

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES **AMENDED**

TRANSFER OF WATER RIGHT
TRANSFER NO. 78790

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>
72-7257	WR/DECREED	3/11/1983	9.620 cfs	1600.0 af	N/A	N/A	BRUNO CREEK

Purpose of Transfer (Changes Proposed)

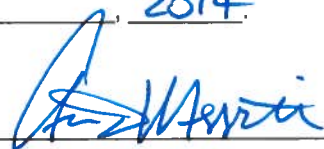
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
72-7257	NO	YES	YES	NO	NO	NO

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>
72-7257	72-7257	9.620 cfs	1600.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		9.620 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. 72-7257**As Modified by Transfer No. 78790**

In accordance with the approval of Transfer No. 78790, Water Right No. 72-7257 is now described as follows:

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

Priority Date: 3/11/1983

Source: BRUNO CREEK

Tributary: SQUAW CREEK

BENEFICIAL USE

INDUSTRIAL
INDUSTRIAL FROM STORAGE
INDUSTRIAL STORAGE

From

1/01
1/01
1/01

To

to 12/31
to 12/31
to 12/31

Diversion Rate

9.620 cfs

9.620 cfs

Diversion Volume

1600.0 af

1600.0 af

1600.0 af

LOCATION OF POINT(S) OF DIVERSION

BRUNO CREEK

NWNW

Sec 25 Twp 12N Rge 16E CUSTER County

PLACE OF USE: INDUSTRIAL

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	16E	12	X	X															0

PLACE OF USE: INDUSTRIAL FROM 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	16E	12	X	X															0

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	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												0
11N	17E	6		X			X												0
				L 36			L 16												0
11N	17E	6		X			X												0
				L 37			L 17												0
11N	17E	6		X			X												0

Transfer No. 78790

WATER RIGHT NO. 72-7257**As Modified by Transfer No. 78790****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		L 38 X			L 18 X												
11N	17E	6		L 39 X			L 19												
				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 72-7257, and 72-7193 when combined shall not exceed a total annual maximum diversion volume of 2916 af.
2. Rights 72-7414, 72-7193, 72-7573 and 72-7257 when combined shall not exceed a combined total of 3108.0 AF.
3. Industrial use for milling of molybdenum ore.
4. 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.
5. 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).
6. When water used under this right is discharged into the natural channel, settling ponds must be maintained which are capable of reducing the silt load to such a level that the quality will not be impaired for other beneficial uses.
7. Place of use does not include federal public lands. Unless authorized in writing by the managing federal agency.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.