	163

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE Lt	Ac	NW Lt	SW Lt	SE Lt	Ac	NE Lt	Ac	NW Lt	SW Lt	SE Lt	Ac	NE Lt	Ac	NW Lt	SW Lt	SE Lt	Ac	NE Lt	Ac	NW Lt	SW Lt	SE Lt	Ac	SUM
7200051L	T14N R19E S33 GARDEN CREEK	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	100
7200032G	CHALLIS CR	I	:	I	:	I	:	:	:	I	:	I	:	I	:	I	:	I	:	I	:	I	:	I	:	:
7200047	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
7200048	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	100
A7200048	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	70
7200051B	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	100
A7200051B	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	100
7200051D	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	40
A7200051D	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	40
7200051F	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	40
A7200051L	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200051N	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	20
A7200051N	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	20
A7200051N	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200060	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	20
A7200060	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	20
7200062	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200063	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	20
7200064	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	20
7200065	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200065	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200071	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200073	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200074	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200076	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200077	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200081	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
A7200081	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200082	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200083	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200085	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
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7200100	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200101	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200104	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200105	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200107	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200108	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
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7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
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7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30
7200110	GARDEN CRE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:								

(WATER RIGHT NUMBERS THAT BEGIN WITH AN 'A' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

[illegible]

7200051L	T14N R19E S34	GARDEN CREEK	:	:	:	20	10	:	:	30
7200032G	CHALLIS CR	:	:	:	:	1	1	:	:	30
7200048	GARDEN CRE	:	:	:	:	20	10	:	:	30
7200051B	GARDEN CRE	:	:	:	:	20	10	:	:	30
A7200051B	GARDEN CRE	:	:	:	:	40	20	:	:	80
7200051K	GARDEN CRE	:	:	:	:	:	:	:	:	40
A7200051L	GARDEN CRE	:	:	:	:	40	20	:	:	80
7200051N	GARDEN CRE	:	:	:	:	20	10	:	:	30
A7200051N	GARDEN CRE	:	:	:	:	40	20	:	:	80
7204040	SALMON RIV	:	:	:	:	17	12	:	:	80
7204055	SALMON RIV	:	:	:	:	02	17	:	:	80
A7204055B	SALMON RIV	:	:	:	:	23	08	:	:	71
7204080A	SALMON RIV	:	:	:	:	:	:	:	:	96
7204080B	SALMON RIV	:	:	:	:	:	:	:	:	3
A7204080B	SALMON RIV	:	:	:	:	:	:	:	:	6
A7204080C	SALMON RIV	:	:	:	:	:	:	:	:	15
A7204080D	SALMON RIV	:	:	:	:	:	:	:	:	37
A7204080E	SALMON RIV	:	:	:	:	:	:	:	:	1
A7204080F	SALMON RIV	:	:	:	:	:	:	:	:	20
A7204080G	SALMON RIV	:	:	:	:	:	:	:	:	2
A7204080L	SALMON RIV	:	:	:	:	:	:	:	:	4
A7204080N	SALMON RIV	:	:	:	:	:	:	:	:	6
A7204080P	SALMON RIV	:	:	:	:	:	:	:	:	11
A7204080Q	SALMON RIV	:	:	:	:	:	:	:	:	03
7204147	SALMON RIV	:	:	:	:	:	:	:	:	3
7204151	SALMON RIV	:	:	:	:	:	:	:	:	20
7207261	SALMON RIV	:	:	:	:	:	:	:	:	15
7207261	SALMON RIV	:	:	:	:	:	:	:	:	51
7207450	GROUNDWATE	:	:	:	:	33	10	:	:	10

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
A7210208	GROUNDWATE :													1
A7210480	SALMON RIV :			35				40				08		163
A7210481	SALMON RIV :			35				40				08		163
A7210482	SALMON RIV :			35				40				08		163

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '2' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '2' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

MR-NUMBER	SOURCE	NE Lt	NW Ac	SW Lt	SE Ac	NE Lt	NW Ac	SW Lt	SE Ac	NE Lt	NW Ac	SW Lt	SE Ac	SUM
7200051N	T14N R19E S33 GARDEN CREEK	:	:	:	:	:	:	:	:	20	20	30	30	100
7200032G	CHALLIS CR :	I	I	I	I	:	:	:	:	I	I	I	I	:
7200047	GARDEN CRE :	:	:	:	:	:	:	:	:	:	:	:	:	100
7200048	GARDEN CRE :	:	:	:	:	:	:	:	:	20	20	30	30	100
A7200048	GARDEN CRE :	:	:	:	:	:	:	:	:	10	20	40	:	70
7200051B	GARDEN CRE :	:	:	:	:	:	:	:	:	20	20	30	30	100
A7200051B	GARDEN CRE :	:	:	:	:	:	:	:	:	30	20	30	30	110
7200051D	GARDEN CRE :	40	40	:	:	:	:	:	:	:	:	:	:	40
A7200051D	GARDEN CRE :	:	:	:	:	:	:	:	:	:	:	:	:	40
7200051F	GARDEN CRE :	:	:	:	:	:	:	:	:	:	:	:	:	40
7200051L	GARDEN CRE :	:	:	:	:	:	:	:	:	20	20	30	30	100
A7200051L	GARDEN CRE :	:	:	:	:	:	:	:	:	30	20	30	30	110
A7200051N	GARDEN CRE :	:	:	:	:	:	:	:	:	30	20	30	30	110
7200060	GARDEN CRE :	:	:	:	:	:	:	:	:	:	:	:	:	:
A7200060	GARDEN CRE :	:	:	:	:	:	:	:	:	I	:	:	:	:
7200062	GARDEN CRE :	:	:	:	:	:	:	:	:	0	:	:	:	1
7200063	GARDEN CRE :	:	:	:	:	:	:	:	:	01	:	:	:	1
7200064	GARDEN CRE :	:	:	:	:	:	:	:	:	01	:	:	:	1
7200065	GARDEN CRE :	:	:	:	:	:	:	:	:	01	:	:	:	1
7200071	GARDEN CRE :	:	:	:	:	:	:	:	:	01	:	:	:	1
7200073	GARDEN CRE :	:	:	:	:	:	:	:	:	01	:	:	:	1
7200074	GARDEN CRE :	:	:	:	:	:	:	:	:	01	:	:	:	1
7200076	GARDEN CRE :	:	:	:	:	:	:	:	:	01	:	:	:	1
7200077	GARDEN CRE :	:	:	:	:	:	:	:	:	01	:	:	:	1
7200081	GARDEN CRE :	:	:	:	:	:	:	:	:	I	:	:	:	1
A7200081	GARDEN CRE :	:	:	:	:	:	:	:	:	I	:	:	:	1
7200082	GARDEN CRE :	:	:	:	:	:	:	:	:	01	I	:	:	1
7200083	GARDEN CRE :	:	:	:	:	:	:	:	:	01	:	:	:	1
7200085	GARDEN CRE :	:	:	:	:	:	:	:	:	02	:	:	:	2
7200087	GARDEN CRE :	:	:	:	:	:	:	:	:	02	:	:	:	2
7200089	GARDEN CRE :	:	:	:	:	:	:	:	:	01	:	:	:	1
7200092	GARDEN CRE :	:	:	:	:	:	:	:	:	01	01	:	:	2
7200093	GARDEN CRE :	:	:	:	:	:	:	:	:	:	01	:	:	1
7200094	GARDEN CRE :	:	:	:	:	:	:	:	:	01	:	:	:	1
7200095	GARDEN CRE :	:	:	:	:	:	:	:	:	01	:	:	:	1
7200096	GARDEN CRE :	:	:	:	:	:	:	:	:	01	:	:	:	1
7200097	GARDEN CRE :	:	:	:	:	:	:	:	:	02	:	:	:	2
A7200097A	GARDEN CRE :	:	:	:	:	:	:	:	:	01	:	:	:	1
7200098	GARDEN CRE :	:	:	:	:	:	:	:	:	01	:	:	:	1
7200100	GARDEN CRE :	:	:	:	:	:	:	:	:	01	:	:	:	1
7200101	GARDEN CRE :	:	:	:	:	:	:	:	:	01	:	:	:	1
7200104	GARDEN CRE :	:	:	:	:	:	:	:	:	01	:	:	:	1
7200105	GARDEN CRE :	:	:	:	:	:	:	:	:	01	01	:	:	1
7200107	GARDEN CRE :	:	:	:	:	:	:	:	:	:	:	:	:	1
7200108	GARDEN CRE :	:	:	:	:	:	:	:	:	01	:	:	:	1
7200110	GARDEN CRE :	:	:	:	:	:	:	:	:	:	:	:	:	54
7200110	GARDEN CRE :	:	:	:	:	:	:	:	:	:	:	:	:	1
7200110	GARDEN CRE :	:	:	:	:	:	:	:	:	:	:	:	:	48

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
A7210208	GROUNDWATE :																	1
A7210480	SALMON RIV :			35				40								08		40 : 163
A7210481	SALMON RIV :			35				40								08		40 : 163
A7210482	SALMON RIV :			35				40								08		40 : 163

Water Right Number - R72-00048

Prefix Translation: RESEARCH

Old (D) Number -

*** A - ATTORNEY ***
CAMPBELL

SCOTT L

*** C - CURRENT OWNER ***
CYPRUS THOMPSON CREEK MINING CO

1 - ELAM & BURKE
2 - 702 W IDAHO ST
3 - PO BOX 1539
City- BOISE
Phone - 208-343-5454

State- ID Zip- 837011539

1 - C/O BERT DOUGHTY
2 - PO BOX 62
3 -
City- CLAYTON
Phone - 208-836-2200

State- ID Zip- 83227

+ - Priority Date - - +
05/15/1901

+ - Region - - - +
17 SOUTHERN

+ - Stage - - - +
D - DECREED

+ - Status - - - +

Source - - - - +
GARDEN CREEK

+ - Tributary - - - - +
SALMON RIVER

+ - Point of Diversion - - - - +
Twn Rng Sec Tract Lot Rflg County
14N 19E 32 NE NW NW (37) CUSTER
NW NW NW (37) CUSTER

LOWER BRADBURY DITCH
UPPER BRADBURY DITCH

+ - Water Use - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

04/01 11/01

2.600

+ - Total Div. Rate - + - Total Div. Volume - +
2.600

+ - Total Consumptive Use - + - KW Usage - +
0.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
14N	19E	33	NE NE		13.0	01	IRRIGATION	(37) CUSTER
14N	19E	33	NW NE		12.0	01	IRRIGATION	(37) CUSTER
14N	19E	33	SE NE		18.0	01	IRRIGATION	(37) CUSTER
14N	19E	33	SW NE		29.0	01	IRRIGATION	(37) CUSTER
14N	19E	34	NW SW		8.0	01	IRRIGATION	(37) CUSTER
14N	19E	34	SW SW		10.0	01	IRRIGATION	(37) CUSTER
Total Acres					90.0			

they should be
All SE NE
D.E. OK.

+ - Diversion Means - SEE REMARKS
+ - Non-Irrigation Use -
+ - Other Rights for Same Use - 72-00111, 72-00110

VERIFIED BY

11-10-98

Water right number - R72-00048

Prefix Translation: RESEARCH

Remarks

POU1 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 90 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00048, 72-00051B, 72-00051L, & 72-00051N.

EXP THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF
DIVERSION LOCATED IN TWP 14N, RING 19E, SEC 32 NNNMM ALSO KNOWN
AS THE LOWER BRADBURY DITCH. COMBINED RIGHT NOS.: 72-00048,
72-00051B, 72-00051L, 72-00051N, 72-00117A, 72-00117B, 72-00117C
AND 72-00117D.
THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF
DIVERSION LOCATED IN TWP 14N, RING 19E, SEC 32 NNNMM ALSO KNOWN
AS THE UPPER BRADBURY DITCH. COMBINED RIGHT NOS.: 72-00048,
72-00051B, 72-00051L, 72-00051N, 72-00080A, 72-00110A, 72-00110B
72-00111A, 72-00111B AND 72-10257.

No Old Water Right Numbers Found

No Conditions of Approval found.

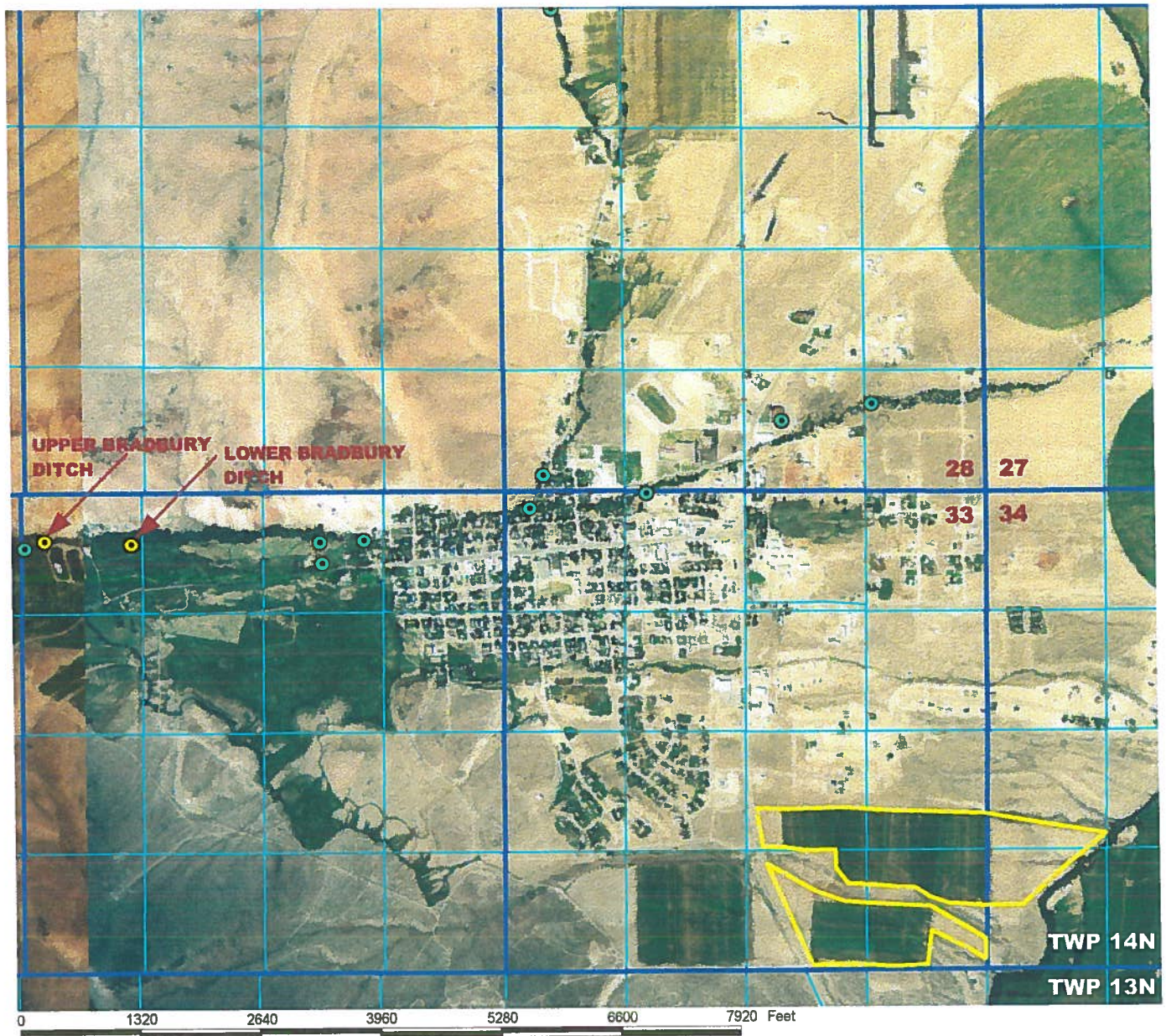
Decree Plaintiff - - - + Decree Defendant - - - + Decree Date - +
ADAMS ET AL VANDERVOORT ET AL 00/00/0000

Date: 11/10/1998 User Id: KCHRISTE Subject: COPIED FROM REMARKS
ITEM 5
FEEDS DIRECTLY INTO METAL MEASURING FLUME. FLOW IS CONTROLLED BY WHEEL VALVE AT DIVERSION. WATER THEN FLOWS INTO EARTHEN DITCH
SYSTEM FOLLOWED BY A BURIED PIPE AND THE END POINTS ARE SPRINKLERS. OPEN DITCH SEGMENT IS APPROXIMATELY 3900 FEET LONG
AND BURIED PIPE SEGMENT IS APPROXIMATELY 1000 FEET LONG FOR TOTAL LENGTH OF 4900 FEET TO FINAL POINT OF USE.

Audit Fields - - +
11/10/98 KCHRISTE

Adjudication Rights Dates and Flags Area		Civil Case Number
Court Report Filing	- 00/00/0000	39576
Objection Filed Date	- 00/00/0000	
Response Filed Date	- 00/00/0000	
Claim Received Date	- 01/12/1990	
Field Inspection Made	- 00/00/0000	
Field Inspection Flag	-	
Verified Date	- 00/00/0000	
Last Amended Date	- 00/00/0000	
Receipt Number	- C013965	
POU Ownership Flag	- Y	
Name Connector	-	
Federal/State Indicator	- S	
Presumption Flag	-	
Notice of Error Flag	-	

72-00048, 72-00051B, 72-00051L, & 72-00051N



PLACE OF USE RECOMMENDATION
TWP 14N, RNG 19E, SEC 33 & SEC 34
 data entry on November 9, 1998



- RECOMMENDED POINT OF DIVERSION
- RECOMMENDED PLACE OF USE
- SECTION LINES
- QUARTER/QUARTER LINES

GIS PLACE OF USE PRESENTATION
 1992 USDA-F AERIAL PHOTOGRAPHY
 DATA ENTRY BY KELLY K CHRISTENSEN

CLAIM NUMBER
72-00048
72-00051B
DATE
11-9-98
TRANSFER NUMBER

00051L
AGENT
KKC
Amended Plat
CLAIMED ACRE TOTAL
90

00051N
GIS ACRE TOTAL
90

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	14N	19E	33													10	10	20	33	73
GIS																13	12.1	17.6	29	
RECOM																13	12	18	29	72
CLAIM	14N	19E	34										6	11						17
GIS													8	10						18
RECOM													8	10						18
CLAIM																				
GIS																				
RECOM																				

B72-DBPOU.SHP
SHAPE NOS.
395
396

Remarks needed
POU1 - limit to 90 A
48, 51B, 51L, 51N
EXP F06

B72-DBPOD.SHP
NOS.
DESCRIPTION
72 3'2 upper Bradbury
NWNWNW Litch
143 Sec 32 lower Bradbury
NENWNW Litch

#72) Rights 48, 51B, 51L, 51N
80A, 110A 110B, 111A, 111B
10257.
#143) Rights 48, 51B, 51L, 51N
117A, B, C, & D.

00048 2.60 CFS
Conveyance loss UP Brad .96 CFS
51B .38
Low Brad .82 CFS
51L .19
90A @ .02/Ac = 1.80 CFS
51N .30
3.58 CFS
3.47 CFS

DBF TABLES UPDATED
B72-DBPOU.DBF
B72-DBPOD.DBF
JPEG LAYOUT

Reg 7 total licensed rates
therefore no div rate reduction is reg.

R PROOF

CVR

MAPS

PHOTOS

MISC

05:28:14
05/30/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 14
QUICKLOOK INFORMATION

CLAIM NUMBER: A72-00048

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			8-20-93 KKC	N	1,2,5,6	3-29-94 KKC		
POINT OF DIV	Y		"	N	"	"		
SOURCE			"	N	"	"		
PLACE OF USE			"	Y	1,2,4,5,6	4-18-95 KKC		
DIV. AMOUNT CES/VOLUME								
CONSUMPTIVE USE								
PURPOSES								
PERIOD OF USE	Y		8-20-93 KKC	N	"	3-29-94 KKC		
BASIS OF CLAIM			"	Y	6	"		
REMARKS	Y		"	N	"	"		

VERIFIED BY CODES

- TOPO MAP/ORTHO-PQ = 1
- ASCS MAP = 2
- WATERMASTER RECORDS = 3
- NAPP PHOTOS = 4
- FIELD EXAM = 5
- OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

PAGE: 15
PROFILE REPORT

CLAIM NUMBER: A72-00048

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CYPRUS THOMPSON CREEK MINING CO C/O BERT DOUGHTY PO BOX 62 CLAYTON ID 83227 (208) 838-2200	05/15/1901	IRRIGATION	04-01 11-01	3.20 CFS	
						500.0 AFA
Water Source: GARDEN CREEK				Stage: DECEED		
Point(s) of Diversion:				CUSTER County		
TIAN R19E S32				Tributary to: SALMON RIVER		
NE NW NW - upper B.						
NE NW NW Lower B.						
Description for:				SE		
T	R	S	NENE NUNE SWNE SENE Lt Ac Lt Ac Lt Ac	SWSW Lt Ac Lt Ac	SWSE Lt Ac Lt Ac	SESE Lt Ac
14N 19E 32	:	30	:	:	:	SUM
14N 19E 33	:	:	:	:	:	130.0
	:	:	:	:	:	70.0
	:	:	:	:	:	200.0
				TOTAL ACRES		

POL County = CLUSTER

Other Rights: 72-0011, 72-0010

Dates:	Exam Made Date:	Verified Date:
Misc:	Water District Number: 72B	Field Inspection Flag: Presumption Flag:

RECOMMENDED PLACE OF USE FOR A72-00048, A72-00051B, A72-00051L, AND A72-00051N

Transfer 3745 was filed, and after a hearing that set the diversion rates for the above rights, was approved. The approved place of use on the transfer was never verified or addressed during the hearing. During my field verification on 08-30-1993 I found that the place of use on the transfer was just an estimate of the intended place of use. The stated place of use exaggerated the actual intended irrigated acres. I discussed this with Bert Doughty (Cyprus Thompson Creek Mining Company supervisor) and subsequently he had a survey crew accurately map the ground that is intended to be irrigated. That information was submitted on a transfer form with attachments on March 24, 1994. I reviewed that information and accept that information as a valid representation of the ground to be irrigated or ground that has been irrigated. The change in the listed place of use shown on transfer 3747 is considered to be a clarification of that transfer as apposed to a new transfer.

RIGHT NO				NE				NW				SW				SE				
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
	14N	19E	33													10	10	20	33	73
			34										6	11						17
																				0
TOTAL ACRES																				90

*P/U analysis
Succeeded by GTS
10-29-98
KKC*

CONVEYANCE LOSS - WORSTELL

AGENT -----KKC
DATE -----18-Apr-95
CONVEYANCE OR
SOURCE NAME ----LOWER BRADBURY DITCH FROM GARDEN CREEK
RELATED CLAIMS -A72-00048, A72-00051B, A72-00051L, A72-00051N,
AND A72-00117 PARTS A THRU D

REACH	LENGTH (FT)	AVE WIDTH (FT)	SEEPAGE (FT/DAY)	WORSTELL LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	4000	4.0	2.50	0.51	0.18	2.78	0.1818	0.03	3.60
2	3300	3.0	2.50	0.31	2.60	2.60	0.1203	0.79	2.91
3				0.00		0.00	0.0000	0.00	0.00
4				0.00		0.00	0.0000	0.00	0.00
5				0.00		0.00	0.0000	0.00	0.00
6				0.00		0.00	0.0000	0.00	0.00
7				0.00		0.00	0.0000	0.00	0.00
8				0.00		0.00	0.0000	0.00	0.00
9				0.00		0.00	0.0000	0.00	0.00
10				0.00		0.00	0.0000	0.00	0.00
11				0.00		0.00	0.0000	0.00	0.00
12				0.00		0.00	0.0000	0.00	0.00
13				0.00		0.00	0.0000	0.00	0.00
14				0.00		0.00	0.0000	0.00	0.00
15				0.00		0.00	0.0000	0.00	0.00
16				0.00		0.00	0.0000	0.00	0.00
17				0.00		0.00	0.0000	0.00	0.00
18				0.00		0.00	0.0000	0.00	0.00
19				0.00		0.00	0.0000	0.00	0.00
20				0.00		0.00	0.0000	0.00	0.00
TOTALS	7300			0.82	2.78			0.82	

REACH = SECTION OF CHANNEL
LENGTH = LENGTH OF REACH, THE CHANNEL CAN BE DIVIDED INTO EQUAL LENGTH REACHES
OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS
AVE WIDTH = AVERAGE TOP WIDTH OF REACH
SEEPAGE = SOIL SEEPAGE RATE OF REACH
WORSTELL LOSS = CONVEYANCE LOSS IN REACH BASED ON WORSTELL METHOD
DELIVERY = TOTAL DELIVERIES IN REACH
DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)
LOSS FACTOR = WORSTELL LOSS/DELIVERY LEFT
DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY,
REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH

CONVEYANCE LOSS - WORSTELL

AGENT -----KKC
 DATE -----18-Apr-95
 CONVEYANCE OR
 SOURCE NAME -----UPPER BRADBURY DITCH FROM GARDEN CREEK
 RELATED CLAIMS -A72-00048, A72-00051B, A72-00051L, A72-00051N,
 A72-00080A, A72-00110, A72-00111 AND A72-10257

REACH	LENGTH (FT)	AVE WIDTH (FT)	SEEPAGE (FT/DAY)	WORSTELL LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	450	4.0	2.50	0.06	1.20	6.88	0.0083	0.01	7.84
2	700	4.0	2.50	0.09	0.12	5.68	0.0156	0.00	6.58
3	6450	4.0	2.50	0.81	5.56	5.56	0.1466	0.95	6.37
4				0.00		0.00	0.0000	0.00	-0.00
5				0.00		0.00	0.0000	0.00	-0.00
6				0.00		0.00	0.0000	0.00	-0.00
7				0.00		0.00	0.0000	0.00	-0.00
8				0.00		0.00	0.0000	0.00	-0.00
9				0.00		0.00	0.0000	0.00	-0.00
10				0.00		0.00	0.0000	0.00	-0.00
11				0.00		0.00	0.0000	0.00	-0.00
12				0.00		0.00	0.0000	0.00	-0.00
13				0.00		0.00	0.0000	0.00	-0.00
14				0.00		0.00	0.0000	0.00	-0.00
15				0.00		0.00	0.0000	0.00	-0.00
16				0.00		0.00	0.0000	0.00	-0.00
17				0.00		0.00	0.0000	0.00	-0.00
18				0.00		0.00	0.0000	0.00	-0.00
19				0.00		0.00	0.0000	0.00	-0.00
20				0.00		0.00	0.0000	0.00	-0.00
TOTALS	7600			0.96	6.88			0.96	

REACH = SECTION OF CHANNEL
 LENGTH = LENGTH OF REACH, THE CHANNEL CAN BE DIVIDED INTO EQUAL LENGTH REACHES
 OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS
 AVE WIDTH = AVERAGE TOP WIDTH OF REACH
 SEEPAGE = SOIL SEEPAGE RATE OF REACH
 WORSTELL LOSS = CONVEYANCE LOSS IN REACH BASED ON WORSTELL METHOD
 DELIVERY = TOTAL DELIVERIES IN REACH
 DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)
 LOSS FACTOR = WORSTELL LOSS/DELIVERY LEFT
 DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY,
 REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH

analysis is based upon an unlined ditch system. Some effort has been made to line the ditch with plastic and Spencer Strand has indicated that he intends on installing a pipeline through reach 3 this summer.

KKC
4-18-95

Division Rate Recommendations

CYPRUS
51N .30 CFS
51B .38 CFS
51L .19 CFS
48 2.60 CFS

SPENCER
110 - 2.10 CFS
111 - 0.86 CFS

TOM
BOA - .12 CFS
TONI
10257 - 1.20 CFS
COMBINED
117A thru D .18 CFS

2.96 CFS total.

2.60 CFS total

Upper Bradbury

450 ft to Tom's div fnd ditch Reach 1
+ 700 ft to Tom's div Reach 2
+ 6450 ft to End of ditch/begin pipe Reach 3 (SPENCER & Cyprus)

Conveyance Loss Division

	<u>TONI</u>	<u>Tom</u>	<u>SPENCER</u>	
reach 1	$.06 \times \frac{1.2}{6.88} = .01 \text{ CFS}$	$.06 \times \frac{.12}{6.88} = .001 \text{ CFS}$	$.06 \times \frac{2.96}{6.88} = .026 \text{ CFS}$	$.06 \times \frac{2.6}{6.88} = .023 \text{ CFS}$
reach 2	0	$.09 \times \frac{.12}{5.68} = .002 \text{ CFS}$	$.09 \times \frac{2.96}{5.68} = .047$	$.09 \times \frac{2.6}{5.68} = .041$
reach 3	0	0	$.81 \times \frac{2.96}{5.56} = .431$	$.81 \times \frac{2.6}{5.56} = .38$
total	.01	.003	.504	.44

Lower Bradbury

4000 ft to 117A thru D claims reach 1
+ 3300 ft to End of Ditch/begin Pipeline Reach 2.

Conveyance Loss Division

	<u>117A thru D</u>	<u>Cyprus</u>
reach 1	$.51 \times \frac{.18}{2.78} = .033 \text{ CFS}$	$.51 \times \frac{2.6}{2.78} = .477 \text{ CFS}$
Reach 2	0	$.31 \times 1 = .31$
total	.033 CFS	.787 CFS

Upper Bradbury = .443

Total system conv. Loss for Cyprus = 1.23 CFS max

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

Scale: 2 inches equals 1 mile

EFFECTS OF TRANSFERS FOR 72-00051
UP TO 5-31-78 (TRANS 2258)
TRANSFER FOR 72-00048
7-1-1944



$$\frac{3.47 \text{ CFS}}{130A} = 0.0267 \text{ CFS/ACRE}$$

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

RIGHTS CLAIMED IN ADJUDICATION

72-00051B

72-00051K (Now L)

72-00051L (Now M)

72-00051M (Now N)

72-00051N (Now P)

72-00051O

72-00051

3.2 CFS $\approx$ 160 Acres

TRANSFER 353

51A 160 Acres

51B 160 Acres

(SAME P/U as 51M)

2.7 CFS
TRANSFER 354

.5 CFS [CYP]

51C SAME DECREED

51D NEW

2.20 CFS 160 Acres
TRANSFER 358

.50 CFS 40 Acres

SAME DECREED

51E 160 Acres

51F NEW

1.70 CFS
TRANSFER 359

.50 CFS 80 Acres

51G 160 Acres

51H NEW

1.5 CFS
TRANSFER 362

.20 CFS 10 Acres

51J (originally I)
SAME DECREED

51K (originally J) NEW

120 Acres

.50 CFS 160 Acres
TRANSFER 776

1.0 CFS
TRANSFER 372

51N (originally M)

51O (originally N)

51L (originally K) SAME

51M (originally L) NEW

.20 CFS

.30 CFS [CYP]

.75 CFS 120 Acres

.25 CFS (160 Acres) (SAME P/U as 51M) [CYP]

Now 51P

TRANSFER 2258

51L .75 CFS
P/U REDUCED to 40 Acres
WITHIN the 120
[BUTTS]

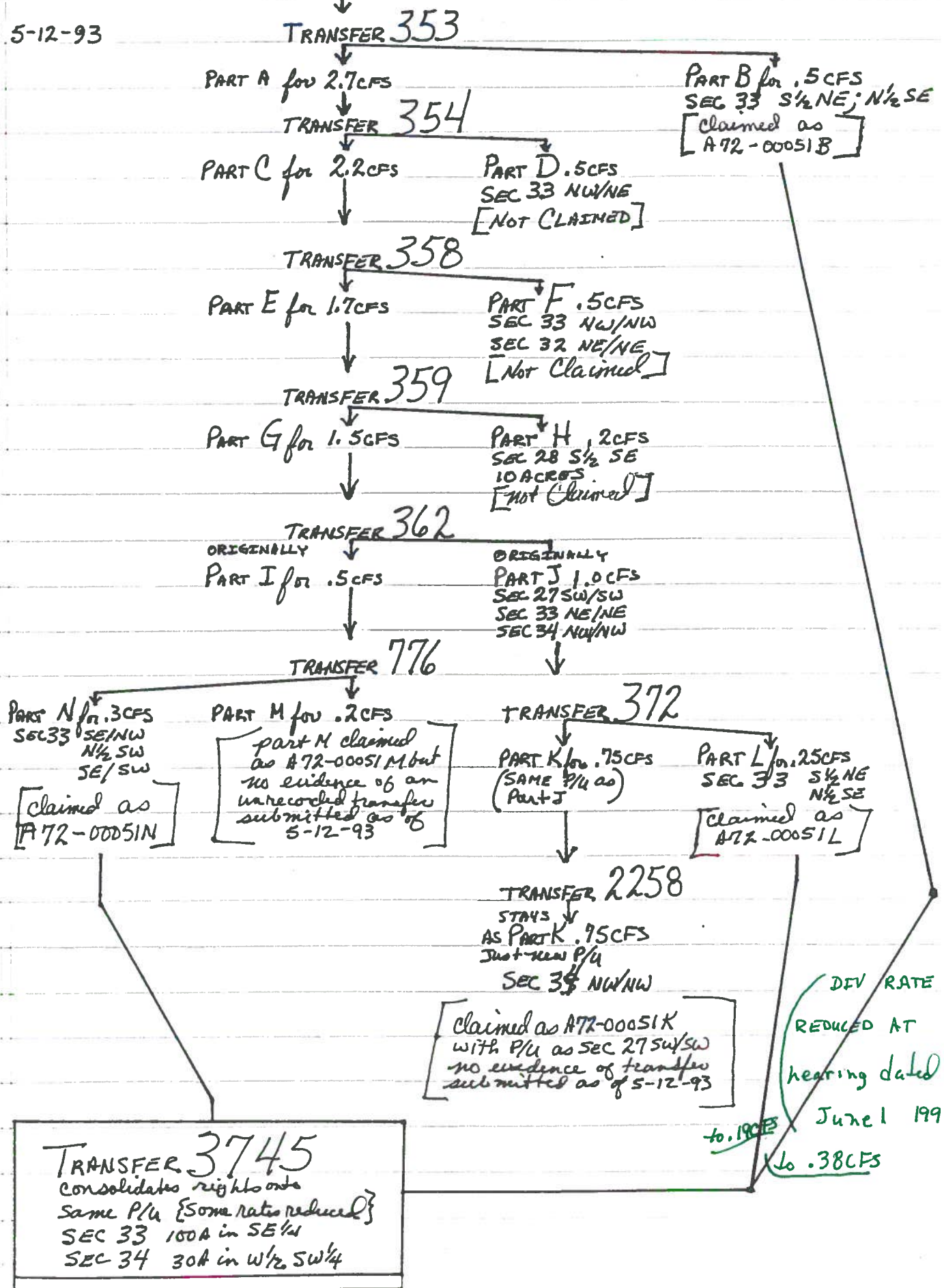
Revised in 1993
ENDING NUMBERS
incorrect.
KJC
10-29-98

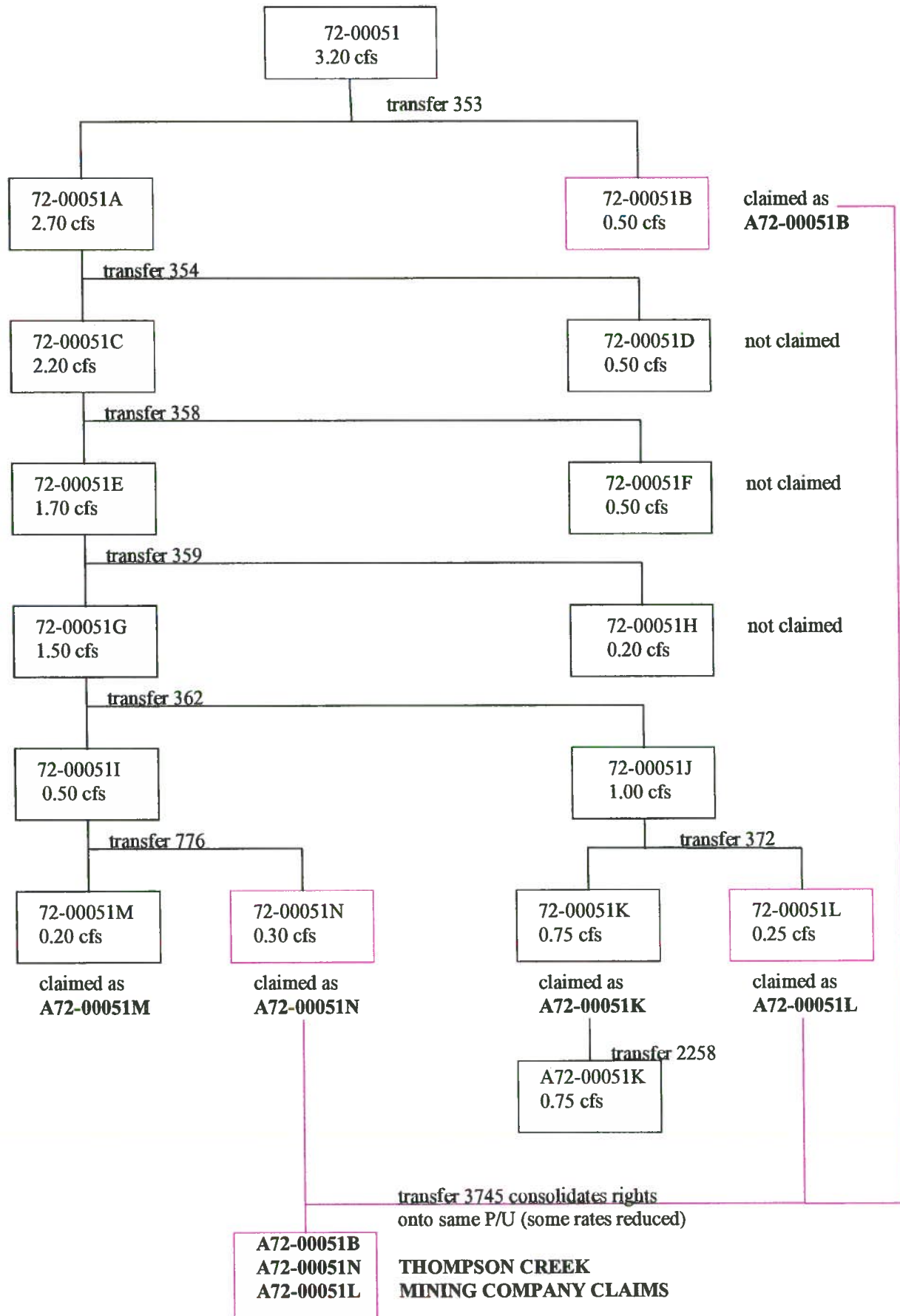
For A72-00051B

DECREED RIGHT @ 3.2 CFS

72-00051 to SEC 27 SW/NE; SE/NW; N 1/2 SW

ree created 5-12-93
KAC





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Should questions arise during
the processing of this
application Transfer No. 3745Boise, ID 83701-1539
343-5454Name of applicant Cyprus Thompson Creek Mining Company Phone (208) 838-2200
Post Office address c/o David Bergey, P.O.Box 62, Clayton, Idaho 83227

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes Applicant wishes to formalize and document changes which have occurred over a number of years since the water right was originally decreed. These changes represent a reduction of the amount of irrigated acres as described in the decree establishing these rights.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>72-00051N</u>	<u>5/15/1888</u> ¹⁸⁸⁰	<u>.30</u>	<u>irrigation</u>	<u>4/1</u> to <u>11/1</u>
<u>72-00051B</u>	<u>5/15/1888</u> ¹⁸⁷⁰	<u>.50</u>	<u>irrigation</u>	<u>4/1</u> to <u>11/1</u>
<u>72-00051L</u>	<u>5/15/1888</u> ¹⁸⁸⁰	<u>.25</u>	<u>irrigation</u>	<u>4/1</u> to <u>11/1</u>
<u>72-00048</u>	<u>5/15/1901</u>	<u>2.6 *</u>	<u>irrigation</u>	<u>4/1</u> to <u>11/1</u>

2. Total amount of water being transferred 2.6 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Garden Creek tributary to Salmon River

4. Point(s) of Diversion: * Reduction in quantity of water and acres at place of use from recorded and claimed right.

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	32	14N	19E	Custer	Ivie Ditch
		NW	NW	32	14N	19E	Custer	Upper Bradbury Ditch

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
14N	19E	33													20	20	30	30	100
14N	19E	34									20	10							30

Total acres 130TRANS
3

PART 1

6. General Information:

- a. Description of diversion system Water diverted with rock jetty into metal measuring flume. Flow is controlled by wheel valve at diversion point. Earthen ditch system to 8" steel pipeline connected to sprinkler wheel lines.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes XXX No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
None - change has been in effect for a number of years.
- d. Remarks:
The change reflects actually irrigated acres and represents a reduction from the number of acres listed as the place of use on the decree creating these rights and a reduction from the number of acres listed on the adjudication claims. Applicant intends to amend the adjudication claims through this transfer process.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 72-00051B Decreed to Charles F. Zilkey
in case of Adams, et al. vs. Vandervoort
dated May 19, 1914 in 6th District county of Custer
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 72-00051B T353 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Garden Creek tributary to Salmon River

4. Date or priority 5/15/1880

5. Water is used for the following purpose:

amount .50 for irrigation purposes from 4/1 to 11/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right .50 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	32	14N	19E	Custer	Ivie Ditch

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
14N	19E	33			40	40									40	40			160

Total acres 160

9. Describe any other water rights used for the same purpose as described above 72-00051L, 72-00051N

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A72-00051B on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water Garden Creek tributary to Salmon River

4. Date or priority May 15, 1880

5. Water is used for the following purpose:

amount .50 for irrigation purposes from 4/1 to 11/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right .50 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	32	14N	19E	Custer	Ivie Ditch

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
14N	19E	33													30	20	30	30	110
14N	19E	34							20			40	20						80

Total acres 190

9. Describe any other water rights used for the same purpose as described above A72-00051L, A72-00051N, A72-00048

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 72-00051L Decreed to Charles F. Zilkey
in case of Adams, et al. vs. Vandervoort
dated May 19, 1914 in 6th District county of Custer
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 72-00051L 312 & 2258 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Garden Creek tributary to Salmon River

4. Date or priority 5/15/1880

5. Water is used for the following purpose:

amount .25 for irrigation purposes from 4/1 to 11/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right .25 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	32	14N	19E	Custer	Ivie Ditch

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
14N	19E	33			40	40									40	40			160

Total acres 160

9. Describe any other water rights used for the same purpose as described above 72-00051B, 72-00051N,

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A72-00051L on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

3. Source of water Garden Creek tributary to Salmon River

4. Date or priority May 15, 1880

5. Water is used for the following purpose:

amount .25 for irrigation purposes from 4/1 to 11/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right .25 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	32	14N	19E	Custer	Ivie Ditch

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
14N	19E	33													30	20	30	30	110
14N	19E	34							20			40	20						80

Total acres 190

9. Describe any other water rights used for the same purpose as described above A72-00051N, A72-00051B,
A72-00048

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 72-00051N Decreed to Charles F. Zilkey
in case of Adams, et al. vs. Vandervoort
dated May 19, 1914 in 6th District county of Custer
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 72-00051N T 776 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

3. Source of water Garden Creek tributary to Salmon River

4. Date or priority 5/15/1880

5. Water is used for the following purpose:

amount .30 for irrigation purposes from 4/1 to 11/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right .30 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	32	14N	19E	Custer	Ivie Ditch

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
14N	19E	33								40	40	40		40					160

Total acres 160

9. Describe any other water rights used for the same purpose as described above 72-00051L, 72-00051B

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A72-00051N on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

3. Source of water Garden Creek tributary to Salmon River

4. Date or priority May 15, 1880

5. Water is used for the following purpose:

amount .30 for irrigation purposes from 4/1 to 11/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right .30 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Tw.	Rge.	County	Local name for diversion
		NW	NW	32	14N	19E	Custer	Ivie Ditch

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
14N	19E	33													30	20	30	30	110
14N	19E	34							20			40	20						80

Total acres 190

9. Describe any other water rights used for the same purpose as described above A72-00051L, A72-00051B
A72-00048

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 72-00048 Decreed to John Q. Adams
in case of Adams, et al. vs. Vandervoort, et al.
dated May 19, 1914 in 6th District county of Custer
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 193 + 177 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

- ☐ Tax Notice ☒ Warranty Deed ☐ Other Salmon River

3. Source of water Garden Creek tributary to _____

4. Date or priority 5/15/1901

5. Water is used for the following purpose:

amount 3.20 for irrigation purposes from 4/1 to 11/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 3.20 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	32	14N	19E	Custer	Ivie Ditch

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
14N	19E	33								30	40	30		40					140

Total acres 140

9. Describe any other water rights used for the same purpose as described above _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A72-00048 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water Garden Creek tributary to Salmon River

4. Date or priority May 15, 1901

5. Water is used for the following purpose:

amount 3.20 for irrigation purposes from 4/1 to 11/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 3.20 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	32	14N	19E	Custer	Ivie Ditch

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
14N	19E	33										10	20	40					70
14N	19E	32			30		5	5	15	35					20			20	130

Total acres 200

9. Describe any other water rights used for the same purpose as described above 72-00051N, 72-00051L,
72-00051B

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Patricia H. A. [Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 25th day of April, 19 91.

Bernie Shitman
(Notary Public)

My commission expires 12/22/91

FOR DEPARTMENT USE ONLY

Transfer contains 12 pages and 3 attachments

Received by MB Date 5-21-91 Protest filed by _____

Prelim. check by _____ Fee 50.00 C017791

Received by J. Davidson Date 7-25-90

Published in The Challis Messenger Copies of protest forwarded by _____

Pub. dates 8/15 + 8/22/91 Hearing held by _____ Date _____

Watermaster recommendation requested on 8-5-91 Recommended for ☐ approval ☐ denial

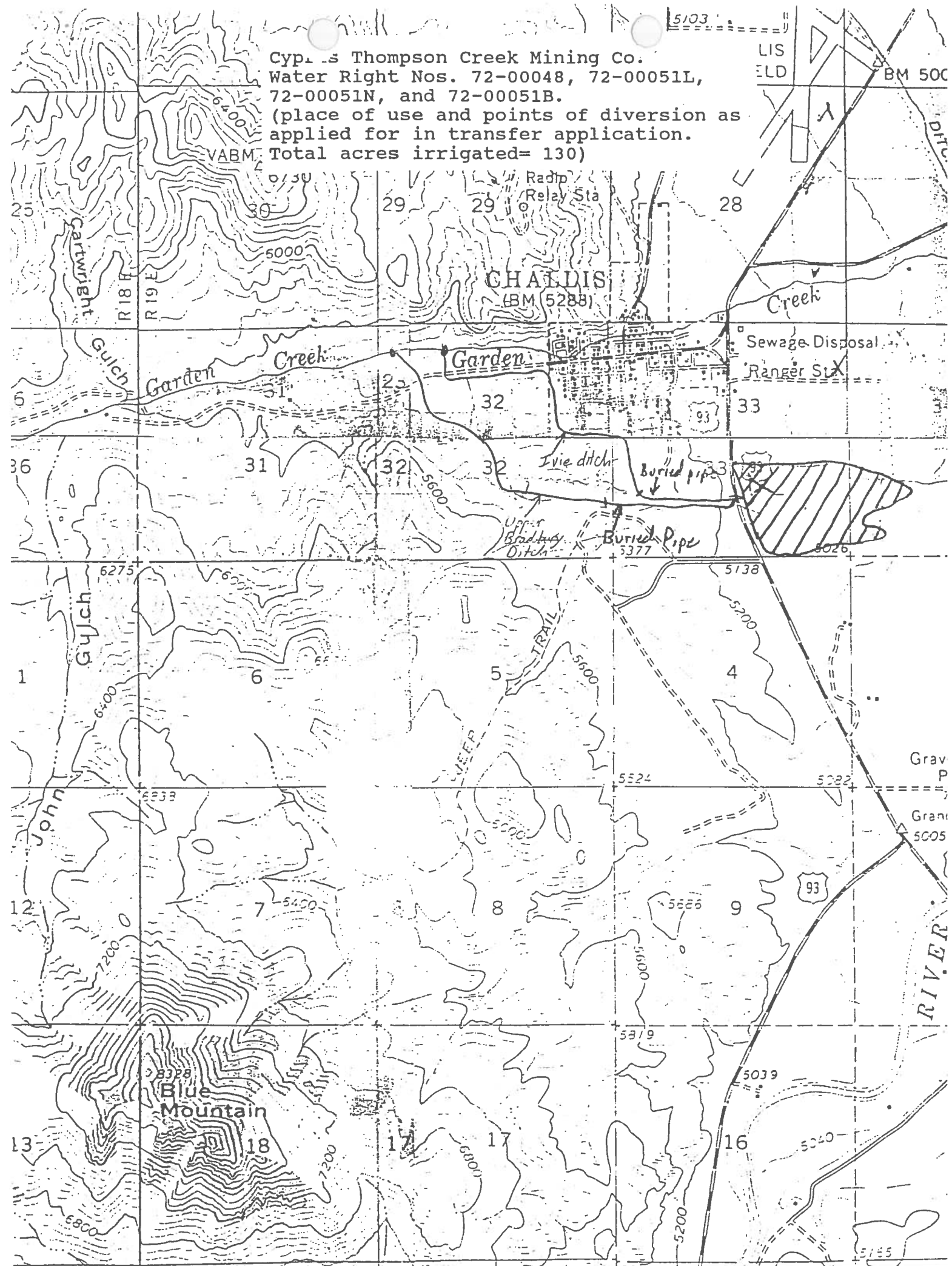
_____ rec'd. 8-20-91 by _____

Copy of transfer sent to lien holder _____

Cypress Thompson Creek Mining Co.
Water Right Nos. 72-00048, 72-00051L,
72-00051N, and 72-00051B.

(place of use and points of diversion as
applied for in transfer application.

Total acres irrigated= 130)



Transfer 3745
WR# 42-00048/51 B, L

WRITTEN TESTIMONY
PREPARED FOR CYPRUS THOMPSON CREEK MINING COMPANY

SCOTT I. BENOWITZ, P.E.
JAMES M. MONTGOMERY, CONSULTING ENGINEERS, INC.

December 30, 1991

RECEIVED

NOV 02 1992

**Department of Water Resources
Southern Region Office**

RECEIVED

JUN 26 1992

72-00048, 72-00051 B, L, T # 3 > 45

BEFORE THE DIRECTOR OF THE DEPARTMENT
OF WATER RESOURCES OF THE
STATE OF IDAHO

IN THE MATTER OF Application for Transfer 3745
(Water Rights No.'s 72-00048, 72-00051B, 72-00051L,
72-00051N and Application for Transfer No. 3747
(Water Rights No.'s 72-00110 and 72-00111) in the name
of Cyprus Thompson Creek Mining Company

ORDER ISSUING
PROPOSED MEMORANDUM
DECISION

R. Keith Higginson, Director of the Department of Water Resources, having reviewed the attached proposed decision prepared by this appointee, Gary Spackman, who conducted the hearing or who has read the record in this case, hereby approves the same as a proposed decision pursuant to Idaho Code, Sec. 67-5211.

Each party to these proceedings who appeared at the hearing is given the opportunity, pursuant to Idaho Code, Sec. 42-1701A and 67-5211, to file exceptions to the proposed decision and to present briefs and oral arguments. If no timely and proper exceptions are received, an order by the Director will be entered adopting the proposed decision as his final decision.

I.
EXCEPTIONS

A. To be considered by the Director, exceptions must:

1. be received by the Director on or before the 15th day following the day of service of this Order and the proposed decision,

2. specifically identify the portions of the proposed decision to which exceptions are made and specifically state the grounds for those exceptions, and

3. be sent to each of the parties who appeared or their attorneys.

II.
BRIEFS

A. Any briefs in support of exceptions to the proposed decision shall be filed with the Director at the same time that party's exceptions are filed with the Director.

B. All response briefs to the exceptions must be filed with the Director within 15 days after the exceptions were served upon the responding party.

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR	)	
TRANSFER 3745 (WATER RIGHTS NO.'S	)	PROPOSED MEMORANDUM
72-00048, 72-00051B, 72-00051L,	)	DECISION AND ORDER
72-00051N) AND APPLICATION FOR	)	
TRANSFER NO. 3747 (WATER RIGHTS	)	
NO.'S 72-00110, 72-00111) IN THE NAME	)	
OF CYPRUS THOMPSON CREEK MINING CO.	)	
	)	

A hearing having been held, and evidence having been presented, the hearing officer, appointed by the Director of the Department, proposes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. The water rights proposed for transfer by application number 3747, 72-00110 and 72-00111, authorize the diversion of 2.1 cfs and 0.86 cfs, respectively, for irrigation of 240 acres.

2. The points of diversion for rights 72-00110 and 72-00111 were not identified by the Adams v. Vandervoort decree (the decree). Snake River Basin Adjudication claims describe the point of diversion for rights 72-00110 and 72-00111 as the Upper Bradbury Ditch, located in the NWNW, Sec. 32, T14N, R19E. The Upper Bradbury Ditch is depicted on Figure 1 of the written testimony of Scott Benowitz, an engineer who testified for the applicant, Cyprus Thompson Creek Mining Company (Cyprus). The historical place of use is also depicted on Figure 1 of the Benowitz written testimony.

3. The water rights proposed for transfer by application no. 3745 are all defined by prior transfers, and are described below. Points of diversion were not described by the decree or the prior transfer approval documents, but were depicted on maps filed with the prior transfer applications. Locations described were taken from the applications.

4. Some of the water right numbers identified by application for transfer no. 3745 are not correct. The correct numbers are

T- 3745

listed below with the wrong numbers listed in parenthesis.

<u>Right No.</u>	<u>Last Transfer</u>	<u>Flow (cfs)</u>	<u>Point of Diversion</u>
72-00048	177	1.6	NWNW, Sec 32, T14N, R19E (Upper Bradbury Ditch)
		1.6	NWNW, Sec. 32, T14N, R19E (J. Q. Adams Ditch)
72-00051B	353	0.50	SESW, Sec. 28, T14N, R19E
72-00051M (72-00051L)	372	0.25	NENW, Sec. 33, T14N, R19E (Adamson-Waters Canal)
72-00051P (72-00051N)	776	0.30	NWNW, Sec. 32, T14N, R19E (Ivie Ditch)

The old places of use are depicted on figure 1 of the Benowitz report.

5. The application for transfer proposed the following changes in point of diversion:

Transfer No. 3747

<u>Water Right</u>	<u>Flow Rate (cfs)</u>	<u>Point of Diversion</u>
72-00110	2.1 cfs	NWNW, Sec. 32, T14N, R19E (Upper Bradbury Ditch)
72-00111	.86 cfs	same

Transfer No. 3745

72-00048	2.6 cfs	NWNW, Sec. 32, T14N, R19E (Ivie Ditch)
		NWNW, Sec. 32, T14N, R19E (Upper Bradbury Ditch)
72-00051B	0.50 cfs	same
72-00051M	0.25 cfs	same
72-00051P	0.30 cfs	same

The proposed place of use is also depicted on figure 1 of the Benowitz report.

6. Transfer no. 177, approved in 1944, authorized the

diversion of 1.6 cfs of water right 72-00048 from the Upper Bradbury Ditch, and also approved the diversion of 1.6 cfs from the Adams Ditch. The Adams Ditch, as described by the transfer approval document, diverted water at the approximate location of the ditch referred to in the hearing as the Ivie Ditch.

7. Protests were filed against the applications for transfer by four individuals: Ray Keppner, Michael Shannon, James A. Lynch, and Mark and Vicki Armbruster.

8. Two issues were raised regarding possible injury to other water users. First, the protestants alleged that the transfers would result in the diversion of water at a location upstream from the original points of diversion. The protestants argued that Garden Creek is a gaining stream, and, by moving the points of diversion upstream, there will be less water in the creek to satisfy the water rights, resulting in injury to later-in-time right holders whose points of diversion are located higher up Garden Creek Canyon.

9. The second issue raised is that the place of use will be farther from Garden Creek, and return flows will no longer reach Garden Creek.

10. Figure 1 in the written testimony depicts the place of use to which the rights were originally appurtenant, and also depicts the lands to which the transfer applications propose a transfer. The proposed place of use for the rights listed on application for transfer no. 3747 does not change substantially from the place of use previously irrigated. The place of use proposed for transfer no. 3745 is generally located south of the old place of use, although it overlaps some of the old place of use. The topographic slope, or flow direction, of the proposed place of use is essentially the same as the flow direction of the old place of use.

11. The change in the place of use is not significant enough to cause any changes to the flow of Garden Creek.

12. Benowitz measured Garden Creek at three locations depicted on Figure 3 of his written testimony. In November of

1991, he measured the flows of Garden Creek at the identified sites, and found that Garden Creek was losing water between each of his measuring sites. He acknowledged, however, that a prior court case, Keppner v. Department of Water Resources, Case No. 2690 (1987, 7th District Court), rules that an almost identical reach of Garden Creek as the reach measured by Benowitz gained water during the irrigation season. The appendix of the Benowitz written testimony also contains measurement notes and computations by the Department of Water Resources which confirm that Garden Creek gains water during the irrigation season through approximately the same reach measured by Benowitz.

13. Prior studies in 1935 by Fred A. Tolman, a department employee, concluded that Garden Creek gains approximately 23 inches between the diversion of the Village of Challis and the lower diversions on the creek, which presumably included the Hesson Ditch.

14. At the time of Tolman's analysis, he measured 89 miners inches of available flow at the lowest measuring point. This represented a 25 per cent gain in Challis Creek.

15. Other measurements by Gary Funderburg in 1979 show higher stream flows, and also larger gains. Funderburg measured gains between approximately 20 and 30 percent. Some of Funderburg's field notes are reproduced in Appendix G of Benowitz's written testimony.

16. Benowitz distinguishes between the court's and the Department's conclusions, and his conclusions by stating that he did not measure as far downstream as the department. Measuring site three, which is the most down stream point where flows were measured by Benowitz, is located less than 1/2 mile upstream from where the Challis Creek Road crosses Garden Creek. The Challis Creek Road crossing of Garden Creek was the downstream location for the measurement of Garden Creek which showed a gain in the creek. Benowitz speculates that Garden Creek may gain between measuring site three and the Challis Creek Road crossing. Benowitz discounted all other possible hypothesis, including a suggestion

that his measurement in November would not measure irrigation return flows that might be occurring during the irrigation season. These return flows might be increasing the flows of Garden Creek during the irrigation season. Most of the prior measurements which showed a gain in Garden Creek were taken during the irrigation season.

17. The hearing officer is not convinced by a one time November measurement that Benowitz or Cyprus can conclude, contrary to past department conclusions, that Garden Creek is a losing stream during the irrigation season.

18. Lawrence Bradbury, a former owner of the property, stated that 100 inches of 1880 water (presumably water authorized for diversion by water right no. 72-00051) was diverted through the Hesson Ditch, and split three ways. Bradbury stated that he was entitled to 37.5 inches of water of the 100 inches. The 37.5 inches of water equals 0.75 cfs. Two portions of water right no. 72-00051 (identified as 72-00051B and 72-00051M) authorized diversion of 0.50 cfs and 0.25 cfs, respectively. If both these water rights were diverted together, the cumulative total would be 0.75 cfs.

19. Bradbury testified that the Hesson Ditch point of diversion was located just west of the highway near the Forest Service building. He stated that the water was diverted in the Hesson Ditch at the time he sold the property in 1973. Other witnesses testified that the Hesson Ditch no longer exists.

20. A transfer of water right no. 72-00051B (transfer no. 353) and transfer of water no. 72-00051M (transfer no. 372) authorized a change in the place of use for the water rights, but did not mention the point of diversion. The prior applications for transfer identified a change in point of diversion, however. Application for transfer no. 372 identified the point of diversion for 72-00051M as the NENW, Section 33, Township 14N, Range 19E. Application for transfer no. 353 identified the point of diversion for 72-00051B as the SESW, Section 28, Township 14N, Range 19E. The points of diversion identified by the applications for transfer

approximately correspond to the described point of diversion for the Hesson Ditch.

21. All other water rights sought to be transferred confirm a point of diversion at either the Upper Bradbury Ditch or the Ivie Ditch, either by approved transfer or by traditional diversion.

22. Between 1973 and the present, diversion of water pursuant to rights 72-00051B and 72-00051M through the Hesson Ditch ceased, and all of the water was diverted through the Upper Bradbury and Ivie Ditches.

23. Dee Keppner, the watermaster of Water District 72B, Garden Creek, is the son of Ray Keppner, a protestant. Dee Keppner has delivered the water owned by Cyprus through the Ivie Ditch and the Upper Bradbury Ditch. He has not delivered water through the Hesson Ditch during his tenure as a watermaster.

24. Cyprus will irrigate the proposed place of use with sprinklers.

25. After the hearing, an analysis of Benewitz written testimony was submitted by Michael Shannon. The analysis was prepared by Tom Jacob, who claims to be a geologist.

26. Cyprus moved to strike Jacob's analysis on the basis that Jacob's unsworn testimony should not be considered without opportunity for cross examination.

27. Cyprus also moved to strike written comments submitted by Mark and Vicki Armbruster as being untimely.

CONCLUSIONS OF THE LAW

1. Section 42-222, Idaho Code, sets forth the criteria that the Department can consider in determining whether an application for transfer should be approved:

The director of the department of water resources shall examine all of the evidence and available information and shall approve the change in whole, or in part, or upon conditions, provided no other water rights are injured thereby, the change does not constitute an enlargement in use of the original right, and the change is consistent with the conservation of water resources within the state of Idaho, and is in the local public interest as defined

in Section 42-203A, Idaho Code; . . .

2. The applicant carries the burden of coming forward with evidence that his proposed transfer will not result in an enlargement in use, will not injure other water rights and is consistent with conservation of water resources.

3. All parties carry the burden of coming forward with the evidence regarding matters of local public interest, but the applicant bears the burden to show that his proposal is in the local public interest, or that public interests which favor the proposal are of greater worth than the public interests with which it conflicts.

4. The applicant bears the ultimate burden of proof regarding all issues.

5. The change in the place of use will not injure other water rights. The proposed place of use is not substantially different than the original place of use, and will not cause any significant change in the drainage or percolation of waste water from the lands.

6. The points of diversion for water rights 72-00048 and 72-00051 requested by this application are already authorized for diversion through the Ivie Ditch or the Upper Bradbury Ditch by prior Department action. Water rights 72-00110 and 72-00111 have been diverted historically from the Upper Bradbury Ditch.

7. The change in point of diversion for water rights no. 72-00051B and 72-00051M from the Hesson Ditch to the Upper Bradbury and Ivie Ditch will result in a reduction of water available to satisfy junior rights diverted upstream.

8. Data gathered by the Department shows a 20 to 30 percent gain in Garden Creek during the irrigation season. Application for transfer no. 3745 can be approved, but the diversion flows authorized by water rights 72-00051B and 72-00051M must be reduced by 25 percent. The director retains jurisdiction to further refine the reduction in diversion rate if credible data supports a change in the authorized diversion rate.

9. Cyprus argues that the protestants are estopped from

PROPOSED MEMORANDUM DECISION AND ORDER - Page 7

claiming injury because of acquiescence to changes that have already occurred. There is no evidence that any of the protestants had any knowledge of the changes except Dee Keppner, the watermaster. The date when the Hesson Ditch was abandoned is not clear.

10. Approval of these transfers will not result in an enlargement of use.

11. Approval of these transfers is in the local public interest.

12. The document prepared by Tom Jacobs appears to be in the form of comment rather than scientific analysis. Because Jacobs could have been called as a witness and attended the hearing, and to avoid multiple hearings, his document will be stricken from the record. His comments are not necessary, however, because the hearing officer is not convinced that Garden Creek is a losing stream during the irrigation season.

13. Comments by Mark and Vicki Armbruster will be accepted. The deadlines imposed by the hearing officer were targets for submittal. Failure to technically comply is not fatal.

ORDER

IT IS HEREBY ORDERED that applications for transfer no. 3745 is APPROVED on condition that diversion flows authorized by water rights 72-00051B and 72-00051L must be reduced by 25 percent and other conditions set forth below. The flow rate authorized by the rights shall be:

<u>Right no.</u>	<u>Flow rate (cfs)</u>
72-00051B	0.38
72-00051M	<u>0.19</u>
TOTAL	0.57 cfs

IT IS FURTHER ORDERED that the Director retains jurisdiction over rights 72-00051B and 72-00051M to modify the 25 percent stream flow compensation required if competent data is submitted which better defines the losses and gains to Garden Creek during the irrigation season.

IT IS FURTHER ORDERED that application for transfer no. 3747

is APPROVED, and all rights transferred by applications no.'s 3745 and 3747 shall be conditioned as follows:

A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

Use of water shall be controlled by the watermaster of Water District 72B, Garden Creek.

The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

IT IS FURTHER ORDERED that applicant's motion to strike comments by Tom Jacobs is GRANTED.

IT IS FURTHER ORDERED that applicant's motion to strike comments by Mark and Vicki Armbruster is DENIED.

Dated this 1st day of June, 1992.



Gary Spackman
Hearing Officer

I HEREBY CERTIFY THAT on this 2nd day of June, 1992, a true and correct copy of the Proposed Memorandum Decision and Order and the Order Issuing the Proposed Memorandum Decision and Order was mailed, postage prepaid to the following:

Susan Buxton
Davis Wright Tremain
702 West Idaho, Ste 700
Boise, ID 83702

Scott Campbell
Davis Wright Tremain
702 West Idaho, Ste. 700
Boise, ID 83702

Michael Shannon
P.O. Box 1039
Challis, ID 83226

Kent W. Foster
P.O. Box 50130
Idaho Falls, ID 83405

Tom Jacob
Box 31
Challis, ID 83226

Lawrence F. Bradbury
4082 Fairway Drive
Lewiston, ID 83501

John S. Smith
Box 27
Challis, ID 83226

Will Ingram
HC 61 Box 3020
Challis, ID 83226

Scott Benowitz
Montgomery Engineers
161 Mallard Drive
Boise, ID 83706

Paris Almond
Box 1039
Challis, ID 83226

Gene King
Box 501
Challis, ID 83226

Nola Lynch
Box 847
Challis, ID 83226

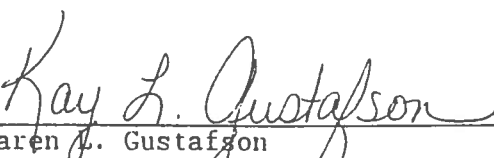
Bert Doughty
P.O. Box 62
Clayton, ID 83227

Jim McGowan
HC 63 Box 1530
Challis, ID 83226

Dave Bergey
P.O. Box 62
Clayton, ID 83227

Dee Keppner
Box 281
Challis, ID 83226

Ray Keppner
Box 243
Challis, ID 83226



Karen L. Gustafson
Secretary/Records Manager

OD-XXX
AJ5803NP
SELECTION FILE: DSHAF-CYPRUS

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION POU INDEX

DATE: 12/20/95
TIME: 15:55:09
PAGE: 6

TWP	RNG	SECT	TRACT	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	CLAIMANT NAMES	O C	WATER SOURCE
11N	17E	30	SW	SW	7.0	01	A72-041598	/Z	05/24/1888	CYPRUS THOMPSON CREEK MINING C SPLIT CLAIM	O C	THOMPSON CREEK
11N	17E	30	SW	SW	7.0	01	A72-04159D	J/	05/24/1888	CYPRUS THOMPSON CREEK MINING C ROBERT G TURNER SANDRA L TURNER	O C	THOMPSON CREEK
11N	17E	30	SW	SW	7.0	01	R72-041598	/Z	05/24/1888	CYPRUS THOMPSON CREEK MINING C SPLIT CLAIM	O C	THOMPSON CREEK
11N	17E	30	SE	SW	1.0	01	A72-041598	/Z	05/24/1888	CYPRUS THOMPSON CREEK MINING C SPLIT CLAIM	O C	THOMPSON CREEK
11N	17E	30	SE	SW	1.0	01	A72-04159D	J/	05/24/1888	CYPRUS THOMPSON CREEK MINING C ROBERT G TURNER SANDRA L TURNER	O C	THOMPSON CREEK
11N	17E	30	SE	SW	1.0	01	R72-041598	/Z	05/24/1888	CYPRUS THOMPSON CREEK MINING C SPLIT CLAIM	O C	THOMPSON CREEK
13N	19E	3	NW	NE	28.0	01	A72-04055C	S/	04/15/1885	JOHNNY HAMMOND SCOTT L CAMPBELL CYPRUS THOMPSON CREEK MINING C	O A	SALMON RIVER
13N	19E	3	NW	NE	28.0	01	R72-04055C	/W	04/15/1885	SCOTT L CAMPBELL CYPRUS THOMPSON CREEK MINING C	A C	SALMON RIVER
13N	19E	3	SE	NE	15.0	01	A72-04055C	S/	04/15/1885	JOHNNY HAMMOND SCOTT L CAMPBELL CYPRUS THOMPSON CREEK MINING C	O A	SALMON RIVER
13N	19E	3	SE	NE	15.0	01	R72-04055C	/W	04/15/1885	SCOTT L CAMPBELL CYPRUS THOMPSON CREEK MINING C	A C	SALMON RIVER
13N	19E	3	NW	NW	16.0	01	A72-04151	/W	04/01/1901	CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL GINI DITCH ASSOC.	O C	SALMON RIVER
13N	19E	3	NW	NW	16.0	01	R72-04151	/W	04/01/1901	CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	A C	SALMON RIVER
13N	19E	4	NE	NE	5.7	01	A72-04151	/W	04/01/1901	CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL GINI DITCH ASSOC.	O C	SALMON RIVER
13N	19E	4	NE	NE	5.7	01	R72-04151	/W	04/01/1901	CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	A C	SALMON RIVER
14N	19E	32	NW	NE	10.0	01	A72-00111	D/	05/15/1899	CHALLIS RECREATION AND DEVELOP C CYPRUS THOMPSON CREEK MINING C	O C	GARDEN CREEK

TWP	RNG	SECT	TRACT	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	CLAIMANT NAMES	0	WATER SOURCE
14N	19E	32	NW	NE	40		A72-07117	P/	01/19/1981	CYPRUS MINES CORP CITY OF CHALLIS	0	GROUNDWATER
14N	19E	32	NW	NE	10.0	01	R72-00111	D/	05/15/1899	CHALLIS RECREATION AND DEVELOP CYPRUS THOMPSON CREEK MINING C	0	GARDEN CREEK
14N	19E	32	SW	NE	30.0	01	A72-00048	D/	05/15/1901	JOHN Q ADAMS LAURENCE BRADBURY CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	0	GARDEN CREEK
14N	19E	32	SW	NE	40.0	01	A72-00110	D/	05/15/1878	CYPRUS THOMPSON CREEK MINING C CHALLIS RECREATION AND DEVELOP C	0	GARDEN CREEK
14N	19E	32	SW	NE	40.0	01	A72-00111	D/	05/15/1899	CHALLIS RECREATION AND DEVELOP C CYPRUS THOMPSON CREEK MINING C	0	GARDEN CREEK
14N	19E	32	SW	NE	40		A72-07117	P/	01/19/1981	CYPRUS MINES CORP CITY OF CHALLIS	0	GROUNDWATER
14N	19E	32	SW	NE	30.0	01	R72-00048	D/	05/15/1901	JOHN Q ADAMS LAURENCE BRADBURY CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	0	GARDEN CREEK
14N	19E	32	SW	NE	40.0	01	R72-00110	D/	05/15/1878	CHALLIS RECREATION AND DEVELOP C CYPRUS THOMPSON CREEK MINING C	0	GARDEN CREEK
14N	19E	32	SW	NE	40.0	01	R72-00111	D/	05/15/1899	CHALLIS RECREATION AND DEVELOP C CYPRUS THOMPSON CREEK MINING C	0	GARDEN CREEK
14N	19E	32	NE	NW	5.0	01	A72-00048	D/	05/15/1901	JOHN Q ADAMS LAURENCE BRADBURY CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	0	GARDEN CREEK
14N	19E	32	NE	NW	10.0	01	A72-00111	D/	05/15/1899	CHALLIS RECREATION AND DEVELOP C CYPRUS THOMPSON CREEK MINING C	0	GARDEN CREEK
14N	19E	32	NE	NW	40		A72-07117	P/	01/19/1981	CYPRUS MINES CORP CITY OF CHALLIS	0	GROUNDWATER
14N	19E	32	NE	NW	5.0	01	R72-00048	D/	05/15/1901	JOHN Q ADAMS LAURENCE BRADBURY CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	0	GARDEN CREEK
14N	19E	32	NE	NW	10.0	01	R72-00111	D/	05/15/1899	CHALLIS RECREATION AND DEVELOP C CYPRUS THOMPSON CREEK MINING C	0	GARDEN CREEK

TWP	RNG	SECT	TRACT	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	CLAIMANT NAMES	C	WATER SOURCE
14N	19E	32	NW	NW	5.0	01	A72-00048	D/	05/15/1901	JOHN Q ADAMS LAWRENCE BRADBURY CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	0 0 C A	GARDEN CREEK
14N	19E	32	NW	NW	5.0	01	A72-00111	O/	05/15/1899	CHALLIS RECREATION AND DEVELOP CYPRUS THOMPSON CREEK MINING C	C	GARDEN CREEK
14N	19E	32	NW	NW	40		A72-07117	P/	01/19/1981	CYPRUS MINES CORP CITY OF CHALLIS	O C	GROUNDWATER
14N	19E	32	NW	NW	5.0	01	R72-00048	D/	05/15/1901	JOHN Q ADAMS LAWRENCE BRADBURY CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	O O C A	GARDEN CREEK
14N	19E	32	NW	NW	5.0	01	R72-00111	D/	05/15/1899	CHALLIS RECREATION AND DEVELOP CYPRUS THOMPSON CREEK MINING C	C O	GARDEN CREEK
14N	19E	32	SW	NW	15.0	01	A72-00048	D/	05/15/1901	JOHN Q ADAMS LAWRENCE BRADBURY CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	O O C A	GARDEN CREEK
14N	19E	32	SW	NW	40		A72-07117	P/	01/19/1981	CYPRUS MINES CORP CITY OF CHALLIS	O C	GROUNDWATER
14N	19E	32	SW	NW	15.0	01	R72-00048	D/	05/15/1901	JOHN Q ADAMS LAWRENCE BRADBURY CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	O O C A	GARDEN CREEK
14N	19E	32	SE	NW	35.0	01	A72-00048	D/	05/15/1901	JOHN Q ADAMS LAWRENCE BRADBURY CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	O O C A	GARDEN CREEK
14N	19E	32	SE	NW	40.0	01	A72-00110	D/	05/15/1878	CYPRUS THOMPSON CREEK MINING C CHALLIS RECREATION AND DEVELOP C	O C	GARDEN CREEK
14N	19E	32	SE	NW	40.0	01	A72-00111	D/	05/15/1899	CHALLIS RECREATION AND DEVELOP C CYPRUS THOMPSON CREEK MINING C	O O	GARDEN CREEK
14N	19E	32	SE	NW	40		A72-07117	P/	01/19/1981	CYPRUS MINES CORP CITY OF CHALLIS	O C	GROUNDWATER
14N	19E	32	SE	NW	35.0	01	R72-00048	D/	05/15/1901	JOHN Q ADAMS LAWRENCE BRADBURY CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	O O C A	GARDEN CREEK

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14N	19E	32	SE NW		40.0	01	R72-00110	D/	05/15/1878	CHALLIS RECREATION AND DEVELOP C CYPRUS THOMPSON CREEK MINING C O		GARDEN CREEK
14N	19E	32	SE NW		40.0	01	R72-00111	O/	05/15/1899	CHALLIS RECREATION AND DEVELOP C CYPRUS THOMPSON CREEK MINING C O		GARDEN CREEK
14N	19E	32	NE SW		40.0	01	A72-00110	O/	05/15/1878	CYPRUS THOMPSON CREEK MINING C O CHALLIS RECREATION AND DEVELOP C		GARDEN CREEK
14N	19E	32	NE SW		40.0	01	A72-00111	O/	05/15/1899	CHALLIS RECREATION AND DEVELOP C CYPRUS THOMPSON CREEK MINING C O		GARDEN CREEK
14N	19E	32	NE SW		40		A72-07117	P/	01/19/1981	CYPRUS MINES CORP CITY OF CHALLIS	O C	GROUNDWATER
14N	19E	32	NE SW		40.0	01	R72-00110	O/	05/15/1878	CHALLIS RECREATION AND DEVELOP C CYPRUS THOMPSON CREEK MINING C O		GARDEN CREEK
14N	19E	32	NE SW		40.0	01	R72-00111	D/	05/15/1899	CHALLIS RECREATION AND DEVELOP C CYPRUS THOMPSON CREEK MINING C O		GARDEN CREEK
14N	19E	32	NE SE		20.0	01	A72-00048	D/	05/15/1901	JOHN Q ADAMS LAWRENCE BRADBURY CYPRUS THOMPSON CREEK MINING C C SCOTT L CAMPBELL	O O C A	GARDEN CREEK
14N	19E	32	NE SE		40.0	01	A72-00110	O/	05/15/1878	CYPRUS THOMPSON CREEK MINING C O CHALLIS RECREATION AND DEVELOP C		GARDEN CREEK
14N	19E	32	NE SE		40.0	01	A72-00111	D/	05/15/1899	CHALLIS RECREATION AND DEVELOP C CYPRUS THOMPSON CREEK MINING C O		GARDEN CREEK
14N	19E	32	NE SE		40		A72-07117	P/	01/19/1981	CYPRUS MINES CORP CITY OF CHALLIS	O C	GROUNDWATER
14N	19E	32	NE SE		20.0	01	R72-00048	D/	05/15/1901	JOHN Q ADAMS LAWRENCE BRADBURY CYPRUS THOMPSON CREEK MINING C C SCOTT L CAMPBELL	O O C A	GARDEN CREEK
14N	19E	32	NE SE		40.0	01	R72-00110	D/	05/15/1878	CHALLIS RECREATION AND DEVELOP C CYPRUS THOMPSON CREEK MINING C O		GARDEN CREEK
14N	19E	32	NE SE		40.0	01	R72-00111	D/	05/15/1899	CHALLIS RECREATION AND DEVELOP C CYPRUS THOMPSON CREEK MINING C O		GARDEN CREEK
14N	19E	32	NW SE		40.0	01	A72-00110	D/	05/15/1878	CYPRUS THOMPSON CREEK MINING C O CHALLIS RECREATION AND DEVELOP C		GARDEN CREEK

TWP	RNG	SECT	TRACT	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	CLAIMANT NAMES		WATER SOURCE
14N	19E	32	NW	SE	40		A72-07117	P/	01/19/1981	CYPRUS MINES CORP CITY OF CHALLIS	0 C	GROUNDWATER
14N	19E	32	NW	SE	40.0 01		R72-00110	D/	05/15/1878	CHALLIS RECREATION AND DEVELOP CYPRUS THOMPSON CREEK MINING C	0 C	GARDEN CREEK
14N	19E	32	SE	SE	20.0 01		A72-00048	D/	05/15/1901	JOHN Q ADAMS LAURENCE BRADBURY CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	0 O C A	GARDEN CREEK
14N	19E	32	SE	SE	40.0 01		A72-00111	D/	05/15/1899	CHALLIS RECREATION AND DEVELOP CYPRUS THOMPSON CREEK MINING C	0 C	GARDEN CREEK
14N	19E	32	SE	SE	40		A72-07117	P/	01/19/1981	CYPRUS MINES CORP CITY OF CHALLIS	0 C	GROUNDWATER
14N	19E	32	SE	SE	20.0 01		R72-00048	O/	05/15/1901	JOHN Q ADAMS LAURENCE BRADBURY CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	0 O C A	GARDEN CREEK
14N	19E	32	SE	SE	40.0 01		R72-00111	D/	05/15/1899	CHALLIS RECREATION AND DEVELOP CYPRUS THOMPSON CREEK MINING C	0 C	GARDEN CREEK
14N	19E	33	SW	NE	40		A72-07117	P/	01/19/1981	CYPRUS MINES CORP CITY OF CHALLIS	0 C	GROUNDWATER
14N	19E	33	SE	NE	40		A72-07117	P/	01/19/1981	CYPRUS MINES CORP CITY OF CHALLIS	0 C	GROUNDWATER
14N	19E	33	SE	NW	40		A72-07117	P/	01/19/1981	CYPRUS MINES CORP CITY OF CHALLIS	0 C	GROUNDWATER
14N	19E	33	NE	SW	40		A72-07117	P/	01/19/1981	CYPRUS MINES CORP CITY OF CHALLIS	0 C	GROUNDWATER
14N	19E	33	NW	SW	10.0 01		A72-00048	D/	05/15/1901	JOHN Q ADAMS LAURENCE BRADBURY CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	0 O C A	GARDEN CREEK
14N	19E	33	NW	SW	40		A72-07117	P/	01/19/1981	CYPRUS MINES CORP CITY OF CHALLIS	0 C	GROUNDWATER
14N	19E	33	NW	SW	10.0 01		R72-00048	O/	05/15/1901	JOHN Q ADAMS LAURENCE BRADBURY CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	0 O C A	GARDEN CREEK

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14N	19E	33	SW	SW	20.0	01	A72-00048	0/	05/15/1901	JOHN Q ADAMS LAWRENCE BRADBURY CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	0 C A	GARDEN CREEK
14N	19E	33	SW	SW	40		A72-07117	P/	01/19/1981	CYPRUS MINES CORP CITY OF CHALLIS	0 C	GROUNDWATER
14N	19E	33	SW	SW	20.0	01	R72-00048	D/	05/15/1901	JOHN Q ADAMS LAWRENCE BRADBURY CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	0 C A	GARDEN CREEK
14N	19E	33	SE	SW	40.0	01	A72-00048	D/	05/15/1901	JOHN Q ADAMS LAWRENCE BRADBURY CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	0 C A	GARDEN CREEK
14N	19E	33	SE	SW	40		A72-07117	P/	01/19/1981	CYPRUS MINES CORP CITY OF CHALLIS	0 C	GROUNDWATER
14N	19E	33	SE	SW	40.0	01	R72-00048	D/	05/15/1901	JOHN Q ADAMS LAWRENCE BRADBURY CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	0 C A	GARDEN CREEK
14N	19E	33	NE	SE	30.0	01	A72-00051B	0/	05/15/1880	CHARLES F ZILKEY W W ADAMSON CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	0 C A	GARDEN CREEK
14N	19E	33	NE	SE	30.0	01	A72-00051L	D/	05/15/1880	M E ROGERS CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL CHARLES ZILKEY	0 C A	GARDEN CREEK
14N	19E	33	NE	SE	30.0	01	A72-00051N	D/	05/15/1880	CHARLES F ZILKEY LAWRENCE F BRADBURY CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	0 C A	GARDEN CREEK
14N	19E	33	NE	SE	40		A72-07117	P/	01/19/1981	CYPRUS MINES CORP CITY OF CHALLIS	0 C	GROUNDWATER
14N	19E	33	NE	SE	30.0	01	R72-00051B	D/	05/15/1880	CHARLES F ZILKEY W W ADAMSON CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	0 C A	GARDEN CREEK

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TWP	RNG	SECT	TRACT	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	CLAIMANT NAMES		WATER SOURCE
14N	19E	33	NE	SE	30.0	01	R72-00051L	D/	05/15/1880	M E ROGERS CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL CHARLES ZILKEY	O C A O	GARDEN CREEK
14N	19E	33	NE	SE	30.0	01	R72-00051N	D/	05/15/1880	CHARLES F ZILKEY CYPRUS THOMPSON CREEK MINING C LAWRENCE F BRADBURY SCOTT L CAMPBELL	O C O A	GARDEN CREEK
14N	19E	33	NW	SE	20.0	01	A72-00051B	D/	05/15/1880	CHARLES F ZILKEY M W ADAMSON CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	O O C A	GARDEN CREEK
14N	19E	33	NW	SE	20.0	01	A72-00051L	D/	05/15/1880	M E ROGERS CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL CHARLES ZILKEY	O C A O	GARDEN CREEK
14N	19E	33	NW	SE	20.0	01	A72-00051N	D/	05/15/1880	CHARLES F ZILKEY LAWRENCE F BRADBURY CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	O O C A	GARDEN CREEK
14N	19E	33	NW	SE	40		A72-07117	P/	01/19/1981	CYPRUS MINES CORP CITY OF CHALLIS	O C	GROUNDWATER
14N	19E	33	NW	SE	20.0	01	R72-00051B	D/	05/15/1880	CHARLES F ZILKEY M W ADAMSON CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	O O C A	GARDEN CREEK
14N	19E	33	NW	SE	20.0	01	R72-00051L	D/	05/15/1880	M E ROGERS CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL CHARLES ZILKEY	O C A O	GARDEN CREEK
14N	19E	33	NW	SE	20.0	01	R72-00051N	D/	05/15/1880	CHARLES F ZILKEY CYPRUS THOMPSON CREEK MINING C LAWRENCE F BRADBURY SCOTT L CAMPBELL	O C O A	GARDEN CREEK
14N	19E	33	SW	SE	30.0	01	A72-00051B	D/	05/15/1880	CHARLES F ZILKEY M W ADAMSON CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	O O C A	GARDEN CREEK

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TWP	RNG	SECT	TRACT	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	CLAIMANT NAMES		WATER SOURCE
14N	19E	33	SW	SE	30.0	01	A72-00051L	D/	05/15/1880	M E ROGERS CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL CHARLES ZILKEY	O C A O	GARDEN CREEK
14N	19E	33	SW	SE	30.0	01	A72-00051N	D/	05/15/1880	CHARLES F ZILKEY LAWRENCE F BRADBURY CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	O O C A	GARDEN CREEK
14N	19E	33	SW	SE	40		A72-07117	P/	01/19/1981	CYPRUS MINES CORP CITY OF CHALLIS	O C	GROUNDWATER
14N	19E	33	SW	SE	30.0	01	R72-00051B	D/	05/15/1880	CHARLES F ZILKEY W W ADAMSON CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	O O C A	GARDEN CREEK
14N	19E	33	SW	SE	30.0	01	R72-00051L	D/	05/15/1880	M E ROGERS CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL CHARLES ZILKEY	O C A O	GARDEN CREEK
14N	19E	33	SW	SE	30.0	01	R72-00051N	D/	05/15/1880	CHARLES F ZILKEY CYPRUS THOMPSON CREEK MINING C LAWRENCE F BRADBURY SCOTT L CAMPBELL	O C O A	GARDEN CREEK
14N	19E	33	SE	SE	30.0	01	A72-00051B	D/	05/15/1880	CHARLES F ZILKEY W W ADAMSON CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	O O C A	GARDEN CREEK
14N	19E	33	SE	SE	30.0	01	A72-00051L	D/	05/15/1880	M E ROGERS CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL CHARLES ZILKEY	O C A O	GARDEN CREEK
14N	19E	33	SE	SE	30.0	01	A72-00051N	D/	05/15/1880	CHARLES F ZILKEY LAWRENCE F BRADBURY CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	O O C A	GARDEN CREEK
14N	19E	33	SE	SE	40		A72-07117	P/	01/19/1981	CYPRUS MINES CORP CITY OF CHALLIS	O C	GROUNDWATER
14N	19E	33	SE	SE	30.0	01	R72-00051B	D/	05/15/1880	CHARLES F ZILKEY W W ADAMSON CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	O O C A	GARDEN CREEK

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14N	19E	33	SE	SE	30.0	01	R72-00051L	D/	05/15/1880	M E ROGERS CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL CHARLES ZILKEY	O C A O	GARDEN CREEK
14N	19E	33	SE	SE	30.0	01	R72-00051N	D/	05/15/1880	CHARLES F ZILKEY CYPRUS THOMPSON CREEK MINING C LAWRENCE F BRADBURY SCOTT L CAMPBELL	O C O A	GARDEN CREEK
14N	19E	34	SW	NW	20.0	01	A72-00051B	D/	05/15/1880	CHARLES F ZILKEY W W ADAMSON CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	O O C A	GARDEN CREEK
14N	19E	34	SW	NW	20.0	01	A72-00051L	D/	05/15/1880	M E ROGERS CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL CHARLES ZILKEY	O C A O	GARDEN CREEK
14N	19E	34	SW	NW	20.0	01	A72-00051N	D/	05/15/1880	CHARLES F ZILKEY LAWRENCE F BRADBURY CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	O O C A	GARDEN CREEK
14N	19E	34	SW	NW	40		A72-07117	P/	01/19/1981	CYPRUS MINES CORP CITY OF CHALLIS	O C	GROUNDWATER
14N	19E	34	SW	NW	20.0	01	R72-00051B	D/	05/15/1880	CHARLES F ZILKEY W W ADAMSON CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	O O C A	GARDEN CREEK
14N	19E	34	SW	NW	20.0	01	R72-00051L	D/	05/15/1880	M E ROGERS CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL CHARLES ZILKEY	O C A O	GARDEN CREEK
14N	19E	34	SW	NW	20.0	01	R72-00051N	D/	05/15/1880	CHARLES F ZILKEY CYPRUS THOMPSON CREEK MINING C LAWRENCE F BRADBURY SCOTT L CAMPBELL	O C O A	GARDEN CREEK
14N	19E	34	SE	NW	40		A72-07117	P/	01/19/1981	CYPRUS MINES CORP CITY OF CHALLIS	O C	GROUNDWATER
14N	19E	34	NW	SW	40.0	01	A72-00051B	D/	05/15/1880	CHARLES F ZILKEY W W ADAMSON CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	O O C A	GARDEN CREEK

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TWP	RNG	SECT	TRACT	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	CLAIMANT NAMES		WATER SOURCE
14N	19E	34	NW	SW	40.0	01	A72-00051L	D/	05/15/1880	M E ROGERS CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL CHARLES ZILKEY	O C A O	GARDEN CREEK
14N	19E	34	NW	SW	40.0	01	A72-00051N	D/	05/15/1880	CHARLES F ZILKEY LAWRENCE F BRADBURY CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	O O C A	GARDEN CREEK
14N	19E	34	NW	SW	40		A72-07117	P/	01/19/1981	CYPRUS MINES CORP CITY OF CHALLIS	O C	GROUNDWATER
14N	19E	34	NW	SW	40.0	01	R72-00051B	D/	05/15/1880	CHARLES F ZILKEY W W ADAMSON CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	O O C A	GARDEN CREEK
14N	19E	34	NW	SW	40.0	01	R72-00051L	D/	05/15/1880	M E ROGERS CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL CHARLES ZILKEY	O C A O	GARDEN CREEK
14N	19E	34	NW	SW	40.0	01	R72-00051N	D/	05/15/1880	CHARLES F ZILKEY CYPRUS THOMPSON CREEK MINING C LAWRENCE F BRADBURY SCOTT L CAMPBELL	O C O A	GARDEN CREEK
14N	19E	34	SW	SW	20.0	01	A72-00051B	D/	05/15/1880	CHARLES F ZILKEY W W ADAMSON CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	O O C A	GARDEN CREEK
14N	19E	34	SW	SW	20.0	01	A72-00051L	D/	05/15/1880	M E ROGERS CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL CHARLES ZILKEY	O C A O	GARDEN CREEK
14N	19E	34	SW	SW	20.0	01	A72-00051N	D/	05/15/1880	CHARLES F ZILKEY LAWRENCE F BRADBURY CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	O O C A	GARDEN CREEK
14N	19E	34	SW	SW	15.0	01	A72-04151	/W	04/01/1901	CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL GINI DITCH ASSOC.	C A O	SALMON RIVER
14N	19E	34	SW	SW	40		A72-07117	P/	01/19/1981	CYPRUS MINES CORP CITY OF CHALLIS	O C	GROUNDWATER

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SELECTION FILE: DSHAFF-CYPRUS

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION POU INDEX

DATE: 12/20/95
TIME: 15:55:14
PAGE: 16

TWP	RNG	SECT	TRACT	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	CLAIMANT NAMES		WATER SOURCE
14N	19E	34	SW SW		20.0	01	R72-00051B	D/	05/15/1880	CHARLES F ZILKEY W W ADAMSON CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	O O C A	GARDEN CREEK
14N	19E	34	SW SW		20.0	01	R72-00051L	D/	05/15/1880	M E ROGERS CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL CHARLES ZILKEY	O C A O	GARDEN CREEK
14N	19E	34	SW SW		20.0	01	R72-00051N	D/	05/15/1880	CHARLES F ZILKEY CYPRUS THOMPSON CREEK MINING C LAWRENCE F BRADBURY SCOTT L CAMPBELL	O C O A	GARDEN CREEK
14N	19E	34	SW SW		15.0	01	R72-04151	/W	04/01/1901	CYPRUS THOMPSON CREEK MINING C SCOTT L CAMPBELL	A	SALMON RIVER
14N	19E	35	NW SW	7	10.0	01	A72-04080H	S/	05/01/1885	CYPRUS THOMPSON CREEK MINING C CHARLES W MUNSCH SHIRLEY MUNSCH SCOTT L CAMPBELL	O O O A	SALMON RIVER
14N	19E	35	NW SW	7	10.0	01	R72-04080H	/W	05/01/1885	SCOTT L CAMPBELL CYPRUS THOMPSON CREEK MINING C	A C	SALMON RIVER
14N	19E	35	SW SW	8	15.0	01	A72-04080H	S/	05/01/1885	CYPRUS THOMPSON CREEK MINING C CHARLES W MUNSCH SHIRLEY MUNSCH SCOTT L CAMPBELL	O O O A	SALMON RIVER
14N	19E	35	SW SW	8	15.0	01	R72-04080H	/W	05/01/1885	SCOTT L CAMPBELL CYPRUS THOMPSON CREEK MINING C	A C	SALMON RIVER

THOMPSON CREEK MINING COMPANY

P.O. BOX 62

CLAYTON, IDAHO 83227

Phone (208) 838-2200

Fax (208) 838-2299

March 24, 1994

RECEIVED

MAR 28 1994

Department of Water Resources
Southern Region Office

Kelly Christensen
Department of Water Resources
Southern Region
222 Shoshone Street East
Twin Falls, Idaho 83301

RE: Transfer Forms for Water Rights 72-00048, 72-00051B,
72-00051M and 72-00051P.

Dear Mr. Christensen:

Enclosed are the water rights transfer forms for water rights 72-00048, 72-00051B, 72-00051M and 72-00051P. The water right numbers do not correspond with the water rights numbers referenced in your letter, but were changed to match the water rights numbers in the Finding of Fact section of the Proposed Memorandum Decision and Order for the hearing held on Transfer 3745 (see Attachment 2).

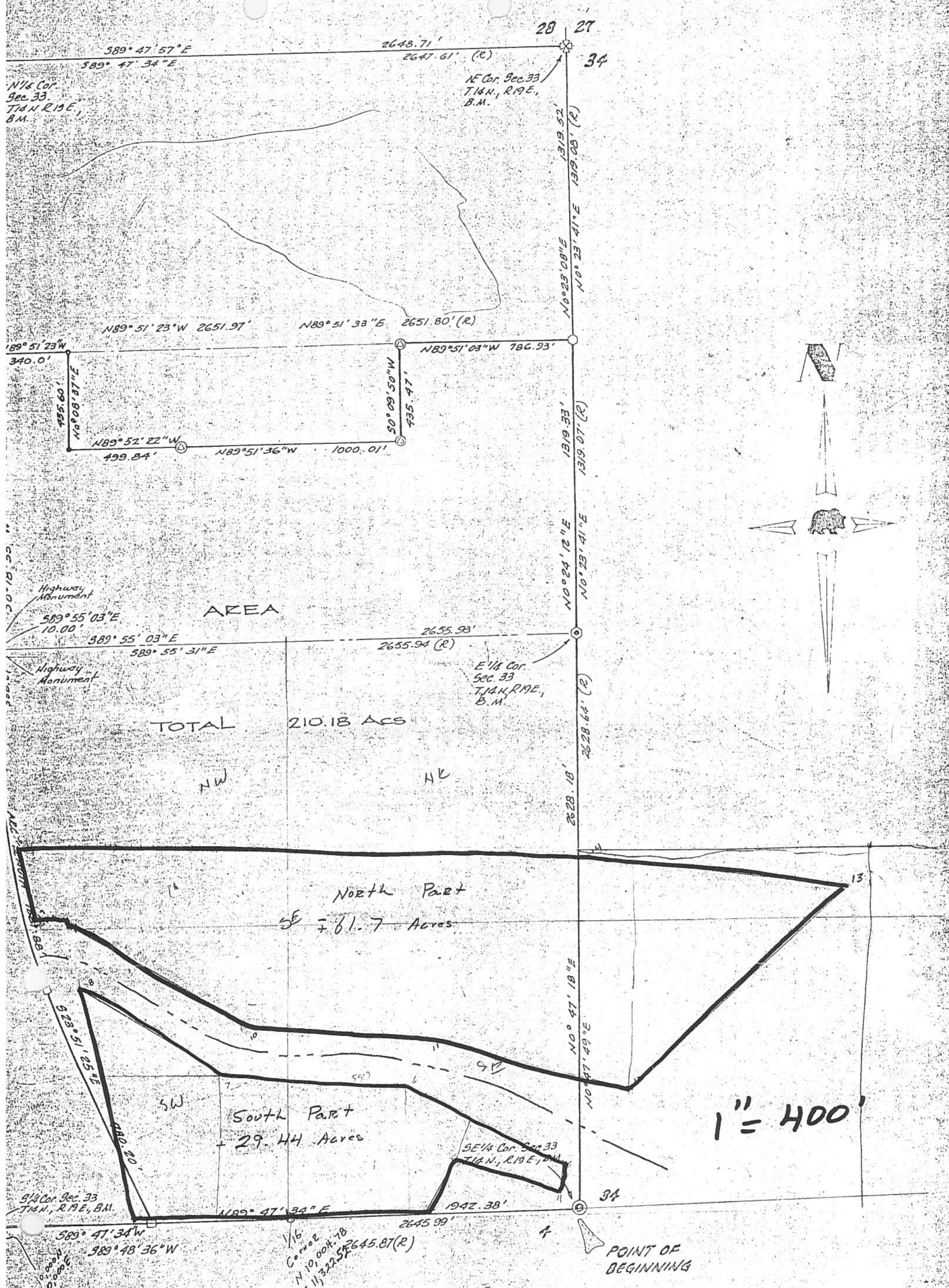
The only item changed from transfer 3745 were the amount of acres under irrigation. The total acreage dropped from 130 acres to 90 acres. A surveyed plat map is included for your review (Attachment 3).

If you have any further questions or need clarification please don't hesitate to contact me.

Sincerely,

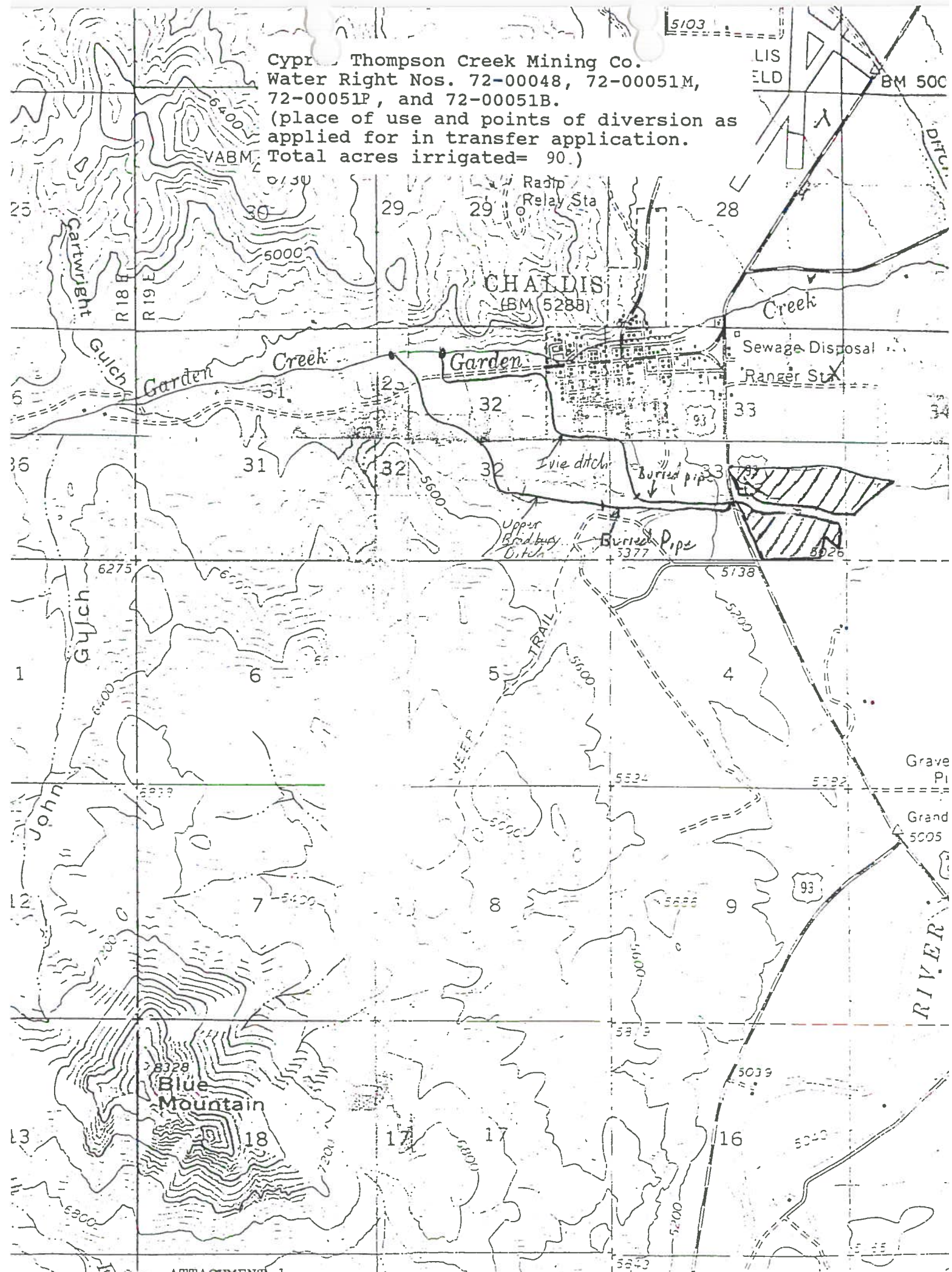


Bert Doughty
Supervisor, Environmental Affairs



NOTE: The above bearings are based on the Idaho State Plane grid and are from Grid North having a rotation at the SE Corner of Sec. 33 T14N, R19E, B.M., of -00° 05' 56.2" from Grid Bearing to True Bearing

Cypr Thompson Creek Mining Co.
Water Right Nos. 72-00048, 72-00051M,
72-00051P, and 72-00051B.
(place of use and points of diversion as
applied for in transfer application.
Total acres irrigated= 90.)



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 72-00048 Decreed to JOHN Q. ADAMS
in case of ADAMS, ET. AL. vs. VANDERVOORT, ET. AL.
dated MAY 19, 1914 in 6TH DISTRICT county of CUSTER
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3745+193+177 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

3. Source of water GARDEN CREEK tributary to SALMON RIVER

4. Date or priority MAY 15, 1901

5. Water is used for the following purpose:

amount 2.6 for IRRIGATION purposes from 4/1 to 11/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.6 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	32	14N	19E	CUSTER	IVIE DITCH
		NW	NW	32	14N	19E	CUSTER	UPPER BRADBURY DITCH

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
14N	19E	33													20	20	30	30	100
14N	19E	34									20	10							30

Total acres 130

9. Describe any other water rights used for the same purpose as described above 72-00051B, 72-00051M,

72-00051P

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 72-00051-P Decreed to CHARLES F. ZILKEY
in case of ADAMS ET. AL. vs. VANDERVOORT
dated MAY 19, 1914 in 6TH DISTRICT county of CUSTER
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3745+776+72-00051N which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☒ Warranty Deed☐ Other _____3. Source of water GARDEN CREEK tributary to SALMON RIVER4. Date or priority 5/15/1880

5. Water is used for the following purpose:

amount 0.30 for IRRIGATION purposes from 4/1 to 11/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.30 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	32	14N	19E	CUSTER	IVIE DITCH
		NW	NW	32	14N	19E	CUSTER	UPPER BRADBURY DITCH

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
14N	19E	33													20	20	30	30	100
14N	19E	34										20	10						30

Total acres 1309. Describe any other water rights used for the same purpose as described above 72-00048, 72-00051M,72-00051B

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 72-00051B Decreed to CHARLES F. ZILKEY
in case of ADAMS, ET. AL. vs. VANDERVOORT, ET. AL.
dated MAY 19, 1914 in 6TH DISTRICT county of CUSTER
- b. License No. 3745+353+72-00051B issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3745+353+72-00051B which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

3. Source of water GARDEN CREEK tributary to SALMON RIVER

4. Date or priority 5/15/1880

5. Water is used for the following purpose:

amount 0.38 for IRRIGATION purposes from 4/1 to 11/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.38 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	32	14N	19E	CUSTER	IVIE DITCH
		NW	NW	32	14N	19E	CUSTER	UPPER BRADBURY DITCH

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
14N	19E	33													20	20	30	30	100
14N	19E	34										20	10						30

Total acres 130

9. Describe any other water rights used for the same purpose as described above 72-00048, 72-00051M,
72-00051P

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED*(If the entire right is to be changed by the applicant, omit part B and C.)*

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 72-00051M Decreed to CHARLES F. ZILKEY
in case of ADAMS, ET. AL. vs. VANDERVOORT, ET. AL.
dated MAY 19, 1914 in 6TH DISTRICT county of CUSTER
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3745+372+72-00051M which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

3. Source of water GARDEN CREEK tributary to SALMON RIVER

4. Date or priority 5/15/1880

5. Water is used for the following purpose:

amount 0.19 for IRRIGATION purposes from 4/1 to 11/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	32	14N	19E	CUSTER	IVIE DITCH
		NW	NW	32	14N	19E	CUSTER	UPPER BRADBURY DITCH

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
14N	19E	33													20	20	30	30	100
14N	19E	34										20	10						30

Total acres 130

9. Describe any other water rights used for the same purpose as described above 72-00048, 72-00051B,
72-00051P

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED*(If the entire right is to be changed by the applicant, omit part B and C.)*

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

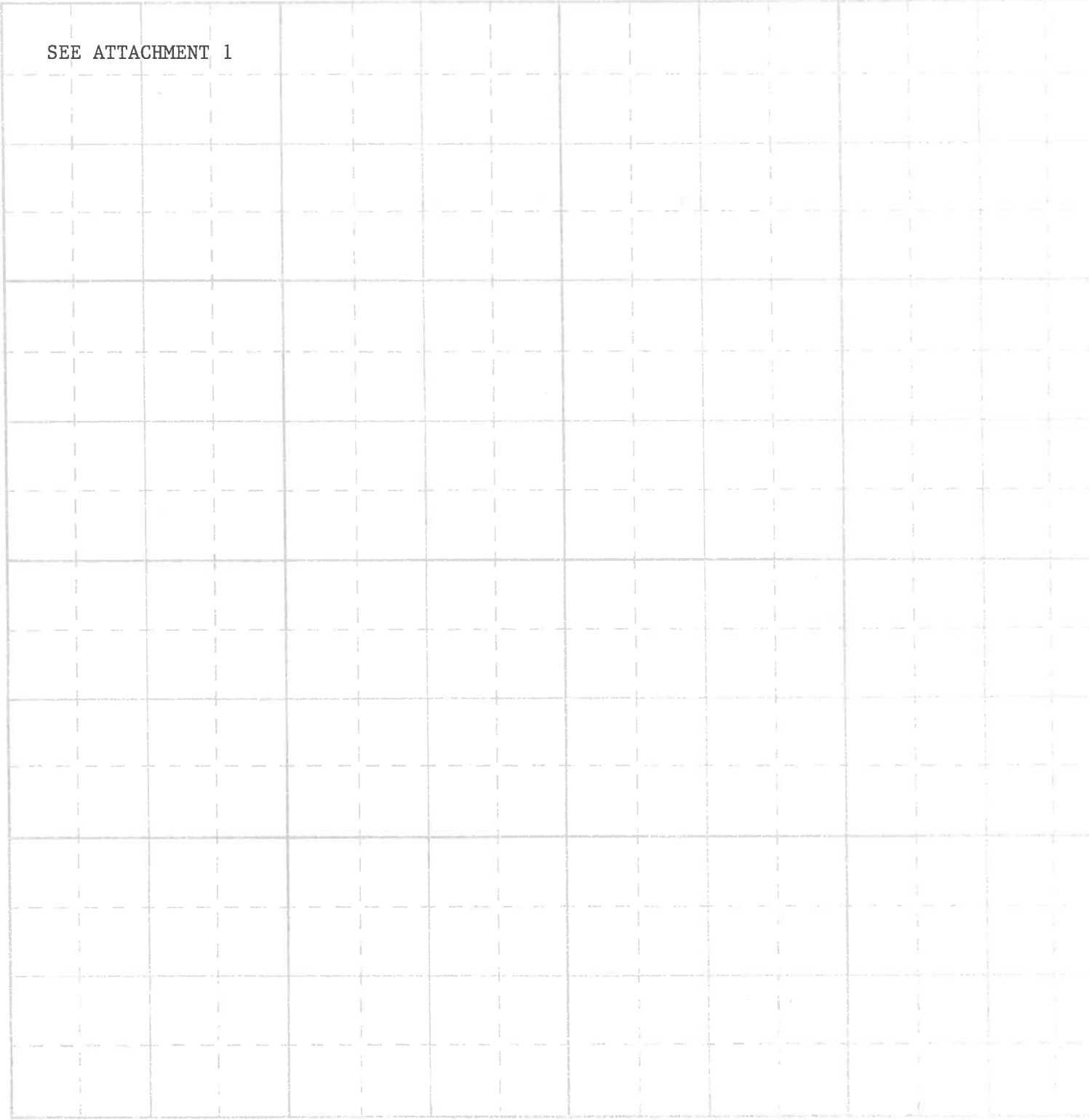
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

SEE ATTACHMENT 1

A large grid for drawing a map, with the text "SEE ATTACHMENT 1" in the top left corner. The grid is composed of solid lines forming a 10x10 grid of squares, with dashed lines forming a 20x20 grid of smaller squares. The text "SEE ATTACHMENT 1" is written in the top left corner of the grid.

PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	_____	_____	_____	_____ to _____
	_____	_____	_____	_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

(Signature of Applicant)

Subscribed and sworn to before me this _____ day of _____, 19 _____.

(Notary Public)

My commission expires _____

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Receipted by _____ Date _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

RECEIVED**MAR 28 1994**Department of Water Resources
Southern Region Office

Page 1 of 12STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Thompson Creek c/o BERT DOUGHTY Phone (208) 838-2200
Post Office address P.O. Box 62 Clayton, Idaho 83227

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other CHANGE IN ACRES
2. Describe the reason for the proposed changes REDUCE ACREAGE UNDER IRRIGATION-130 TO 90 ACRES,
AS PER REQUEST OF FIELD EXAMINER.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|------------------|------------------|-----------------------|-------------------|---------------------------|
| <u>72-00051P</u> | <u>5/15/1888</u> | <u>0.30</u> | <u>IRRIGATION</u> | <u>4/1</u> to <u>11/1</u> |
| <u>72-00051B</u> | <u>5/15/1888</u> | <u>0.38</u> | <u>IRRIGATION</u> | <u>4/1</u> to <u>11/1</u> |
| <u>72-0005M</u> | <u>5/15/1888</u> | <u>0.19</u> | <u>IRRIGATION</u> | <u>4/1</u> to <u>11/1</u> |
| <u>72-00048</u> | <u>5/15/1901</u> | <u>2.6</u> | <u>IRRIGATION</u> | <u>4/1</u> to <u>11/1</u> |
2. Total amount of water being transferred 3.47 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water GARDEN CREEK tributary to SALMON RIVER
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	32	14N	19E	CUSTER	IVIE DITCH
		NW	NW	32	14N	19E	CUSTER	UPPER BRADBURY DITCH

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
14N	19E	33													10	10	20	33	73
14N	19E	34									6	11							17

Total acres 90

PART 1

6. General Information:

- a. Description of diversion system WATER DIVERTED WITH ROCK JETTY INTO METAL MEASURING FLUME.
FLOW IS CONTROLLED BY WHEEL VALVE AT DIVERSION POINT. EARTHEN DITCH SYSTEM TO
8" STEEL PIPE CONNECTED TO SPRINKLE WHEEL LINES.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes XX No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
N/A-REDUCING NUMBER OF ACRES AT PLACE OF USE.

- d. Remarks:
THE CHANGE REFLECTS ACTUAL IRRIGATED ACRES AND REPRESENTS A REDUCTION FROM NUMBER
OF ACRES LISTED AS PLACE OF USE FROM PRIOR TRANSFERS AND ADJUDICATION CLAIMS.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
 And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

5. Subject to ditch rights, if any, relating to the so-called "Genie Ditch".

Gini
C.B. 150

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

_____ [Seal]

_____ [Seal]
_____ [Seal]
_____ [Seal]

STATE OF IDAHO, }
County of Bonneville } ss.

On this 13 day of February in the year 1981, before me

Stephen E. Martin

a Notary Public

in and for said State, personally appeared

CHARLES R. BOGE and JANEICE BOGE, husband and wife,

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

The address of Cyprus Mines
Corporation is:
P.O. Box 3299
Englewood, Colorado 80155

Residing at Idaho Falls, Idaho.

its intersection with the South line of said Section 33 being a Right of Way Brass Cap; thence along the South line of said Section 33, North 89°47'34" East, 1942.38 feet to the TRUE POINT OF BEGINNING.

Section 34:

A parcel of land located entirely within Section 34, more particularly described as follows:

Considering the West line of the SW $\frac{1}{4}$ of said Section 34 to bear South 0°47'18" West and all bearings herein relative thereto:

Commencing at the Southwest Corner of Section 34, Township 14 North, Range 19 East, Boise Meridian, which is a 2 $\frac{1}{2}$ " Brass Cap and which is the TRUE POINT OF BEGINNING and the SW Corner of Parcel; thence along the South line of said Section 34, North 89°47'18" East, 540.61 feet to a 1" drill steel 30" long; thence North 28°28'56" East, 312.01 feet to a 1" drill steel 30" long; thence North 13°15'04" West, 481.01 feet to a 1" drill steel 30" long; thence North 55°16'56" East, 418.01 feet to a 1" drill steel 30" long; thence North 45°17'56" East, 585.00 feet to a 1" drill steel set in the East line of the W $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 34; thence along the East line of W $\frac{1}{4}$ of the SW $\frac{1}{4}$ said Section 34, South 0°39'15" West, 19.08 feet to a 1" drill steel; thence North 45°17'43" East, 95.59 feet to a 1" drill steel 30" long; thence North 49°12'43" East, 760.02 feet to a 1" drill steel 30" long; thence North 40°51'43" East 531.01 feet to a 1" drill steel 30" long; thence North 62°20'43" East, 191.01 feet to a 1" drill steel 30" long; thence North 19°42'17" West, 152.00 feet to a 1" drill steel 30" long; thence North 23°50'43" East, 79.00 feet to a 1" drill steel 30" long on the North line of the SW $\frac{1}{4}$ of said Section 34; thence along the Center Line of said Section 34, North 89°37'00" East, 190.34 feet to the Center of Section 34 which is a 2 $\frac{1}{2}$ " Brass Cap on a 2" Galvanized iron pipe 30" long; thence along the Center line of said Section 34, North 0°31'25" East, 1116.83 feet to a 1" drill steel; thence North 74°54'30" West, 760.75 feet to a 1" drill steel 30" long set in the North line of the S $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 34; thence along the North line of the S $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 34, South 89°36'09" West, 1899.61 feet to an aluminum cap which is the North 1/16 corner between Sections 34 and 33; thence along the West line of the S $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 34, South 0°24'12" West, 1319.33 feet to the Quarter Corner between Sections 34 and 33 which is a 2 $\frac{1}{2}$ " Brass Cap; thence continuing along the West line of said Section 34, South 0°47'18" West, 2628.18 feet to the TRUE POINT OF BEGINNING.

SUBJECT to the following:

1. Subject to all existing patent reservations, zoning ordinances, and applicable building codes, laws and regulations, rights of way or easements for public roads, utilities, telephone or electric transmission lines.
2. General taxes for the year 1981 and thereafter.
3. Highway Right of Way reservations contained in Deed dated March 9, 1952, from County of Custer, State of Idaho, to Sam Hessen, recorded March 12, 1942, in Book 25, Deeds, Page 506, records of Custer County, Idaho.

THIS INDENTURE, Made this

13th day of

February

in the year of our Lord one thousand nine hundred and eighty-one

between CHARLES R. BOGE and JANEICE BOGE, husband and wife,

of Idaho Falls County of Bonneville

State of Idaho the parties of the first part, and

CYPRUS MINES CORPORATION, a Delaware corporation,

of County of

State of the part y of the second part,

WITNESSETH, That the said part of the first part, for and in consideration of the sum of

TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION----- DOLLARS,

of the United States of America, to them in hand paid by the

said part y of the second part, the receipt whereof is hereby acknowledged, have granted, bargained

and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said part

of the second part, and to its heirs and assigns forever, all the following described real estate,

situated in Custer County

State of Idaho, to wit:

TOWNSHIP 14 NORTH, RANGE 19 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

Section 33: A parcel of land located entirely within the E $\frac{1}{4}$ of Section 33, more particularly described as follows:

Considering the East line of the Southeast Quarter of said Section 33 to bear North 0°47'18" East and all bearings herein relative thereto:

Commencing at the SE corner of Section 33, Township 14 North, Range 19 East, Boise Meridian, being a 2 $\frac{1}{2}$ " Brass Cap and which is the TRUE POINT OF BEGINNING and the SE corner of the herein described parcel; thence along the East line of said Section 33 North 0°47'18" East, 2628.18 feet to the E $\frac{1}{4}$ corner of Section 33, being a Brass Cap; thence continuing along the East line of said Section 33, North 0°24'12" East, 1319.33 feet to the North 1/16 corner of Section 33, being an aluminum cap; thence North 89°51'03" West, 786.93 feet to a plastic cap marked P.E.L.S. 2237; thence South 0°09'50" West, 435.47 feet to a plastic cap; thence North 89°51'36" West, 1000.01 feet to a plastic cap; thence North 89°52'22" West, 499.84 feet to a 1" drill steel 30" long; thence North 0°08'37" East, 435.60 feet to a point on the North line of the S $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 33, being a 1" drill steel 30" long; thence along the North line of the S $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 33, North 89°51'23" West, 340.00 feet to its intersection with the Easterly Right of Way line of U. S. Highway 93, being a 1" drill steel 30" long; thence along the Easterly Right of way of U.S. Highway 93 South 0°18'55" West, 1322.12 feet to a Right of Way Brass Cap; thence South 89°55'03" East, 10.00 feet to a Right of Way Brass Cap; thence continuing along said Right of Way South 0°11'06" West, 388.27 feet to a Right of Way Brass Cap; thence continuing along said Right of Way along a curve to the Southeast whose radius is 3770.00 feet and whose delta is 24°02'30" and whose chord bears South 11°50'09" East, 1570.30 feet to a Right of Way Brass Cap; thence continuing along said Right of Way, South 23°51'25" East, 780.20 feet to

RECEIVED

MAR 28 1994

Department of Water Resources
Southern Region Office

No. 157459

WARRANTY DEED

—TO—

Dated _____, 19__

STATE OF IDAHO,

County of CLUSTER } ss.

I hereby certify that this instrument was
filed for record at request of CLUSTER
CLUSTER TITLE
at 50 minutes past 4:00
o'clock P. M., this 17th day
of February, A. D. 1981
in my office, and duly recorded in Book _____

of _____ at Page _____
Edward A. Smith
By William W. Smith Public Recorder.
Deputy.

Fees, \$ 6.00

BYMAY COMPANY, Boise

C.C.T.

Water Right Number - 72-00048

Prefix Translation:

WATER RIGHT

Old (D) Number -

*** C - CURRENT OWNER ***

CYPRUS THOMPSON CREEK MINING CO.

1 - C/O DAVID BERGEY
2 - PO BOX 62
3 -
City- CLAYTON
Phone - 208-838-2200

State- ID Zip- 83227

*** O - ORIGINAL OWNER ***

JOHN A

1 -
2 -
3 -
City-
Phone - 208-000-0000

State- ID Zip-

Priority Date - 05/15/1901

Region - 17 SOUTHERN

D - DECREED

Status -

Source - GARDEN CREEK

Tributary - SALMON RIVER

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
14N	19E	32	NW NW			(37)	CUSTER			

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	11/01		2.600	

Total Div. Rate - 3.200

Total Div. Volume -

Total Div. Capacity -

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
14N	19E	33	NE SE		20.0	01	IRRIGATION	(37)	CUSTER
14N	19E	33	NW SE		20.0	01	IRRIGATION	(37)	CUSTER
14N	19E	33	SW SE		30.0	01	IRRIGATION	(37)	CUSTER
14N	19E	33	SE SE		30.0	01	IRRIGATION	(37)	CUSTER
14N	19E	34	NW SW		20.0	01	IRRIGATION	(37)	CUSTER
14N	19E	34	SW SW		10.0	01	IRRIGATION	(37)	CUSTER

Total Acres: 130.0

- Diversion Means -

- Non-Irrigation Use -

- Other Rights for Same Use -

Water right number - 72-00048

Prefix Translation: WATER RIGHT

Remarks - - - - -
Two points of diversion located within the MNW, S32, T14N, R19E.

- Conditions of Approval - - - - -
- T07 - The change authorized by this transfer shall be accomplished
 - within one (1) year of the date of this approval.
 - T08 - Failure to comply with the conditions of this transfer is cause
 - for the director to issue an order to show cause why the approval
 - of the transfer should not be rescinded.
 - T09 - Approval of this transfer does not preclude the opportunity for
 - review of the validity of the water right(s) in the ongoing
 - Snake River Basin Adjudication.
 - R04 - Use of water under this water right will be regulated by the
 - watermaster of State Water District No. 8DISTRICT.
 - R39 - A measuring device and lockable controlling works of a type
 - acceptable to the Department shall be permanently installed and
 - maintained as part of the diverting works.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
05/19/1914

ADAMS ET AL

VANDERVOORT ET AL

Date: 09/04/1991 User Id: BALDWIN Subject: Trans. 3746
Trans. 3746 was filed to change the place of use under this right and Rights 72-000518/L/M.

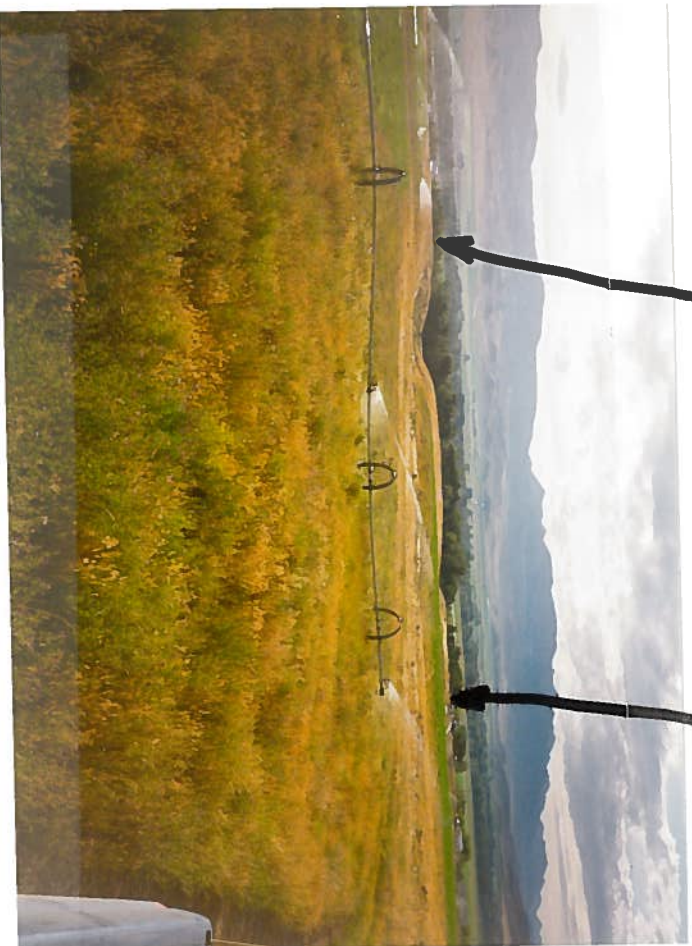
+ - - Audit Fields - 00/00/00

Water Rights Dates and Flags Area		Field Exam Fee	
Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000
Order Show Cause	- 00/00/0000	Receipt Number	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000
Decree Date	- 05/19/1914		
		Swan Falls	-
		Temporary Right	- P
		DLE/Carey Act	-
		Water District	- 72B
		Transfer/Amended	- T

CLAIM # A72-00051B, A72-00051L, A72-00048
DATE PHOTOS TAKEN; 8-20-93
PICTURE # 3

This photo was taken at the 'dog-leg' in the northern portion of the P/U and is looking east.

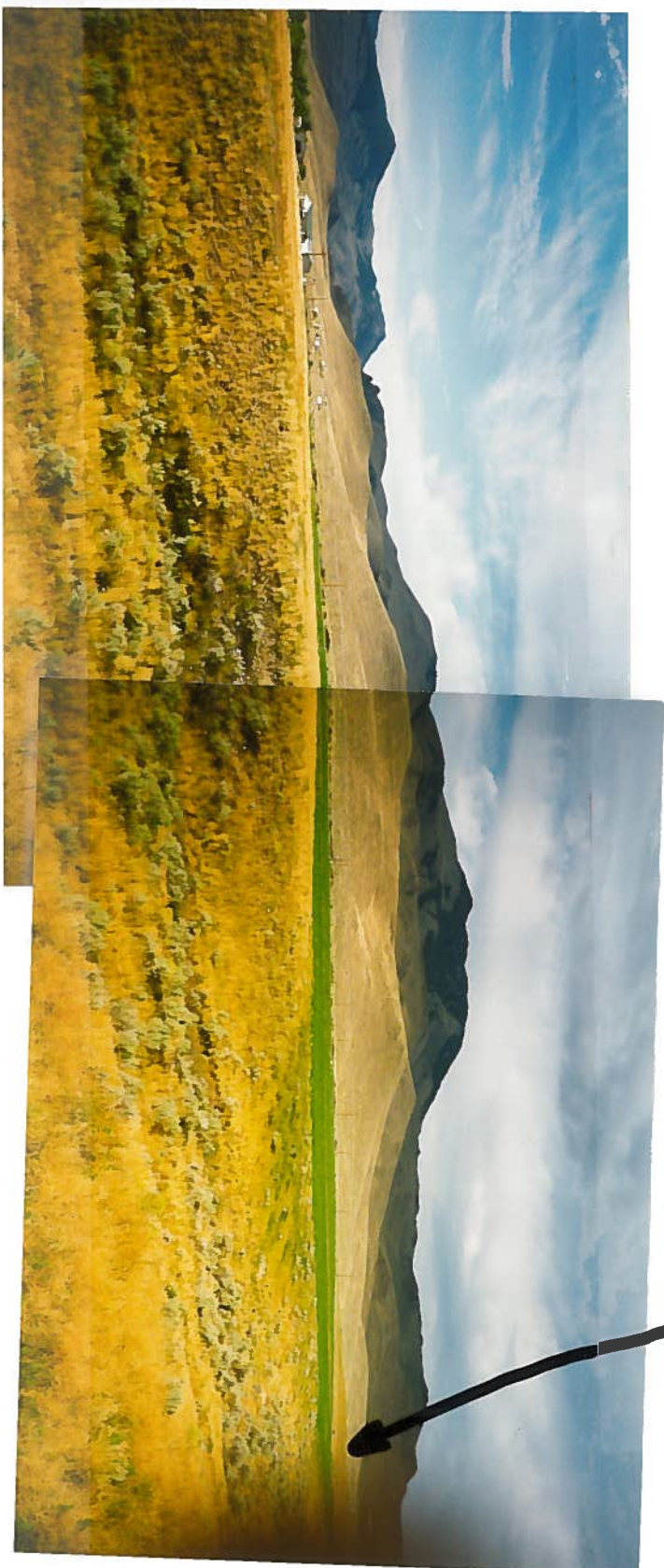
LOCATION OF PICTURE # 2 LOCATION OF PICTURE # 4



CLAIM # A72-00051B, A72-00051L, A72-00048
DATE PHOTOS TAKEN; 8-20-93
PICTURE SET # 2

This photo set was taken from the southeast corner of the P/U east of highway 93 and north of a draw that separates the two portions of the P/U. The draw forms a barrier to flood irrigation. You are looking northwest on the right to west on the left.

P/U WEST OF HIGHWAY 93
COVERED BY A72-00110 & 00111



CLAIM # A72-00051B, A72-00051L, A72-00048
DATE PHOTOS TAKEN; 8-20-93
PICTURE SET # 1

This photo set was taken from near the northeast corner of the P/U east of highway 93. You are looking north on the right to southwest on the left. Note that the northern boundary of the P/U does not come close to the buildings on the right half of this set. Those buildings lay either on or south of the centerline of the north half of the SE quarter of section 33. The fence on the very right roughly lays on the boundary line between sections 33 and 34.

P/U WEST OF HIGHWAY 93
IRRIGATED UNDER A72-00110 & A72-00111
SUBDIVISION ON THE SOUTHERN
END OF CHALLIS & WEST OF HIGHWAY 93



CLAIM # A72-00051B, A72-00051L, A72-00048
DATE PHOTOS TAKEN; 8-20-93
PICTURE SET # 1

This photo set was taken from near the northeast corner of the P/U east of highway 93. You are looking north on the right to southwest on the left. Note that the northern boundary of the P/U does not come close to the buildings on the right half of this set. Those buildings lay either on or south of the centerline of the north half of the SE quarter of section 33. The fence on the very right roughly lays on the boundary line between sections 33 and 34.

P/U WEST OF HIGHWAY 93
IRRIGATED UNDER A72-00110 & A72-00111

SUBDIVISION ON THE SOUTHERN
END OF CHALLIS & WEST OF HIGHWAY 93



CLAIM # A72-00051B, A72-00051L, A72-00048
DATE PHOTOS TAKEN; 8-20-93
PICTURE SET # 4

This photo set was taken from the southeast corner of the found P/U and you are looking west on the left to north on the right. The picture location is very close to the southeast corner of section 33.

IRRIGATED GROUND WEST
OF HIGHWAY 93



CONVERSATION MEMORANDUM

EMPLOYEE: KKC

FILE Cyrus Thompson Cr.

RE: Contact person for adj. claims

DATE

NAME OF PARTY

Att is Scott Campbell

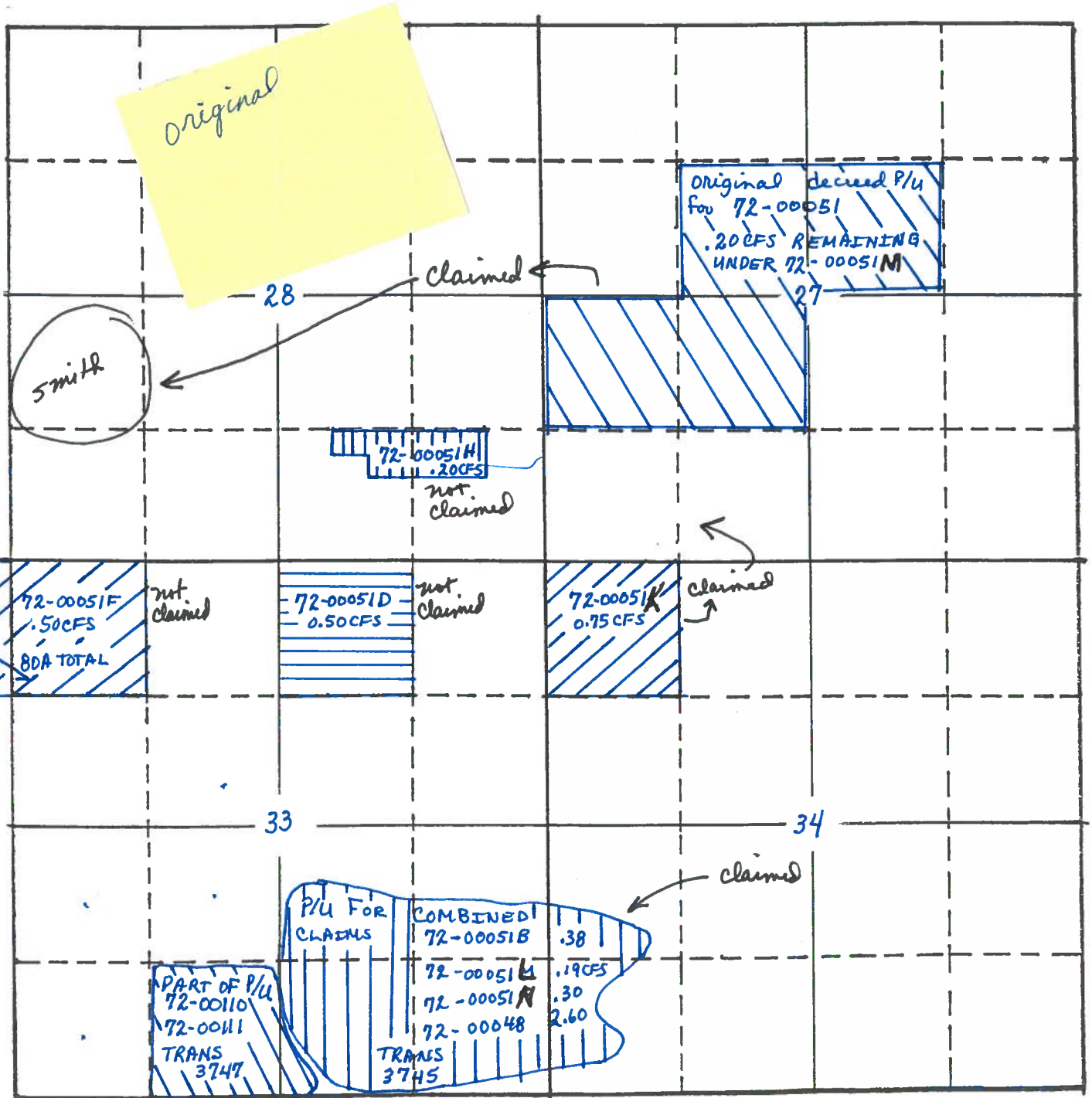
Contact Bert Dougherty env. supervisor
PO Box 62
Clayton, Md 838-2200

FOR CLAIM FILE:

DATE:

14N TOWNSHIP
19E RANGE
SECTION

EFFECTS OF TRANSFERS ON 72-00051
72-00048
PART OF 72-00110 &
72-00111



LAST: ADAMS
ADDRESS: X
CITY:
PHONE NUMBER: 208-000-0000

FIRST: JOHN Q.
ID
STATE:
ZIP: 0

OWNER CODE: 0

LAST: BRADBURY
ADDRESS: CHALLIS
CITY:
PHONE NUMBER: 208-000-0000

FIRST: LAWRENCE
ID
STATE:
ZIP: 83226

OWNER CODE: 0

LAST: CYPRIUS THOMPSON CREEK MINING CO
ADDRESS: C/O BERT DOUGHTY
PO BOX 62
CITY: CLAYTON
PHONE NUMBER: 208-838-2200

FIRST:
ID
STATE:
ZIP: 83227

OWNER CODE: C

LAST: CAMPBELL
ADDRESS: DAVIS WRIGHT TREMAINE
CITY: 702 W IDAHO ST STE 700
BOISE
PHONE NUMBER: 208-338-8200

FIRST: SCOTT L
ID
STATE:
ZIP: 83702

OWNER CODE: A

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?

FIELD
EXAMINER
DATABASE
Y

CLAIM REMARKS: ITEM 5
WATER IS DIVERTED WITH ROCK JETTY INTO 24" CEMENT CULVERT WHICH
FEELS DIRECTLY INTO METAL MEASURING FLUME. FLOW IS CONTROLLED BY
WHEEL VALVE AT DIVERSION. WATER THEN FLOWS INTO EARTHEN DITCH
SYSTEM FOLLOWED BY A BURIED PIPE AND THE END POINTS ARE
SPRINKLERS. OPEN DITCH SEGMENT IS APPROXIMATELY 3900 FEET LONG
AND BURIED PIPE SEGMENT IS APPROXIMATELY 1000 FEET LONG FOR TOTAL
LENGTH OF 4900 FEET TO FINAL POINT OF USE.

PHONE NUMBER: () - -

APPOINTMENT MADE: Y() N()

TIME :: A() P()

PHONE NUMBER () -
 0000 0000 0000 0000 0000 0000 0000 0000 0000 0000

[illegible]

DIRECTIONS TO PROPERTY / REMARKS:

A. AJ CLAIM: # A72-0004B PRIORITY DATE: 05-15-1901 STAGE: D

B. WR RECORD: # 72-00048 PRIORITY DATE: 05-15-1901 STAGE: D

C. FIELD EXAM REQUIRED? DATABASE FIELD EXAMINER

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()

IF YES EXPLAIN.

REMARKS:

*claimed priority date matches decedent's date
Accept as claimed*

RECOMMENDED PRIORITY DATE:

05-15-1901

REVIEWED BY

KKC

DATE

3-29-94

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A72-00048	14N	19E	32		NW	NW		CUSTER

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX
A72-00047
A72-00051B
A72-00051N
A72-00110
A72-00111
A72-00123

R PREFIX
NONE

WR RECORDS IN SAME 40 ACRE TRACT

72-00047
72-00051N
72-07167
72-07290
72-00048
72-00051B
72-00051L
72-00051N
72-00110
72-00111

SOURCE: GARDEN CREEK

TRIB: SALMON RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
72-00048	14N	19E	32		NW	NW		CUSTER

OTHER WR RECORDS WITH SAME WR POD

72-00047
72-00051N
72-07167
72-07290
72-00048
72-00051B
72-00051L
72-00051N
72-00110
72-00111

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX
A72-00047
A72-00051B
A72-00051N
A72-00110
A72-00111
A72-00123
A72-07167
A72-10256
A72-10257
A72-10261

NONE

SOURCE: GARDEN CREEK

TRIB: SALMON RIVER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY?	(Y/N)	N	

REMARKS:

P/D per Transfer # 177 & reaffirmed thru reviewing Proposed Memorandum Decision Dated June 1, 1992 indicates that the right is to be delivered thru either of the "upper Bradley Ditch" & the "Lower Ditch" (AKA J. Q. Adams) (AKA Lower Bradley) & found Both P/Ds and accept Both as valid.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:				LOT	COUNTY
TWP.	RGE.	SEC.	1/4	1/4	
14N	19E	32	NW	NW	Upper Bradley Ditch
		32	NE	NW	Lower Bradley Ditch
SOURCE: GARDEN CREEK OK				TRIP: SALMON RIVER OK	
REVIEWED BY: KKC				DATE: 3-29-94	

C

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N ()
IF YES SEE ATTACHED SHEET:

YOU COUNTY: CUSTER

EXAMINER

GIS Front
Placed
11-9-98
KK

PRESUMPTION FLAG:

REMARKS:

The recommended place of use is considered to be the place of previous established in Troughs 3745 and updated with info submitted by Bart Daughly Mar-24-1994 (letter Trough form and affidavit) No additional change in place of use.

RECOMMENDATIONS:

90

TOTAL ACRES:

REVIEWED BY:

KK

DATE:

4-18-95

A. AJ CLAIMED USES:

PURPOSES
A72-00048 IRRIGATION

FROM 4-01-01 TO 4-01-01

3.200 CFS
3.200 CFS
3.200 CFS

4-15-10-15
Chg
40 days
5 hand

B. WR RECORDED USES:

PURPOSES
72-00048 IRRIGATION

MONTH/DAY
FROM TO

3.200 CFS
3.200 CFS
3.200 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

CUMPTION FLAG:

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

DATABASE EXAMINER
N
N
Y

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N()
Y() N()

Explain in remarks, below.

REMARKS:

Y(____) N(____)

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

AJ TOTAL CLAIMED DIVERSION RATE: 3.200 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 3.200 CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED? FIELD DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? (Y) N(____) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: 72-0011, 72-00110

LIST ALL RIGHTS WITH A SAME FOU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A72-00048	GARDEN CREEK	CYPRUS THOMPSON CREEK MINING C	3.200	0.016		
A72-00080A	GARDEN CREEK	YACOMELLA, THOMAS L.	0.126	0.020		
A72-00080E	GARDEN CREEK	YACOMELLA, MAUGE E.	0.674	0.044		
A72-00110	GARDEN CREEK	CYPRUS THOMPSON CREEK MINING C	2.100	0.010		
A72-00111	GARDEN CREEK	CYPRUS THOMPSON CREEK MINING C	0.860	0.003		
A72-10177	WASTEWATER	MC GOWAN, VERNE A.	0.200	0.050		
A72-10257	GARDEN CREEK	YACOMELLA, TONY S.	1.200	0.023		

ALL RIGHTS WITH SAME FOU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A72-07117	MUNICIPAL	CITY OF CHALLIS	FROM 01-01 TO 12-31	6.000 CFS	

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES ----- X 0.02 CFS/ACRE = CFS
(taken from p/v review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 500.0 AF/A

ACRES ----- X CONSUMPTIVE VOL. AF/A FOR AREA ----- =

TOTAL CONSUMPTIVE USE ----- AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES ----- X DIVERSION VOL. AF/A FOR AREA ----- =

TOTAL DIVERSION VOLUME ----- AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

RECOMMENDATIONS:

REC.
PURPOSES

REC. PERIOD
FROM TO

REC. DIV
RATE CFS

REC. DIV
VOL. AF/A

REC. CONS.
USE

IRRIGATION

~~04-01~~ 4-15

~~11-01~~ 10-15

DATABASE EXAMINER
3.200

DATABASE EXAMINER

DATABASE EXAMINER
500.0

TOTAL FOR THIS RIGHT

3.200

500.0

REVIEWED BY:

DATE:

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FOREFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
()
()
()
NEEDS
REVIEW
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-00048
TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
3.200

EXAMINER

CFS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

72-00048

3.200

-

72-00048

3.200

TOTAL CFS

3.200

3.200

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:
SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE: