

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

TRANSFER OF WATER RIGHT
TRANSFER NO. 78791

This is to certify that: **THOMPSON CREEK MINING CO**
C/O BERT DOUGHTY
PO BOX 600
CHALLIS, ID 83226

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
72-7193	WR/DECREED	6/16/1982	20.890 cfs	1600.0 af	N/A	N/A	BUCKSKIN CREEK, PAT HUGHES CREEK, SALMON RIVER, SPRING

Purpose of Transfer (Changes Proposed)

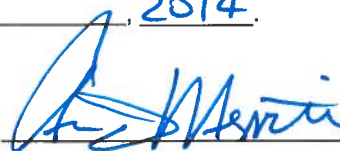
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
72-7193	NO	NO	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
72-7193	72-7193	20.890 cfs	1600.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		20.890 cfs	1600.0 af	N/A	N/A		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 5th day of June, 2014.



Southern Region Manager

WATER RIGHT NO. 72-7193**As Modified by Transfer No. 78791**

In accordance with the approval of Transfer No. 78791, Water Right No. 72-7193 is now described as follows:

Right Holder: THOMPSON CREEK MINING CO
PO BOX 600
CHALLIS, ID 83226

Priority Date: 6/16/1982

Source: PAT HUGHES CREEK
Source: SALMON RIVER
Source: BUCKSKIN CREEK
Source: SPRING

Tributary: THOMPSON CREEK
Tributary: SNAKE RIVER
Tributary: THOMPSON CREEK
Tributary: BUCKSKIN CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
INDUSTRIAL	1/01	to 12/31	20.890 cfs	
INDUSTRIAL FROM STORAGE	1/01	to 12/31		1600.0 af
INDUSTRIAL STORAGE	1/01	to 12/31	20.890 cfs	1600.0 af

LOCATION OF POINT(S) OF DIVERSION

PAT HUGHES CREEK	SENESE	Sec 11 Twp 11N Rge 16E	CUSTER County
SALMON RIVER	L5 (NESESE)	Sec 25 Twp 11N Rge 16E	CUSTER County
BUCKSKIN CREEK	SWNESE	Sec 4 Twp 11N Rge 16E	CUSTER County
SPRING	SENESE	Sec 4 Twp 11N Rge 16E	CUSTER County
SPRING	SENESE	Sec 4 Twp 11N Rge 16E	CUSTER County

PLACE OF USE: INDUSTRIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	16E	12	X	X															

PLACE OF USE: INDUSTRIAL FROM STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	16E	12	X	X															

PLACE OF USE: INDUSTRIAL STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	16E	1	X	X															
			L 17	L 15															
11N	16E	4													X				
11N	16E	11									X								
11N	16E	12	X	X															
11N	17E	6		X			X												

Transfer No. 78791

WATER RIGHT NO. 72-7193**As Modified by Transfer No. 78791****PLACE OF USE: INDUSTRIAL STORAGE**

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	17E	6		X			X												
				L 36			L 16												
11N	17E	6		X			X												
				L 37			L 17												
11N	17E	6		X			X												
				L 38			L 18												
11N	17E	6		X			X												
				L 39			L 19												
11N	17E	6		X															
				L 40															
12N	16E	25									X			X		X	X		
12N	16E	36	X	X	X	X					X			X	X	X	X	X	
12N	17E	31							X		X	X	X	X					

CONDITIONS OF APPROVAL

1. Rights 72-07257 and 72-7193 when combined shall not exceed a total annual maximum diversion volume of 2916 af.
2. Rights 72-7193, 72-7257, 72-7414, and 72-7573 when combined shall not exceed a total annual maximum diversion volume of 3108.0 af.
3. The use of this right is limited such that at no time shall more than 20.89 cfs be diverted at any instant from the multiple authorized points of diversion. Additionally the following limits shall apply:
Buckskin Creek limited to 8.0 cfs
Pat Hughes Creek limited to 11.0 cfs
Springs tributary to Buckskin Creek limited to 0.20 cfs
Salmon River limited to 20.89 cfs
4. Industrial use is for mining and milling of molybdenum ore.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.72D.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
8. Place of use does not include federal public lands. Unless authorized in writing by the managing federal agency..
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

WATER RIGHT NO. 72-7193
As Modified by Transfer No. 78791

CONDITIONS OF APPROVAL

10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

