



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 21, 2005

SCOTT L CAMPBELL
MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD
PO BOX 829
BOISE ID 83701-0829

Re: **REVISED LETTER** - Permits nos. 72-7551 and 72-7573, in the name of
Thompson Creek Mining Co.

Dear Mr. Campbell:

On November 21, 2005, the Idaho Department of Water Resources (the Department) sent you a letter, as counsel of record for Thompson Creek Mining Co. That letter contained information that was unclear. Therefore, please remove the previous letter and substitute this one.

The records of the Department show that you are the attorney for Thompson Creek Mining Co., holder of permits to appropriate water nos. 72-7551 and 72-7573 describing a point of diversion in the Salmon River Basin. In October 1999, a moratorium order issued by the Director of the Department suspended development of water authorized by your permit. Recently, the Director of the Department issued an order rescinding the moratorium, and allowing continued development and beneficial use of water authorized by existing permits.

Enclosed are two orders related to rescission of the moratorium. The first order, titled *Order Rescinding Salmon-Clearwater Moratorium and Wilderness Moratorium*, allows resumption of the permitted development of beneficial use of water that was suspended when the moratorium was ordered. The second order, titled *Preliminary Order Establishing Due Dates for Proof of Beneficial Use*, determines the proof of beneficial use date for each individual permit that was affected by the moratorium order. The proof due dates for these permits are as follows: 72-7551 is **11/1/2009**, and 72-7573 is **10/1/2006**. The method for calculating the new proof due dates are explained in the two orders, and can be calculated by referring to Attachment A affixed to the *Preliminary Order Establishing Due Dates for Proof of Beneficial Use*.

Approximately sixty (60) days before the date proof of beneficial use is due, you will receive notice from the Department that your client must have completed the use of water authorized and that you must file the proof of beneficial use form. Alternatively, you may seek an extension of time to file proof of beneficial use. If you have not previously received an

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extension of time to file proof of beneficial use, the law allows the Department to approve one extension of time for good cause. Requests for additional extensions must satisfy narrow criteria to be approved.

A document titled "Statement of Available Procedures and Applicable Time Limits" is attached to the *Preliminary Order Establishing Due Dates for Proof of Beneficial Use*. The document explains procedures you must follow if you want to request a hearing for, or challenge the preliminary order.

A document titled "Explanatory Information to Accompany a Final Order" is attached to the *Order Rescinding Salmon-Clearwater Moratorium and Wilderness Moratorium*. The document explains procedures you must follow if you want to request a hearing for, or challenge the final order of the Director of the Department.

If you have questions, please call Deborah Gibson at (208) 287-4942.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Spackman". The signature is fluid and cursive, with a large initial "G".

Gary Spackman, Chief
Water Allocations Bureau

Enclosures