

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: A72-07257
Date Received: 1/12/1990
Receipt No: C013965
Received By:

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: MAR 11, 1983

3. Source: BRUNO CREEK Trib. to: SQUAW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12N	16E	25	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.
INDUSTRIAL	01/01	12/31	9.620		
INDUSTRIAL STORAGE	01/01	12/31			1600.00
INDUSTRIAL FROM STORAGE	01/01	12/31			1600.00

7. Total Quantity Appropriated is:
9.620 C.F.S. (and/or) 1600.00 A.F.A.

8. Total consumptive use is 2916.0 Acre Feet Per Annum.

9. Non-irrigation uses:
INDUSTRIAL USE IS THE MILLING PROCESS OF MOLYBDENUM ORE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	16E	12	NE	NE		INDUST	

A72-07257

Page 1

Date: 05/23/90

MICROFILMED

MAR 18 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11N	16E	12	NW NE		INDUST	

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
72-07193, 72-07414

14. Remarks:

CYPRUS THOMPSON CREEK MINING COMPANY OWNS SOME OF THE LAND LISTED AS PLACE OF USE AND THE REMAINDER IS LAND UNDER ITS CONTROL BY VIRTUE OF MINING CLAIMS ON BUREAU OF LAND MANAGEMENT AND U.S. FOREST SERVICE LANDS.

(A) THE PLACE OF USE DESCRIBED IN 10B IS THE STORAGE TANK AT THE CONCENTRATOR SITE AND WILL ACT AS A DISTRIBUTION POINT TO MINE FACILITIES LOCATED IN ALL OR PARTS OF THE FOLLOWING SECTIONS:

TWP. 11 N., RGE. 17 E. - SEC. 5, 6, 8, 9, 16, 21, 27 AND 28

TWP. 11 N., RGE. 16 E. - SEC. 1, 2, 3, 4, 11 AND 12

TWP. 12 N., RGE. 17 E. - SEC. 31

TWP. 12 N., RGE. 16 E. - SEC. 25, 33, 34, 35 AND 36

|
ITEM 5

A TAILINGS DAM APPROXIMATELY 335 FEET HIGH BY 2800 FEET WIDE PROVIDES ACTIVE RESERVOIR CAPACITY TO STORE APPROXIMATELY 1600 ACRE FEET OF WATER. THERE IS ALSO A SMALLER SEEPAGE RETURN RESERVOIR. THIS SYSTEM IS INTERCONNECTED WITH THE MINE'S MILLING OPERATION THROUGH A SYSTEM OF PUMPS AND PIPELINES. THREE SMALL DIVERSION DAMS WITH A CONCRETE COLLECTION BOX AND ASSOCIATED VALVES AND PIPELINES ARE USED FOR CONTROLLING BRUNO CREEK FLOW AND SIDE DRAINAGE FLOW IN TAILINGS EMBANKMENT AREA.

|
ITEM 8

CONSUMPTIVE USE COMBINED WITH RIGHT NO. 72-07414, 72-07193

15. Basis of Claim: LICENSE

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.

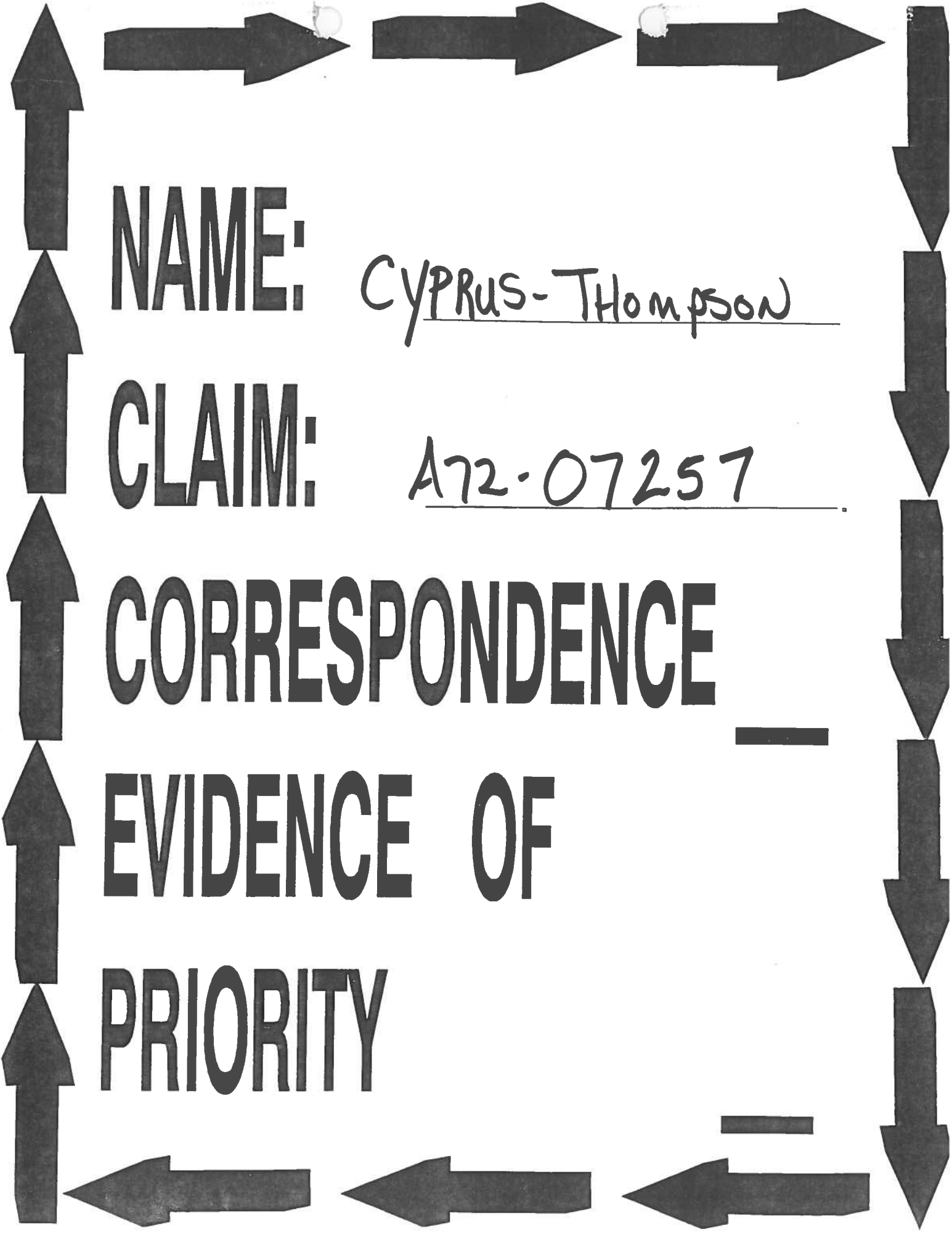
Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



NAME:

CYPRUS-THOMPSON

CLAIM:

A72-07257

CORRESPONDENCE

EVIDENCE OF

PRIORITY

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 72-7257 A72-07257
Date Received 1-12-90
Receipt Number CO13965

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) March 11, 1983

3. Source of water supply (a) Bruno Creek

which is tributary to (b) Squaw Creek

4. a. Location of existing point of diversion is: Township 11 N. Range 17 E. Section 6,

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. A tailings dam approximately 335 feet high by 2800 feet wide provides active reservoir capacity to store approximately 1600 acre feet of water. There is also a smaller seepage return reservoir. This system is interconnected with the mine's milling operation through a system of pumps and pipelines. Three small diversion dams with concrete collection box and associated valves and pipelines are used for controlling Bruno Creek flow and side drainage flow in tailings embankment area.

COPY

MICROFILMED

MAR 18 1993

6. Water is claimed for the following uses:

(both dates are inclusive)

(cfs)

(acre feet)

For Industrial purposes from Jan. 1 to Dec. 31 amount 9.62 or _____

For Storage for purposes from Jan. 1 to Dec. 31 amount 1600 or 1600
Industrial

For Industrial from purposes from Jan. 1 to Dec. 31 amount 1600 or 1600

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 9.62 (cfs) and/or (b) 1600 (acre feet)

8. Total consumptive use claimed is 2916 acre feet per annum. Combined with Right

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Industrial use is the milling process of molybdenum ore.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below. Mark to 1000 ac.

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.

[illegible]

Total number of acres irrigated _____

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
72-07193 72-07414 , _____ or None (

14. Remarks: Cyprus Thompson Creek Mining Company owns some of the land listed place of use and the remainder is land under its control by virtue of its claims on Bureau of Land Management and U.S. Forest Service lands.
(a) The place of use described in 10b is the storage tank at the concern site and will act as a distribution point to mine facilities located in parts of the following sections: 5 6 8 9 16 21 27 and 28

parts of the following sections:
~~Twp. 11 N., Rge. 17 E. - Sec. 5, 6, 8, 9, 16, 21, 27 and 28~~
~~1, 2, 3, 4, 11 and 12~~

Twp. 11 N., Rge. 17 E. - Sec. 5, 6, 8, 9, 11, 12
Twp. 11 N., Rge. 16 E. - Sec. 1, 2, 3, 4, 11 and 12

Twp. 12 N., Rge. 17 E. - Sec. 31

~~Twp. 12 N., Rge. 17 E. - Sec. 31~~
~~Twp. 12 N., Rge. 16 E. - Sec. 25, 33, 34, 35 and 36~~

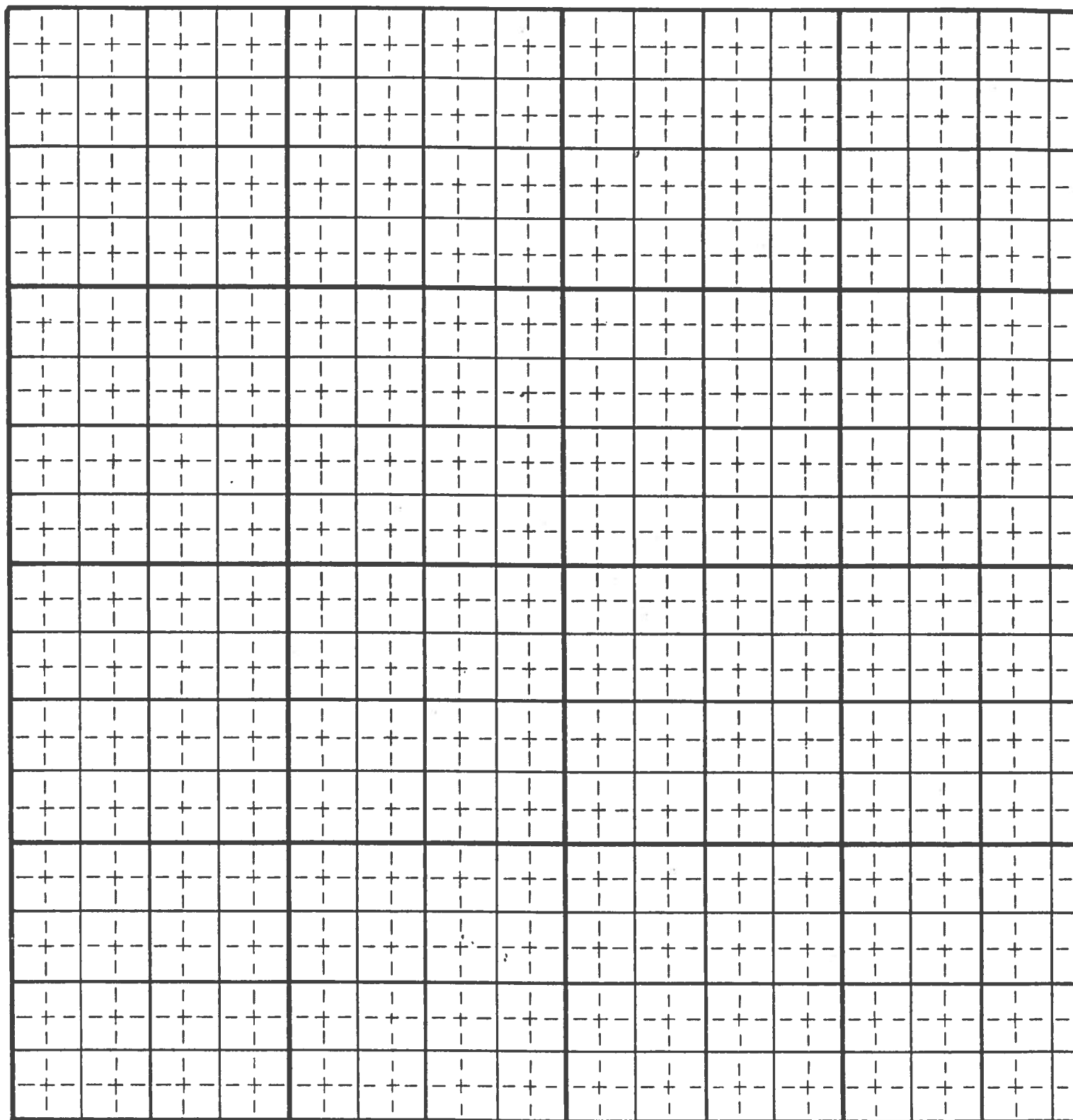
Last Name Cyprus Ident No. 72-7257

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



Last Name Cyprus Ident No. 72-7257

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

15. Basis of Claim (check one) ☐ Special Use ☐ Posted Notice ☒ License ☐ Permit

Decree

If applicable provide IDWR Water Right Number 72-7257

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 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

Title

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

Organization

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

Title

Organization

Company

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

Signature of Authorized Agent

Patrick H. Fitch

Title and Organization

Patrick H. Fitch
Vice President/General Mgr. Date 11/17/89
Cyprus Thompson Creek Mining Company

State of Idaho/or _____)

County of Custer)

SS.

Subscribed and sworn (or affirmed) before me this 17th day of November 19 89

SEAL

Notary Public

Bonnie M. Whitman

Residing at

Challis, Idaho

My Commission Expires

December 22, 1992

Please Print Name

Bonnie Whitman

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

Scott L. Campbell

Address

P. O. Box 1539, Boise, Idaho 83701

Date

January 11, 1990

Last Name Cyprus Ident. Number 72-7257

MICROFILMED

Copies White-State, Yellow-Claimant

MAR 18 1993

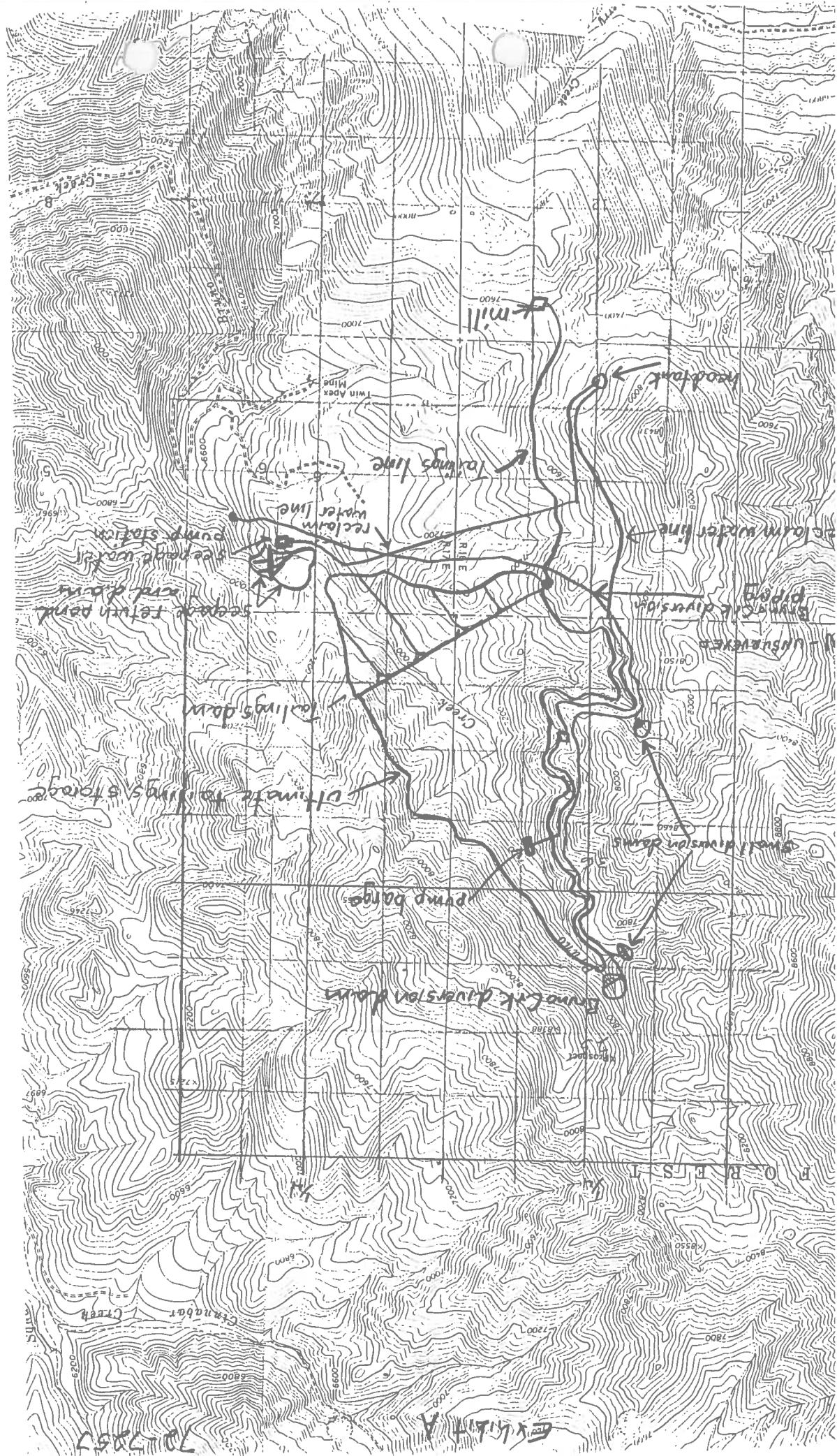


EXHIBIT A 72-7257

I-9395

The United States of America

To all to whom these presents shall come, Greeting:

WHEREAS, In pursuance of the provisions of the Revised Statutes of the United States, Chapter Six, Title Thirty-two, and legislation supplemental thereto, there are now deposited in the Bureau of Land Management of the United States the Plat and Field Notes of Survey and a Certificate of the Land Office at Boise, Idaho, accompanied by other evidence whereby it appears that

Tuscarora Mining Corporation

has entered and paid for the CM#2, CM#3, CM#4, CM#5, CM#11, CM#12, CM#13, CM#14, CM#19, CM#20, and CM#21 lode mining claims, designated as Survey No. 3617, embracing a portion of Sections 34 & 35 in Township 12 north of Range 16 east and Sections 2 & 3 in Township 11 north of Range 16 east of the Boise Meridian, Custer County, Idaho, the said claims being more particularly described in the official field notes and depicted on the official plats which are expressly made a part of this patent and copies of which are attached hereto.

The lands involved contain 215.188 acres.

NOW KNOW YE, That there is therefore, pursuant to the laws aforesaid, hereby granted by the United States unto the said

Tuscarora Mining Corporation

the said mining premises hereinbefore described, and not expressly excepted from these presents, and all that portion of said veins, lodes, or ledges, and of all other veins, lodes, and ledges throughout their entire depth, the tops of apexes of which lie inside of the surface boundary lines of said granted premises in said survey extended downward vertically, although such veins, lodes, or ledges in their downward course may so far depart from a perpendicular as to extend outside the vertical side lines of said premises: PROVIDED, That the right of possession to such outside parts of said veins, lodes, or ledges shall be confined to such portions thereof as lie between vertical planes drawn downward through the end lines of said survey so continued in their own direction that such planes will intersect such exterior parts of said veins, lodes, or ledges; AND PROVIDED FURTHER, That nothing herein contained shall authorize the grantee herein to enter upon the surface of a claim owned or possessed by another.

11-76-0076

Patent Number

MICROFILMED

MAR 18 1993

(July 1975)

TO HAVE AND TO HOLD said mining premises, together with all the rights, privileges, ~~immunities~~, and appurtenances of whatsoever nature thereunto belonging, unto the said grantee above named and to its successors and assigns forever; subject nevertheless to the following conditions and stipulations:

FIRST. That the premises hereby granted shall be held subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local laws, customs, and decisions of the courts. And there is reserved from the lands hereby granted a right-of-way thereon for ditches and canals constructed by the authority of the United States.

SECOND. That in the absence of necessary legislation by Congress, the Legislature of Idaho may provide rules for working the mining claims or premises hereby granted, involving easements, drainage, and other necessary means to its complete development.

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

[SEAL]

GIVEN under my hand, in BOISE, IDAHO
the TWENTY-EIGHTH day of JULY in the year
of our Lord one thousand nine hundred and SEVENTY-SIX
and of the Independence of the United States the two hundred
and ONE.

By

Larry S. Woodard
Acting State Director

Patent Number 11-76-0076

MICROFILMED

MAR 18 1993

The United States of America

To all to whom these presents shall come, Greeting:

COPY

WHEREAS

176719

Cyprus Thompson Creek Mining Company

is entitled to a mineral patent pursuant to the General Mining Laws, R.S. 2325, as amended; 30 U.S.C. 29, for the Debit and Debit No. 3 lode mining claims designated as Mineral Survey No. 3650, embracing a portion of Sections 34 and 35 in Partially Surveyed Township 12 North, Range 16 East, and Section 3, Township 11 North, Range 16 East, Boise Meridian, Idaho, the said claims being more particularly described in the official field notes and depicted on the official plat which are expressly made a part of this patent and copies of which are attached hereto; expressly excepting and excluding from these presents all that portion of the ground hereinbefore described embraced in CM #19, CM #20, and CM #21 lode claims, Mineral Survey No. 3617, and also all veins, lodes, and ledges, throughout their entire depth, the tops or apexes of which lie inside of such excluded ground.

The premises herein granted contain 40.145 acres.

NOW KNOW YE, that there is, therefore, pursuant to the laws aforesaid, hereby granted by the United States unto said Cyprus Thompson Creek Mining Company, the said mining premises hereinbefore described, and all the portion of said veins, lodes, or ledges, and of all other veins, lodes, and ledges throughout their entire depth, the tops or apexes of which lie inside of the surface boundary lines of said granted premises in said survey extended downward vertically although such veins, lodes, or ledges in their downward course may so far depart from a perpendicular as to extend outside the vertical side lines of said premises: PROVIDED, that the right of possession to such outside parts of said veins, lodes, or ledges shall be confined to such portions thereof as lie between vertical planes drawn downward through the end lines of said survey so continued in their own direction that such planes will intersect such exterior part of said veins, lodes, or ledges; AND PROVIDED FURTHER, that nothing herein contained shall authorize the grantee herein to enter upon the surface of a claim owned or possessed by another.

TO HAVE AND TO HOLD said mining premises, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature thereunto belonging, unto the said grantee above-named and to its successors and assigns forever:

EXCEPTING AND RESERVING TO THE UNITED STATES a right-of-way thereon for ditches or canals constructed by the authority of the United States pursuant to the Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945.



Patent Number 11-86-0056

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provision of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Boise, Idaho
the 1ST day of MAY in the year
of our Lord one thousand nine hundred and EIGHTY-SIX
and of the Independence of the United States the two hundred
and TENTH

By Charles C. [Signature]
Deputy State Director for Operations

MICROFILMED

MAR 18 1993

The United States of America

17332

To all to whom these presents shall come, Greeting:

WHEREAS

Cyprus Thompson Creek Mining Company

is entitled to a patent pursuant to the General Mining Laws, R.S. 2337, as amended; 30 U.S.C. 42a; for MS-1-100, MS-1-101, MS-1-102, MS-1-103, MS-1-104, MS-1-112, MS-1-113, MS-1-114, MS-1-115, MS-1-116, MS-1-117, MS-1-122, MS-1-123, MS-1-124, MS-1-125, MS-1-126, MS-2-35, MS-2-36, MS-2-37, MS-2-38, MS-2-60, MS-2-61, MS-2-62, MS-2-68, MS-2-92, MS-2-93, MS-2-97, MS-2-98, MS-2-99, MS-2-100, MS-2-101, MS-2-127, MS-2-128, MS-12-3, MS-12-4, MS-12-5, MS-12-6, MS-12-7, MS-12-8, MS-12-9, MS-12-10, MS-12-11, MS-12-12, MS-12-13, MS-12-14, MS-12-15, MS-12-26, MS-12-27, MS-12-28, MS-12-29, MS-12-30, MS-12-36, MS-12-37 mill sites, more particularly described as follows:

Boise Meridian, Idaho

T. 11 N., R. 16 E.

Sec. 1, $W\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$,
 $W\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}SW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$,
 $E\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}$,
 $W\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}SE\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}SE\frac{1}{4}$;

Sec. 2, $NE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$,
 $W\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$, $W\frac{1}{2}W\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$,
 $E\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}$, $E\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}$,
 $N\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}SE\frac{1}{4}$;

Sec. 12, $W\frac{1}{2}NE\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}$,
 $E\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}$,
 $E\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $W\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$,
 $N\frac{1}{2}NE\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}NW\frac{1}{4}$,
 $E\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}NW\frac{1}{4}$.

The premises herein granted contain 265.00 acres. $\rightarrow$ 193.6265 dist.

Patent Number

11-85-0023

MICROFILMED

MAR 18 1993

NOW KNOW YE, that there is, therefore, pursuant to the laws aforesaid hereby granted by the United States unto the said Cyprus Thompson Creek Mining Company said mining premises hereinbefore described, TO HAVE AND TO HOLD said mining premises, together with all the rights, privileges, immunities and appurtenances of whatsoever nature thereunto belonging unto the said grantee above named and to its successors and assigns forever:

EXCEPTING AND RESERVING TO THE UNITED STATES a right-of-way thereon for ditches or canals constructed by the authority of the United States pursuant to the Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945.

STATE OF IDAHO)
COUNTY OF CUSTER)ss.

*This instrument was filed for record
at the request of Cyprus Mines
at 4:22 o'clock P.M. Feb. 14 1985
and duly filmed and indexed in the Records of Custer
County.*

Ethel M. Reck
Ex-Officio Recorder

By Mary Thompson Deputy
Fees 400



Patent Number 11-85-0023

IN TESTIMONY WHEREOF, the undersigned authorized officer of Bureau of Land Management, in accordance with the provision of the Act of June 17, 1948 (62 Stat. 476), has, in the name of United States, caused these letters to be made Patent, and Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Boise, Idaho
the EIGHTH day of FEBRUARY in the
of our Lord one thousand nine hundred and EIGHTY-FIVE
and of the Independence of the United States the two hundred and NINTH

By Louis B. Bell
Deputy State Director for Operations
MAR 18 1993

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

MINE TAILINGS IMPOUNDMENT STRUCTURE CERTIFICATE OF APPROVAL

This is to certify that CYPRUS mine tailings impoundment structure, located
in Section 31, Township 12N, Range 17E, B.M., Custer County,
State of Idaho has been inspected by the Department of Water Resources of the State of Idaho, as provided in
Title 42, Chapter 17, Idaho Code, and approval is hereby given to impound tailings in accordance with and
subject to the following terms and conditions: None

This certificate shall remain valid until revoked or modified by the Department of Water Resources or until the
1st day of November 19 88.



This certificate has been issued and the seal of the
Director affixed at Boise, Idaho this 24TH
day of July 19 86.

Norman C. Gray
Administrator-Res. Admin. Div.

MAR 10 1988

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

DAM AND RESERVOIR CERTIFICATE OF APPROVAL

This is to certify that CYPRUS SEEPAGE RETURN Dam and Reservoir, located in
NW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 6, Township 11N, Range 17E, B.M., Custer County,
State of Idaho has been inspected by the Department of Water Resources of the State of Idaho, as provided in Title
42, Chapter 17, Idaho Code, and approval is hereby given to impound water in accordance with and subject to the
following terms and conditions: OPERATION IS CONTINGENT UPON COMPLIANCE WITH ALL APPLICABLE
STATE AND FEDERAL LAWS, SPECIFICALLY INCLUDING WATER QUALITY STANDARDS.

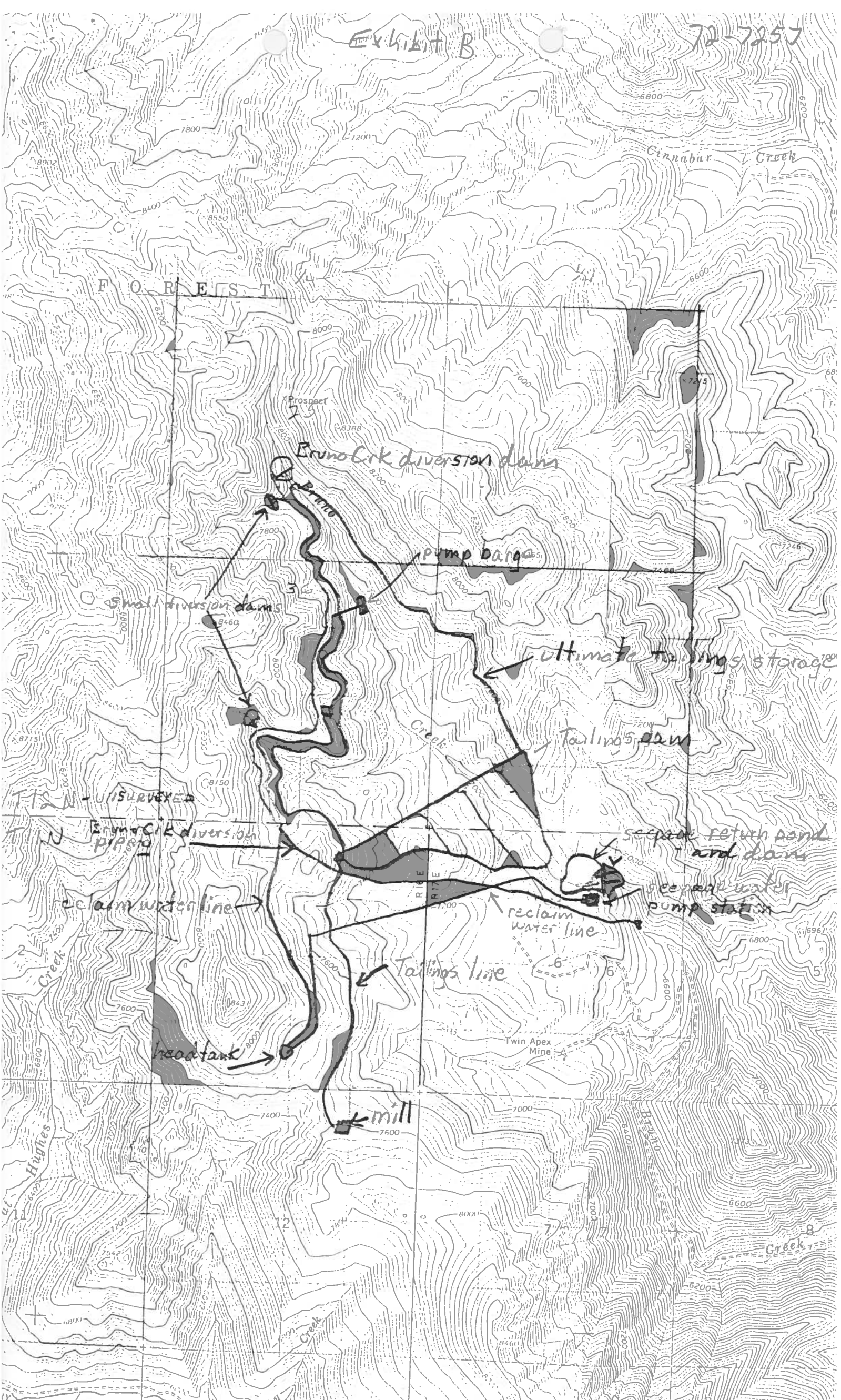
This certificate shall remain valid until revoked or modified by the Department of Water Resources or until the
1st day of November 19 89.

This certificate has been issued and the seal
of the Director affixed at Boise, Idaho this
15TH day of JULY 1987.

Norman C. Young
Administrator-Resources Admin. Div.



MICHOI LIND
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

MICROFILMED

NOV 01 1994

CYPRUS THOMPSON CREEK MINING COMPANY
Snake River Basin Adjudication

Notice of Claim to Water Right:

Number

Priority Date

A72-00048
A72-00051B
A72-00051N
A72-00051L
A72-00110
A72-00111
A72-00133
A72-00135
A72-00136
A72-00137
A72-04047
A72-04055
A72-04055C
A72-04080
A72-04080H
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

Beneficial Use
Beneficial Use
Beneficial Use

April 15, 1885
May 1, 1885
May 1, 1885

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
NOV 01 1994

RECEIVED

DEC 30 1999

Department of Water Resources
Southwest Region

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

In Re SRBA

Case No. 39576

A. Subcase 72-07257

(Insert water right number
From the Objection Form)

**STANDARD FORM 2
RESPONSE TO OBJECTION**

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: Cyprus Thompson Creek Mining Company

Address: c/o Bert Doughty, PO Box 62

Clayton, ID 83227

Daytime phone: (208) 838-2200

Name & Address of Attorney, if any:

Scott L. Campbell and Angela D. Schaer

ELAM & BURKE, P.A.

PO Box 1539

Boise, ID 83701

MAIL



32373

**C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDING**

Name: United States of America acting through the Department of the Interior,

Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way

Boise, ID 83709-1657

D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).

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

11. Recommendation

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

E. VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Ada)

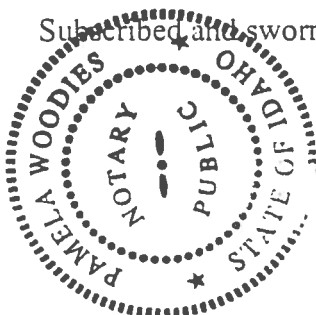
Angela D. Schaer, duly sworn, upon oath, deposes and says:
(Name of person filing response)

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

(Signature of person filing response)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: September 23, 1999



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

INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, 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.

F. CERTIFICATE OF MAILING

I certify that on September 23, 1999, I mailed the original and copies of this response, 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, PO Box 62
Clayton, ID 83227

3. One copy to the party who filed the objection at the following address:

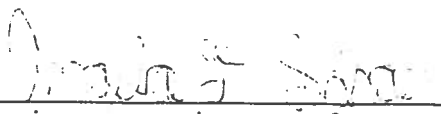
Name: United States of America acting the Department of the Interior,
Bureau of Land Management, Idaho State Office
Address: 1387 South Vinnell Way
Boise, ID 83709-1657

4. 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 4449
Boise, ID 83711-4449

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



Your signature or signature of attorney
mailing on your behalf

RECEIVED

JUN 01 1999

Department of Water Resources
Southern Region

RECEIVED

MAY 26 1999

Department of Water Resources

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

In Re SRBA

Case No. 39576

A. Subcase 72-07257

(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

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

Name & 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: See Attachment A
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: _____

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:

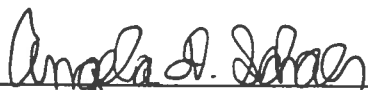
Name: Thompson Creek Mining Company
Address: c/o Bert Doughty, Post Office Box 62
Clayton, ID 83227

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 72-07257

**STANDARD FORM 1
OBJECTION
ATTACHMENT A**

The quantity should be 20.89 c.f.s (or 15,123.11 afy) for all uses. The quantity for industrial storage and industrial from storage should not be limited to 1600 afy.

In addition, the limitation stating that "use of this right with Right No. 72-07193 is limited to a total combined annual diversion volume of 2916 AF" should be amended or eliminated.

SRBA CLAIM NUMBER 72-07257

**STANDARD FORM 1
OBJECTION
ATTACHMENT B**

Quantity

The system which implements the industrial storage and industrial from storage uses is in continuous operation. Thus, even though the capacity of the holding pond is approximately 1600 acre feet, the actual volume diverted may exceed that amount.

In addition, the Director's Report for this water right states that "[u]se of this right with Right No. 72-07193 is limited to a total combined annual diversion volume of 2916 af." That limitation should be deleted or amended for the following reasons: (1) When Thompson Creek filed its Amended Notice of Claim for this water right, it listed the total consumptive use at 2916 acre feet per year. The requirement that a notice of claim include the annual consumptive use has now been deleted from Idaho Code section 42-1409. (2) Before it was amended in 1997, Idaho Code section 42-1411 stated that the Director's Report could include the annual volume of consumptive use and the annual volume of diversion of water. Obviously, the two were considered to be different elements. In 1997, Section 42-1411 was amended, as was Section 42-1409, to delete any reference to the annual volume of consumptive use. However, that does not mean that annual volume of consumptive use then became the same as the annual volume of diversion. (3) Similarly, the annual volume of consumptive use is not necessarily the same as the annual diversion volume. More water may need to be diverted than that which is actually consumed.



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

RECEIVED

DEC 21 1998

**Notice of Error
Reply**

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: 72-07257

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

Daytime Telephone Number: (208) 343-5454

Evening Telephone Number: (208) 343-5454

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

Place of use, point of diversion, quantity, volume

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

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

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

Because the preliminary recommendations are incorrect

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

DATE: 12-18-98

SIGNATURE: 

Please print your name: Scott L. Campbell

Attorneys for: Thompson Creek Mining Company

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

RECEIVED

DEC 21 1998

Department of Natural Resources
Region

ELAM & BURKE

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

TELEPHONE
208-343-5454

FACSIMILE

SCOTT L. CAMPBELL

December 18, 1998

208-384-5844

SENT VIA FACSIMILE

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

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

Dear Ms. Fawcett:

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

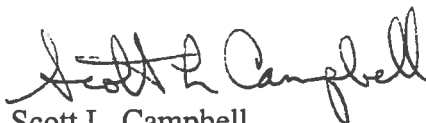
72-00048	72-00137
72-00051B	72-04159F
72-00051L	72-07193
72-00051N	72-07220
72-00133	72-07257
72-00135	72-07414
72-00136	72-10488

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.)

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:

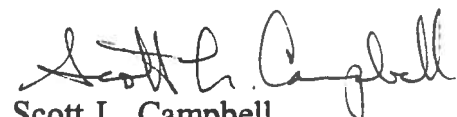
A72-00048
A72-00051B
A72-00051L
A72-00051N
A72-00110
A72-00111
A72-00133
A72-00135
A72-00136

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

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
JAN 19 1994

NOV 8 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

RECEIVED

JAN 19 1994

Department of Water Resources

Boise, Idaho 83725

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

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.

RECEIVED
NOV 01 1994

DIVERSION
VOLUME

1600 0 AEA

1600.0 AFA

1600.0 AFA

ENSE

ity

מה

1

NOV 01 1994

Comments:

Date: 12/21/1993 User-ID: CLELLAND Subject: COPIED FROM REMARKS
CYPRUS THOMPSON CREEK MINING COMPANY OWNS SOME OF THE LAND LISTED
AS PLACE OF USE AND THE REMAINDER IS LAND UNDER ITS CONTROL BY
VIRTUE OF MINING CLAIMS ON BUREAU OF LAND MANAGEMENT AND U.S.
FOREST SERVICE LANDS.

(A) THE PLACE OF USE DESCRIBED IN 108 IS THE STORAGE TANK AT THE
CONCENTRATOR SITE AND WILL ACT AS A DISTRIBUTION POINT TO MINE
FACILITIES LOCATED IN ALL OR PARTS OF THE FOLLOWING SECTIONS:
TWP. 11 N., RGE. 17 E. - SEC. 5, 6, 8, 9, 16, 21, 27 AND 28
TWP. 11 N., RGE. 16 E. - SEC. 1, 2, 3, 4, 11 AND 12
TWP. 12 N., RGE. 17 E. - SEC. 31
TWP. 12 N., RGE. 16 E. - SEC. 25, 33, 34, 35 AND 36

ITEM 5
A TAILINGS DAM APPROXIMATELY 335 FEET HIGH BY 2800 FEET WIDE
PROVIDES ACTIVE RESERVOIR CAPACITY TO STORE APPROXIMATELY 1600
ACRE FEET OF WATER. THERE IS ALSO A SMALLER SEEPAGE RETURN
RESERVOIR. THIS SYSTEM IS INTERCONNECTED WITH THE MINE'S MILLING
OPERATION THROUGH A SYSTEM OF PUMPS AND PIPELINES. THREE SMALL
DIVERSION DAMS WITH A CONCRETE COLLECTION BOX AND ASSOCIATED
VALVES AND PIPELINES ARE USED FOR CONTROLLING BRUNO CREEK FLOW
AND SIDE DRAINAGE FLOW IN TAILINGS EMBANKMENT AREA.

ITEM 8
CONSUMPTIVE USE COMBINED WITH RIGHT NO. 72-07414, 72-07193

Audit:
12/21/93 CLELLAND

MICROFILMED
NOV 01 1994

POOR ORIGINAL

A72-7257
Map From
CLAIM
FILE

T
12
N

T12N - UNSURVEYED

T11N

T
11
N

Put
11

F O R E S T

BRUNO CREEK

R16E

R17E

25

Bruno Crk diversion dam

POD

pump barge

Small diversion dams

TAILINGS POND

ultimate tailings storage

Tailings dam

seepage return pond and dam

seepage water pump station

reclaim water line

reclaim water line

Tailings line

R16E

head tank

mill

NW1/4 NENE

17
R17E

Pou
MILL SITE

REPROFILMED
NOV 01 1994

12

BRUNO CREEK

Creek



BLM AERIAL
5-3A-7
7-1-88
U72/U73

POOR ORIGINAL



HEADTANK



POU

A12-7257

NOV 01 1984

LAST NAME: CAMPBELL
ADDRESS: DAVIS WRIGHT TRAIL
CITY: 702 W IDAHO ST STE 700
STATE: ID ZIP: 83702
PHONE NUMBER: 208-338-8200
OWNER CODE: A

ST: CYPRUS THOMPSON CREEK MINING CO.
ADDRESS: P.O. BOX 62
CITY: CLAYTON
PHONE NUMBER: 208-838-2200
STATE: ID ZIP: 83227

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
DATABASE Y
FIELD EXAMINER

CLAIM REMARKS:
CYPRUS THOMPSON CREEK MINING COMPANY OWNS SOME OF THE LAND LISTED AS PLACE OF USE AND THE REMAINDER IS LAND UNDER ITS CONTROL BY VIRTUE OF MINING CLAIMS ON BUREAU OF LAND MANAGEMENT AND U.S. FOREST SERVICE LANDS.

(A) THE PLACE OF USE DESCRIBED IN JOB IS THE STORAGE TANK AT THE CONCENTRATOR SITE AND WILL ACT AS A DISTRIBUTION POINT TO MINE FACILITIES LOCATED IN ALL OR PARTS OF THE FOLLOWING SECTIONS:
TWP. 11 N., RGE. 17 E., SEC. 5, 6, 8, 9, 16, 21, 27 AND 28
TWP. 11 N., RGE. 16 E., SEC. 1, 2, 3, 4, 11 AND 12
TWP. 12 N., RGE. 17 E., SEC. 31
TWP. 12 N., RGE. 16 E., SEC. 25, 33, 34, 35 AND 36

ITEM 5
A TAILINGS DAM APPROXIMATELY 335 FEET HIGH BY 2800 FEET WIDE PROVIDES ACTIVE RESERVOIR CAPACITY TO STORE APPROXIMATELY 1600 ACRES FEET OF WATER. THERE IS ALSO A SMALLER SEEPAGE RETURN RESERVOIR. THIS SYSTEM IS INTERCONNECTED WITH TWO MINES WITH THE OPERATION THROUGH A SYSTEM OF PUMPS AND PIPELINES. THREE SMALL DIVERSION DAMS WITH A CONCRETE COLLECTION BOX AND ASSOCIATED VALVES AND PIPELINES ARE USED FOR CONTROLLING BRIND CREEK FLOW AND SIDE DRAINAGE FLOW IN TAILINGS EMBANKMENT AREA.

ITEM 8
CONSUMPTIVE USE COMBINED WITH RIGHT NO. 72-07414, 72-07193

MICROFILMED
NOV 0 1 1994

CONTACT PERSON:

DATE OF FIELD EXAM: 8/25/93

ACCOMPANIED BY: Gregg Hurless

RELATIONSHIP TO CLAIMANT: manager & consultant.

DIRECTIONS TO PROPERTY / REMARKS

APPOINTMENT MADE: Y / X NO

PURPOSE NUMBER: / /
TIME: / A / P /
PHONE NUMBER: / /

MICROFILMED
NOV 01 1994

A. AT CLAIM: # A72-07257 PRIORITY DATE: 09-11-1902 CTAGE: 1
B. WP RECORD: # 72-07257 PRIORITY DATE: 02-11-1902 CTAGE: 1

C. FIELD EVAL REQUIRED? DATABASE EVAL Y/N

APP THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIM? Y ☒ N ☐ IF YES EXPLAIN.

REMARKS: *per license*

===== RECOMMENDED PRIORITY DATE: 02-11-1983 =====

REVIEWED BY

Sc

DATE 12-20-93

MICROFILMED
NOV 0 1 1994

MICROFILMED
NOV 01 1984

A. AT CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	1/4	NTV
A72-02257	10N	16E	25		NE		SW	REGISTERED

GROUP AT CLAIMS WITH SAME AT POND
A DEEPLY
NONE

NO DEPOSIT IN SAME AS ABOVE TRACT
NONE

SOURCE: BRUND CREEK

TRIP: SQUAW CREEK

B. UP POINT OF DIVERSION AND SOURCE:

TRACT	TWP.	RGE.	SEC.	1/4	1/4	1/4	1/4	TOT	NTV
72-07257	12N	16E	25		NE		SW		REGISTERED

GROUP UP RECORDS WITH SAME UP POND
AT CLAIMS IN SAME AS ABOVE TRACT
A DEEPLY
NONE

NONE

NONE

NONE

SOURCE: BRUND CREEK

TRIP: SQUAW CREEK

C. FIELD EXAM REQUIREMENTS

TIME TO POND DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
TIME TO SOURCE DISCREPANCY?	(Y/N)	Y	N

REMARKS:

Per license & field exam, topo map from claim.

~~104c tract~~ = SE 1/4

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:
 TWP. R&B. SEC. 1/4 1/4 1/4 LOT FOUNDING

12N 16E 25 SE NE SW

SOURCE: BRUND CREEK

TWP: GRIND CREEK

REVIEWED BY:

Sw

DATE: 12-20-93

MICROFILMED
 NOV 01 1994

A. AT CLAIMED USES:

PURPOSES	MONTH/DAY	INTUITION QUANTITY
472-07257 INDUSTRIAL STORAGE	FROM 01-01 TO 12-31	9.620 CFS
472-07257 INDUSTRIAL STORAGE	FROM 01-01 TO 12-31	1600.00 AF/A
472-07257 INDUSTRIAL FROM STORAGE	FROM 01-01 TO 12-31	1600.00 AF/A

TOTAL DIVERSION RATE/VOLUME CLAIMED

9.620 CFS 1600.00 AF/A

B. UP RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
72-07257 INDUSTRIAL STORAGE	FROM 01-01 TO 12-31	9.620 CFS
72-07257 INDUSTRIAL STORAGE	FROM 01-01 TO 12-31	1600.00 AF/A
72-07257 INDUSTRIAL FROM STORAGE	FROM 01-01 TO 12-31	1600.00 AF/A

TOTAL DIVERSION RATE/VOLUME CLAIMED

9.620 CFS 1600.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIREMENT

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

D. PERIOD OF USE:

PERIOD AS CLAIMED

PERIOD TO UP STANDARDS OR OTHERS

APPS:

Per Levine

☒ () Y () N ()
☐ () N ()
 Retain in remarks: below.

MICROFILMED
 NOV 01 1984

YES ☒ NO ☐

4. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING PREFERENCE?

AT TOTAL CLAIMED DIVERSION RATE: 9.470 CFS
WP NOT RIGHT TOTAL DIVERSION RATE: 9.600 CFS

*** IF NO OR IF STATUTORY CLAIM OR EXPERIMENTAL USE THEN AT NO MEASUREMENT REQUIRED. ***
** If 30 amount smaller than the original diversion rate is **
** claimed and an error is NOT required explain in remarks. **

FLOW MEASUREMENT REQUIRED?

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

PIPED
DATABASE BYAMNER
Y

MEASUREMENT METHOD

FLOW MEASUREMENT

SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: 72-07193, 72-07414

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO. PURPOSES

NAME

MONTH/DAY

DATE

UNIT LBS

672-07193

INDUSTRIAL

CYPRUS THOMPSON CREEK MINING CFS 01-01 TO 12-31 20,890 CFS

MICROFILMED
NOV 01 1994

1.

1a. IRRIGATION RATE

$\times 0.02 \text{ CFS/ACRE} =$
(Taken from 7/7 revision)

DATE/UNIT/ACRE/FEET/ATTORNEY/

THE CALCULATIONS

NOTE: AMOUNT CLAIMED EXCEPT 0.00 CFS/ACRE

Y/ N/ M/)

111 IF YES ADDITIONAL WATER USE FROM FIELD AND ATTACHEMENTS Y/ N/) 111

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 2915.0 ACRE/A

ACRE $\times$ CONSUMPTIVE VOL. ACRE/A FOR ABEA

TOTAL CONSUMPTIVE USE ACRE/A

3. IRRIGATION SUPPLY VOLUME

CLAIMED SUPPLY VOLUME = 1600.00 ACRE/A

ACRE $\times$ SUPPLY VOL. ACRE/A FOR ABEA

TOTAL SUPPLY VOLUME ACRE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET Y() N(X)

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

Per license 72-07257

MICROFILMED
NOV 0 1 1994

=====

RECOMMENDATIONS:

=====

REF. DIFFERENCES	REF. VERSION FROM	REF. DATE	REF. TYPE
INDUSTRIAL STORAGE	01-01	12-91	
INDUSTRIAL STORAGE	01-01	12-91	
INDUSTRIAL FROM STORAGE	01-01	12-91	

DATA BASE EVALUATED	DATA BASE EVALUATED
9.620	1600.00
	1600.00
9.620	1600.00

DATA BASE EVALUATED 2016.0

NOV 01 1994

DELETED BY:

See

DATE: 12-20-93

TO REMOVAL

12-21-93

A. CHECK ONLY THE FOLLOWING THAT APPLY:

NUMERICAL
PROPERTY/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
/ / /
/ / /
/ / /

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-07257

DATABASE

EXAMINER

TOTAL DIVERSION RATE OF WR SPLITS

9.620

CPS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

672-07257

9.620

-

72-07257

9.620

TOTAL CPS

9.620

9.620

DIVERSION RATE REVIEW

DO THE CLAIMS DATE OF THE SPLITS FOLLOW THE ROOT RIGHT REG. DATE (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE

FIELD
EXAMINER

REMARKS:

NA

AUTHENTICATION:

Stu All

DATE:

12-20-93

SIGNATURE:

TITLE:

MICROFILMED

NOV 0 1 1994

[illegible]

THE

~~16-100 0 AHC~~
~~77016 0 AHC~~
~~0V~~

Source: <http://www.cisgtrb.ca>

150

PHI Rho Tau = 0.15729

Non-topical item: INSTRUMENTAL NOT TO THE
MILITARY PROCESS OF MOVEMENT OR

Other Photo: 72-07195 & 72-07414

For the first time, the

Remark: CYPRIC THOMPSON GREER WITHIN COMPANY NAME OF THE 1ANT LISTED

11 APR 1967

100

move to Comon.

NOT RECORDED

DIVISION OF
COMMUNITY
RELATIONS

NOV 01 1994

FENSE

→ move to corner.

ITEM Q
COMPICTUP USER COMPICTUP WITH PIGHT NO. 73-0721A, 73-07193
Date: 8-25-93
Room Made Date: 8-25-93
Updation Date:
Field Inception Page:
Microfilm Number:
Microfilm Number:

Rewrite as variation of EQ9
C.V. only

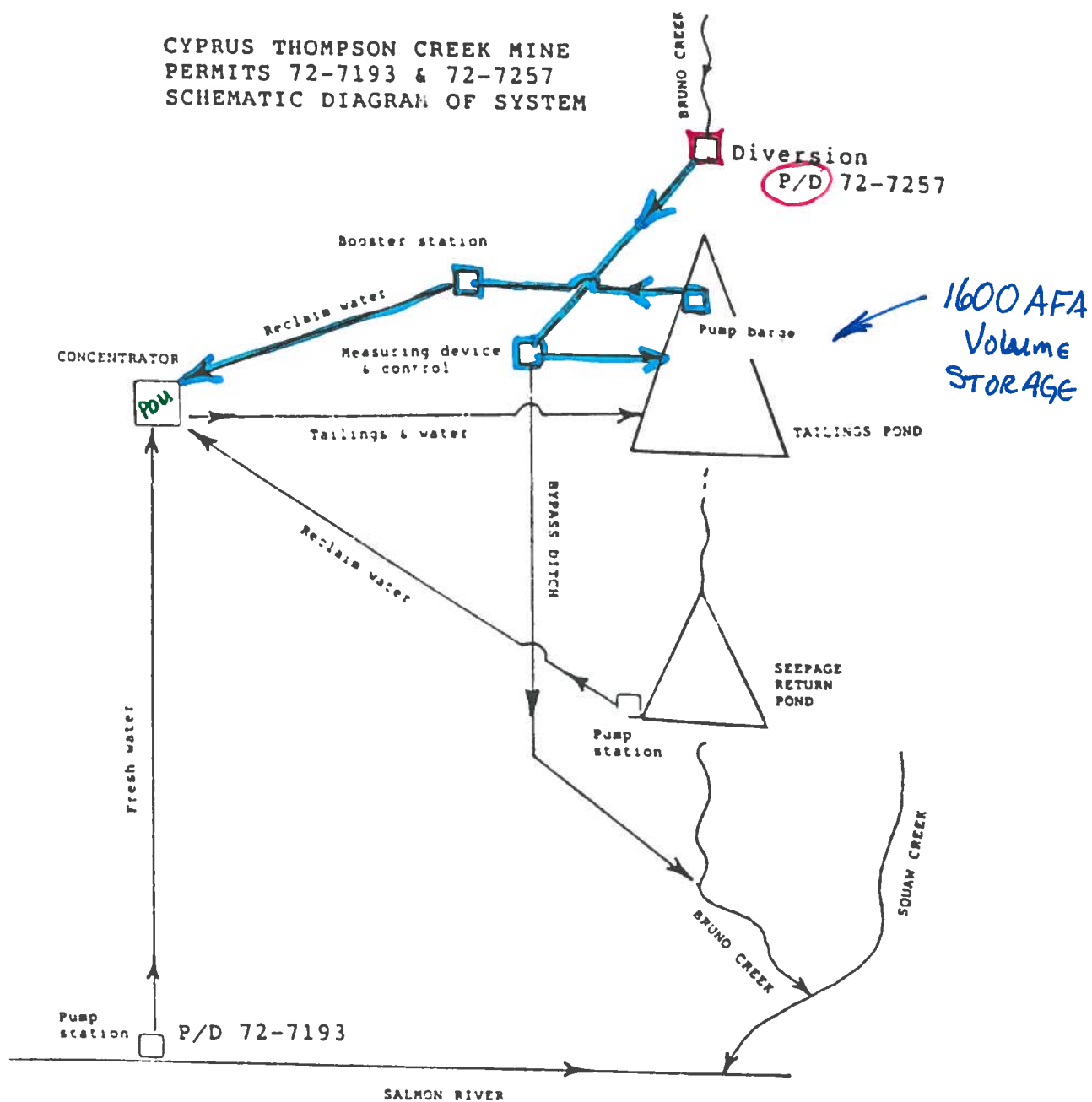
Se
12-21-93

MICROFILMED
NOV 01 1994

POOR ORIGINAL

A72-07257

CYPRUS THOMPSON CREEK MINE
PERMITS 72-7193 & 72-7257
SCHEMATIC DIAGRAM OF SYSTEM



MICROFILMED
NOV 01 1994

POOH UP

A72-07257

ANALYSIS OF WATER REQUIREMENTS

PERMITS 72-7193 AND 72-7257

Flow and Consumptive use

The two permits represent the water supply for the operation of the ore concentrator. At its maximum capacity of 35,000 tons of ore per day (per Jamie Sturgess during exam) the concentrator requires a water flow of approximately 30 cfs. In normal operation, all flows of Bruno Creek are diverted into the tailings impoundment and the concentrator uses water reclaimed from the tailings and seepage return ponds. The Salmon River pumping plant supplies water to make up the difference between the process requirements and the water supplied from Bruno Creek. If no water is available from Bruno Creek or in a startup situation, the Salmon River pumps have the capacity to supply the entire operating requirement until sufficient water is stored in the impoundments to operate the plant on reclaimed water.

Water balance information developed during the design of the tailings impoundment is based on a capacity of 25,000 tons per day. Adjustment of the water amounts estimated to be absorbed by slimes and sands by a factor of 1.4 gives the following estimates of water consumption at an operating capacity of 35,000 tons of ore per day:

WINTER OPERATION (274 days)

Flow consumed: 1890 gpm (4.21 cfs)
Volume consumed: 2289 acre-feet

SUMMER OPERATION (91 days)

Flow consumed: 1558 gpm (3.47 cfs)
Volume consumed: 627 acre-feet

Total volume consumed per year: 2916 acre-feet

consumptive use

Stored volume

The tailings impoundment is designed to be able to store a probable maximum flood event (PMF). This is estimated to be 1530 acre-feet in the design report. Additionally, the impoundment has capacity to store 160 acre-feet over any 10-day period. The design storage quantities justify licensing a quantity of 1600 acre-feet for industrial storage.

MICROFILMED
NOV 01 1994

POUR - L

A72-07257

MEMORANDUM

TO: FILES 72-7193, 72-7219, 72-7257 & 72-7220

FROM: JIM JOHNSON

RE: MEETING WITH SCOTT CAMPBELL

DATE: 28-NOV-1988

On this day Scott Campbell, attorney for the permit holder met with me to discuss the recommendations made by the field examiner for licensing the above named permits.

PERMIT 72-7220

The place of use was changed to include the SWNE & SENE.

The field report describes the place of use for domestic to include only the change house located in NWSE, however, water is also used for domestic purposes in the shop, and at the crusher building.

PERMITS 72-7219, 72-7193 & 72-7219

The place of use was changed to include the NENE as well as the NWNE because the building straddles the 1/4 1/4 line.

The field report does confirm the close proximity of the building to the line therefore to be sure license was not in error the additional description was added.

MICROFILMED

NOV 1 1988

FIELD NOTES by SEC

8-25-93

72-7219 potable Well @ ^{mill site} entrance

72-7220 potable well @ ^{mine site} maintenance

72-7414 GW. pit pumps

72-7257

Bruno Creek

(7193 / 7014) tied w/ hose

water used
in milling process



2 # Moly
Ton ore

with:

GREGG HURLESS
DAVE BRESY
Consultant w/ c.t.
MGR C-T mine

POOR ORIGINAL

MICROFILMED
NOV 01 1994

Water Right Number - 72-07257

Prefix Translation:

WATER RIGHT

Old (D) Number -

*** C - CURRENT OWNER ***
CYPRIUS THOMPSON CREEK MINING CO.

1 - P.O. BOX 62
2 -
3 -
City- CLAYTON
Phone - 208-000-0000

State- ID Zip- 83227

Priority Date - +
03/11/1983

Region - +
17 SOUTHERN

Stage - +
L - LICENSE

Status - +

Source - +
BRUNO CREEK

Tributary - +
SQUAW CREEK

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
12N	16E	25	NE SW			(37)	CUSTER			

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
07 - INDUSTRIAL		01/01	12/31		9.620	
08 - INDUSTRIAL STORAGE		01/01	12/31			1600.00
09 - INDUSTRIAL FROM STORAGE		01/01	12/31			1600.00

Total Div. Rate - + 9.620
Total Div. Volume - + 1600.00
Total Div. Capacity - + 9.620

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
11N	16E	12	NE NE				07	INDUSTRIAL	(37) CUSTER
11N	16E	12	NW NE				07	INDUSTRIAL	(37) CUSTER

- Diversion Means -

- Non-Irrigation Use -

- Other Rights for Same Use -

Remarks -
The maximum combined annual volume of water under this right &
Right 72-7193 shall not exceed 2916.0 acre feet.
Industrial use is for milling of ore.

Old Water Right Numbers
No Old Water Right Numbers found.

Conditions of Approval -
R06 - When water used under this right is discharged into the
- natural channel, settling ponds must be maintained which are

MICROFILMED
NOV 01 1994

