

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: A72-00133  
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: APR 01, 1882

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

4. Point of Diversion:

|          |       |         |        |        |     |     |        |
|----------|-------|---------|--------|--------|-----|-----|--------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
| 11N      | 17E   | 16      | NE     | SW     |     |     | 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 | 2.000  |      |        |

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

8. Total consumptive use is 400.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

|          |       |         |        |     |     |     |       |
|----------|-------|---------|--------|-----|-----|-----|-------|
| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
| 11N      | 17E   | 16      | SE     | SW  |     | IRR | 40.0  |
|          |       |         | SW     | SE  |     | IRR | 40.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 80.0  |
|          |       | 21      | NW         | NE  | IRR           | 40.0  |
|          |       |         | SW         | NE  | IRR           | 40.0  |
|          |       |         |            |     | Section Acres | 80.0  |
|          |       |         |            |     | Total Acres   | 160.0 |

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:  
NONE

14. Remarks:  
ITEM 5  
METAL HEADGATE EMBEDDED IN ROCK AND TIMBER DIVERSION DAM TO  
EARTHEN DITCHES.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

WILLIAM MC CLURE, ET. AL.  
Decree Plaintiff

vs

ROBERT CAMPBELL  
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 \_\_\_\_\_

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

**COPY**

CIVIL CASE NUMBER:

39576

Ident. Number

72-0133

A72-00133

Date Received

1-12-90

Receipt Number

C013965

**NOTICE OF CLAIM  
TO A**

**WATER RIGHT**

**ACQUIRED UNDER STATE LAW**

**RECEIVED**  
JAN 12 1990

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Cyprus Thompson Creek Mining Company Phone (208) 838-2200  
c/o Bert Doughty  
Mailing Address P. O. Box 62, Clayton, Idaho Zip 83227
2. Date of Priority (Only one (1) per claim) April 1, 1882
3. Source of water supply (a) Squaw Creek  
which is tributary to (b) Salmon River
4. a. Location of existing point of diversion is: Township 11 N. Range 17E Section 16,  
1/4 of NE 1/4 of SW 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. Metal headgate embedded in rock and  
timber diversion dam to earthen ditches.

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6. Water is claimed for the following    uses:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Apr. 1 to Nov. 1 amount 2.0 or     
 For    purposes from    to    amount    or     
 For    purposes from    to    amount    or     
 For    purposes from    to    amount    or   

7. Total quantity claimed (a) 2.0 (cfs) and/or (b)    (acre feet)

8. Total consumptive use claimed is 400 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 |        |
| 11N | 17E | 16               |        |       |       |       |        |       |       |       |        |       |       | 40    |        |       | 40    |       | 80     |
| 11N | 17E | <del>16</del> 21 |        | 40    | 40    |       |        |       |       |       |        |       |       |       |        |       |       |       | 80     |
|     |     |                  |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |                  |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |                  |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |                  |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |                  |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated 160

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.    or None ( x )

14. Remarks:  
    
    
    
    
  

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Last Name Cyprus Ident No. 72-0133

MAR 18 1993  
 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



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Last Name Cyprus

Ident No. 72-0133

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

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_

Decree x

If applicable provide IDWR Water Right Number 72-0133

County 6th Dist., Custer County Case Number                      Decree Date May 8, 1887

Plaintiff vs Defendant McClure, et al. v. Campbell, 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   x   wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments one (1)

**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 Vice President/General Manager

of Cyprus Thompson Creek Mining Company, Title \_\_\_\_\_, that I have signed the foregoing

document in the space below as Vice President/General Mgr of Cyprus Thompson Creek Mining Company

**and that the statements contained in the foregoing document are true and correct.**

**Signature of Authorized Agent**

Patrick H. Fitch

|                        |                                |
|------------------------|--------------------------------|
| Title and Organization | Vice President/General Manager |
|------------------------|--------------------------------|

~~Cyprus Thompson Creek Mining Company~~

Date 11/17/89

State of Idaho/                      )  
County of Custer ) SS.

Subscribed and sworn (or affirmed) before me this

17<sup>th</sup> day of November 19 89

## SEAL

**Notary Public**

**Residing at**

## My Commission Expires

Please Print Name Bonnie Whitman

**17. Notice of Appearance:**

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 P. O. Box 1539, Boise, Idaho 83701

Date January 11, 1990

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MAR 18 1993

Last Name Cyprus Ident. Number 73-0133

*Copies White-State, Yellow-Claimant*

CLAIMANT'S NAME Cyprus Thompson Creek Mining Co. CLAIM IDENT. NO. A72-00133

DATE RECEIVED 1-12-90 <sup>copy</sup> \* # C013965 AMOUNT \$ 710.00

- |                                                                                                                                                                                                                          | YES                                 | NO                                  | Required Info? |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|----------------|
| 1. Is the name and address complete with zip code?                                                                                                                                                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 2. Is a priority date entered?                                                                                                                                                                                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| Is the priority date acceptable in view of mandatory filing dates?                                                                                                                                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| See Adjudication Memos #1 and #4 to determine if a Permit is required.                                                                                                                                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 3. (a) Is a source entered?                                                                                                                                                                                              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| (b) Is a tributary to entered? (if required)                                                                                                                                                                             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 4. Is the legal description of the p.d. sufficient?                                                                                                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 5. Is there a description of the diverting works?                                                                                                                                                                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 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.              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| Is the period of use included?                                                                                                                                                                                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| Is a quantity claimed for each use?                                                                                                                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 7. Is a total quantity claimed entered?                                                                                                                                                                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 8. If required is a consumptive use entered?                                                                                                                                                                             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| Is the consumptive use correct?                                                                                                                                                                                          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 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. | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 10. Is (are) the place(s) of use and purpose(s) indicated?                                                                                                                                                               | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 11. Is (are) the county(ies) entered?                                                                                                                                                                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 12. Is the ownership of p.u. checked?                                                                                                                                                                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 13. Are other water rights listed or "none" indicated?                                                                                                                                                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 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.)                                                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 15. Is the basis of the claim indicated?                                                                                                                                                                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)                                                                                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.                                                                                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 18. Has the claim been signed, sealed, and dated by a notary?                                                                                                                                                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 19. Was this claim filed on time, or was an extension granted?                                                                                                                                                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 20. Is the fee enclosed correct?                                                                                                                                                                                         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | *              |
| 21. If this claim is based on an existing water right, has the identification number been entered?                                                                                                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 22. Should this claim be data entered?                                                                                                                                                                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |

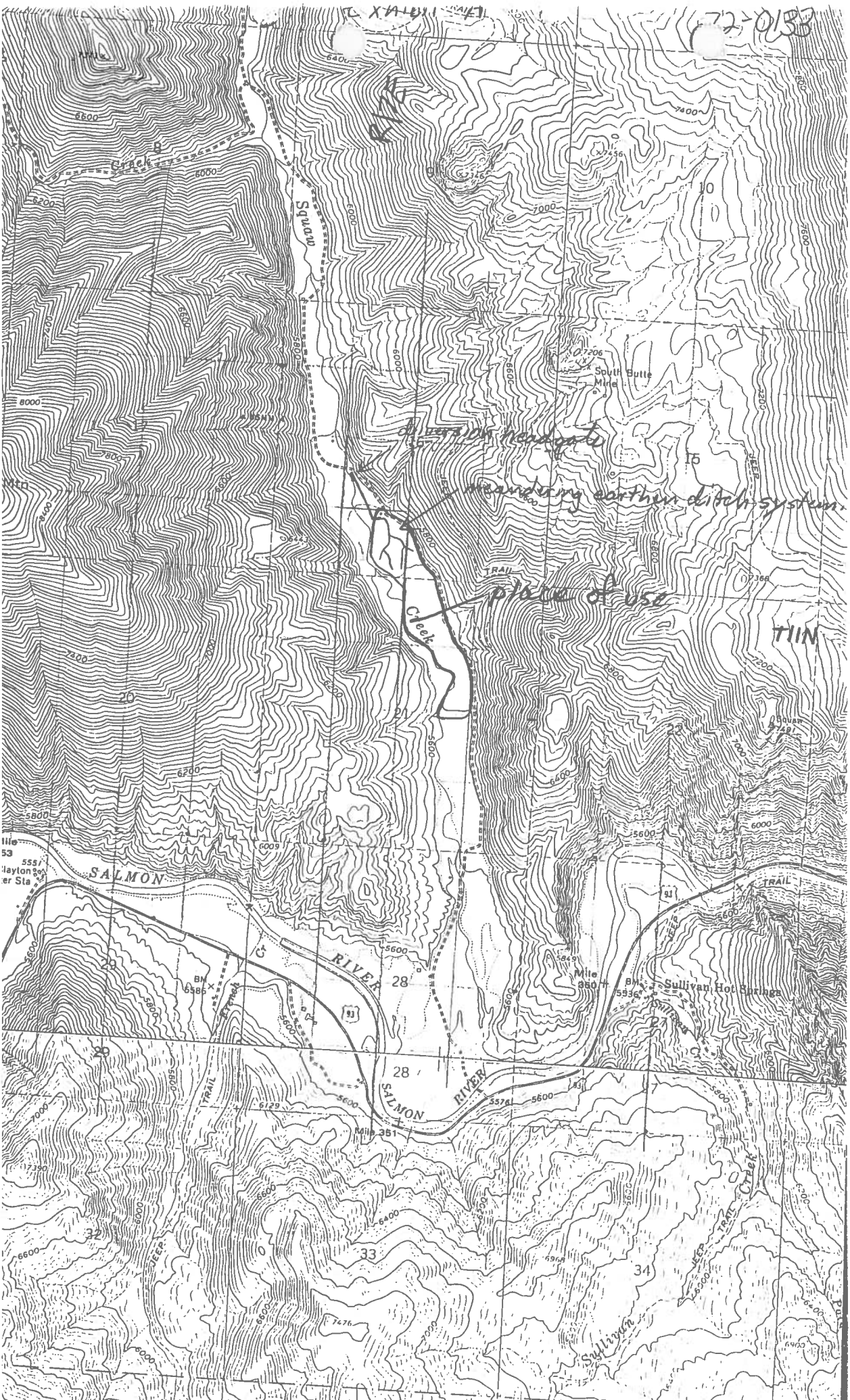
Claim checked by: CL Date: 5-28-90  
Claim must be returned to claimant: (Yes) / (No)  
Claimant must be notified of modifications: (Yes) / (No)

Receipt Prepared by: \_\_\_\_\_ Date: \_\_\_\_\_  
Claim data entered by: CL Date: \_\_\_\_\_  
Sent to claimant by: \_\_\_\_\_ Date: \_\_\_\_\_  
Checked by: \_\_\_\_\_ Date: \_\_\_\_\_

Comments: 50.00 + 160.00 = 210.00

MICROFILMED

MAR 18 1993





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

May 22, 1992

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

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MAR 18 1993

CYPRUS THOMPSON CREEK MINING COMPANY  
Snake River Basin Adjudication

Notice of Claim to Water Right:

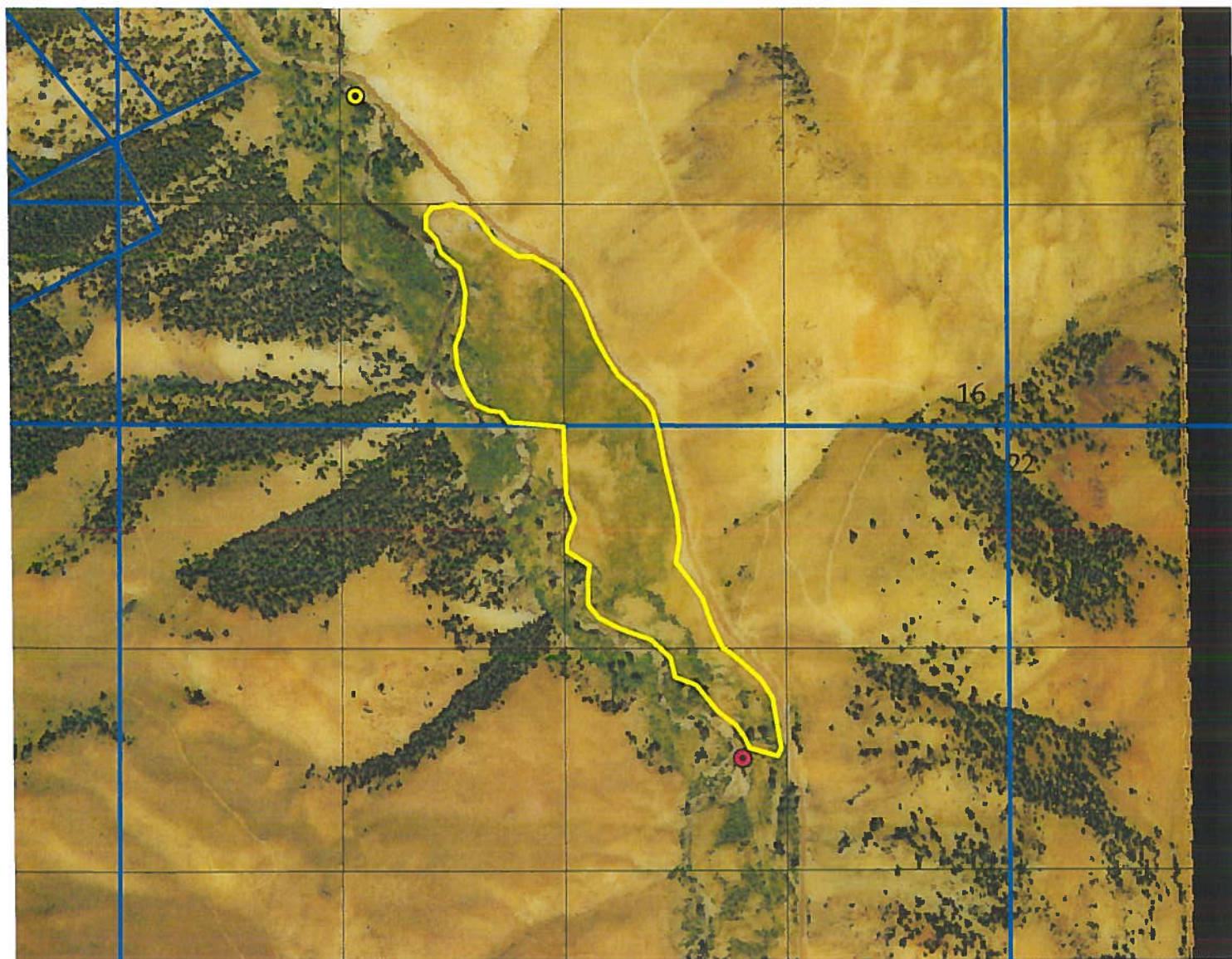
| <u>Number</u> |                | <u>Priority Date</u> |
|---------------|----------------|----------------------|
| A72-00048     |                |                      |
| A72-00051B    |                |                      |
| A72-00051N    |                |                      |
| A72-00051L    |                |                      |
| 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

# IDAHO DEPARTMENT OF WATER RESOURCES

## 72-00133



1320 0 1320 2640 Feet

-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER-QUARTER LINES
-  STREAMS & DITCH CHANNELS

TWN: 11N  
RNG: 17E  
SEC: 16 & 21



GIS PLACE OF USE PRESENTATION  
USFS AERIAL PHOTOGRAPHY, 1988  
BY STEVE CLELLAND  
\*\*\* REVISED \*\*\*  
DATE: SEPTEMBER 7, 1999

AJ0749NP  
No. R72-00133

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 09/08/99  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                                                  | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-------------------------------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | THOMPSON CREEK MINING CO<br>C/O BERT DOUGHTY<br>PO BOX 62<br>CLAYTON ID 83227<br>(208) 838-2200 | 04/01/1882       | IRRIGATION | 04-01 10-31           | 2.000 CFS         |                     |
| TOTAL DIVERSION: |                                                                                                 |                  |            |                       | 2.000 CFS         |                     |

Water Source: SQUAW CREEK  
Tributary to: SALMON RIVER  
Stage: DECREED  
CUSTER County

Point(s) of Diversion: T11N R17E S16

| Place of use | Legal Description for:    | IRRIGATION                | NE                        | NW                        | SW                        | SE                        | SUM                       |
|--------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| T R S        | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac |
| 11N 17E 16   | : 18 05                   | :                         | :                         | :                         | :                         | :                         | 15                        |
| 11N 17E 21   | :                         | :                         | :                         | :                         | :                         | :                         | 06                        |
| TOTAL ACRES  |                           |                           |                           |                           |                           |                           | 44.0                      |

POU County: CUSTER

Other Rights: NONE

Conditions of Approval:

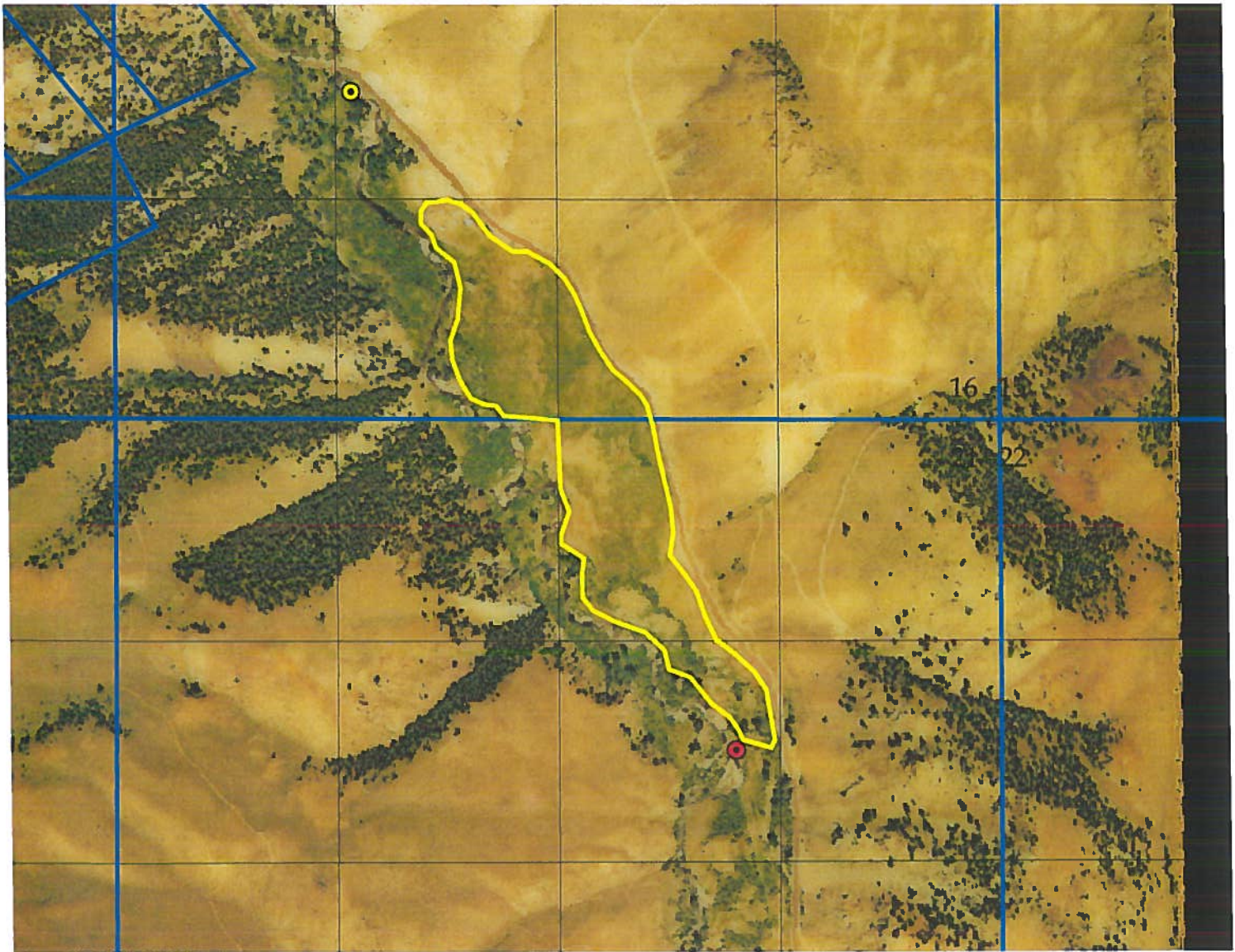
- C16
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
  - IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
  - RIGHTS IN BASIN 72:
  - WATER RIGHT NO. SOURCE
  - NONE
  - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
  - IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
  - RIGHTS IN THE SNAKE RIVER BASIN:
  - WATER RIGHT NO. SOURCE
  - NONE
  - ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
  - OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
  - CONJUNCTIVELY.

Dates: Exam Made Date: Verified Date: 09/08/1999 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

# IDAHO DEPARTMENT OF WATER RESOURCES

## 72-00133



1320 0 1320 2640 Feet

-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER-QUARTER LINES
-  STREAMS & DITCH CHANNELS

TWN: 11N  
RNG: 17E  
SEC: 16 & 21



GIS PLACE OF USE PRESENTATION  
USFS AERIAL PHOTOGRAPHY, 1988  
BY STEVE CLELLAND  
\*\*\* REVISED \*\*\*  
DATE: SEPTEMBER 7, 1999

RECEIVED

MAY 26 1999

Department of Water Resources

RECEIVED

JUN 01 1999

Department of Water Resources  
Southern RegionIN 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 72-00133

(Insert water right number)

STANDARD FORM 1  
OBJECTION

Please fill in the following information:

## B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Thompson Creek Mining CompanyAddress: c/o Bert Doughty, Post Office Box 62Clayton, ID 83227Daytime Phone: (208) 838-2200

Name &amp; Address of Attorney, if any:

Scott L. Campbell and Angela D. SchaerElam & BurkePO Box 1539Boise, 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 Attachment B  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

F.

**VERIFICATION (Must be Completed)**

State of IDAHO )  
 )ss.  
County of ADA )

Angela D. Schaer, 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. Schaer  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

May 25, 1999

Pamela Woodie  
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:

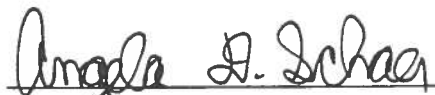
Name: Thompson Creek Mining Company  
Address: c/o Bert Doughty, Post Office Box 62  
Clayton, ID 83227

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 72-00133**

**STANDARD FORM 1  
OBJECTION  
ATTACHMENT A**

The place of use should include an additional 10 acres within Section 21. Thus, the full description of the place of use should read as follows:

| Township | Range | Section       | $\frac{1}{4}$ of $\frac{1}{4}$ |    | Acres |
|----------|-------|---------------|--------------------------------|----|-------|
| 11N      | 17E   | 16            | SE                             | SW | 15    |
|          |       |               | SW                             | SE | 6     |
|          |       | Section Total |                                |    | 21    |
|          |       | 21            | NW                             | NE | 18    |
|          |       |               | SW                             | NE | 5     |
|          |       | Section Total |                                |    | 23    |
|          |       | TOTAL ACRES   |                                |    | 44    |

**SRBA CLAIM NUMBER 72-00133**

**STANDARD FORM 1  
OBJECTION  
ATTACHMENT B**

The Director's Report omitted 5 additional irrigated acres in the NWNE of Section 21, as well as 5 acres in the SWNE of Section 21. That land should be added to the water right as decreed.

**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

208-384-5844

January 12, 1999

**RECEIVED**

**JAN 15 1999**

Department of Water Resources  
Southern Region

Steve Clelland  
Sr. Water Resource Agent  
IDWR Southern Regional Office  
1341 Fillmore Street, Suite 200  
Twin Falls, ID 83301-3380

Re: Notice of Error for SRBA Claim Nos. 72-00133, -00135, -00136, 0-00137,  
72-04159F, 72-07193, 72-07220, 72-07257, 72-07414, and 72-10488

Dear Mr. Clelland:

Thank you for your correspondence of January 8, 1999, regarding the above-referenced matters.

As indicated by the Notice of Error filing on behalf of Thompson Creek Mining Company, I request that a meeting be scheduled to discuss the Notice of Error disagreements with the preliminary recommendations adopted by the Idaho Department of Water Resources. I was unable to provide more specificity in the Notice of Error documents because of the severe illness and hospitalization of Mr. Bert Doughty, the primary contact person at Thompson Creek Mining Company. Consequently, in order to meet the filing deadline of December 18, 1998, we filed the Notice of Error documents. I believe that a personal meeting with you in Twin Falls to discuss the discrepancies between the preliminary recommendations and the concerns of the Thompson Creek Mining Company would be beneficial. I believe that such a meeting could produce resolution of the discrepancies and avoid unnecessary litigation over these claims. Unless you advise me to the contrary, my office will contact you in the near future to schedule a time for such a meeting.

Very truly yours,

ELAM & BURKE  
*A Professional Association*

  
Scott L. Campbell

SLC:thm G:\Thm\WPDATA\0016\00076-ltr.wpd  
encl.

cc: Bert Doughty  
Kevin Loughrey  
David R. Tuthill, Jr.

**ELAM & BURKE**

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

**RECEIVED**

**JAN 15 1999**

**Department of Water Resources  
Southern Region**

**STEVE CLELLAND  
SR. WATER RESOURCE AGENT  
IDWR SOUTHERN REGIONAL OFFICE  
1341 FILLMORE STREET, SUITE 200  
TWIN FALLS, ID 83301-3380**



83301-3380 1A





IDAHO DEPARTMENT OF WATER RESOURCES  
SOUTHERN REGION  
1341 FILLMORE ST SUITE 200  
TWIN FALLS ID 83301  
(208) 736-3033

DIRK KEMPTHORNE  
GOVERNOR

KARL J DREHER  
DIRECTOR

January 8, 1999

SCOTT CAMPBELL  
ELAM & BURKE  
PO BOX 1539  
BOISE ID 83701

Re: Notice of Error for SRBA Claim Nos. 72-00133, -00135, -00136, -00137, 72-04159F, 72-07193, 72-07220, 72-07257, 72-07414 & 72-10488

Dear Mr. Campbell,

This letter is in response to the Notice(s) of Error (NOE) you recently filed with IDWR regarding the Director's preliminary recommendation of the claim(s) listed above.

Your NOE indicates the preliminary recommendations are incorrect but fails to point out the specific errors made in each right you addressed. Therefore, I am unable to respond to your NOE reply with any corrections or revisions due to the vague generality of the errors described on such a variety of claims.

Since it appears you are objecting to the right being recommended, your complaints may be better addressed in the Objection phase of the process. If you still disagree with IDWR's recommendations, you will have an opportunity to file an objection to the Director's Report with the court. When the Director's Report is filed with the court, you will be mailed a notice that will contain more information about the objection process.

Please feel free to contact this office or me if you have further questions or need additional assistance.

Sincerely,

STEVE CLELLAND

Sr. Water Resource Agent

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: 72-00133

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: Scott L. Campbell

Please print your name: Scott L. Campbell

Attorneys for: Thompson Creek Mining Company

RECEIVED

DEC 21 1998

Department of Natural Resources  
Southern 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  | 72-00137  |
| 72-00051B | 72-04159F |
| 72-00051L | 72-07193  |
| 72-00051N | 72-07220  |
| 72-00133  | 72-07257  |
| 72-00135  | 72-07414  |
| 72-00136  | 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.)

AJ0749NP  
No. R72-00133

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 11/14/98  
PAGE: 1

RECEIVED BY  
11/14/98  
*[Signature]*

| OWNER<br>CODE    | NAME & ADDRESS                                                                                  | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-------------------------------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | THOMPSON CREEK MINING CO<br>C/O BERT DOUGHTY<br>PO BOX 62<br>CLAYTON ID 83227<br>(208) 838-2200 | 04/01/1882       | IRRIGATION | 04-01 10-31           | 2.00 CFS          |                     |
| TOTAL DIVERSION: |                                                                                                 |                  |            |                       | 2.00 CFS          |                     |

Water Source: SQUAW CREEK  
Tributary to: SALMON RIVER  
Stage: DECREED

Point(s) of Diversion: T11N R17E S16  
SUNESW  
CUSTER County

Place of use legal Description for: IRRIGATION

|             | NE      | NW      | SW      | SE      | SUM     |
|-------------|---------|---------|---------|---------|---------|
| T R S       | : Lt Ac | : Lt Ac | : Lt Ac | : Lt Ac | : Lt Ac |
| 11N 17E 16  | : 13    | :       | :       | :       | : 15    |
| 11N 17E 21  | :       | :       | :       | :       | : 06    |
| TOTAL ACRES |         |         |         |         | 34.0    |

POU County: CUSTER

Other Rights: NONE

Dates: Exam Made Date: 08/25/1993  
Verified Date: 11/14/1998  
Objection Filed Date:

Misc: Water District Number:  
Field Inspection Flag:  
Presumption Flag:

AIM NUMBER A72-00133 DATE 10/26/98 TRANSFER NUMBER \_\_\_\_\_  
AGENT SCC CLAIMED ACRE TOTAL 160

GIS ACRE TOTAL 33.4  
*\* Revis = 34 Ac*

|      | TWP        | RNG        | SEC       | NE |             |            |    | NW |    |    |    | SW |    |    |           | SE |    |           |             |
|------|------------|------------|-----------|----|-------------|------------|----|----|----|----|----|----|----|----|-----------|----|----|-----------|-------------|
|      |            |            |           | NE | NW          | SW         | SE | NE | NW | SW | SE | NE | NW | SW | SE        | NE | NW | SW        | SE          |
| LAIM | <u>11N</u> | <u>17E</u> | <u>16</u> |    |             |            |    |    |    |    |    |    |    |    | <u>40</u> |    |    | <u>40</u> | <u>80</u>   |
| GIS  |            |            |           |    |             |            |    |    |    |    |    |    |    |    | <u>15</u> |    |    | <u>54</u> | <u>20.4</u> |
| ECOM |            |            |           |    |             |            |    |    |    |    |    |    |    |    | <u>15</u> |    |    | <u>6</u>  | <u>21</u>   |
| LAIM |            |            | <u>21</u> |    | <u>40</u>   | <u>40</u>  |    |    |    |    |    |    |    |    |           |    |    |           | <u>80</u>   |
| GIS  |            |            |           |    | <u>13</u>   | <u>Ø</u>   |    |    |    |    |    |    |    |    |           |    |    |           | <u>13</u>   |
| ECOM |            |            |           |    | <u>13</u>   |            |    |    |    |    |    |    |    |    |           |    |    |           | <u>13</u>   |
|      |            |            |           |    | <u>(18)</u> | <u>(5)</u> |    |    |    |    |    |    |    |    |           |    |    |           | <u>(23)</u> |
| LAIM |            |            |           |    |             |            |    |    |    |    |    |    |    |    |           |    |    |           |             |
| GIS  |            |            |           |    |             |            |    |    |    |    |    |    |    |    |           |    |    |           |             |
| ECOM |            |            |           |    |             |            |    |    |    |    |    |    |    |    |           |    |    |           |             |

372-DBPOU.SHP  
SHAPE NOS. 397  
*9/7/99 SCC GIS REVISED*  
*According to Pou*  
*Settlement... Exam*

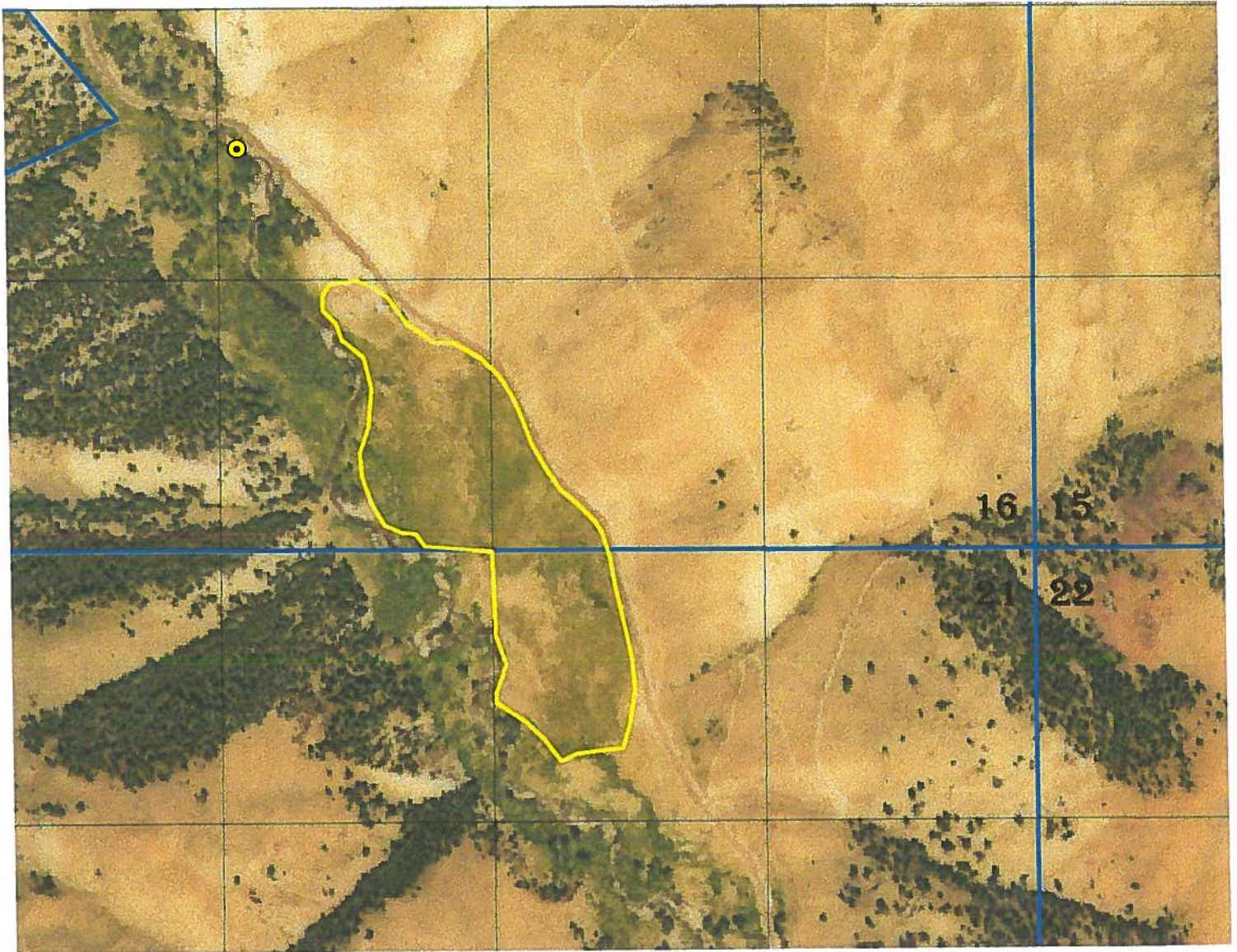
B72-DBPOD.SHP  
NOS. DESCRIPTION 253  
*shows this was not IRRIG.*  
*R- TOTAL ACRES = 44 ACRES*

*(Change in Name)*  
*Drop "Cyrus"*

DBF TABLES UPDATED  
B72-DBPOU.DBF *✓ 11/10/98 SCC*  
B72-DBPOD.DBF *✓*  
JPEG LAYOUT *✓ 72-00133.jpg 9/7/99 SCC Revised 72-00133.jpg*

# IDAHO DEPARTMENT OF WATER RESOURCES

## 72-00133



660 0 660 1320 Feet

-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER-QUARTER LINES
-  STREAMS & DITCH CHANNELS

*Revised GIS  
9/1/99  
SC*

TWN: 11N  
RNG: 17E  
SEC: 16 & 21



GIS PLACE OF USE PRESENTATION  
USFS AERIAL PHOTOGRAPHY, 1988  
BY STEVE CLELLAND

DATE: OCT. 26, 1998

**R PROOF**

**CVR**

**MAPS**

**PHOTOS**

**MISC**

**MICROFILMED**

**NOV 01 1994**

Mr. David Shaw  
December 28, 1993  
Page Two

---

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

A72-00048  
A72-00051B  
A72-00051L  
A72-00051N  
A72-00110  
A72-00111  
A72-00133  
A72-00135  
A72-00136

A72-00137  
A72-04055C  
A72-04080H  
A72-07193  
A72-07219  
A72-07220  
A72-07257  
A72-17414  
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

MICROFILMED  
NOV 01 1994



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

JAN 17 1994

Department of Water Resources  
Eastern Region

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:

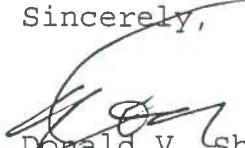
A copy of a report documenting your change of address and affiliation is enclosed.

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  
MICROFILMED  
NOV 01 1994 JAN 19 1994

Department of Water Resources  
Southern Region Office

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

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION ATTORNEY NAME ADD/UPDATE

AJ5514NP

INPUT: AJ\_SELECTION:SHAFF-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

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

STATE: ID ZIP: 837011539

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  
R72-00048 SUCCESSFULLY CHANGED ON HOST  
R72-00051B SUCCESSFULLY CHANGED ON HOST  
R72-00051L SUCCESSFULLY CHANGED ON HOST  
R72-00051N SUCCESSFULLY CHANGED ON HOST  
R72-00110 SUCCESSFULLY CHANGED ON HOST  
R72-00111 SUCCESSFULLY CHANGED ON HOST  
R72-00133 SUCCESSFULLY CHANGED ON HOST  
R72-00135 SUCCESSFULLY CHANGED ON HOST  
R72-00136 SUCCESSFULLY CHANGED ON HOST  
R72-00137 SUCCESSFULLY CHANGED ON HOST  
R72-04055C SUCCESSFULLY CHANGED ON HOST  
R72-04080H SUCCESSFULLY CHANGED ON HOST  
R72-07193 SUCCESSFULLY CHANGED ON HOST  
R72-07219 SUCCESSFULLY CHANGED ON HOST  
R72-07220 SUCCESSFULLY CHANGED ON HOST  
R72-07257 SUCCESSFULLY CHANGED ON HOST  
R72-07414 SUCCESSFULLY CHANGED ON HOST  
R72-10488 SUCCESSFULLY CHANGED ON HOST

JAN 19 1994  
DEPARTMENT OF WATER RESOURCES  
BOISE, IDAHO

MICROFILMED  
NOV 01 1994

**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

TELEPHONE  
208-343-5454

FACSIMILE  
208-384-5844

JAN 1 1994  
Department of Water Resources  
Boise, Idaho

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  
Boise, Idaho

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.

MICROFILMED  
NOV 01 1994

AJ0769NP  
No. R72-00133

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 12/27/93  
PAGE: 1

REVIEWED BY *Sw*

| OWNER<br>CODE | NAME & ADDRESS | PRIORITY<br>DATE | WATER USE | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|----------------|------------------|-----------|-----------------------|-------------------|---------------------|
|---------------|----------------|------------------|-----------|-----------------------|-------------------|---------------------|

|   |                                                                                                         |            |            |             |                                      |          |
|---|---------------------------------------------------------------------------------------------------------|------------|------------|-------------|--------------------------------------|----------|
| C | CYPRIUS THOMPSON CREEK MINING CO<br>C/O BERT DOUGHTY<br>PO BOX 62<br>CLAYTON ID 83227<br>(208) 838-2200 | 04/01/1882 | IRRIGATION | 04-15 10-15 | 2.00 CFS                             | 92.5 AFA |
|   |                                                                                                         |            |            |             | TOTAL DIVERSION:<br>CONSUMPTIVE USE: | 2.00 CFS |

Water Source: SQUAW CREEK  
Tributary to: SALMON RIVER  
Stage: DECREED

Point(s) of Diversion: T11N R17E S16 SWNE5W CUSTER County

Place of use Legal Description for: IRRIGATION

|             |        | NE               | NW               | SW               | SE               | SUM  |
|-------------|--------|------------------|------------------|------------------|------------------|------|
| T           | R S    | NE NE<br>: Lt Ac | NE NW<br>: Lt Ac | NE SW<br>: Lt Ac | NE SE<br>: Lt Ac | SUM  |
| 11N         | 17E 16 | : 16             | : 16             | : 16             | : 16             | 21.0 |
| 11N         | 17E 21 | : 16             | : 16             | : 16             | : 16             | 16.0 |
| TOTAL ACRES |        |                  |                  |                  |                  | 37.0 |

POU County: CUSTER

Other Rights: NONE

Dates: Exam Made Date: 08/25/1993 Verified Date: 12/27/1993

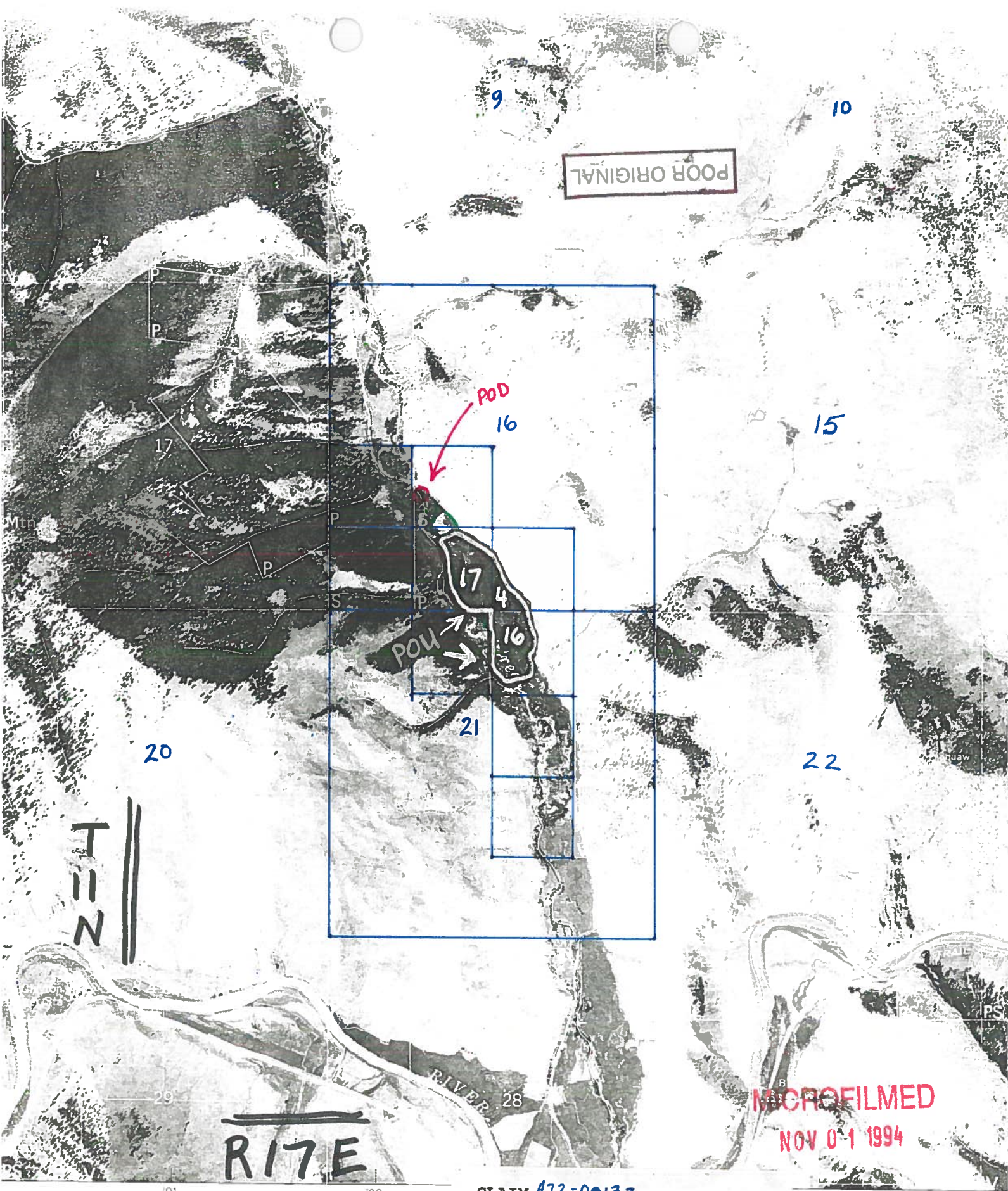
Misc: Water District Number: Field Inspection Flag:  
Presumption Flag:

Comments: Date: 12/27/1993 User-ID: CLELAND Subject: COPIED FROM REMARKS  
ITEM 5  
METAL HEADGATE EMBEDDED IN ROCK AND TIMBER DIVERSION DAM TO  
EARTHEN DITCHES.

Date: 12/27/1993 User-ID: CLELAND Subject: RECOMMENDED DIVERSION  
HUBBLE ANALYSIS SHOWS DIVERSION RATE GREATER THAN THE CLAIMED  
AMOUNT IS NEEDED. A DIVERSION RATE OF 0.054 CFS PER ACRE IS  
RECOMMENDED AT THE FIELD HEADGATE.

Audit: 12/27/93 CLELAND

MICROFILMED  
NOV 01 1994



e Geological Survey  
with the U. S. Forest Service  
epared from 1:80 000-scale  
taken July 24, 1974

CLAIM 472-00133 INIT \_\_\_\_\_  
T. R. S. Q/Q  
P/D 11N 17E 16 SW NESW  
PHOTO U 73 (sw)  
DT.&ID. 7-24-1974

SCALE 1:24 000  
0  
2000 3000 4000

A72-00133

CLAIM A72-00133 INIT SW  
T. R. S. Q/Q 12-27-93  
P/D 11N 17E 16SWNESW  
PHOTO BLM 5-3A-5 473/472  
DT.&ID. 7-1-88

POOR ORIGINAL

POD

POU

MICROFILMED  
NOV 01 1994

L15780

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

09:11:31  
05/30/92

PAGE: 1  
GENERAL INFORMATION

CLAIM NUMBER: A72-00133

~~LAST: MC CLURE~~ FIRST: WILLIAM  
~~ADDRESS:~~  
~~CITY: X~~ STATE: ID ZIP: 0  
~~PHONE NUMBER: 208-000-0000~~  
~~OWNER CODE: 0~~

LAST: CYPRIUS THOMPSON CREEK MINING CO. FIRST:  
ADDRESS: C/O BERT DOUGHTY  
CITY: P.O. BOX 62 STATE: ID ZIP: 83227  
PHONE NUMBER: 208-838-2200  
OWNER CODE: C

LAST: CAMPBELL FIRST: SCOTT L  
ADDRESS: DAVIS WRIGHT TREMAINE  
CITY: 702 W IDAHO ST SLE 700 STATE: ID ZIP: 83702  
PHONE NUMBER: 208-338-8200  
OWNER CODE: A

FIELD EXAM REQUIRED? FIELD EXAMINER  
VERIFICATION REQUIRED DUE TO REMARKS? DATABASE Y  
REMARKS: ITEM 5  
METAL HEAVYWEIGHT EMBEDDED IN ROCK AND TIMBER DIVERSION DAM TO  
EARTHEN DITCHES.

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NOV 01 1994

CONTACT PERSON: \_\_\_\_\_

DATE OF FIELD EXAM: 8/25/93

APPOINTMENT MADE: Y (X) N ( )

ACCOMPANIED BY: \_\_\_\_\_

Garry Hulseas, mgr  
Dale Buggy, consultant

RELATIONSHIP TO CLAIMANT: \_\_\_\_\_

DIRECTIONS TO PROPERTY / REMARKS: \_\_\_\_\_

PHONE NUMBER: ( ) - - - - -

TIME: : A ( ) P ( )

PHONE NUMBER: ( ) - - - - -

SQUAD  
CREEK

8/20  
left message  
on machine

8/20 call to

838-2200

@ machine message

- Probably run by

John Kerner  
w/ Henrich

RECEIVED  
AUG 31 1993

A. AJ CLAIM: # A72-00133 PRIORITY DATE: 04-01-1982

STAGE: II

B. WR RECORD: # 72-00133 PRIORITY DATE: 04-01-1982

STAGE: II

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE  
N

FIELD  
EXAMINER

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

REMARKS:

*per Deane*

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RECOMMENDED PRIORITY DATE:

04-01-1982

REVIEWED BY

*Se*

DATE

*12-22-93*

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. | R&G. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY   |
|-----------|------|------|------|-----|-----|-----|-----|--------|
| A72-00133 | 11N  | 17E  | 16   |     | NE  | SW  |     | CUSTER |

OTHER AJ CLAIMS WITH SAME AJ POD  
 A PREFIX R PREFIX  
 NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT

SOURCE: SQUAW CREEK

TRIB: SALMON RIVER

B. WR POINT OF DIVERSION AND SOURCE:

7200133 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: SQUAW CREEK

TRIB: SALMON RIVER

C. FIELD EXAM REQUIRED?

| DOE TO POD DISCREPANCY?    | (Y/N) | DATABASE | FIELD EXAMINER |
|----------------------------|-------|----------|----------------|
| DOE TO SOURCE DISCREPANCY? | (Y/N) |          |                |

REMARKS:

*Confirmed by field exam, POD 473, Blumaird 5-34-5 and claim map.*

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:  
TWP. RGE. SEC.

1/4 1/4 LOT COUNTY

11N 17E 216

SW NE

SW

SOURCE: SQUAW CREEK

TRIB: SALMON RIVER

REVIEWED BY:

*Sw*

DATE:

12-27-93

MICROFILMED  
NOV 01 1994

A. ROOT WATER RIGHT NUMBERS: A72-00133

B. POU LISTING

| TWP         | RNG | SEC | 1/4 | 1/4 | LOT | NAME                                    | AJ<br>#/ACRES | WR<br>#/ACRES | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |    |
|-------------|-----|-----|-----|-----|-----|-----------------------------------------|---------------|---------------|-----------------|----------------|------------------|----|
| T1N         | 17E | 16  | SE  | SW  |     | CYPRUS THOMPSON CREEK MINING CA72-00133 | 740.0         | 72-00133      | 7               | 35.0           | 17               | 17 |
| T1N         | 17E | 16  | SW  | SE  |     | CYPRUS THOMPSON CREEK MINING CA72-00133 | 740.0         | 72-00133      | 7               | 8.0            | 4                | 4  |
| T1N         | 17E | 21  | RD  | NE  |     | CYPRUS THOMPSON CREEK MINING CA72-00133 | 740.0         | 72-00133      | 7               | 26.0           | 14               | 14 |
| T1N         | 17E | 21  | SW  | NE  |     | CYPRUS THOMPSON CREEK MINING CA72-00133 | 740.0         | 72-00133      | 7               | 23.0           | 0                | 0  |
|             |     |     | SW  | NE  |     | CYPRUS THOMPSON CREEK MINING CA72-00135 | 710.0         | /             | /               |                | 0                | 0  |
| TOTAL ACRES |     |     |     |     |     |                                         | A72-00133     | 160.00        |                 | 92.00          | 37               | 37 |

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE Y  
FIELD EXAMINER

POU COUNTY: CUSTER

PRESUMPTION FLAG:

REMARKS:

No GOLT LOTS WITHIN POE 11-16-92 see  
confirmed by field exam, OPP 413,  
Bemarlial 5-3A-5, dated 7-1-88; and  
Topo and claim maps.  
5.16 NESW 2.0  
5.21 NENE 1.0  
3.0 not used

small piece irrigated but not shown by  
claimant.

RECOMMENDATIONS:

TOTAL ACRES: 37.0

REVIEWED BY: SW

DATE: 12-27-93

mostly  
riparian  
area

RECEIVED  
NOV 1 1993

A. AJ CLAIMED USES:

PURPOSES  
A72-00133 IRRIGATION

FROM MONTH/DAY  
6-1-01 TO 11-01

4-15 to 10-15

DIVERSION QUANTITY  
2.000 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

2.000 CFS

B. WR RECORDED USES:

PURPOSES  
72-00133 IRRIGATION

FROM MONTH/DAY  
TO

DIVERSION QUANTITY  
2.000 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

2.000 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?  
RECOMMEND NO WR STANDARDS OR OTHER?

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

Explain in remarks, below.

REMARKS:

Std Deviation

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y( ☒ ) N( ☐ )

AJ TOTAL CLAIMED DIVERSION RATE: 2.000 CFS  
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.000 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?

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

FIELD EXAMINER  
Y

*unable to measure flow  
water not in use at same time,*

MEASUREMENT METHOD

SEE ATTACHED CALCULATIONS.

FLOW MEASUREMENT

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

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM NO. | SOURCE      | NAME                           | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|-----------|-------------|--------------------------------|-----------|----------------|-----------|----------------|
| A72-00133 | SQUAW CREEK | CYPRUS THOMPSON CREEK MINING C | 2.000     | 0.012          |           |                |
| A72-00135 | SQUAW CREEK | CYPRUS THOMPSON CREEK MINING C | 3.200     | 0.106          |           |                |

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

*However, Data has sufficient capacity  
to carry the claimed rate  
(see photo)  
see photo  
12-27-93*

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MAY 10 1994

RECOMMENDATIONS:

REC.  
PURPOSES

REC. PERIOD  
FROM TO

REC. DIV  
RATE CFS

REC. DIV  
VOL. AF/A

REC. CONS.  
USE

IRRIGATION

15  
04-71

10-15  
11-01

DATABASE EXAMINER  
2.000

DATABASE EXAMINER  
N/A

DATABASE EXAMINER  
400.0  
92.5

TOTAL FOR THIS RIGHT

REVIEWED BY:

SW

DATE: 12-27-93

RECEIVED  
NOV 1 1994

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE  
ACRES 37  $\times$  0.02 CFS/ACRE = 0.74 CFS  
(Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE  
CLAIMED CONSUMPTIVE USE = 400.0 AE/A  
ACRES 37  $\times$  CONSUMPTIVE VOL. AE/A FOR AREA 2.5 =  
TOTAL CONSUMPTIVE USE 92.5 AE/A

3. IRRIGATION DIVERSION VOLUME  
CLAIMED DIVERSION VOLUME = AE/A  
ACRES     $\times$  DIVERSION VOL. AE/A FOR AREA    =  
TOTAL DIVERSION VOLUME 1/4 AE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:  
SEE ATTACHED SHEET? Y(    ) N(    )

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

$$\frac{2.00 \text{ cfs}}{37.4} = 0.054 \text{ cfs/Ac}$$

See 12-21-93

1b. CALCULATIONS

Need Hubble analysis:

shows need for crop 8  
2.25 to 2.69 cfs

\* allows desired rate of 2.00 cfs

(see attached on Hubble A.)

MICROFILMED  
NOV 01 1994

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP  
FORFEIT/ABANDON  
ADDITIONAL DIV. AMOUNT

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-00133  
TOTAL DIVERSION RATE OF WR SPLITS

DATABASE  
2.000

EXAMINER

CFS

SPLITS:

OLD RIGHT  
NUMBERS  
A/2-00133

DIVERSION  
RATE  
2.000

CURRENT "R"  
CLAIM NUM.  
-

"K" DIV.  
RATE  
Y

WR RIGHT  
NUMBERS  
72-00133

DIVERSION  
RATE  
2.000

TOTAL CFS

2.000

DATABASE  
Y

FIELD  
EXAMINER

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)

REMARKS:

AUTHENTICATION:  
SIGNATURE:  
NAME OF FIELD EXAMINER:

DATE:  
TITLE:

MICROFILMED  
NOV 01 1984

CLAIM NUMBER: A72-00133

| WR ELEMENT               | FIELD EXAM<br>Y/N | CORRESPONDENCE<br>SENT/RECEIVED<br>BY WHOM/DATE | FIELD EXAM<br>BY WHOM/DATE | CHANGE<br>CLAIM<br>Y/N | VERIFIED BY<br>CODE | COMPLETED<br>REVIEW<br>WHOM/DATE | COMPLETED<br>DATA ENTRY<br>WHOM/DATE | VERIFIED<br>DATE |
|--------------------------|-------------------|-------------------------------------------------|----------------------------|------------------------|---------------------|----------------------------------|--------------------------------------|------------------|
| PRIORITY DATE            |                   |                                                 |                            |                        |                     |                                  |                                      |                  |
| POINT OF DIV             | Y                 |                                                 | 8-25-93<br>sc              | N                      | 6.                  | 12-27-93<br>sc                   | 12-27-93<br>sc                       | 12-27-93         |
| SOURCE                   |                   |                                                 |                            | Y                      | 10 1/4 1456         |                                  |                                      |                  |
| PLACE OF USE             | Y                 |                                                 |                            | N                      | 1456                |                                  |                                      |                  |
| DIV AMOUNT<br>CFS/VOLUME |                   |                                                 |                            | Y                      | C. HA               |                                  |                                      |                  |
| CONSUMPTIVE USE          | -                 |                                                 |                            | Y                      | 6.                  |                                  |                                      |                  |
| PURPOSES                 |                   |                                                 |                            | N                      |                     |                                  |                                      |                  |
| PERIOD OF USE            | Y                 |                                                 |                            | Y                      | 6. STDS             |                                  |                                      |                  |
| BASIS OF CLAIM           |                   |                                                 |                            | N                      |                     |                                  |                                      |                  |
| REMARKS                  | Y                 |                                                 |                            | Y                      | 6.                  |                                  |                                      |                  |

\*VERIFIED BY\* CODES

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

11-16-92  
sc

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

MICROFILMED  
12-27-93  
10 10 10  
12-27-93

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

09:16:30  
05/30/92

CLAIM NUMBER: A72-00133

OWNER  
CODE NAME & ADDRESS

PRIORITY  
DATE

WATER USE

USE PERIOD  
FROM TO

DIVERSION  
RATE

DIVERSION  
VOLUME

C CYPRUS THOMPSON CREEK MINING CO.

04/01/1882

IRRIGATION

04-11-15  
15-10-15

2.00 CFS

C/O BERT DOUGHERTY  
P.O. BOX 62  
CLAYTON ID 83227  
(208) 838-2200

TOTAL DIVERSION:  
CONSUMPTIVE USE:

2.00 CFS

Water Source: SQUAW CREEK

Tributary to: SALMON RIVER

Stage: DECREED

CUSTER County

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NOV 01 1994

Point(s) of Diversion:

T11N R17E S16

SW NESW

Point of use Legal Description for: IRRIGATION

|             | NE  |     |    |    | NW |   |   |    | SW |   |   |    | SE |   |   |    | SUM |
|-------------|-----|-----|----|----|----|---|---|----|----|---|---|----|----|---|---|----|-----|
|             | T   | R   | S  | Ac | T  | R | S | Ac | T  | R | S | Ac | T  | R | S | Ac |     |
| 11N 17E 16  | 11N | 17E | 16 | 16 |    |   |   |    |    |   |   |    |    |   |   |    | 21  |
| 11N 17E 21  | 11N | 17E | 21 | 16 |    |   |   |    |    |   |   |    |    |   |   |    | 16  |
| TOTAL ACRES |     |     |    | 32 |    |   |   |    |    |   |   |    |    |   |   |    | 37  |

POU County: CUSTER

Other Rights: NONE

Remarks: ITEM 5  
METAL HEADGATE EMBEDDED IN ROCK AND TIMBER DIVERSION DAM TO  
EARTHEN DITCHES.

made to comments

Dates: Exam Made Date: 8-25-93

Verified Date:

Misc: Water District Number:

Field Inspection Flag:  
Presumption Flag:

add comment:  
H & payant

12-27-93  
SC

\*\*\*\*\*  
SOIL CHARACTERISTICS

CLAIM NO. --- A72-00133  
AGENT ----- SCC  
DATE ----- 12/27/93

Lotus Program:  
IRR-PRAC.WK3  
Date form revised:  
4/21/93 by KKC

Soil Type = WC1-WV1 BIGLOST SILT LOAM  
Source of Soils Data = Printout From SCS State Office

| soil depth<br>(inches) |       | AWC<br>(in/in) |       | PH    |       | organic<br>(%) |       | soil depth<br>(ft) | AWC<br>(inches) | intake<br>family |        |
|------------------------|-------|----------------|-------|-------|-------|----------------|-------|--------------------|-----------------|------------------|--------|
| lower                  | upper | lower          | upper | lower | upper | lower          | upper |                    |                 | flood            | furrow |
| 0                      | 5     | 0.18           | 0.2   | 6.6   | 7.8   | 2              | 3     | 1                  | 2.28            | 2                | 0.55   |
| 5                      | 26    | 0.18           | 0.2   | 6.6   | 7.8   |                |       | 2                  | 2.47            |                  |        |
| 26                     | 60    | 0.02           | 0.03  | 6.6   | 7.8   |                |       | 3                  | 5.19            |                  |        |
|                        |       |                |       |       |       |                |       | 4                  | 5.49            | alternate        |        |
|                        |       |                |       |       |       |                |       | 5                  | 5.79            | method           |        |
|                        |       |                |       |       |       |                |       |                    |                 | NA               | NA     |

# Management Allowed Deficit (MAD)

| crop                     | root<br>depth<br>(ft) | stress<br>point (INCHES) | MAD  |
|--------------------------|-----------------------|--------------------------|------|
| alfalfa (hay or seed)    | 5                     | 0.5                      | 2.90 |
| corn (field or silage)   | 4                     | 0.5                      | 2.75 |
| grain (winter or spring) | 4                     | 0.5                      | 2.75 |
| pasture (or grass hay)   | 3                     | 0.5                      | 2.60 |
| other (enter below)      |                       |                          |      |

=====

FIELD NOTES AND CALCULATIONS

|                                                      | FIELD 1   | FIELD 2 | FIELD 3 | FIELD 4 |
|------------------------------------------------------|-----------|---------|---------|---------|
| FIELD WIDTH                                          | 4200      | 0       |         |         |
| IRRIGATION DAYS                                      | 11.3      |         |         |         |
| DRY DAYS                                             | 0         |         |         |         |
| SET TIME(hours)                                      | 8         |         |         |         |
| CALCULATED RUN (run = acres*43560/width)             |           |         |         |         |
| RUN =                                                | 384       |         |         |         |
| CALCULATED BORDER WIDTH (ditch length/irr days * cha |           |         |         |         |
| WIDTH =                                              | 124       |         |         |         |
| THEORETICAL ROTATION (mad/net irr req in inches per  |           |         |         |         |
| SELECTED MAD =                                       | 2.6       |         |         |         |
| ROTATION =                                           | 11.3 DAYS |         |         |         |

# \*\*\*\*\* PEAK IRRIGATION DIVERSION REQUIREMENT AT FIELD

Weather Station = CHALLIS  
Figure No = 10-15

| crop    | acres | system | recomm.<br>eff. | Net Irrigation Requirement (mm/day) |      |      |      |      |      |      |      |
|---------|-------|--------|-----------------|-------------------------------------|------|------|------|------|------|------|------|
|         |       |        |                 | mar                                 | apr  | may  | jun  | jul  | aug  | sep  | oct  |
| PASTURE | 37    | FLOOD  | 13.3            |                                     | 1.47 | 3.84 | 4.87 | 5.86 | 4.56 | 3.23 | 2.07 |
| ALFALFA |       | FLOOD  |                 |                                     | 1.28 | 4.51 | 5.65 | 6.25 | 4.45 | 2.52 | 0.7  |

|                                            |    |  |    |  |      |      |      |      |      |      |      |
|--------------------------------------------|----|--|----|--|------|------|------|------|------|------|------|
| Summary                                    | 37 |  | 13 |  | 1.47 | 3.84 | 4.87 | 5.86 | 4.56 | 3.23 | 2.07 |
| Peak Net Irrigation Requirement (mm/day) = |    |  |    |  | 5.86 |      |      |      |      |      |      |

\*\*\*\*\*

Program Operation based upon "GUIDELINES FOR THE EVALUATION OF IRRIGATION DIVERSION RATES"  
HUBBLE ENGINEERING INC. OCTOBER 1991

Soil Characteristics based upon SOIL CONSERVATION SERVICE STUDIES

Peak Irrigation Diversion based upon ALLEN & BROCKWAY WEATHER INFORMATION 1983

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NOV 01 1994

# GRADED BORDER EVALUATION

Job name: A72-00133  
By: SCC

Location: WC1-BIGLOST 37 AC  
Date:

Roughness coefficient (n)= 0.250 Intake family (If)=2.00  
Slope (S)= 0.0100 ft/ft Border width (W)= 124 ft  
Net application (Fn)= 2.60 inches Border length (L)= 384 ft  
Inflow time (Ti)= 8 hours, 0 minutes

| Flow per<br>Border<br>(cfs) | Unit<br>Flow<br>(cfs/ft)                                  | Gross<br>Application<br>(in) | Deep<br>Percolation<br>(in) | Runoff<br>(in) | Application<br>Efficiency<br>(percent) | Notes |
|-----------------------------|-----------------------------------------------------------|------------------------------|-----------------------------|----------------|----------------------------------------|-------|
| 2.20                        | Gross depth is less than required gross application depth |                              |                             |                |                                        |       |
| 2.21                        | Gross depth is less than required gross application depth |                              |                             |                |                                        |       |
| 2.22                        | Gross depth is less than required gross application depth |                              |                             |                |                                        |       |
| 2.23                        | Gross depth is less than required gross application depth |                              |                             |                |                                        |       |
| 2.24                        | Gross depth is less than required gross application depth |                              |                             |                |                                        |       |
| 2.25                        | 0.018                                                     | 16.33                        | 13.70                       | 0.03           | 15.9                                   |       |
| 2.26                        | 0.018                                                     | 16.40                        | 13.70                       | 0.10           | 15.9                                   |       |
| 2.27                        | 0.018                                                     | 16.48                        | 13.70                       | 0.17           | 15.8                                   |       |
| 2.28                        | 0.018                                                     | 16.55                        | 13.70                       | 0.25           | 15.7                                   |       |
| 2.29                        | 0.018                                                     | 16.62                        | 13.70                       | 0.32           | 15.6                                   |       |
| 2.30                        | 0.019                                                     | 16.69                        | 13.70                       | 0.39           | 15.6                                   |       |
| 2.31                        | 0.019                                                     | 16.77                        | 13.70                       | 0.46           | 15.5                                   |       |

intake family = 2.0

Required flow exceeds drain

12-27-93

See

MICROFILMED

NOV 01 1994

# GRADED BORDER EVALUATION

Job name: A72-00133  
By: SCC

Location: WC1-BIGLOST 37 AC  
Date: Dec 27, 1993

Roughness coefficient (n)= 0.250 Intake family (If)=2.50  
Slope (S)= 0.0100 ft/ft Border width (W)= 124 ft  
Net application (Fn)= 2.60 inches Border length (L)= 384 ft  
Inflow time (Ti)= 8 hours, 0 minutes

| Flow per<br>Border<br>(cfs) | Unit<br>Flow<br>(cfs/ft) | Gross<br>Application<br>(in)      | Deep<br>Percolation<br>(in) | Runoff<br>(in) | Application<br>Efficiency<br>(percent) | Notes |
|-----------------------------|--------------------------|-----------------------------------|-----------------------------|----------------|----------------------------------------|-------|
| 2.60                        |                          | Gross depth is less than required | gross application depth     |                |                                        |       |
| 2.61                        |                          | Gross depth is less than required | gross application depth     |                |                                        |       |
| 2.62                        |                          | Gross depth is less than required | gross application depth     |                |                                        |       |
| 2.63                        |                          | Gross depth is less than required | gross application depth     |                |                                        |       |
| 2.64                        |                          | Gross depth is less than required | gross application depth     |                |                                        |       |
| 2.65                        |                          | Gross depth is less than required | gross application depth     |                |                                        |       |
| 2.66                        |                          | Gross depth is less than required | gross application depth     |                |                                        |       |
| 2.67                        |                          | Gross depth is less than required | gross application depth     |                |                                        |       |
| 2.68                        |                          | Gross depth is less than required | gross application depth     |                |                                        |       |
| 2.69                        | 0.022                    | 19.52                             | 16.90                       | 0.02           | 13.3                                   |       |
| 2.70                        | 0.022                    | 19.60                             | 16.90                       | 0.10           | 13.3                                   |       |

*intake family = 2.5*

*Required flow exceeds claimed amounts.*

*su  
12-27-93*

MICROFILMED  
NOV 01 1994

POOR ORIGINAL

POD

Runs  
384'

POU

approximately  
2100' width  
 $\times 2 = 4200'$  for split runs

384  
Runs

A72-00133

12-27-93  
8

Hubble Analysis Notes:

$\frac{384' \text{ Run} \times 4200' \text{ Width}}{43560} = 37 \text{ Acres}$

MICROFILM

15-380

241-  
42<sup>XX</sup>  
SOILS MAP

POOR ORIGINAL

A72-00133

Soil =

15

22

NDL

NOV 12 1991

Field Notes by SCC  
8-25-93

w/ GREGG HURLESS - MGR C-T mine  
DAVE BRGGY - CONSULTANT

CYPRESS FIELD Exam 8-25-93

Pop -137

- has capacity for 2+ cfs

POOR ORIGINAL

-136

transfer filed at the same time as AS filing  
moved pop to Salmon R.  
from Square Creek  
Δ source?

(placed pumps in 1990)

US Motor

30 HP Frame A286JP

ID# E690/T01533/R033F

1755 RPM

Pump

B3JP BM

2/C900

2ND Pump:

Hit by lightning, in for Repair

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POOR ORIGINAL

A72-00133



POD on SQUAW CREEK.

PHOTO:  
R72-33  
SCU

8-25-93

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NOV 01 1994



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

RECEIVED

JAN 14 1993

Department of Water Resources  
Southern Region Office

January 12, 1993

Bert Doughty  
Cyprus Thompson Creek  
PO Box 62  
Clayton, ID 83227

RESUMPTION OF WATER ACKNOWLEDGEMENT

Re: Permit Nos. 72-0133, 72-0135, 72-0136, and 72-0137

Dear Permit Holder:

The Department acknowledges receipt of your statement of resumption of beneficial use submitted in connection with the above referenced licenses.

Pursuant to Section 42-222.2, Idaho Code, only one five (5) year extension of time to avoid forfeiture can be granted. It is, therefore, essential that you continue to use the water associated with this license. The Department cannot grant you another extension.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

*Karen L. Gustafson*

Karen L. Gustafson  
Secretary/Records Manager

c: IDWR - Regional Office

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NOV 01 1994

12-0133

POOR ORIGINAL

RECEIVED

JAN 12 1993

Department of Water Resources

Cyprus Thompson Creek

Post Office Box 62  
Clayton, Idaho 83227  
Telephone (208) 838-2200

January 6, 1993

Glen Saxton  
Department of Water Resources  
Water Allocation Bureau  
Statehouse Mail  
Boise, ID 83720

Re: Resumption of Use of Water

Dear ~~Mr. Saxton~~: *Glen*

This letter is to inform the Department that Cyprus Thompson Creek has resumed the use of water for Water Right Nos. 72-0133, 72-0135, 72-0136, and 72-0137. Water was used during the 1992 season for irrigation of agriculture ground.

Sprinkler systems have been set up for Water Right Nos. 72-0136 and 72-0135. The points of diversions for these two water rights were changed but the changes were reflected in the adjudication forms. The remaining two rights are still flood irrigation, with the points of diversion remaining the same.

Our water right expert has informed us that the resumption date for the use of the water is April 1, 1993. He also stated that we were to fill out a required form reporting the resumption of use and submit it to the Department. If this letter does not suffice for the notification, could you please forward me the correct Department form.

If you need any further information, please don't hesitate to contact me. Thank you for your action on this matter.

Sincerely,

*Bert Doughty*

Bert Doughty  
Supervisor, Environmental Affairs

PAD/cc

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NOV 01 1994

CVDD11C

RECEIVED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

Application for Extension of Time to Avoid Forfeiture  
of a Water Right

MAY 4 1987

AUG 10 1987

Department of Water Resources  
Southern Region Office

Section 42-222 of the Idaho Code provides that a water right shall be lost and forfeited and the water revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

Complete fully the following application and submit it to the Department of Water Resources, Statehouse, Boise, Idaho, 83720, with the statutory fee of \$30.00 if the application involves 0.2 cfs or 20 acre feet or \$50.00 if in excess of these amounts.

- Name of water right holder Cyprus Thompson Creek Mining Company  
Post office address P. O. Box 62, Clayton, Idaho 83227
- The right was obtained or is evidenced by:
  - Decree to William McClure in Case of McClure, et al  
(Name)  
vs. Campbell, et al, Dated May 8, 1987 in District \_\_\_\_\_  
(Name of Court)  
Court, County of Custer. Fully describe decree Sets the  
water rights for lower Squaw Creek.
  - License No. \_\_\_\_\_ issued by the Department of Water Resources.
  - Claim No. \_\_\_\_\_ on file with the Department of Water Resources.
- Source of water Squaw Creek tributary to Salmon River  
(Name of stream or source)
- Date of priority of right April 1, 1832
- Amount of water
  - 2.0 c.f.s. and/or
  - 100 inches acre feet/annum
- Water is used for Irrigation from 5-1 to 9-30  
from \_\_\_\_\_ to \_\_\_\_\_  
from \_\_\_\_\_ to \_\_\_\_\_  
(Purpose) (Month-Day) (Month-Day)
- Location of point of diversion is SW 1/4 SE 1/4 of Section 16  
Township 11N, Range 17E, B.M., in Custer County;  
Additional points of diversion, if any and W 1/2 NE 1/4 Sec 21, T-11N, R17E
- 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 |        |
| 11N  | 17E  | 16   |        |        |        |        |        |        |        |        |        |        |        | X      |        |        | X      |        |        |
| 11N  | 17E  | 21   |        | X      | X      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres irrigated 160

72-0133

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NOV 11 1987

Date when water was applied to beneficial use 1982  
of extension of time requested 5 years, or until \_\_\_\_\_  
(Date)

plain fully your reasons for requesting an extension of time within which to resume the use  
of your water right and reasons for non-use 1. Establishment of reclamation 2. Land  
and water lease for ranches.

I hereby assert that no one will be injured by such extension. The information contained in  
this application is true to the best of my knowledge.

Patricia H. Fitch for C. T. T. T.  
(Signature of Applicant)

Subscribed and sworn to before me this 30<sup>th</sup> day of April, 19 87.

Barbara A. Metz  
(Notary Public)

My commission expires Nov. 20, 1992

Residing at Custer County

#### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to  
resume the use of a water right and I hereby APPROVE said application subject  
to the following conditions or reasons.

Use of water under this right shall resume on or before April 1, 1993.

Witness my hand this 74<sup>th</sup> day of August, 19 87.

A. Glen Saxton  
Chief, Operations Bureau

#### For Department Use Only

Received by M. Baldwin Date 6/1/87 Time 4 pm Preliminary check by ADN  
Fee \$ 50 Receipted by M. Baldwin Date 6/5/87 Publication prepared by \_\_\_\_\_  
Published in Challis Messenger Dates 7/16 & 7/23/87  
Publication approved by M. Baldwin Date 8/3/87 Protests filed by: None

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**NOV 01 1994**

Copies of protests forwarded by \_\_\_\_\_ Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for // Approval // Denial by ADN Jina

Water Right Number - 72-00133

Prefix Translation:

WATER RIGHT

Old (D) Number -

Last Name -

First Name -

Address -

\*\*\* C - CURRENT OWNER \*\*\*  
MC CLURE

WILLIAM

1 -  
2 -  
3 -

City-  
Phone -

State- Zip-

Priority Date - - -  
04/01/1882

Region - - -  
17 SOUTHERN

Stage - - -  
D - DECREED

Status - - -

Source - - -  
SAUAM CREEK

Tributary - - -  
SALMON RIVER

| Twn | Rng | Sec | Tract | Lot | Rflg | County | Point of Diversion - | Diversion Name | Diversion Rate | Diversion No. |
|-----|-----|-----|-------|-----|------|--------|----------------------|----------------|----------------|---------------|
|-----|-----|-----|-------|-----|------|--------|----------------------|----------------|----------------|---------------|

01 - IRRIGATION

2.000

Total Div. Rate - + Total Div. Volume - + Total Div. Capacity - +  
2.000

| Twn | Rng | Sec | Tract | Lot | Acres | Place of Use - | Code | Description | County    |
|-----|-----|-----|-------|-----|-------|----------------|------|-------------|-----------|
| 11N | 17E | 16  | SE SW |     |       | 01 IRRIGATION  |      |             | 37 CUSTER |
| 11N | 17E | 16  | SW SE |     |       | 01 IRRIGATION  |      |             | 37 CUSTER |
| 11N | 17E | 21  | NW NE |     |       | 01 IRRIGATION  |      |             | 37 CUSTER |
| 11N | 17E | 21  | SW NE |     |       | 01 IRRIGATION  |      |             | 37 CUSTER |

- - - Diversion Means -

- - - Non-Irrigation Use -

- - - Other Rights for Same Use -

Remarks -  
No Remarks found.

Old Water Right Numbers -  
No Old Water Right Numbers found.

Conditions of Approval -  
No Conditions of Approval found.

- - - Decree Plaintiff - - -  
WILLIAM MC CLURE, ET. AL.

- - - Decree Defendant - - -  
ROBERT CAMPBELL

- - Decree Date - -  
05/08/1917

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## WATER RIGHT

**No Comments Found**

+ + + + + Water Rights Dates and Flags Area

- Field Exam Fee
- Swan Falls
- Temporary Right
- DLE/Carey Act
- Water District
- Transfer/Amended

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