

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

Boise
Idaho Falls
Pocatello
Twin Falls

Eugene C. Thomas
John W. Barrett
Richard C. Fields
John S. Simko
John C. Ward
D. James Manning
David B. Lincoln
Gary T. Dance
Larry C. Hunter
Randall A. Peterman
Mark S. Prusynski
Stephen R. Thomas
Glenna M. Christensen
Gerald T. Husch
Scott L. Campbell
Robert B. Burns

Michael E. Thomas
Patricia M. Olsson
Christine E. Nicholas
Bradley J. Williams
Lee Radford
Michael O. Roe
Nancy J. Garrett
David S. Jensen
James L. Martin
C. Clayton Gill
Michael W. McGreaham
David P. Gardner
Julian E. Gabiola
Tara Martens
Kimberly D. Evans Ross
Mark C. Peterson

Tyler J. Anderson
Jon A. Stenquist
Jason G. Murray
Rebecca A. Rainey
Paul D. McFarlane
Tyler J. Henderson
C. Edward Cather III
Andrew J. Waldera
Dylan B. Lawrence
Benjamin C. Ritchie
Matthew J. McGee
David J. Dance
Robert E. Bakes, *of counsel*
Willis C. Moffatt, 1907-1980
Kirk R. Helvie, 1956-2003

US Bank Plaza Building
101 S Capitol Blvd 10th Fl
PO Box 829
Boise Idaho 83701 0829

February 11, 2010

208 345 2000
800 422 2889
208 385 5384 Fax
www.moffatt.com

RECEIVED

FEB 12 2010

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Allen D. Merritt
Southern Regional Manager
Idaho Department of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380

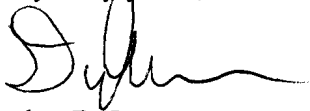
Re: Water Right Transfer No. 74254 (Thompson Creek Mining Co.)
MTBR&F File No. 18976.0012

Dear Allen:

On September 11, 2009, I sent the attached letter to Fred Price of the BLM, in order to confirm that inclusion of the BLM's suggested remark regarding the place of use would resolve BLM's protest to the above-referenced transfer application. I have not received a response to that letter from BLM. Given that more than five months have now passed since I sent that letter, it is clear that BLM has no further concerns regarding this application. Thompson Creek does not object to the inclusion of the remark suggested by BLM in the transfer approval. Therefore, please proceed with the processing of this application.

Please do not hesitate to contact me with any questions or concerns. Thank you for your attention to this matter.

Very truly yours,



Dylan B. Lawrence

DBL/llp
Enclosure
cc: Scott L. Campbell

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

Boise
Idaho Falls
Pocatello
Twin Falls

Eugene C. Thomas
John W. Barrett
R. B. Rock
Richard C. Fields
John S. Simko
John C. Ward
D. James Manning
David B. Lincoln
Gary T. Dance
Larry C. Hunter
Randall A. Peterman
Mark S. Prusynski
Stephen R. Thomas
Glenna M. Christensen
Gerald T. Husch
Scott L. Campbell
Robert B. Burns

Michael E. Thomas
Patricia M. Olsson
Christine E. Nicholas
Bradley J. Williams
Lee Radford
Michael O. Roe
Nancy J. Garrett
David S. Jensen
James L. Martin
C. Clayton Gill
Michael W. McGreaham
David P. Gardner
Julian E. Gabiola
Tara Martens
Kimberly D. Evans Ross
Mark C. Peterson
Tyler J. Anderson

Jon A. Stenquist
Jason G. Murray
Rebecca A. Rainey
Paul D. McFarlane
Tyler J. Henderson
C. Edward Cather III
Andrew J. Waldera
Dylan B. Lawrence
Benjamin C. Ritchie
Matthew J. McGee
David J. Dance

Robert E. Bakes, *of counsel*

Willis C. Moffatt, 1907-1980
Kirk R. Helvie, 1956-2003

US Bank Plaza Building
101 S Capitol Blvd 10th Fl
PO Box 829
Boise Idaho 83701 0829

208 345 2000
800 422 2889
208 385 5384 Fax
www.moffatt.com

September 11, 2009

RECEIVED

FEB 17 2010

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Fred Price
U.S. Bureau of Land Management
1387 S. Vinnell Way
Boise, ID 83442

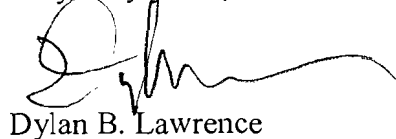
Re: Water Right Transfer No. 74254 (Thompson Creek Mining Co.)
MTBR&F File No. 18976.0012

Dear Fred:

My firm represents Thompson Creek Mining Company in the above-referenced water right transfer proceeding. On or about June 2, 2008, BLM submitted the enclosed protest letter to IDWR with respect to Thompson Creek's transfer application, suggesting language to address BLM's concerns. I have attempted to contact you on a number of occasions to confirm that inclusion of the suggested language will satisfy all of BLM's concerns regarding this application, with no responses. Therefore, I can only assume that inclusion of this language is the extent of BLM's interest in this matter. If that is not correct, then please contact me at your earliest convenience.

Thank you for your attention to this matter.

Very truly yours,



Dylan B. Lawrence

DBL/llw
Enclosure

cc: Allen Merritt
Scott L. Campbell



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Challis Field Office
1151 Blue Mountain Road
Challis, Idaho 83226
<http://www.id.blm.gov/offices/challis>



In Reply Refer To:
7250 (330)

RECEIVED
JUN 02 2008
DEPT. OF WATER RESOURCES
SOUTHERN REGION

May 15, 2008

RECEIVED
MAY 22 2008
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Idaho Department of Water Resources
Southern Regional Office
1341 Fillmore St., Suite 200
Twin Falls, Idaho 83301-3380

Idaho Department of Water Resources:

The Bureau of Land Management (BLM) is hereby protesting Water Right **Application for Transfer No. 74254**, filed by the Thompson Creek Mine.

This application proposes to add a Point of Diversion in the NENE of Township 11 North, Range 16 East, Section 12 in Custer County. This legal land description contains both public (BLM) land and private land.

The following remark should be added to water right 72-7414 under the Place of Use before approval of Transfer No. 74254: The Place of Use Does Not Include Federal Public Lands.

If you have any questions regarding this matter please contact Alan Bittner at (208) 756-5423.

Sincerely,

David Rosenkrance
Field Manager

Receipt # 5030226
6/2/08
JJ