



7207414
SOUTH BUTTE
SUB SITE

Galigher ASH

440 WEST 800 SOUTH

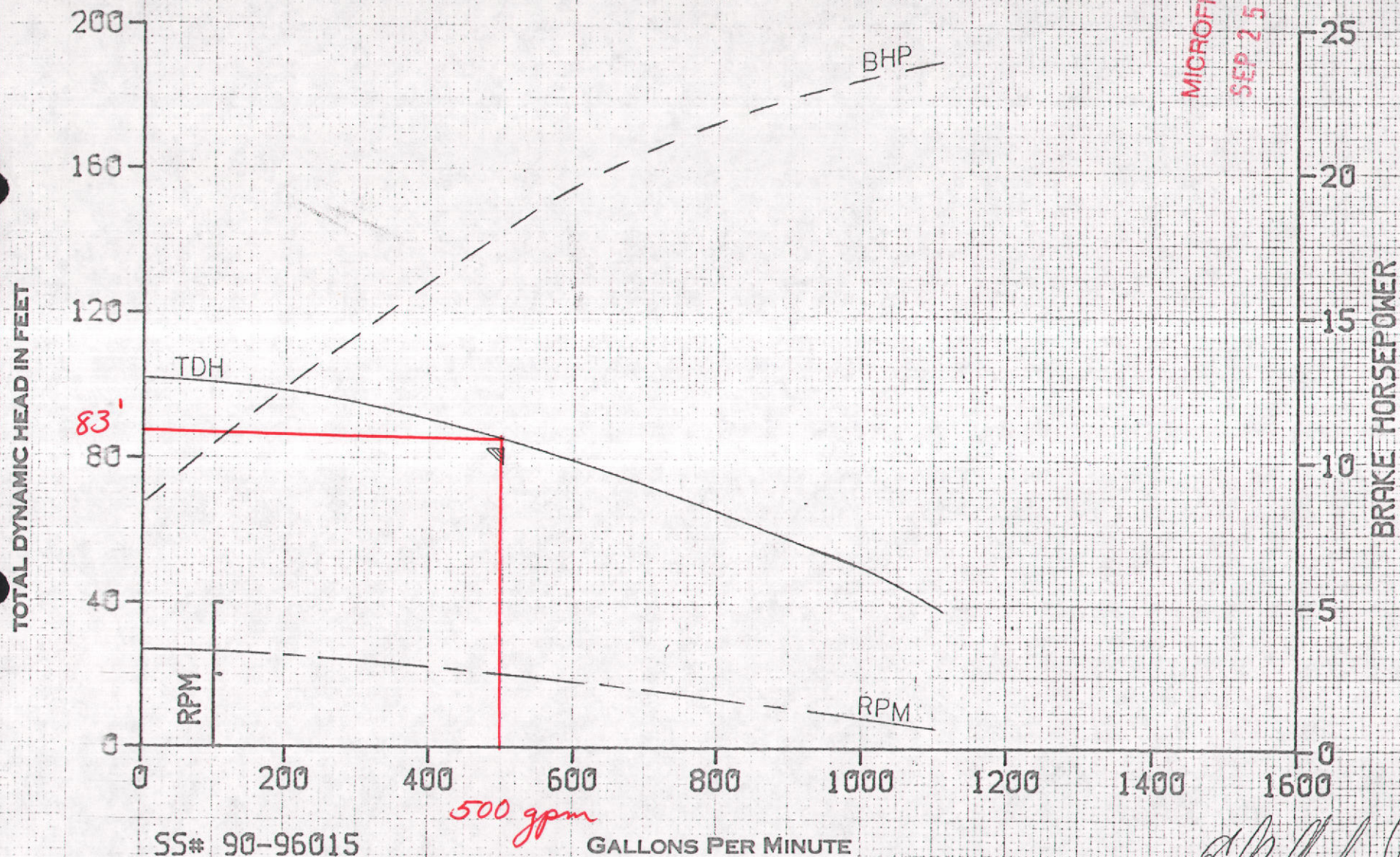
P.O. BOX 209

72-7414

SALT LAKE CITY, UTAH 84110

BUYER: CYPRUS MINES CORP. P.O.# 88265

USER: CYPRUS MINES CORP.

MICROFILMED
SEP 25 2001

SS# 90-96015

1.0 S.G.

GALLONS PER MINUTE

TEST CERTIFIED BY

E. P. Shepherd

S/N SU90-166

DATA BY: E. P. SHEPHERD

DRAWN BY: COMPUTER

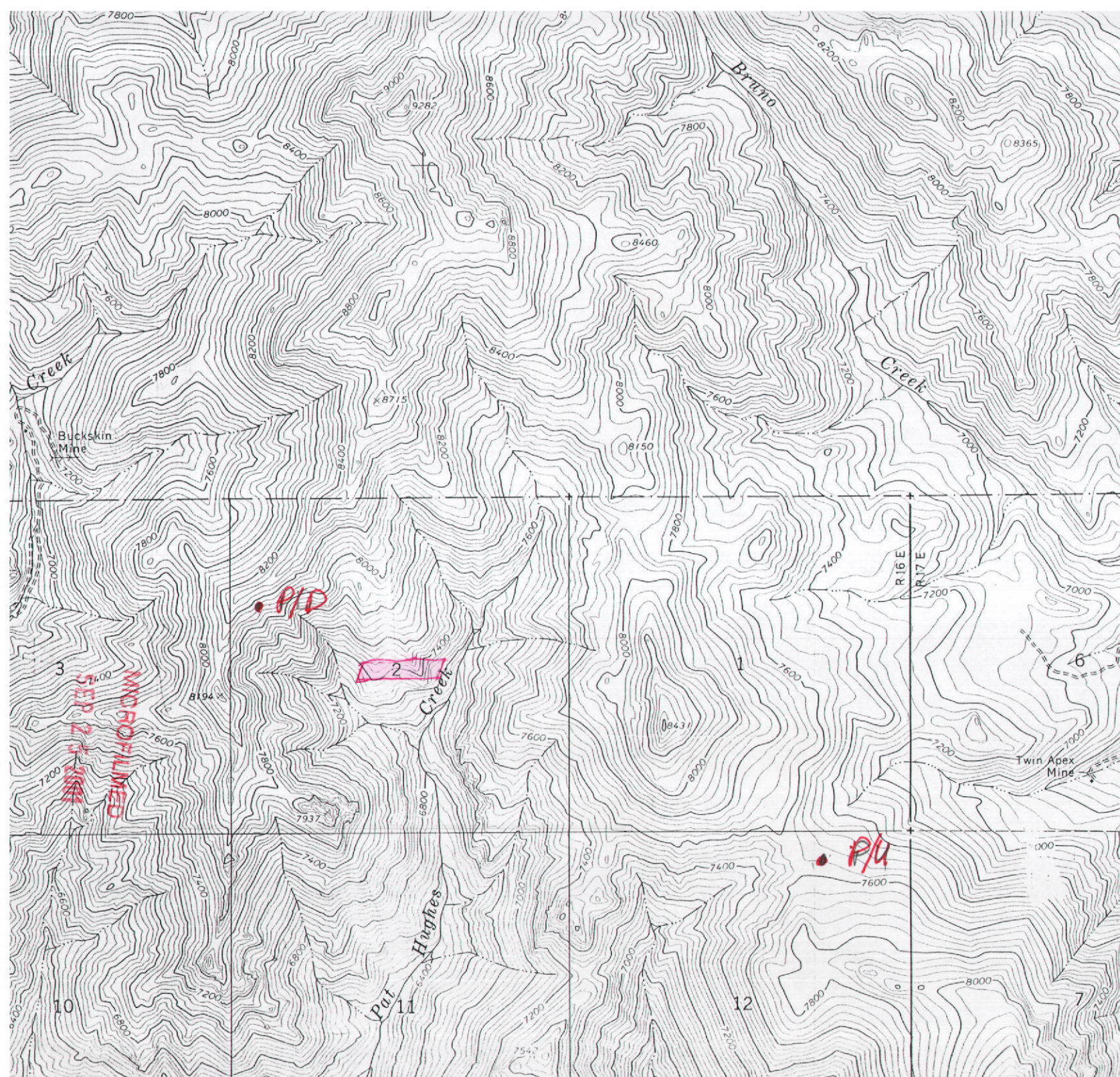
DATE: AUG. 21, 1990

SUBMERSIBLE PUMP

MODEL: 4-SUN5-MA7300

IMPELLER: 9.5" H-C TRIM

PERF. CURVE# 3393-A



4912
20' S2-T11N-R16E
72-7414

4911
T. 11 N.
4910
4909
4908
(CLAYTON)
3172 IV SW

72-7414



#5-

24" pipe and 8" pipe
from mill site and
holding tank to the tailing
pond.



#6.

Tailing pond

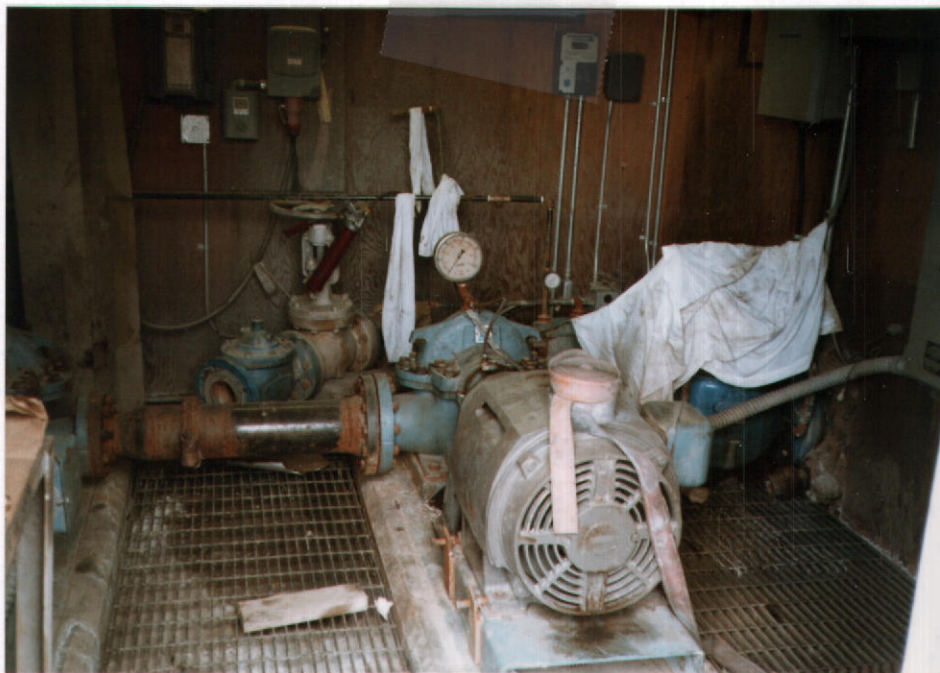
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72-7414



#3

Booster station
and collection
tank.



#4

One of two
booster pumps

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72-7414



#1 P1D

Pump and motor
located in mining
pit sump.



#2.

Discharge pipe
going from sump
to booster station

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72-7414



7. P14
Mill site

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SEP 25 2001

CHECK REQUEST

Cyprus Minerals Company

Date of Request 1/19/91		Send Attachment With Check ☐		Date Check Required 1/16/91		Use Same Date On Check ☒		Location Thompson Creek	
Company CYPRUS MINERALS		Name State of Idaho Dept. of Water Res.		Business Associate No.		SEND CHECK TO (if other than Payee)		Name	
Address statehouse		Employee Soc. Sec. No.						Mail Code or Room No.	
City, State, Zip Code Boise Idaho 83720								Location and/or Telephone No.	
CHECK AMOUNT	Write Amount in Numbers 175.00		(Write Amount in Words) one hundred seventy five and 00/100						
CHARGE TO		Department ENVIRONMENTAL		Account Number 540-27					
PURPOSE OF PAYMENT		License examination fee for water right pertaining to pit dewatering system.							
Briefly describe material, service or other reason for expenditure.		MICROFILMED							
☐ "X" if to be printed on check stub, and limit description to 240 characters and spaces.		please type rec permit # p-72 07414							
		MAR 21 1991							
Prepared By (Print Legibly) David Bergery		Date 1/14/91		Approved By (Legible Signature, No Initials) David T. Bergery				Date	
DISPOSITION: Original to Accounts Payable, Retain Copy.									
Form 20-1003 (6-85)									

See Instructions on Reverse Side

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Margaret Parks.....

Publisher of the Challis Messenger,
a weekly newspaper, published at
Challis, Idaho, do solemnly swear
that the notice hereto attached and
made a part hereof, was published
in the regular and entire issue of
the Challis Messenger for 2.....

consecutive weeks, commencing with
the issue dated Sept. 1.....

19. 88 and ending with the issued
dated Sept. 8..... 19. 88

Margaret Parks

Subscribed and sworn to before
me this 9th day of Sept......
19. 88

Evel M. Peck

Notary Public, residing at Challis,
Idaho. My commission expires on

3-21-92

OK MB
10/26/88

NOTICE OF APPLICATION
FOR WATER RIGHT

2-07414

The Following application(s)
have been filed to appropriate the
public waters of the State of Idaho:

CYPRUS THOMPSON CREEK
MINING COMPANY

C/O BERT DOUGHTY, P.O. BOX
62, CLAYTON, ID 83227

Source: GROUNDWATER

Diversion Pt: NESWNW Sec 2 T
11N R 16E; Custer County; 3 miles
North & 9 miles East of Sunbeam.

Use: INDUSTRIAL (4,000 CFS)

Date Filed: 7/28/1988

In: T11N R16E S12 NWNE

The permit(s) will be subject to
all prior water rights. Protests
must be filed with the Director,
Dept. of Water Resources, South-
ern Region, 2148 4th Avenue East,
Twin Falls, Idaho 83301 on or before
SEPTEMBER 19, 1988.

R. Keith Higginson, Director
Pub: Sept. 1 & 8, 1988.

RECEIVED

SEP 12 1988

Department of Water Resources
Southern Region Office

MICROFILMED

SEP 25 1989

State of Idaho
Department of Water Resources
Water Right License

AMENDED

AMENDED

WATER RIGHT NO. 72-07414

Priority: July 28, 1988

Maximum Diversion Rate: 1.11 CFS
Maximum Diversion Volume: 803.6 AF

It is hereby certified that THOMPSON CREEK MINING CO
C/O BERT DOUGHTY
PO BOX 62
CLAYTON ID 83227 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated July 28, 1988; and has
submitted Proof of Beneficial Use on January 18, 1991. An examination indicates that the works have a
diversion capacity of 1.11 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE
INDUSTRIAL

PERIOD OF USE
1/01 to 12/31

DIVERSION RATE
1.11 CFS

**ANNUAL
DIVERSION VOLUME**
803.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 2, Twp 11N, Rge 16E, B.M. CUSTER County

PLACE OF USE: INDUSTRIAL

Twp	Rge	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															

CONDITIONS OF APPROVAL

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

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State of Idaho
Department of Water Resources
Water Right License

AMENDED

AMENDED

WATER RIGHT NO. 72-07414

5. 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 of water will not be impaired for other beneficial uses.
6. Water used under this right when discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
7. This right is subject to the agreement dated April 26, 1989 between right holder and protestant(s) to the extent such agreement covers matters within the jurisdiction of the Department of Water Resources.
8. Industrial use is for the milling of molybdenum ore.
9. This right when combined with rights 72-07193 and 72-07257 is limited to a total combined annual diversion volume of 3108.0 af.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 16TH day of April, 2001.

Acting for


KARL J. DREHER
Director

MICROFILMED

SEP 25 2001

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PETITION TO)
CORRECT WATER RIGHT LICENSE)
NO. 72-7414)
_____)

**PRELIMINARY ORDER
AMENDING LICENSE**

This matter having come before the Department of Water Resources (Department) as a result of the filing of a petition to correct a water right license, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On May 26, 1995, the Department issued Water Right License 72-7414 to Thompson Creek Mining Company with Approval Condition No. 8 as follows:

This right when combined with rights 72-07193 and 72-07257 is limited to a total combined diversion volume of 2916.0 af.

2. On July 5, 2000, Thompson Creek Mining Company (petitioner) by and through its attorneys of record Elam & Burke, P. A., filed a petition to amend Water Right License 72-7414 (license) by modifying Approval Condition No. 8 on the license.
3. The petitioner asserts in the petition that the combined volume limit established in Approval Condition No. 8 on the license does not reflect the maximum combined annual diversion volume actually diverted and beneficially used under water rights 72-7193, 72-7257, and 72-7414. Instead, the petitioner asserts that the total combined annual volume of 2916.0 af under water rights 72-7193, 72-7257, and 72-7414 should be the combined *consumptive use* limitation, not the combined diversion limitation.
4. The Department does not regularly include a consumptive use limitation on a water right licenses because such a limitation is not valuable for the day-to-day administration of a water right.
5. In response to the petition, the Department agreed to determine if the total combined annual diversion volume limitation under water rights 72-7193, 72-7257, and 72-7414 should be corrected.

6. The authorized development period for Water Right 72-7414 ended on January 18, 1991, which is the date that proof of beneficial use was submitted for the permit.
7. The petitioner has indicated to the Department that it has no records showing the volume of water diverted and put to beneficial use during the authorized development period for Water Right 72-7414.
8. At the request of the Department, and in support of the petition to amend Water Right License 72-7414, the petitioner submitted records showing the volume of water diverted under water rights 72-7193, 72-7257, and 72-7414 for the years 1991 through 1998.
9. Department staff analyzed the information submitted by the petitioner and concluded that in 1995 the petitioner diverted and put to beneficial use under water rights 72-7193, 72-7257, and 72-7414 a total combined annual diversion volume of 3108 acre feet of water.
10. The total combined annual volume of 2916.0 af in Condition No. 8 on Water Right License 72-7414 is an estimate, not a summation of actual diversion records.

CONCLUSIONS OF LAW

1. Under the provisions of §42-219, *Idaho Code*, the Department has a duty to issue a water right license for the beneficial use of water developed in accordance with a valid permit and in compliance with Idaho law.
2. When no information is available for the period of water use in question, it is reasonable to use information from another period of time that is representative of the period in question. The period 1991 through 1998 is representative of the water use water right 72-07414 during the authorized development period.
3. The license does not accurately portray the beneficial use of water developed by the petitioner in accordance with Permit 72-7414.
4. The Department should modify Approval Condition No. 8 on the license.

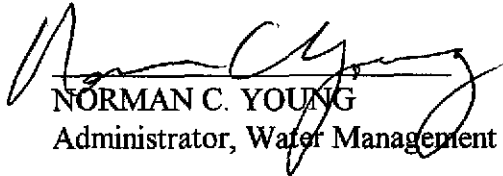
ORDER

IT IS HEREBY ORDERED that Approval Conditions No. 8 on Water Right License 72-7414 is **CORRECTED** to read as follows:

This right when combined with rights 72-07193 and 72-07257 is limited to a total combined annual diversion volume of 3108.0 af.

IT IS FURTHER HEREBY ORDERED that an Amended Water Right License showing the corrected condition shall be issued in conjunction with this order.

Dated this 16TH day of APRIL, 2001.


NORMAN C. YOUNG
Administrator, Water Management Division

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	72-07414	Cyprus Thompson Creek Mining Co.	4.00
Full Assignment	72-07414	N.M. Rothschild & Sons Ltd.	4.00

RECEIVED

APR 20 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 72-07414

Priority: July 28, 1988

Maximum Diversion Rate:

1.11 CFS

Maximum Diversion Volume:

803.6 AF

This is to certify, that N M ROTHSCHILD & SONS LTD

NEW COURT

ST SWITHINS LN

LONDON ENGLAND UK C4U 4-DU

has complied with the terms and conditions

of the permit, issued pursuant to Application for Permit dated July 28, 1988; and has submitted Proof of Beneficial Use on January 18, 1991. An examination indicates that the works have a diversion capacity of 1.110 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
INDUSTRIAL	01/01 to 12/31	1.11 CFS	803.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 2, Township 11N, Range 16E
CUSTER County

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

11N 16E 12

NWNE

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. 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 of water will not be impaired for other beneficial uses.
6. Water used under this right if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.

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SEP 25 2001

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

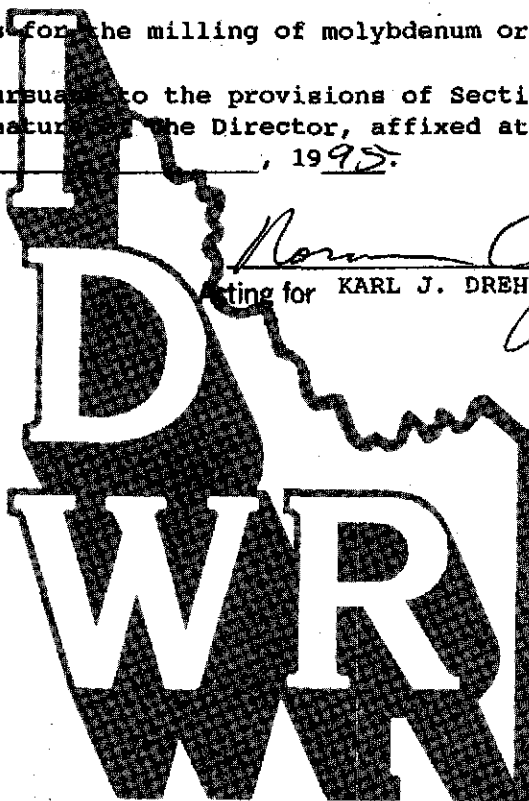
WATER RIGHT NO. 72-07414

CONDITIONS/REMARKS:

7. This right is subject to the agreement dated April 26, 1989 between right holder and protestant(s) to the extent such agreement covers matters within the jurisdiction of the Department of Water Resources.
8. This right when combined with rights 72-07193 and 72-07257 is limited to a total combined annual diversion volume of 2916.0 af.
9. Industrial use is for the milling of molybdenum ore.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 26TH day of MAY, 1995.


acting for KARL J. DREHER, Director



State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

CYPRUS THOMPSON CREEK
X, MINING CO., hereby assigns to N M ROTHSCHILD & SONS, LIMITED
of New Court, St. Swithin's Lane, London. England C4P 4DU, United Kingdom
Address

CHECK ONE

☒ All ~~my~~ ^{of its} right, title, and interest in and to Permit No. 72-07414
to appropriate the public waters of the State of Idaho. *

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

* This assignment is given as collateral security for a
loan to be secured by a mortgage from Assignor to Assignee
covering the real property described in said permit.

Made this 27th day of January, 19 94.

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FEB 23 1994

Department of Water Resources

CYPRUS THOMPSON CREEK MINING CO.
Permit Holder

By:

J. Murney
President

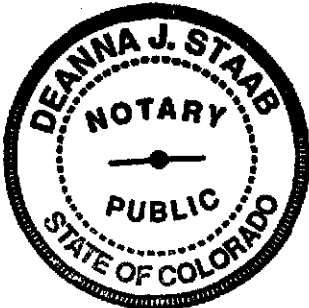
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APR 20 1994

STATE OF COLORADO)
City of Denver) ss.
County of Denver)

On this 37th day of January, 199⁴, before me,
Deanna J. Staab, a Notary Public in and for said
State, personally appeared F. Steven Mooney, known
or identified to me to be the President of CYPRUS THOMPSON
CREEK MINING CO., the corporation that executed the within
instrument or the person who executed the instrument on behalf of
said corporation, and acknowledged to me that such corporation
executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year in this certificate first
above written.



Deanna J. Staab
Notary Public for Colorado
Residing at 1625 Broadway, #1600
My commission expires 10/28/95

NOT RECORDED

APR 20 1994

RECEIVED
JAN 18 1991

No 8 enclosed
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 72 07414 Telephone No. (208) 838-2200

Name(s) of Permit Holder(s): Cyprus Thompson Creek Mining Company

Post Office Address: P.O. Box 62, Clayton, ID 83227

Source of Water: Groundwater

If ground water, well driller's name: (Sump collection) Date ^{drug} ~~drilled~~: 11/88

Extent of Use:
Domestic _____ (No. of households) Irrigation _____ (No. of acres)
Stockwater _____ (No. and type of stock) Other Industrial

Total rate and/or volume for which proof is submitted 4 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 11/88

One of the following may be a condition of approval of your permit:

Measuring device: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

OR

Flow Measurement Port: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

Fee Enclosed: \$ 175.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Bert Doughty or Dave Bergey
Name

(208-838-2200)
Telephone No.

P.O. Box 62 Clayton, ID 83227

Address

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

1/16/91
Date

Bert Doughty, Supervisor, Env. Affairs
Signature (and title if on behalf of a company or organization)

check sent 1/15/91, separate from this form. contacted Glen Barton on this. D. Bergey, CTC.

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 72-07414

Proposed Priority: July 28, 1988

Maximum Diversion Rate:

4.00 CFS

This is to certify, that **CYPRUS THOMPSON CREEK MINING CO.**
P.O. BOX 62
CLAYTON, ID 83227

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

INDUSTRIAL

01/01 to 12/31

4.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

NESWNW

Sec. 2, Township 11N, Range 16E
CUSTER County

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

11N 16E 12

NWNE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 1991.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
5. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
6. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
7. In the event that water used under this permit should be discharged into a natural channel, settling ponds will be required which are capable of reducing the silt load to such a level that the quality of the water would not be impaired for other beneficial uses.
8. Water used under this permit if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
9. This permit is subject to the agreement dated April 26, 1989 between permit holder and protestant(s) to the extent such agreement covers matters within the jurisdiction of the Department of Water Resources.

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SEP 23 1989

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 72-07414

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

20th day of September, 1989.

for J. M. Saylor
R. Keith Higginson, Director



MICROFILMED

SEP 25 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

72-07414
RECEIVED

JUL 29 1988

To appropriate the public waters of the State of Idaho Department of Water Resources
Southern Region Office

1. Name of applicant Cyprus Thompson Creek Mining Company Phone 208 838-2200
Post office address P.O. Box 62 Clayton, ID 83227

2. Source of water supply Ground water (open pit drainage) which is a tributary of _____

3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 2 Township 11N Range 16E B.M. Custer County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 4 cfs for industrial purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 4 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pipeline from sump in open pit
mine to freshwater head tank at mill for use in milling molybdenum ore.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 90°F being sought? _____

7. Time required for the completion of the works and application of the water for the proposed beneficial use is
2 years (minimum 1 year).

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SEP 25 1989

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. Molydenum ore milling; haul road watering

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11N	16E	12		I															

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. see section 12

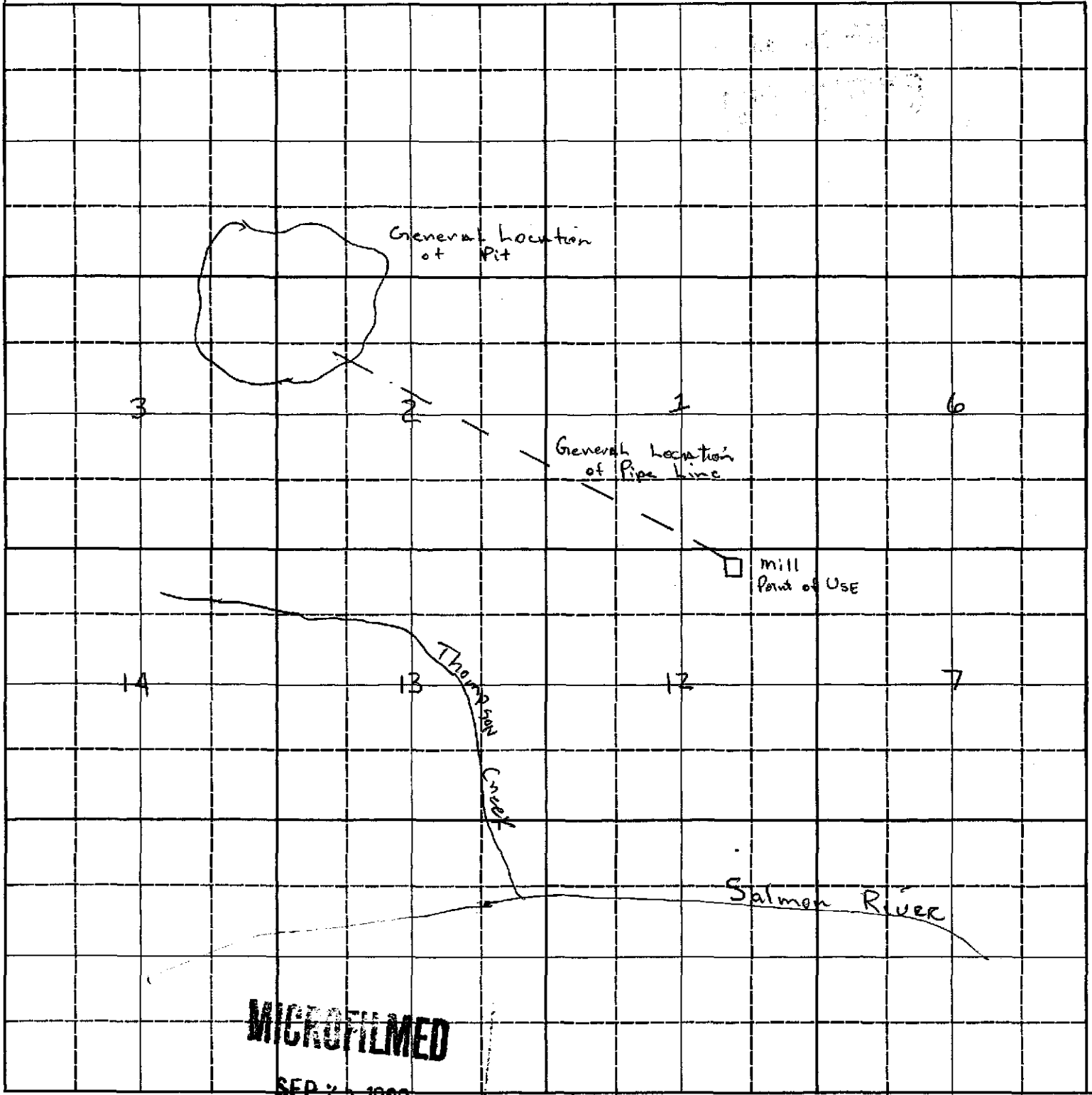
- Who owns the property at the point of diversion? Applicant
- Who owns the land to be irrigated or place of use? Applicant, FS, BLM
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Mining claims

12. Remarks: Applications for appropriation of water for use on this property have been made and approved. Approximately 30 cfs from the Salmon River, decree #72-7193 and 1600 cfs from the tailings impoundment decree #72-7257 have been approved. This application is for ground water seeping into an openpit mine. This water should reduce the amount of water used on decree #72-7193.

RECORDED

SEP 20 1989

2 16 E. 13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

T11 H

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Cyrus Thompson Creek Mine by
Bat Doughty
(Applicant)
Environmental Engineer

Received by M. Baldwin Date 7/28/88 Time 10:00 Preliminary check by J. F. Stanton
Fee \$ 105.00 Receipted by M. Baldwin # 5001482 Date 8/16/88
Publication prepared by M. Baldwin Date 8/16/88 Published in Challis Messenger
Publication approved M. Baldwin Date 10/26/88

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

MICROFILMED

SEP 25 1989

Cyprus Thompson Creek

Post Office Box 62
Clayton, Idaho 83227
Telephone (208) 838-2200

RECEIVED

September 15, 1988

SEP 19 1988

Department of Water Resources
Southern Region Office

Mr. Loren Holmes
Manager, Southern Region
Department of Water Resources
2148 4th Avenue East
Twin Falls, ID 83301

Dear Mr. Holmes:

Enclosed you will find a list of the Board of Directors and Cyprus officers for Cyprus Minerals Company. I am not at liberty to give out their personal addresses but each can be reached through our Corporate Office in Denver, Colorado. The address is as follows:

Cyprus Minerals Company
7200 South Alton Way
P.O. Box 3299
Englewood, CO 80155
(303) 740-2222

I hope this is sufficient information to complete the processing of our water right (#72-07414) application.

Sincerely,



Bert Doughty

BD:bw

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CYPRUS

CYPRUS BOARD OF DIRECTORS

John C. Duncan
Chairman of the Board;
Former Chairman and Chief Executive
Officer of St. Joe Minerals Corporation

Kenneth J. Barr
President and Chief Executive Officer
of Cyprus Minerals Company

Chester B. Stone, Jr.
Executive Vice President and Chief
Financial Officer of Cyprus
Minerals Company

George S. Ansell
President of Colorado School of Mines

Calvin A. Campbell, Jr.
President and Chief Executive Officer
of Goodman Equipment Corporation

James J. Kerley
Former Vice Chairman of Emerson
Electric Company

Michael A. Morphy
President of MorMarketing, Inc

Vernon F. Taylor, Jr.
President of Westhoma Oil Company

Phillip C. Walsh
Former Vice Chairman of St. Joe Minerals
Corporation

Thomas V. Falkie

CYPRUS OFFICERS

(Members of the Cyprus
Management Committee)

Kenneth J. Barr
President and Chief Executive Officer

Chester B. Stone, Jr.
Executive Vice President and Chief
Financial Officer

Donald P. Bellum
Executive Vice President,
Coal and Industrial Minerals

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Department of Water Resources
Southern Region Office

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SEP 25 1989

Page 2

James C. Compton
Executive Vice President
President, Cyprus Metals Company

H. T. Mulyran
Senior Vice President, Marketing,
Corporate Administration and
Human Resources

Donald P. Brown
President, Cyprus Coal Company

Phillip C. Wolf
President, Cyprus Industrial
Minerals Company

Dermis C. Haugh
Vice President and Treasurer

Kevin Loughrey
General Counsel and Corporate Secretary

Gerald J. Malys
Vice President and Corporate Controller

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Department of Water Resources
Southern Region Office

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SEP 25 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

April 16, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ANGELA SCHAER
ELAM & BURKE
PO BOX 1539
BOISE ID 83701

RE: Water Right License 72-7414

Dear Angela:

The Department of Water Resources (the Department) has issued the enclosed order amending Water Right License 72-7414. The order is a preliminary order issued by the Department pursuant to §67-5243, *Idaho Code*. The preliminary order can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described in the enclosed information sheet.

If you have questions, please contact me at (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

Enclosure

Cc: Thompson Creek Mining Co.
Nick Spencer, IDWR Adjudication Bureau

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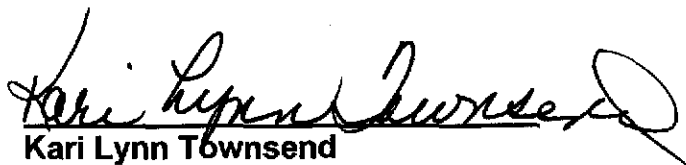
SEP 25 2001

CERTIFICATE OF MAILING

I hereby certify that on the 17th day of **April, 2001**, I mailed a true and correct copy, certified, postage prepaid, of the foregoing **PRELIMINARY ORDER** to the person(s) listed below:

**RE: Preliminary Order in the Matter of Petition to Correct
Water Right License 72-7414**

**ANGELA SCHAER
ELAM & BURKE
PO BOX 1539
BOISE ID 83701**


**Kari Lynn Townsend
Secretary**

**MICROFILMED
SEP 25 2001**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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APR 16 2001

Department of Water Resources

ANGELA D. SCHAEER

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
208-384-5844

April 13, 2001

Shelly Keen
Idaho Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83720

Re: Motion to Amend Licenses on behalf of Thompson Creek

Dear Shelly:

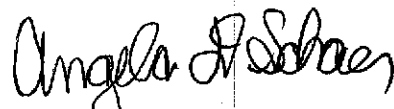
The purpose of this letter is to confirm the telephone conversation which we had on Friday, April 13, 2001. I had left you a detailed voice mail message indicating the my clients had reviewed the draft report which you prepared regarding the above-referenced matter. My clients found the table set forth in that report to be accurate, and further decided that the proposed volume limitations discussed in the draft report would be acceptable. Therefore, I left a voice mail message for you inquiring as to timing of the resolution of this matter.

When you and I spoke directly, you indicated that you would give this matter your attention, and hoped to actually have the report finalized and the pertinent order completed by April 20, 2001. Certainly, I understand that certain matters may arise which may delay issuance of the order by a short period of time, but both my clients and I appreciate your prompt attention.

If this letter does not accurately reflect our conversation, please let me know at your earliest convenience. In the meantime, thank you for your hard work and attention to this matter.

Very truly yours,

ELAM & BURKE
A Professional Association


Angela D. Schaer

ADS/ln
cc: Kevin Loughrey
Bert Doughty

MICROFILMED
SEP 25 2001

MEMORANDUM

DATE: April 16, 2001

TO: Norm Young

FROM: Shelley W. Keen *(SWK)*

RE: Cyprus Thompson Creek Mining Co.

On July 25, 2000, Cyprus Thompson Creek Mining Co., through attorney Scott Campbell, submitted a motion to amend Water Right License 72-7414. Cyprus would like IDWR to change the condition limiting the annual diversion volume, when combined with rights 72-7193 and 72-7257, to an annual consumptive volume limit for all three rights combined. The limit is set at 2916 acre-feet per year. IDWR does not put an annual consumptive volume limit on its water right licenses because such a limit would not be valuable for administration of the water right. IDWR, does however, use annual diversion volume limits to facilitate water right administration. Therefore, we agreed to review the annual diversion volume limit to determine if it is consistent with the historic water use by Cyprus at the Thompson Creek mine.

At IDWR's request, Cyprus submitted water diversion data for 1991 through 1998. The authorized development period for Permit 72-7414 ended in January of 1991, but IDWR agreed to review the data anyway because it is the only data available. The reports submitted by Cyprus list a number of distribution points in the Cyprus system. After some discussion with Cyprus, we determined that the water input figures are listed under RIS to Pond, Pit De-Water, and Fresh Water. RIS to Pond is the diversion from Bruno Creek under Water Right 72-7257. Fresh Water is the diversion from the Salmon River under Water Right 72-7193. Pit De-Water is the diversion of ground water under Water Right 72-7414.

With Jeff's help, I summarized the data in my own spreadsheets, which I have attached. The data show that the maximum volume of water diverted under the three water rights combined was 3108 acre-feet in 1995. That is 7% greater than the combined limit of 2916 acre-feet listed as a condition on water right 72-7414. The totals in the remaining years are far below 2916 acre-feet.

As you suggested, I attempted to compare the water diverted to the amount that was consumed in the mining process. My calculations assume that 35% of the concentrated ore is water, as Cyprus suggested. The consumption figure also includes evaporation from the tailings pond and the seepage return pond. Because the size of the tailings pond is a moving target, I did two sets of

Memo Re: Cyprus Thompson Creek Mining Co.
March 14, 2001
Page 2 of 2

calculations. One set assumes the maximum potential size of the tailings pond -- 310 acres. The second set of calculations assumes the tailings pond to be 95 acres, which is still probably in excess of historic proportions.

Under the first set of calculations, the amount of water consumed consistently exceeded the amount of water diverted. The difference is almost certainly due to the 310-acre pond size, which is far larger than has been attained historically. Similarly, the amount of water consumed appears to exceed the annual volume limit of the water rights by as much as 13%. Dave Hollingshead said the tailings pond is unlikely to ever actually reach a size of 310 acres, so I would not rely too heavily on the first set of calculations.

Under the second set of calculations, the volume consumed tends to exceed the volume diverted by a small amount, but the water consumed never exceeds the annual volume limit on the water right. The pond size is probably inflated in this example also.

Finally, I compared the use of water from the two surface water sources, Bruno Creek and the Salmon River, to the total annual diversion volume. In some years the surface water contributes nearly 100% of the total volume used, but it never reaches more than 88% of the total annual volume authorized under the water rights. From this I conclude that an annual volume limit of 2916 acre-feet for the two surface water rights, as licensed and recommended for decree in the SRBA, is adequate. The most ground water ever used was 555 acre-feet in 1995, which is the only year that the three rights combined exceed the 2916 acre-foot limit for the water rights. The total in 1995 was 3108 acre-feet.

Based on this analysis of the data, and assuming that it is representative of operations during the authorized development period for right 72-7414, I conclude that a combined annual volume limit of 2916 acre-feet is appropriate for rights 72-7193 and 72-7257 combined. I also conclude that the combined limit for rights 72-7193, 72-7257, and 72-7414 could be raised to 3108 acre-feet by adjusting the combined limit condition on Water Right License 72-7414.

Summary of Data Submitted for Water Right 72-7414

4/16/01

Annual Volume of Water Diverted for Thompson Creek Mine (all units in gallons unless otherwise noted)

Year	Water Source	January	February	March	April	May	June	July	August	September	October	November	December	Total for Year	Total for Year (all sources)	Total for Year (all sources) acre-feet
1991	Salmon River	66294000	63774000	27469000	27488000	4977000	6127000	6735000	11046000	6983000	6591000	38193000	25742000	291419000		
	Bruno Creek	370440	842780	1097280	2570400	180936000	88284879	11059820	428544	1032480	921180	852824	1051800	289448427		
	Ground Water	2246400	5878100	6408550	6227550	8437500	0	0	0	0	721000	247800	1485000	31651900	612519327	1880
1992	Salmon River	35742000	35070000	64587000	56448000	23982000	56133000	89817000	100149000	83387000	105966000	55100000	35532000	741913000		
	Bruno Creek													0		
	Ground Water	176580	1053450	3334500	5836250	6423300	7223850	4202200	2956500	1769050	2214000	4807550	10759500	50756730	792669730	2433
1993	Salmon River	0	0	0	0	0	0	0	0	0	0	0	0	0		
	Bruno Creek													0		
	Ground Water	8454350	5536250	6710850	7330500	18455150	0	0	0	4498850	4387500	1431000	3645000	60449450	60449450	186
1994	Salmon River	0	0	1800000	14940000	0	12600000	66240000	46080000	18720000	133560000	126180000	100980000	521100000		
	Bruno Creek													0		
	Ground Water	0	0	2052	9828	11340	8668	7830	14958	14634	12204	20250	8316	110080	521210080	1600
1995	Salmon River	122040000	68060000	70040000	43560000	45720000	48060000	62820000	62640000	69280000	78880000	68500000	64240000	803840000		
	Bruno Creek	379440	645120	758880	927360	16200000	0	2233440	0	3024000	1294560	950400	1562400	27975600		
	Ground Water	11412000	10044000	10728000	22428000	17784000	21960000	8424000	18828000	13284000	23040000	10800000	12348000	181080000	1012895600	3108
1996	Salmon River	100720000	84420000	75060000	38340000	44640000	27360000	34560000	29880000	37260000	44020000	41760000	70380000	628400000		
	Bruno Creek	379440	618048	754416	3207600	0	0	234432	3539952	3378240	1236528	1304640	1066896	15720192		
	Ground Water	6660000	12600000	2232000	16524000	12708000	6012000	11160000	14040000	10980000	5580000	812000	864000	100172000	744292192	2284
1997	Salmon River	61740000	107460000	31140000	37800000	25740000	11880000	35460000	55820000	78200000	88280000	28880000	25380000	587780000		
	Bruno Creek	1874880	443520	648000	846720	0	15120000	17573760	8258400	3369600	3526560	1814400	1116000	54591840		
	Ground Water	12780	2884	26804	21024	76392	55404	29378	15516	11304	0	0	0	251486	642623326	1972
1998	Salmon River	55980000	33840000	48800000	62100000	45720000	42840000	53820000	72720000	56340000	69460000	80300000	79380000	701300000		
	Bruno Creek	1425600	725760	848160	1771200	26392320	43156800	21248640	8526240	1987200	2187360	1339200	957600	110566080		
	Ground Water	972	4716	16128	17712	44820	58716	38880	14040	31320	22572	13880	6012	269768	812135848	2492

Bruno Creek = RIS System

Ground Water = Pit De-Watering

Salmon River = Fresh Water

Note: Data utilized are based on best attempt to interpret from copies provided. Data for some years was not used due to unknown units

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SEP 25 2001

Annual Ore Production for Thompson Creek Mine

Year		January	February	March	April	May	June	July	August	September	October	November	December	Total for Year	Water Consumed (gallons)	Water Consumed (acre-feet)
1991	Tonnage	663234	569872	538126	590452	0	0	0	0	0	0	803694	804780	3970158	333027034	1022
1992	Tonnage	804780	884911	950979	535733	575427	586800	709526	705697	724409	705100	663611	419043	8266016	693374620	2128
1993	Tonnage	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1994	Tonnage	0	0	219510	378670	406105	438097	514584	468211	636670	633647	635269	676030	5006793	419982636	1289
1995	Tonnage	753727	675800	747111	584737	711133	657793	822373	665883	588658	672368	707721	734431	8301735	696370821	2137
1996	Tonnage	710353	632568	580837	690370	796383	725416	785732	647040	623082	768581	728983	750556	8439901	707960539	2173
1997	Tonnage	695024	624872	637768	727015	775077	718458	730305	691589	711240	773677	668385	760272	8513682	714149479	2192
1998	Tonnage	703605	660270	986099	900089	949447	897081	795371	737338	630095	486936	491566	487085	8724982	731873865	2246

Comparison of Diversion to Consumption (Pond area is 315 acres and evaporation is 3.3 acre-feet per acre.)

Year	A: Total Diverted	B: Water Consumed in Ore Prod.		C: Potential Evap. from Ponds	D: Total Evap. and Consumed	D/A = % of Total Diverted	D/2916 = % of Water Right Consumed		A/2916 = % of Water Right Diverted	
		Prod.					Right Consumed		Right Diverted	
1991	1880	1022	1040	2062	110%	71%	64%			
1992	2433	2128	1040	3168	130%	109%	83%			
1993	186	0	1040	1040	561%	36%	6%			
1994	1600	1289	1040	2329	146%	80%	55%			
1995	3108	2137	1040	3177	102%	109%	107%			
1996	2284	2173	1040	3213	141%	110%	78%			
1997	1972	2192	1040	3232	164%	111%	68%			
1998	2492	2246	1040	3286	132%	113%	85%			

Comparison of Diversion to Consumption (Pond area is 100 acres and evaporation is 2.5 acre-feet per acre.)

Year	A: Total Diverted	B: Water Consumed in Ore Prod.		C: Potential Evap. from Ponds	D: Total Evap. and Consumed	D/A = % of Total Diverted	D/2916 = % of Water Right Consumed		A/2916 = % of Water Right Diverted	
		Prod.					Right Consumed		Right Diverted	
1991	1880	1022	250	1272	68%	44%	64%			
1992	2433	2128	250	2378	98%	82%	83%			
1993	186	0	250	250	135%	9%	6%			
1994	1600	1289	250	1539	96%	53%	55%			
1995	3108	2137	250	2387	77%	82%	107%			
1996	2284	2173	250	2423	106%	83%	78%			
1997	1972	2192	250	2442	124%	84%	68%			
1998	2492	2246	250	2496	100%	86%	85%			

Note: Potential evaporation from Ponds is based on surface areas of 310 acres for the tailings pond and 5 acres for the seepage return pond. The current and historical area of the tailings pond is far less than 310 acres.

Note 2: Potential evaporation is also based on 3.3 acre-feet per acre at Challis. The figure may actually be somewhere between the Challis figure and the 2.5 acre-feet per acre for Salmon.

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Comparison of Surface Water Use to Total Water Use at Thompson Creek Mine

Year	Total Volume Diverted	Total Surface Water (acre- feet)	SW as a % of Total	SW as a % of Water Right
	(acre-feet)	feet)	of Total	
1991	1880	1783	95%	61%
1992	2433	2277	94%	78%
1993	186	0	0%	0%
1994	1600	1599	100%	55%
1995	3108	2553	82%	88%
1996	2284	1977	87%	68%
1997	1972	1971	100%	68%
1998	2492	2492	100%	85%

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SEP 25 2001

DAM SUMMARY SHEET

January 4, 1999

BRUNO CREEK

72 - 7257A

INVENTORY _____ AF
BASIN _____ 72
DAM NUMBER _____ 7257A
FED ID NUMBER _____ ID00448
DAM NAME _____ BRUNO CREEK
COUNTY _____ CUSTER
STREAM _____ BRUNO CREEK
REGION _____ S
PURPOSE _____ T
RISK CATEGORY _____ 1
SIZE CATEGORY _____ 1
Q-Q SECTION _____ SW
SECTION _____ 31
TOWNSHIP _____ 12N
RANGE _____ 17E
LATITUDE DEC _____ 44.3184
LONGITUDE DEC _____ 114.5052
DAM TYPE _____ EARTH
STORAGE CAPACITY _____ 89,500.00 ACFT
HEIGHT _____ 740.00 FT
DRAINAGE AREA _____ 2.80 SQMI
RESERVOIR AREA _____ 310.00 AC
YEAR COMPLETED _____ 1982
CREST ELEVATION _____ 7,600.00 MSL
CREST LENGTH _____ 3,960.00 FT
SPILLWAY TYPE _____ NONE
SPILLWAY DEPTH _____ 0.00 FT
SPILLWAY CAPACITY _____ 0.00 CFS
OUTLET TYPE _____ NONE
OUTLET SIZE _____ 0 IN
OUTLET CAPACITY _____ 0.00 CFS
IDF _____ PMF
IDF MAGNITUDE _____ 0.00 CFS
RELEASE CAPACITY _____ 0.00 CFS

CONDITION _____ GD
MAINTENANCE _____ ROUTINE
INSPECTION DATE _____ 7/14/98 MO/DD/YR
CERTIFICATE EXP DATE _____ 1100 MO/YR
SURVEY DATE _____ MO/DD/YR
CALL UP DATE _____ MO/DD/YR
CERT ISSUE DATE _____ 12/11/98 MO/DD/YR
INSPECTION INTERVAL _____ 2 YR
PHASE I INSP DATE _____ MO/DD/YR
OPERATION PLAN _____ A
SEISMIC ANALYSIS _____ Y
RESTRICTED _____
JOINT INSPECTION _____
QUAD NUMBER _____ U72
QUAD NAME _____ THOMPSON CREEK

DAM OWNER _____ THOMPSON CREEK MINING COMPANY
ADDRESS - 1 _____ C/O GREG HURLESS
ADDRESS - 2 _____ P O BOX 62
CITY _____ CLAYTON
STATE _____ ID
ZIP CODE _____ 83227
ZIP SUFFIX _____
PHONE _____ 8382200
AREA CODE _____ 208

GENERAL REMARKS : NO CHANGED FROM 72-XX08. PART OF DAM IN SEC 1, T11N-R16E; SEC 6, T11N-R17E & SEC 36, T12N-R16E. ALL DATA IS FOR ULTIMATE HT.

TECHNICAL REMARKS : POND DESIGNED TO STORE PMF = 1530 ACFT WITH 5.0' FREEBOARD. AS OF DEC 1997 TAILINGS EMBANKMENT ELEVATION IS AT 7488 FEET MSL. POND ELEVATION IS AT 7458 FEET. EMBANKMENT TOE ELEVATION IS 6864 FEET. EMBANKMENT HEIGHT IS 624 FEET. FREEBOARD IS 30 FEET.

RESTRICTIONS :

ALTERNATE CONTACTS :

MICROFILMED
SEP 25 2001

DAM SUMMARY SHEET

1/ 3/2000

BRUNO CK SEEPAGE RETURN

72 - 7257B

INVENTORY _____ AF
BASIN _____ 72
DAM NUMBER _____ 7257B
FED ID NUMBER _____ ID00425
DAM NAME _____ BRUNO CK SEEPAGE RETURN
COUNTY _____ CUSTER
STREAM _____ BRUNO CREEK
REGION _____ S
PURPOSE _____ B
RISK CATEGORY _____ 3
SIZE CATEGORY _____ 1
Q-Q SECTION _____ NWN
SECTION _____ 06
TOWNSHIP _____ 11N
RANGE _____ 17E
LATITUDE DEC _____ 44.3164
LONGITUDE DEC _____ 114.4997
DAM TYPE _____ EARTH
STORAGE CAPACITY _____ 75.00 ACFT
HEIGHT _____ 72.00 FT
DRAINAGE AREA _____ 3.50 SQMI
RESERVOIR AREA _____ 5.00 AC
YEAR COMPLETED _____ 1982
CREST ELEVATION _____ 6,875.00 MSL
CREST LENGTH _____ 360.00 FT
SPILLWAY TYPE _____ PIPE
SPILLWAY DEPTH _____ 5.30 FT
SPILLWAY CAPACITY _____ 90.00 CFS
OUTLET TYPE _____ STEEL
OUTLET SIZE _____ 12 IN
OUTLET CAPACITY _____ 17.00 CFS
IDF _____ Q500
IDF MAGNITUDE _____ 65.00 CFS
RELEASE CAPACITY _____ 107.00 CFS

CONDITION _____ GD
MAINTENANCE _____ ROUTINE
INSPECTION DATE _____ 8/24/99 MO/DD/YR
CERTIFICATE EXP DATE _____ 1101 MO/YR
SURVEY DATE _____ MO/DD/YR
CALL UP DATE _____ MO/DD/YR
CERT ISSUE DATE _____ 12/27/99 MO/DD/YR
INSPECTION INTERVAL _____ 2 YR
PHASE 1 INSP DATE _____ MO/DD/YR
OPERATION PLAN _____ N
SEISMIC ANALYSIS _____ N
RESTRICTED _____
JOINT INSPECTION _____
QUAD NUMBER _____ U72
QUAD NAME _____ THOMPSON CREEK

DAM OWNER _____ THOMPSON CREEK MINING COMPANY
ADDRESS - 1 _____ C/O BERT DOUGHTY
ADDRESS - 2 _____ P O BOX 62
CITY _____ CLAYTON
STATE _____ ID
ZIP CODE _____ 83227
ZIP SUFFIX _____
PHONE _____ 8382200
AREA CODE _____ 208

GENERAL REMARKS : DAM PURPOSE IS TO CATCH SEEPAGE FROM TAILINGS IMPOUNDMENT.
SEEPAGE FROM TAILINGS IMPOUNDMENT IS PUMPED BACK INTO
TAILINGS IMPOUNDMENT OR TO MILL FOR REUSE. NO CHANGED FROM
77-XX12. DRAIN AREA BELOW TAILINGS IS 420 AC. IDF BASED ON 420 AC
DRAINAGE.

TECHNICAL REMARKS : SPILLWAY & REL CAP ARE WITH 2.6' FB. SPILLWAY IS A 72"X44"
SQUASHED ARCH CULVERT. SPILLWAY WILL PASS Q100 = 50 CFS WITH 3.7'
FB & Q500 WITH 3.3' FB.

RESTRICTIONS :

ALTERNATE CONTACTS :

MICROFILMED
SEP 25 2001

Est. 00 and CIR.

(Allen & Brockway, 1983)

mm/day and mm/season

Chall 115

SILGE POTAT' SGRAN WGRAN PAST.

	NO	MRPS	PREC	ETR	ALTH.	SILGE	POTAT	SGRAN	MGRAN	PAST.
AVE ET	3	49.00	.36	1.27					.41	.25
AVE IR	3	49.00	.00						.41	.41
STDD ET	3	49.00	.29	.39					.12	.12
STDD IR	3	49.00	.00						.23	.23
SKREW ET	3	49.1.98		.23					.43	.43
SKREW IR	3	49.100.00							-.62	-.62
AVE ET	4	49.60	4.35	1.59				1.31	3.20	1.77
AVE IR	4	49.92.88		1.28				1.05	2.80	1.47
STDD ET	4	49.42	.48	.18				.14	.35	.20
STDD IR	4	49.92.88		.15				.29	.49	.35
SKREW ET	4	49.70	-.10	-.10				-.10	-.10	-.10
SKREW IR	4	49.93.88		-.43				-.44	-.22	-.39
AVE ET	5	48.1.11	5.89	5.26	1.77	1.78		2.10	5.82	4.52
AVE IR	5	48.97.92		4.51	1.30	1.34		1.38	5.10	3.84
STDD ET	5	48.71.76	.52	.46	.49	.16		.18	.31	.70
STDD IR	5	48.97.92		.03	.17	.38		.45	.81	.70
SKREW ET	5	48.91.39	.03	-.18	.02	-.02		-.03	-.02	-.22
SKREW IR	5	48.97.92		-.13	-.60	-.49		-.49	-.12	-.22
AVE ET	6	49.1.27	7.44	6.59	2.61	4.52		6.57	7.44	5.73
AVE IR	6	49.95.92		5.65	1.92	3.91		5.77	6.52	4.87
STDD ET	6	49.80	.52	.46	.16	.21		.46	.57	.75
STDD IR	6	49.95.92		.84	.33	.36		.17	.87	.75
SKREW ET	6	49.1.31	.20	-.20	-.19	-.19		-.38	-.19	-.48
SKREW IR	6	49.95.92		-.45	-.71	-.44		-.39	-.38	-.48
AVE ET	7	49.5.57	8.11	6.65	6.62	6.81		8.11	8.02	6.25
AVE IR	7	49.95.92		6.25	6.23	6.50		7.72	7.60	5.86
STDD ET	7	49.44	.33	.37	.27	.28		.23	.32	.25
STDD IR	7	49.95.92		.51	.49	.44		.34	.35	.40
SKREW ET	7	49.95.92	-.06	-.06	-.07	-.07		-.04	-.02	-.04
SKREW IR	7	49.95.92		-.43	-.42	-.33		-.35	-.38	-.43
AVE ET	8	49.5.57	6.40	4.83	6.02	5.06		4.00	2.58	4.93
AVE IR	8	49.00.00		4.45	5.62	4.78		3.69	2.78	4.56
STDD ET	8	49.00.00	.37	.28	.35	.42		.23	.12	.21
STDD IR	8	49.00.00		.52	.48	.46		.42	.35	.45
SKREW ET	8	49.1.00	.46	-.48	-.39	-.32		-.47	-.45	-.45
SKREW IR	8	49.00.00		-.48	-.39	-.32		-.47	-.64	-.45
AVE ET	9	48.67	4.71	2.91	3.85	3.00				3.62
AVE IR	9	48.97.92		2.52	3.40	2.71				3.23
STDD ET	9	48.71.72	.37	.25	.35	.24				.29
STDD IR	9	48.97.92		.56	.61	.46				.39
SKREW ET	9	48.91.32	.01	-.82	-.69	-.01				-.72
SKREW IR	9	48.97.92		-.82	-.69	-.66				-.72
AVE ET	10	48.5.55	3.00	.92						2.31
AVE IR	10	48.83.33		.70						2.07
STDD ET	10	48.49	.34	.10						.26
STDD IR	10	48.83.33		.29						.38
SKREW ET	10	48.1.64	-.30	-.30						-.30
SKREW IR	10	48.83.33		-.30						-.62
AVE ET	46	137.8	126.3	882.	641.	650.	678.	842.	893.	
AVE IR	46	0.0	D	779.	567.	591.	609.	756.	766.	
STDD ET	46	37.0	.46	.31.	.23.	.23.	.25.	.34.	.30.	
STDD IR	46	0.0	0	.49.	.39.	.35.	.40.	.49.	.46.	
SKREW ET	46	.29	.35	-.08	.01	-.04	.05	-.13	-.07	
SKREW IR	46			-.06	-.38	-.36	-.55	-.11	-.14	

$$30\% \text{ ETR} = 1263(0.8) = 1010$$

3
MICROFILMED
SEP 25 2001

3.3 AF

435 E_{vap} $\approx$ 0.8 eTR

Est. CI and CIR.

Stanley

(Allen & Brockway, 1983) mm/day and mm/season

	MO	NYRS	PREC	ETR	PAST.
AVE ET	3	11	1.14	.35	
AVE IR	3	11	90.91		
STDD ET	3	11	.56	.57	
STDD IR	3	11	90.91		
SKEW ET	3	11	.23	-.00	
SKEW IR	3	11	90.91		
AVE ET	4	11	.99	2.89	
AVE IR	4	11	100.00		
STDD ET	4	11	.78	.47	
STDD IR	4	11	100.00		
SKEW ET	4	11	1.21	-1.27	
SKEW IR	4	11	100.00		
AVE ET	5	11	1.19	4.78	2.14
AVE IR	5	11	81.82		1.61
STDD ET	5	11	.60	.40	.18
STDD IR	5	11	81.82		.52
SKEW ET	5	11	1.14	.43	.43
SKEW IR	5	11	81.82		.02
AVE ET	6	13	1.46	6.45	4.97
AVE IR	6	13	92.31		4.07
STDD ET	6	13	.88	.49	.37
STDD IR	6	13	92.31		.69
SKEW ET	6	13	.37	.44	.44
SKEW IR	6	13	92.31		-.07
AVE ET	7	11	.79	6.32	4.86
AVE IR	7	11	100.00		4.33
STDD ET	7	11	.60	.20	.15
STDD IR	7	11	100.00		.41
SKEW ET	7	11	.43	-1.10	-1.13
SKEW IR	7	11	100.00		-.16
AVE ET	8	13	1.03	5.14	3.96
AVE IR	8	13	100.00		3.34
STDD ET	8	13	.78	.34	.27
STDD IR	8	13	100.00		.66
SKEW ET	8	13	.51	.22	.22
SKEW IR	8	13	100.00		-.10
AVE ET	9	13	1.11	3.76	2.89
AVE IR	9	13	100.00		2.24
STDD ET	9	13	.55	.53	.41
STDD IR	9	13	100.00		.52
SKEW ET	9	13	-.59	-.01	-.01
SKEW IR	9	13	100.00		.36
AVE ET	10	11	1.28	2.40	
AVE IR	10	11	90.91		
STDD ET	10	11	.84	.32	
STDD IR	10	11	90.91		
SKEW ET	10	11	.74	.04	
SKEW IR	10	11	90.91		
AVE ET	SE	4	220.2	970.	577.
AVE IR	SE	4	0.0	0.	477.
STDD ET	SE	4	45.6	26.	12.
STDD IR	SE	4	0.0	0.	41.
SKEW ET	SE	4	-.53	1.16	.09
SKEW IR	SE	4			1.57

$$80\% \text{ ETR} = 970 (0.8) = 776$$

$$\approx 2.5 \text{ AF}$$

$$\text{FWS } E_{\text{vap}} \approx 0.8 \text{ ETR}$$

MICROFILMED
SEP 25 2001

72-7219
7193
7220
7257

Notes from Telephone
Conference
2/9/01

1991

Reclaim - Water coming from the tailings pond to tank
out mill. From Pump Barge. Top of
Diagram just totalize, not GPM.

SRD - Seepage Return Dam. From seepage pond to mill.

Fresh Water = Salmon River to mill

3 sources to the mill
All three measured in the mill

Only 1 line out - Tailings + Water. About 35% water.

Main Drain GPM - Through tailings dam down to seepage
return pond.

Rt Abutment GPM - Part of Main Drain

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SEP 25 2001

Pit Devata - might go to freshwater line - if clean
go to tailings pond if dirty in spring.
Put most in fresh water line to minimize
S. River use. 100% this year. During low period
it will

RIS System = Bruno Creek

May - July Around the ponds
Rest of year into Tailings pond.

Total Input = Bruno Creek + Salmon River + Pit Dewater

1997 RIS = What went into the pond.

Pit Dewater - Not Millions of Gallons

Plan

Annual Volume should be:

	Bruno Creek Water diverted into the pond (RIS)
+	Fresh Water diverted from the Salmon River
+	Pit dewatering
	Total Annual Input

Compare the value computed above to:

	Output Volume	35% of Tailings + water
+	evaporation from the ponds at their maximum size	

by weight
35% = water
and evap

PHOTOCOPYED
SEP 25 2001

MAR-23-2000 09:26

THOMPSON CREEK MINING CO.

208 838 2299

P.08/08

Header Elevation	7402.84	7405.82	7409.65	7407.15	7407.15	7401.15	7407.2	7407.2	7407.2	7407.2	7457.2	14
Chal Elevation	7387.35	7387.86	7387.38	7388.35	7388.35	7388.35	7388.4	7388.4	7388.4	7388.4	7403.12	5.8
Pond Elevation	7387.47	7372.74	7374.58	7378.08	7378.07	7379.07	7378.7	7378.7	7378.7	7378.7	7381.9	18.6
Fireboard	738.08	21.82	22.8	18.87	19.28	19.28	18.7	18.7	18.7	18.5	24.62	21.7
U. Paddock Elev.	7035.4	7035.4	7035.4	7035.4	7035.4	7035.4	7035.4	7035.4	7035.4	7035.4	7035.4	7035.4
L. Paddock Elev.	6989.2	6989.2	6989.2	6989.2	6989.2	6989.2	6989.2	6989.2	6989.2	6989.2	6989.2	6989.2
Daily Tonnage	27835	28194	26956	27028	0	0	0	0	0	0	25961	13571.8
Monthly Tonnage	663224	559872	538125	540452	0	0	0	0	0	0	603554	604780
Dived Time (hrs)	0	7.2	25.5	41	0	0	0	0	0	0	14	187.2
Availability %	99	100	100	100	100	100	100	100	100	100	100	99.8
Towers Jacked	0	240	120	60	0	0	0	0	0	0	0	420.0
Header Railed	0	2	1.82	0.5	0	0	0	0	0	0	0	3.9
Header Length	3000	8000	8000	3000	8000	3000	2000	2000	2000	3000	3000	3000.0
Towers in Service	80	80	80	80	80	80	80	80	80	80	80	80.0
Minerpower Level	7	8	8	5	8	8	1	1	1	2	9	9
Coal Dep. Dry	0	0	0	7	0	0	0	0	0	0	0	20.2
U. Pad. Dep. Dry	0	0	0	0	0	0	0	0	0	0	0	0.0
L. Pad. Dep. Dry	0	0	0	0	0	0	0	0	0	0	0	0.0
Water Depth Range	11.9	18.8	14	14.9	18	15	17	17	16	20	20	16.8
Stone Depth Range	4	4	4	4	4	5	4	4	4	2	3	10.5
Clear Water Range	8.8	9.8	10	10.8	12	10	13	13	14	17	17	11.2
Reclaim Dry GPM	4258.83	4519.24	5440.53	4265.92	0.80	0.00	0.00	0.00	0.00	87.50	6882.65	6181.25
Reclaim Month	184413400	183428800	242003800	184287800	0	0	0	0	0	390000	81835800	288552800
SND Daily GPM	919	1289	1449	1727	819	1385	5128	1160	1048	850	1080	3050
SND Mo.	87071000	51928400	84681200	74581800	85242800	68260200	60871200	51781400	45186200	42488800	46387800	58272800
Flash H2O GPM	681.25	1581.70	691.25	681.25	111.48	188.18	186.70	287.45	147.28	147.72	625.85	775.85
Flash Water Mo.	68284000	82738000	27183800	27183800	4877000	8127000	8738000	9108600	8883000	8591000	38184000	28142000
Ambient Temp. H-L	33.9/-8.8	48.0/14.0	68.7/5.8	50.5/4.3	84.1/21.8	68/80	80/40	88/49	72/82	65/14	48/-4	67/-5
Drumboxes in Serv.	3	3	3	3	3	3	3	3	2	3	3	3
Main Drain GPM	1174	1106	1426.2	2022	1701.5	1808.8	1774.7	1585	1728.2	1702.1	1854.8	1887
Reclaimment GPM	0.14	0.14	2.59	25.8	100.5	144.8	20.78	20.2	6.4	4.3	2.8	2.19
Leak Abnd. GPM	1028	1028	1284.5	888.5	832.7	910	880.8	790	748.8	788.8	748.8	894.3
PMS System GPM	878410	842738	1087280	2570400	18083600	88284878	11058820	478344	1032481	821480	852824	1051800
PMS System CPM	8.5	8.5	24.8	69.5	405.3	985.1	247.8	98	22.9	20.74	18.8	22.62
PMS H2O GPM	8180.7	6510.71	5738.5	5688.7	7054.8	2848.7	9484.5	9818.19	2278.8	10711.85	13021.2	8882
PMS H2O CPM	4.288	3.83	3.88	8.95	4.9	1.88	4.48	8.82	1.85	7.41	8.04	8
Pump Back GPM	1281000	1255300	7488300	1167800	6898000	5046500	4828000	4521000	8747000	814000	4347000	2643000
Pump Back CPM	280.5	311.96	328.8	270.9	136.6	110.8	103.7	101.3	88.7	82.81	84.24	80
Day Back GPM	531800	2880250	2880250	235750	599100	132650	161250	0	272700	411800	888850	122985
Day Back CPM	119.15	69.48	67	54.5	18.4	3.09	2.27	0	8.81	8.3	7.94	3.1
Pt Dewater GPM	2248408	5878100	6408550	8227358	8437500	0	0	0	0	721000	217208	1485000
Pt Dewater CPM	50.32	140.83	161.3	84.2	189.01	0	0	0	0	18.33	52.83	37

41

TOTAL P.08

10/23/00

14:23

0604 688 7175

SEP 25 2001

TORAX ENVIRON.

010/010

MAR-03-2000 09:26

THOMPSON CREEK MINING CO.

208 838 2299

P. 07/08

CYPRUS THOMPSON CREEK MILLING OPERATION - 1992

	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPT.	OCTOBER	NOV.	DEC.	TOTAL/92
Header Elevation	7408.2	7408.2	7408.2	7417	7419.5	7423	7427	7431	7433	7433	7433	7433	7433
Gravel Elevation	7403.12	7403.12	7404.1	7408.24	7408.3	7408.3	7421.3	7421.3	7426	7426.3	7427.3	7427.3	7427.3
Pond Elevation	7381.3	7382.55	7387.8	7389.2	7390	7390	7391.4	7391.8	7393.5	7396.1	7396.1	7396.1	7396.1
Freeboard	21.82	20.57	18.3	20.04	22.9	26.3	29.9	32.3	32.5	30.6	32.2	31.5	26.5
U. Paddock Elev.	7035.4	7035.4	7035.4	7035.4	7035.4	7035.4	7035.4	7035.4	7035.4	7035.4	7035.4	7035.4	7035.4
L. Paddock Elev.	6989.2	6989.2	6989.2	6989.2	6989.2	6989.2	6989.2	6989.2	6989.2	6989.2	6989.2	6989.2	6989.2
Daily Tonnage	25961	30614	30677	28198	30288	27943	30849	30602	32928	33616	31312	29270	301819
Monthly Tonnage	804780	884911	869079	835733	875427	886900	708626	705697	724419	705103	653511	439043	6821708
Direct Time (hrs)	743.7	898	515.7	63.5	6	4.2	6.8	9.7	2	3.9	4.2	387	2415.5
Availability %	100	100	85.2	82.8	99.2	99.2	98.7	98.7	99.6	99.2	99.2	100	99.5
Towers Jacketed	120	0	102	703	304	422	387	481	243	0	0	0	2817.9
Header Raised - Ft	1	0	3	5.05	2.53	3.52	3	4	2	0	0	0	24.9
Header Length	3000	3000	3000	3000	3000	3000	3050	3100	3180	3150	3150	3150	31500
Towers in Service	60	60	60	60	60	60	61	62	63	63	63	63	630
Manpower Level	7	8	8	7	7	7	7	7	7	7	7	7	72
Crust Dep. Days	0	0	9.5	16.8	18.75	20.3	20.7	22.3	21.9	20.3	20.3	0	169.8
U. Prod. Dep. Days	0	0	0	0	0	0	0	0	0	0	0	0	0.0
L. Prod. Dep. Days	0	0	0	0	0	0	0	0	0	0	0	0	0.0
Total Depth Belts	20	15	16	10	12.5	10.5	10.3	10	9.8	11.8	12.5	8.5	122
Slime Depth Range	10.5	10	11.8	9	8	4.5	4.3	10	4	6	6	5	6.8
Clear Water Range	9.5	5	4.4	5	5.5	6	6	7	5.8	5.8	6.5	3.5	6.0
Recycling Daily GPM	6431.25	6580.25	7271	4131.74	4534.68	4295.34	3861.67	4378.82	4183.97	4141.37	5247.67	3414.18	5148.2
Recycling Hourly	2653200	250229500	335659200	172711200	203838400	178734800	181506400	201828800	198525800	211654800	228699200	152409600	226447200.0
SMD Daily GPM	1050	1142	1107	1057	718	1105	1165	1137	803	970	1005	1111	1064
SMD Mo.	48367400	48040400	52668000	44158498	48282200	45164800	55339200	62401500	37118000	41477400	43405200	48695800	47157806.2
Left About GPM	749	749	749	749	749	680	840	540	760	760	740	840	707.1
Fresh H2O GPM	775.65	859.78	1835.22	1351.72	520.44	1344.18	1850.09	2173.37	2226.28	2173.78	1506.94	755.97	1472.8
Fresh Water Mo.	35742000	35070000	84587800	55448000	23982000	58133000	88817000	100149000	83387000	105896000	85100000	35537000	6515750.8
Amb. Temp H ₂ O	38.8/48.6	48.8/14.0	50.7/5.9	60.5/8.3	64.1/21.8	68/32	68/40	68/40	72/32	65/16	48/-4	52/6	81/17
Dropboxes in Service	3	3	3	3	3	3	3	2	2	2	2	2	2
Main Diaphragm GPM	285.9	347	291	338	380.5	343	385.7	298.1	280	274.8	308.3	314.8	312.3
Re-Adjustment GPM	0	0	20.2	75.8	20.2	6	0.5	0.5	0.5	0	1	1	10.4
Re-System GPM	17	53.40	18	132	1129	480	80	75	72.4	507.8	20	20	208.9
RIS System Direct	0	0	0	0	0	0	0	0	0	0	0	0	0.8
Pondable H2O GPM	9059.375	8702.14	10593.75	8006.80	7805.25	9855.17	1457.56	7275.00	8317.24	6829.00	7556.67	2157.42	8458.8
Portable H2O GPM	8.29	6.05	7	5	5	7	6	5	5	5	5	5	6.6
Pump Back GPM	3732000	3315000	3728000	2840000	2872000	1380000	2181000	2246000	2430000	2163000	4437000	2127000	2786000.0
Pump Back GPM	88.99	82.22	81	70	61	33	48	50	59	49	103	48	64
Clay Back GPM	413180	67500	330760	123800	489500	529000	711450	1438100	857200	0	3339900	342500	982125.0
Clay Back GPM	0.98	1.87	7	4	11	13	15	31	20	38	77	77	25.4
P11 Deleter GPM	176880	1853450	3304500	5835750	6423300	7213850	4282700	2956500	1768080	2214000	4887854	10758500	4277271.5
P11 Deleter GPM	38.88	48.45	72.35	135.00	129.39	172.88	90.18	84.16	42.12	49.80	108.66	241.03	109.0

MICROFILMED

SEP 25 1992

MAR-03-2000 09:25

IMPSON CREEK MINING CO.

208 638 2299

P. 06/08

	JAN	FEB	MAR	APR	MAY	JUN	JULY	AUG	SEPT.	OCT	NOV	DEC.	TOTAL
Gross Elevation	7927.3	7927.3	7927.3	7927.3	7927.3	7927.3	7927.3	7927.3	7927.3	7927.3	7927.3	7927.3	-0.0
Pond Elevation	7986.3	7986.7	7987.2	7988	7989	7991	7991.4	7991.4	7991.4	7991.4	7991.4	7991.4	-1.0
Freeboard	31	30.6	30.1	28.3	28.2	25.3	24.9	24.9	24.9	26.3	26.3	26.8	27.6
H. Padlock Elev.	7035.4	7035.4	7035.4	7035.4	7035.4	7035.4	7035.4	7035.4	7035.4	7035.4	7035.4	7035.4	7035.4
L. Padlock Elev.	6989.2	6989.2	6989.2	6989.2	6989.2	6989.2	6989.2	6989.2	6989.2	6989.2	6989.2	6989.2	6989.2
Daily Tonnage	0	0	0	0	0	0	0	0	0	0	0	0	0
Monthly Tonnage	0	0	0	0	0	0	0	0	0	0	0	0	0
Evert Time (hrs)	0	0	0	0	0	0	0	0	0	0	0	0	0
Availability %	0	0	0	0	0	0	0	0	0	0	0	0	0
Towers Jacked	0	0	0	0	0	0	0	0	0	0	0	0	0
Roader Ruled - ft	0	0	0	0	0	0	0	0	0	0	0	0	0
Roader Length	3150	3150	3150	3150	3150	3150	3150	3150	3150	3150	3150	3150	3150
Towers In Series	63	63	63	63	63	63	63	63	63	63	63	63	63
Mainframe Level	0	0	0	0	0	0	0	0	0	0	0	0	0
Crest Dep. Days	0	0	0	0	0	0	0	0	0	0	0	0	0
V. Pad. Dep. Days	0	0	0	0	0	0	0	0	0	0	0	0	0
L. Pad. Dep. Days	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Depth Burge	11	12	18	17	18	20	20.4	20	19	19	19	18.5	17.5
Bilms Depth Burge	1.5	1.5	11.8	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
Crew Water Burge	8.5	10.5	4.4	15.5	16.5	18.5	18.5	17.5	17.5	17.5	17.5	17	16.2
Reelbin Daily GPM	0.00	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Reelin Month	0	0	0	0	0	0	0	0	0	0	0	0	0
SND Duty GPM	1081	1077	1217	1415	1398	1514	1461	1420	1315	1090	878	1088	1289
SND Mo.	48243600	43418000	68827600	61149500	62424000	65394000	65322000	65398000	56592000	48654000	47228000	48600000	55346400.0
Lvl Adv. GPM	700	700	680	660	650	700	740	660	670	665	585	585	585
Flesh HZO OPM	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fresh Water Mo.	0	0	0	0	0	0	0	0	0	0	0	0	0
Arnd. Ting Blaw	39.9 / 8.5	8.8 / 14.0	50.7 / 5.9	50.5 / 5.3	54.1 / 21.5	58 / 30.	80 / 40	85 / 40	72 / 32	55 / 14	48 / 4	52 / 8	51 / 17
Discharge In Serv.	1	1	1	1	1	1	1	1	1	1	1	1	1
Main Drain GPM	460	632	778	1407	1474	1236	1322	1322	761	505	440	513	501.3
Ht. Abutment GPM	0	0	0	144	250	250	55	35	15	8	3	0	83.3
RIS To Pond GPM	15.5	15.50	16	18	800	400	30	40	12	10	10	10	115.9
RIB System Direct	0	0	0	33.4	4047	1040	280	125	39	16	29	24	487.5
Possible HZO SPD	13522.5B	12582.14	4762.5	4410.00	4041.94	3881.33	3780.55	4410.35	4643.33	6035.48	4842.07	4852.84	5864.4
Possible HZO OPM	9.39	8.81	3	3	3	3	3	3	3	4	3	3	4.1
Pump Back GPM	3252000	2523000	3276000	3432000	4050000	4160000	4350000	4470000	5100000	4980000	4980000	4980000	4155250.0
Pump Back OPM	72.85	62.72	71	79	91	96	97	100	118	112	115	111	94
Clay Back GPM	3098200	4210550	1012500	8181000	7182000	3753000	3226500	1876500	1876500	1774500	1782000	1147500	3255075.0
Clay Back GPM	69.41	104.43	22	189	161	87	72	42	43	38	41	28	74.7
PI Downer GPM	8454350	5538850	6710850	7330500	18455150	0	0	0	4498850	4387500	1431800	3645000	4703982.5
PI Downer GPM	144.59	137.31	145.63	169.69	358.62	0.00	0.00	0.00	104.09	98.28	33.13	81.05	106.9

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THOMPSON CREEK TAILINGS OPERATION DATA

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	JAN	FEB	MARCH	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TUAVG
HEADER ELEV.													
CREST ELEV.					7427	7427	7427	7430	7432	7434	7434	7434	7434
DAILY TONNAGE AVG.					7388.5	7398.3	7398.7	7399.7	7400.3	7398.1	7401.8	7406.9	7406.9
MONTHLY TONNAGE			19968	18934	21243	19914	22373	20357	30318	31882	27620	30729	24489
DIVERT TIME(HRS.)	0	0	10.5	378670	448105	438087	514584	468211	636870	638847	638269	678300	504802
AVAILABILITY			0	87.8	98.7	86.2	99.4	90.8	97.7	97.5	91.8	90.2	289.5
FT. HEADER RAISED													
HEADER LENGTH	3150	3150	3150	3150	3150	3150	3150	3150	3150	3150	3150	3150	3150
TOWERS IN SERVICE	63	63	63	63	63	63	63	63	63	63	63	63	63
CREST DEPOSITION(DAYS)				10	21	22	23	23	23	20	22	23	185
CLEAR WATER @ BARGE													
RECLAIM WATER STR(HRS)			22	305	448	484	489	541	651	240	944	724	925200
RECLAIM GALLONS/1000			3950	71280	118820	88820	69820	87880	118880	37800	169820	130320	925200
SPD (HRS)			149	607	821	916	760	737	878	218	72	182	
SPD GALLONS/1000			8940	35230	55260	54960	45680	44220	40800	13080	4320	17520	313620
LEFT ABOUT GPM													
FRESH WATER(HRS)			10	63		70	358	256	104	742	701	661	
FRESH WATER GALLONS/1000			1680	14940	0	12000	88240	48080	18720	13560	126180	100980	621100
MAIN DRAIN GPM	822	867	1112	490	688	1071	913	913	1071	1071	1071	1071	843
MAIN DRAIN GALLONS/MM	27.44	28.16	45.85	28.78	20.32	40.85	44.17	42.27	39.25	39.82	38.67	38.82	443.1
FT. ABOUT GPM													
DIS TO POND (GPM)	17.20	14.18	18.61	88.17	155.60	70.67	38.74	20.82	15.54	9.28	8.45	8.76	38
DIS TO POND GALLONS	0.76	0.63	0.85	3.81	6.72	3.05	1.59	0.90	0.67	0.40	0.36	0.35	20.19
PUMP BACK(HRS)			22	81	148	140	127	123	116	127	118	135	1149.00
PUMP BACK GALLONS			0.66	2.73	4.47	4.2	3.81	3.59	3.48	3.91	3.67	4.05	34.47
CLAY BACK(HRS)			18	41	63	73	117	97	133	183	168	133	988.00
CLAY BACK GALLONS			0.135	0.656	0.715	0.885	1.875	1.308	1.795	2.065	2.133	1.795	13.07
PT DEWATER(HRS)			38	182	210	179	146	227	271	225	375	154	2057.00
PT DEWATER GALLONS			2.052	8.828	11.34	8.888	7.83	14.958	14.634	12.204	20.25	8.316	111.08
POTABLE WATER GALLONS													

** STARTED CYCLONING ON THE HEADER ON APRIL 19, 1994
 ** STOPPED CYCLONING ON THE HEADER ON NOVEMBER 8, 1994

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1995 TAILINGS DATA

	JAN	FEB	MARCH	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL
CHEST ELEV.	7434	7434	7434	7436	7439	7442	7446	7449	7452	7454	7454	7454	7454
POND ELEV.	7408.9			7414.8	7417.7	7417.4	7418.5	7418.7	7418.9	7422.2	7424	7425	7425
DAILY TONNAGE AVG.	30149	33765	32403	29237	32324	29897	34288	28946	27079	28233	31669	32364	32055
MONTHLY TONNAGE	753727	675880	747111	580737	711133	657733	822373	665833	558855	672368	707721	724431	6901855
DIVERT TIME(HRS.)				25.5	41.5	10.5	10.5	7.5	13	0.5	26.5	9.5	153
AVAILABILITY				97	93	99	98	99.6	89	99.8	97	98	98
FL. HEADER RAISED	0	0	0	1.5	2	2	4.5	2.5	3.5	0	0	0	18
HEADER LENGTH	3168							3150				3150	3150
TOWERS IN SERVICE													
CHEST DEPOSITION(DAYS)	0	0	0	0	20	22	24	23	21	23	1	0	134
CLEAR WATER @ BARGE				8.5	10	13	8	7.5	7.5	7.5	7	7	9
RECLAIM WATER SYS(HRS)	748	644	839	1068	1281	594	894	701	468	743	868	621	8918
RECLAIM WATER MM GALLONS	134260	116920	181820	101880	224580	124820	160820	126180	84240	133740	87200	147780	1724340
SRD (HRS)	585	641	714	802	976	1125	893	896	889	877	768	891	9585
SRD MM GALLONS	35100	38480	42240	48120	68500	67660	53580	63760	41840	58650	47160	62450	559180
LEFT ABUT. GPM	NO DATA	672	582	561	701	848	623	681	651	518	841	564	542
FRESH WATER(HRS)	722040	367	438	242	254	207	349	348	486	427	325	489	4539
FRESH WATER(MM GALLONS)	NO DATA	68060	78040	43560	45720	48060	62820	68640	69280	76880	88500	84240	838520
AMB. TEMP H/LOW	NO DATA	NO DATA	NO DATA	48/28	81/35	62/38	76/46	74/48	84/39	48/28	41/27	30/16	9/6
MAYDRAN GPM	845	945	953	863	1103	1060	1034	874	935	813	1012	871	228
ROCK TOE GPM	NO DATA	223	241	282	252	282	261	263	234	247	221	257	254
RIS TO POND(DAYS)	31	28	31	14	25	0	3	0	70	31	30	31	312
RIS TO POND(GPM)	64	18	37	46	450	2439	517	121	189	258	215	225	2538
PUMP BACK(HRS)	129	129	158	177	280	335	231	217	189	258	215	225	2538
PUMP BACK(MM GALLONS)	4544	4544	5883	6372	8380	12080	8318	7812	6204	8324	7148	8904	81588
CLAY BACK(HRS)	178	316	83	107	115	130	148	136	113	278	248	787	7819
CLAY BACK(MM GALLONS)	1602	2844	410	363	1035	1170	1314	1224	1017	2502	2187	8908	83571
PT DEWATER(HRS)	317	279	543	623	484	305	824	623	359	640	300	343	4976
PT DEWATER(MM GALLONS)	11412	10044	18728	22428	17784	21950	8424	18828	13284	23040	10800	12348	180390
POTABLE WATER(GALLONS)													

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CREST ELEV.
 POND ELEV.
 DAILY TONNAGE AVG.
 MONTHLY TONNAGE
 OVERT TIME(HRS.)
 AVAILABILITY
 FT. HEADER RAISED
 HEADER LENGTH
 TOWERS IN SERVICE
 CREST DEPOSITION(DAYS)
 CLEAR WATER @ BARGE
 RECLAIM WATER SYS(HRS)
 RECLAIM WATER MM GALLONS
 SPD (HRS)
 SPD MM GALLONS
 LEFT ABOUT 4 CLAYBACK GPM
 FRESH WATER(HRS)
 FRESH WATER(MM GALLONS)
 ALER. TEMP H/L/OW
 MAIN DRAIN GPM
 ROCK TOE GPM
 RIS TO POND(DAYS)
 RIS TO POND(GPM)
 PUMP BACK(MM GALLONS)
 PUMP BACK(HRS)
 CLAY BACK(HRS)
 CLAY BACK(MM GALLONS)
 PIT DEWATER(HRS)
 PIT DEWATER(MM GALLONS)
 POTABLE WATER(GALLONS)

1986 TAILINGS DATA

JAN	FEB	MARCH	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTALS
7463	7463	7463	7464	7467	7481	7492	7494	7496	7472	7472	7472	15
7427	7430	7432	7433	7435	7439	7437	7437	7438	7437	7441	7442	15
29398	30123	28842	32576	34825	32873	34182	30811	31804	33823	33133	32833	32126
710283	632858	588337	650370	705383	725418	795732	647040	623082	788551	728883	789556	9455230
1125	10	7.5	31	65.5	18.25	10.25	47	23	61	59.5	17.5	348
98	88.5	69	94	89	58	99	91	96	83	90.5	97	86
0	0	0	1.5	3	4	2	2.5	5	0	0	0	18
3150	3150	3150	3150	3150	3250	3250	3250	3250	3250	3250	3250	3180
130	130	130	130	130	132	132	132	132	132	132	132	120
0	0	0	0	21	21	23	19	19	17	0	0	10
6	7.5	0.5	12.5	13	15	15	15	10	8	0	0	7890
518	480	452	672	803	550	618	773	685	693	738	810	2130308
130765.5	122248.7	121913.1	181342.3	216812.7	140458.0	164430	208820.1	184083.3	187215.5	188725.4	245705.4	2130308
787	620	1245	1016	1581	1419	885	759	674	1148	1468	842	12761
40647	31620	83498	61818	81141	72889	48215	38708	44574	53448	76735	43842	850811
734	825	788	873	1132	1187	798	285	303	481	1147	805	782
804	489	417	213	248	182	182	186	207	248	282	381	3540
108720	84420	75063	38340	44840	27380	34580	29880	37280	44820	41760	70360	807200
2913	3514	4122	3816	62124	85729	80742	88124	80721	825	4315	3874	1168
1007	1076	1836	1187	1472	1637	1083	808	635	508	1601	1344	1168
273	251	280	314	340	340	227	411	452	447	464	639	394
31	29	31	25	0	0	2	31	30	31	30	31	271
8.5	14.8	16.9	89.1	276	255	81.4	79.3	78.2	27.7	30.2	23.8	48
285	249	241	281	276	255	253	249	255	287	287	185	285
3092	2839	2747	2875	3135	2907	2884	2838	2807	2630	2702	1881	3378
ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
185	550	82	459	353	187	310	350	305	158	17	24	277
8580	12800	2232	18524	127103	6012	11180	14040	10880	8680	612	864	9887
ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND

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THOMPSON CREEK TAIL OPERATION DATA 1997

	1997	JAN	FEB	MARCH	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
HEADER ELEV.		7480	7480	7480	7482	7482	7485	7490	7492	7495	7486	7488	7486
CREST ELEV.		7472	7472	7472	7472	7475	7477	7480	7483	7485	7488	7488	7486
POND ELEV.		7442	7446	7443	7450	7456	7458	7455	7457	7458	7459	7459	7456
DAILY TONNAGE AVG.		31592	31244	31989	33046	33734	32857	31782	32033	33063	32238	30381	33055
MONTHLY TONNAGE		695024	624672	637784	727015	775677	718456	730305	691589	711240	773877	668385	760272
DWERT TIME(HRS.)		0	152	23	68	122	30	19	62	23	39	28	208
AVAILABILITY		100	60	98	84	78	95	97	87	96	94	81	57
FL. HEADER RAISED		0	0	0	2	0	4	4	2	3	1	0	0
HEADER LENGTH		3250	3250	3250	3250	3250	3400	3400	3400	3400	3400	3400	3400
TOWERS IN SERVICE		65	65	65	65	85	60	68	88	68	68	68	68
CREST DEPOSITION(DAYS)		0	0	0	0	18	21	22	18	20	21	0	0
CLEAR WATER @ BARGE		ND	0	0	12	15	16	17	18	19	19.5	18	ND
RECLAIM WATER SYS(HRS)		679	520	698	794	684	826	752	573	600	583	808	988
RECLAIM WATER MM GALLONS		163330	146400	160460	214360	178280	221400	203040	154710	162000	166110	218430	288270
SRD (HRS)		1203	778	1091	1221	1677	1253	1198	1207	1115	1139	1114	1078
SRD MM GALLONS		45888	50198	62542	64389	87853	68882	70714	70308	61993	66157	65405	57452
LEFT ABOUT. 4 CLAY BACK GPM		310	538	481	708	1171	847	764	781	605	635	579	472
FRESH WATER(HRS)		343	697	173	210	149	86	197	309	440	546	161	141
FRESH WATER(MM GALLONS)		81740	107460	31140	37800	26740	11880	35480	56820	78200	82280	28886	25388
AMB. TEMP FLOW		ND	4870	606	858	6017	8432	9231	9040	8520	8020	5310	460
MAIN DRAIN GPM		1023	1245	1177	1490	1988	1507	1584	1575	1435	1482	1514	1287
ROCK TOE GPM		713	707	696	782	797	750	620	784	820	847	835	815
RIS TO POND(DAYS)		31	28	30	21	07	7	27	34	30	31	30	31
RIS TO POND(GPM)		42	11	18	28	0	1508	452	185	76	79	42	25
PUMP BACK(HRS)		108	66	78	95	145	408	76	70	54	58	52	52
PUMP BACK(GALLONS)		1242.8	775.2	900.6	1063	1653	1231.2	868.4	789	815.6	861.2	592.8	592.8
CLAY BACK(HRS)		ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
CLAY BACK(GALLONS)		ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
PIT DEWATER(HRS) 100HP		355	74	739	218	1466	1173	455	66	6	0	0	0
PIT DEWATER(HRS) 300HP		0	0	0	388	602	388	361	365	308	0	0	0
PIT DEWATER(GALLONS)		12780	2884	28804	21024	76382	55404	28376	16516	11304	0	0	0
POTABLE WATER(GALLONS)		ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND

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TAILINGS DATA 1998

	JAN	FEB	MARCH	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
HEADER ELEV	7496	7496	7496	7496	7498	7502	7505	7509	7511	7513	7513	7513
CREST ELEV	7496	7496	7496	7499	7489	7492	7497	7499	7503	7503	7505	7505
POND ELEV	7461	7462	7465	7466	7470	7473	7472	7473	7473	7474	7475	7475
DAILY TONNAGE AVG	31892	30012	31810	30003	30627	28903	31814	32858	28641	28628	28816	28652
MONTHLY TONNAGE	703605	680270	986099	900089	849447	697081	795371	737338	630095	488936	491566	487085
DIVERT TONNAGE (HRS)	160	65	3	379	660	101	31	43	88	20	140	285
AVAILABILITY	70	85	99.6	30	18	85	94	92	88	96	85	29
FT. HEADER RAISED	0	0	0	0	2.5	3	5	3.5	0	3	0	0
HEADER LENGTH	3400	3400	3400	3400	3460	3450	3460	3450	3450	3450	3450	3450
TOWERS IN SERVICE	68	68	68	68	68	69	68	69	69	68	68	69
CREST DEPOSITION (DAYS)	0	0	0	0	6	25	24	22	18	17	11	6
CLEAR WATER @ BARGE	7	6	8	4	8.5	12.5	12.5	11.75	12.5	12	12	11
RECLAIM WATER SYS (HRS)	682	767	808	871	1403	863	825	637	580	979	580	734
RECLAIM WATER MM GALLONS	184140	205470	245490	181170	270870	233870	222750	171980	158800	284330	158800	168180
SRD (HRS)	948	1055	997	1103	1141	1244	1195	1072	1163	972	776	700
SRD MM GALLONS	58057	50314	55286	67980	66416	7244	1195	58971	57030	58882	56984	58958
LEFT ABUT. & CLAY BACK GPM	482	458	415	650	624	884	475	241	285	330	524	536
FRESH WATER (HRS)	311	168	270	345	264	238	289	404	313	487	636	441
FRESH WATER (MM GALLONS)	55880	39640	48800	62100	45720	42840	53820	72720	58348	89460	88300	79380
AMB. TEMP FLOW	3016	4472	5866	70712	7528	7430	10038	88740	8038	88720	52716	40718
MAIN DRAIN GPM	1286	1236	1227	1556	1473	1453	1279	1308	1308	1308	1308	1308
ROCK TOE GPM	804	779	612	906	849	789	804	1087	1013	978	784	770
RIS TO POND (DAYS)	30	28	31	30	29	30	31	31	36	31	30	31
RIS TO POND (GPM)	33	18	19	41	832	898	476	181	46	49	31	19
PUMP BACK (HRS)	57	42	45	58	58	59	50	51	46	52	42	50
PUMP BACK (GALLONS)	649.8	478.8	513	661.2	661.2	672.6	672.6	581.4	524.4	582.8	478.8	570
CLAY BACK (HRS)	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
CLAY BACK (GALLONS)	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
PIT DEWATER (HRS) 100-HP	0	0	0	0	0	0	0	0	0	0	0	0
PIT DEWATER (HRS) 300-HP	27	131	448	492	1245	1831	1000	380	670	627	380	167
PIT DEWATER (GALLONS)	972	4718	16128	17712	44820	58716	36980	14040	31328	22572	13880	6012
POTABLE WATER (GALLONS)	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND

Post-It brand fax transmittal memo 7671

1 of pages 5

B

To: BRUCE MARSHALL

From: MIKE A

Cc:

Cc:

Dept:

Phone 5

Fax 8

Fax 8

MICROFILMED

SEP 25 2001

208 538-2299

MEMORANDUM

TO: FILE 72-07414
FROM: NORM YOUNG *ny*
RE: TELEPHONE CONVERSATION WITH ANGELA SCHAEER
DATE: 01/11/01

I called Angela on January 9 to let her know that the records of water use and other mine operation data appear to have promise for documenting the annual water diversion that should be licensed. We agreed that it is necessary to have a Thompson Creek Mining Co. representative, probably Bert Doughty go over the data to verify that specific flow components to the concentrator operation were in fact represented by the data.

Angela will arrange a meeting for us, probably by phone with Bert or someone else knowledgeable about how and where the records were taken. She indicated that the SRBA court would be advised of the present status of the request to amend the license and she thought the court would allow additional time before taking action.

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RECEIVED

DEC 21 2000

Department of Water Resources

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

ANGELA D. SCHAEER

208-384-5844

December 20, 2000

Norm Young
State of Idaho
Department of Water Resources
1301 North Orchard Street
Post Office Box 83720
Boise, Idaho 83720-0098

Re: Motion to Amend License No. 72-07414

Dear Mr. Young:

When we met with you and Shelley Keen on November 14th, you requested any additional information we might have regarding Thompson Creek Mining Company's industrial system. Bert Doughty was participating by phone in our conference, and indicated that he would look for any additional information which might assist you in determining the diversion volume limitation or consumptive use limitation appropriate for that right.

During the meeting, you indicated that you would consider all inputs into the system and take the maximum during the development period. Further, during the meeting, Mr. Doughty stated that the mining process has not increased, and that 32,000 to 35,000 tons a day are processed. That daily quantity has often been produced 365 days a year, but occasionally a lesser daily quantity is produced.

Bert has reviewed his files, and was unable to find anything other than ~~the pit de-watering pumping records~~. I believe that I did not leave those records with you, so I enclosing them with this letter for your review and information. I am also enclosing a copy of correspondence we received from **Kelly Townsend of IDWR** which includes the analysis of water requirements for permits 72-07193 and 72-07257. The information may be useful to you as you consider our *Motion to Amend License 72-07414*.

Special Master Cushman has set a status conference for **January 10, 2001**, for water rights 72-07414, 72-07257, and 72-07193. It is my hope that we will be able to report to the Special Master that our Motion to Amend License has been granted. It is my sense that he is becoming

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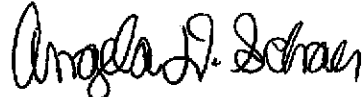
SEP 25 2001

Norm Young
December 20, 2000
Page 2

somewhat impatient with this process, and would be pleased to learn of some resolution of this matter. In the interest of achieving that goal, please do not hesitate to contact me or Scott Campbell if you should have any questions or concerns, or any matters which you need to discuss with us or with our client. If you believe that discussions with our client would be fruitful, please contact us and we will arrange for that conversation. In the meantime, I look forward to continuing to work with you on this matter.

Very truly yours,

ELAM & BURKE
A Professional Association



Angela D. Schaer

ADS:ln
Enclosures
G:\dap\WPDATA\0016\Water Resources - Norm Young 001219.wpd

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SEP 25 2001

PIT DEWATER 1999 GALLONS PER MONTH

JAN 42,600

FEB 42,300

MAR 46,200

APR 19,900

MAY 360,600

JUNE 17,668,500

JULY 9,716,600

AUG 15,798,700

SEPT 15,823,600

OCT 16,699,600

NOV 25,058,400

DEC 15,107,700

TOTAL 116,384,700**THIS DOES NOT TAKE INTO ACCOUNT:****> TIMES WHEN THE MILL IS SHUT DOWN****> TIMES WHEN THE TOTALIZER IS NOT WORKING**

COMPILED 2-24-00 JCL

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SEP 25 2001

TOTAL P.03

CC: SJC

Date 11/16

NOV 16 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

November 15, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ELAM & BURKE
ANGELA D SCHAER
PO BOX 1539
BOISE ID 83701

RE: Thompson Creek Mining Water Right 72-07257

Dear Ms. Schaer:

Enclosed please find copies of the pages from the above referenced file that you requested yesterday.

If you have any questions regarding this matter, please call me at 327-7946.

Sincerely,



Shelley Walter Keen
Water Rights Supervisor

SWK:klt

Enclosures

cc: Cyprus Thompson Creek Mining Co.
c/o Bert Doughty
PO Box 62
Clayton ID 83227

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SEP 25 2001

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

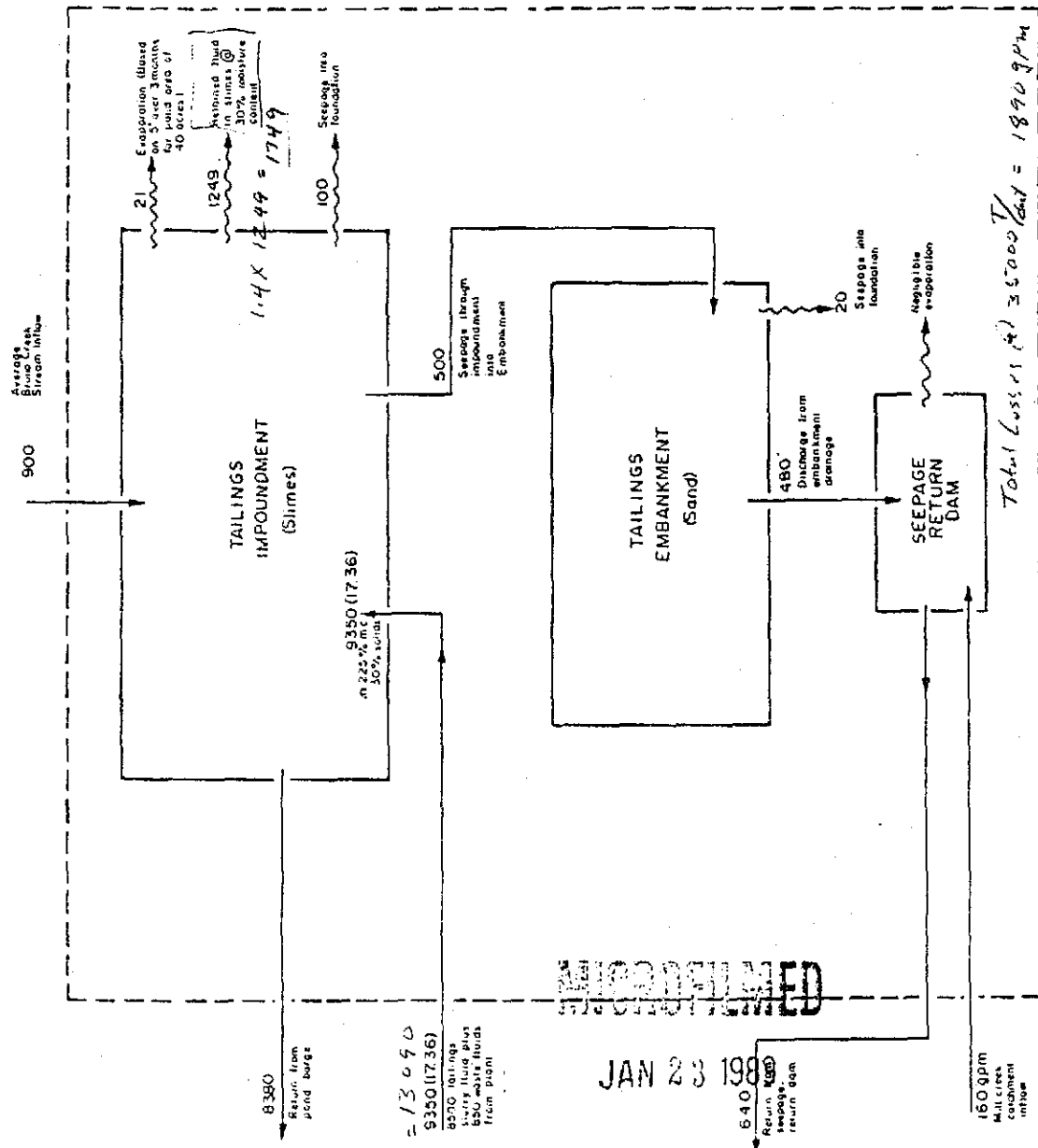
Stored volume

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.

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KEY

(i) Figures in parentheses represent tons/minute solids flow and figures outside parentheses represent ft.³. gallons/minute fluids flow.
 i.e. 2150 (17.36) = 17.36 tons and 2150 ft.³. gallons per minute.

(ii) m.c. = Moisture content.
 i.e. m.c. = Weight of fluids
 Weight of solids

MILES

- 1) Water balance based on daily production of 25,000 tons tailings solids.
 $25,000 \times 0.10 = 2,500$
- 2) Water balance examines the situation where the dam is past the start-up period.
- 3) Seepage from impoundment to embankment is based on two dimensional flow net analysis with impoundment at elevation 7450'. This estimate of seepage quantity is subject to refinement.
- 4) Seepage into the dam foundation is based on the assumption of vertical saturated seepage only into a foundation material with effective permeability of 10^{-5} cm/sec over an area of 100 acres. This estimate of seepage quantity is subject to refinement.
- 5) Evaporation has been evaluated assuming a constant rate over three months totalling 5' from a free standing fluid surface.

ROBERTSON PINCOCK INC.			
TAILINGS WASTE AND GEOTECHNICAL ENGINEERS			
1010 S. 1000 WEST 2ND AVE. TACOMA, WASH.			
THIS INSTANTANEOUS WATER BALANCE		DRAWING NO.	
WINTER OPERATION		REV.	
CYPRUS MINES LTD.		DESIGNED BY	HECK
THOMPSON CREEK, IDAHO		DATE	29/1/80

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 SEP 25 2001

MICROFILMED

JAN 23 1980

INSTANTANEOUS WATER BALANCE
 WINTER OPERATION

1890 gpm for 274 d.t.s = 2289 AF

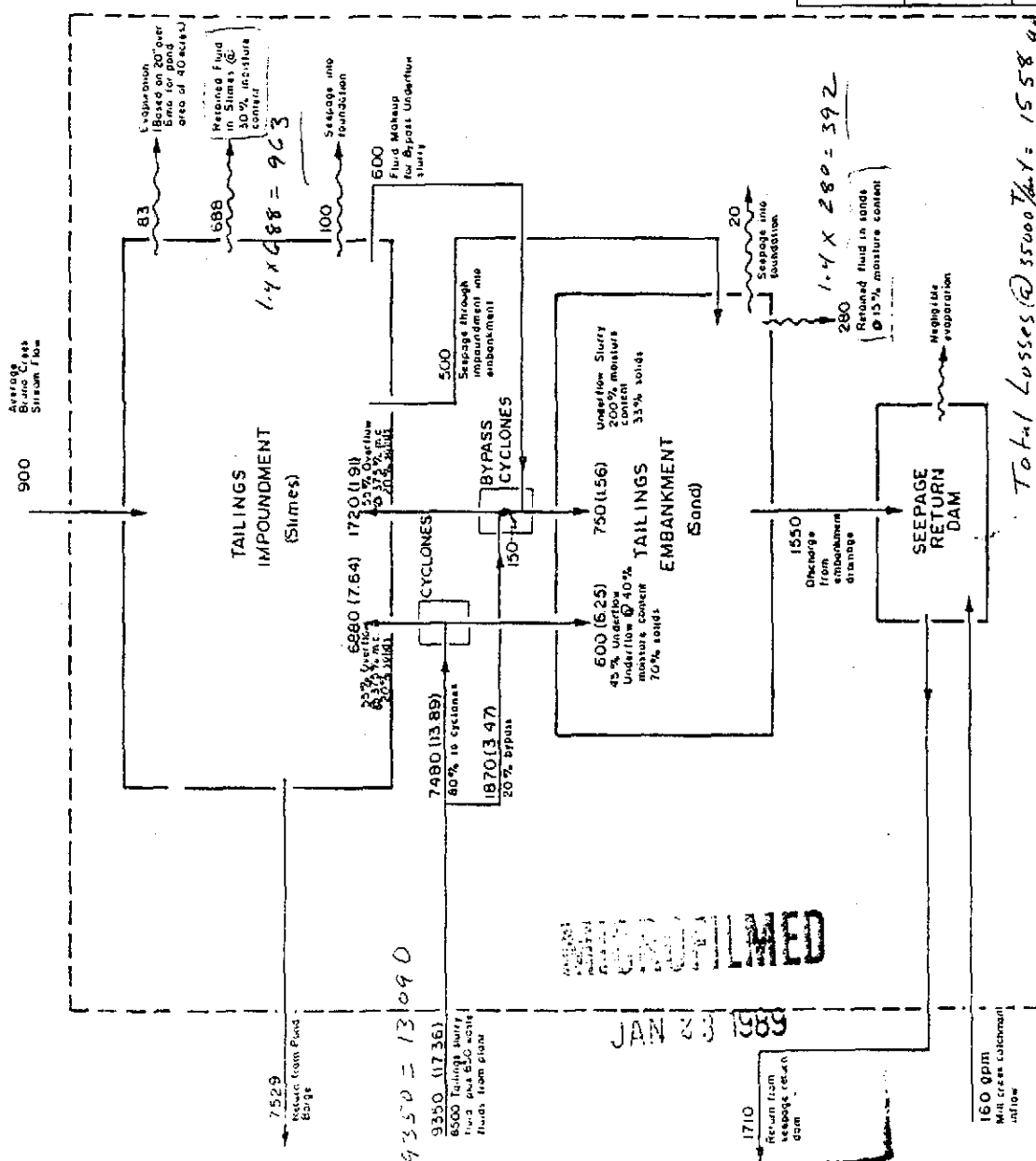
KEY

- (i) Figures in parenthesis represent tons/minute solids flow and figures outside parenthesis represent U.S. gallons/minute fluids flow. i.e. 9350 (17.36) = 17.36 tons and 9350 U.S. gallons per minute.
- (ii) m.c. = Moisture content. i.e. m.c. = weight of fluids weight of solids

NOTES

- 1) Water balance based on daily production of 25,000 tons tailings solids. $35,000 \text{ at } 140\%$
- 2) Analysis assumes a split of underflow to overflow of 45% to 55% at the cyclones.
- 3) Water balance examines the situation where the dam is past the start-up period.
- 4) Seepage from impoundment to embankment is based on two dimensional flow net analysis with impoundment at elevation 7450'. This estimate of seepage quantity is subject to refinement.
- 5) Seepage into the dam foundation is based on the assumption of vertical saturated seepage only into a foundation material with effective permeability of 10^{-6} cm/sec over an area of 160 acres. This estimate of seepage quantity is subject to refinement.
- 6) Evaporation has been evaluated assuming a constant rate over six months totalling 70" from a free standing fluid surface.
- 7) Bypass cyclones are assumed to produce a split of underflow/overflow of 45%/55% with underflow hydraulically placed in embankment.

ROBERTSON PINCOCK INC.			
TAILINGS MINE WASTE AND GEOTECHNICAL ENGINEERS			
BASED ON ANNUAL UNDERFLOW CYCLOPS SPLIT OF 45% TAILINGS PRODUCED WITH BYPASS CYCLONING AND SLURRY			
DATE	DRAWING NO.	REV.	SCALE
CYPRUS MINES LTD.			
THOMPSON CREEK, IDAHO			
29/1/80			



Total Losses @ 55000 Tons/day = 1558 gpm

Total Losses @ 25000 Tons/day = 1171 gpm

1558 gpm for 91 days = 627 AF

Seepage net - 91 days

Norm

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NOV 09 2000

Department of Water Resources

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702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

ANGELA D. SCHAEER

E-mail: ads@elamburke.com

November 8, 2000

Mr. Norman C. Young
Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706

*Re: Thompson Creek Mining Company
Motion to Amend Licence No. 72-07414*

Dear Norm:

The purpose of this letter is to set forth my understanding of the conclusions we reached during our meeting on Friday, November 3, 2000. If any of my understandings are incorrect, please let me know at your earliest possible convenience.

First, I would like to thank you for your assurance that it is the Department's intent to ensure that Thompson Creek Mining Company continues to have sufficient water to run its operations. We certainly appreciate that attitude and spirit of cooperation. We also agreed that I would set up a conference call between you, Shelly, Bert Doughty, and me to discuss the practical issues related to Thompson Creek Mining Company's motion to amend their license. You should know that Scott Campbell may also participate in that conference call, which we are currently in the process of arranging.

As you know, Thompson Creek Mining Company filed its motion to amend license no. 72-07414 in order to remove the combined annual diversion volume limitation which is on that license only, but which governs water right nos. 72-07414, 72-07257, and 72-07193. Our research has indicated that the licenses for 72-07193 and 72-07257 do not contain an annual diversion volume limitation, although they do contain an annual volume limitation. Our research has further indicated, based upon Department notes, that the volume limitation was intended to be a consumptive use limitation.

When Thompson Creek Mining Company filed its motion to amend the license, we asked that the combined annual volume limitation be amended to make it clear that it pertains to consumptive use rather than to diversion volume. During our meeting on November 3, you stated that the Department actually does not care about a consumptive use limitation, and that it is more concerned about diversion volume. You also assured me that it would be the Department's intent to ensure that Thompson Creek Mining Company has a sufficient diversion rate and volume to operate the mine.

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Letter to Norman C. Young
November 8, 2000
Page 2

Thompson Creek Mining Company does remain very concerned about the combined annual diversion volume limitation. As I indicated to you, it may be that at some point in the future Thompson Creek would wish to transfer one of those rights to another use (although there is currently no plan to do so), and a diversion volume limitation could significantly limit what could be done with the right. However, we are certainly willing to sit down and speak with you regarding the possibility of resolving Thompson Creek's motion to amend its license informally. This is particularly important given that SRBA proceedings regarding three of Thompson Creek's rights are currently on hold pending outcome of this matter. I indicated to the Special Master that we would continue to work to resolve Thompson Creek's motion to amend as soon as possible.

Once again, if I have incorrectly stated any of my understandings, please do not hesitate to correct those errors as soon as possible. I look forward to meeting with you in the near future.

Very truly yours,

ELAM & BURKE
A Professional Association

for 
Angela D. Schaer

ADS:dap G:\Dap\WPDATA\0016\00156-Young ltr.wpd

cc: Shelly Keen
Bert Doughty
Kevin Loughrey

MICROFILMED

SEP 25 2001

MEMORANDUM

DATE: November 3, 2000

TO: Water Right File 72-07414

FROM: Shelley W. Keen *SWK*

RE: Motion to Amend License

This morning Norm Young and I met with Angela Schaer to attempt to make some progress on her motion to amend the license. We agreed that the volume listed in Condition Number 8 is a part of the total consumptive volume, which we do not usually put on licenses because it is not necessary for administration of the water right. Norm wants to determine the appropriate combined annual diversion volume number and use it in Condition Number 8 instead. Angela Schaer will set up a conference call with Burt Doughty to discuss the pumping records he may have. Rights 72-07193 and 72-07257 should also be addressed so that the matter can be resolved in the SRBA.

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SEP 25 2001

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

JUL 25 2000

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): 72-07414

Adjudication Claim No(s): 72-07414

2. The following **REQUIRED** information must be submitted with this form:

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND Attachment A

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR See Attachment B

C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should also be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant N M Rothschild & Sons, Ltd.

New Court, St Swithins Ln, London, England, UK C4U 4-DU

4. New Owner/Claimant(s) Thompson Creek Mining Company

Name Connector (Check one): () and, () or, () and/or

New Mailing Address c/o Bert Doughty, P.O. Box 62

City, State, and ZIP Code Clayton, Idaho 83227

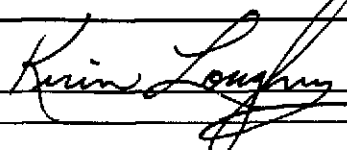
New Telephone Number (208) 838-2200

5. Date you acquired the property See Attachment B

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claims(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner or Claimant(s) 

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

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SEP 25 2001

ATTACHMENT A

The original of the document, a quitclaim deed, has been filed as Exhibit C to the Affidavit of Counsel, filed concurrently with Thompson Creek Mining Company's Motion to Amend License (72-07414).

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SEP 25 2001

QUITCLAIM DEED

FOR VALUABLE CONSIDERATION RECEIVED, N M ROTHSCHILD & SONS LTD, whose address is NEW COURT, ST SWITHINS LN, LONDON ENGLAND UK EC4P 4DU, Grantor, does hereby convey, release, remise and forever quitclaim unto THOMPSON CREEK MINING COMPANY, whose current address is POST OFFICE BOX 62, CLAYTON, ID 83227, the following described water right, to-wit:

State of Idaho Water Right Number 72-07414,
and any right, title and interest therein.

DATED this 8th day of MAY, 2000 GRANTOR:

Clemens Ambler

DIRECTOR MANAGER (title)
N M ROTHSCHILD & SONS LIMITED

MICROFILMED

SEP 25 2001

ATTACHMENT B

SRBA Claim Number 72-07414 was claimed in the name of Cyprus Thompson Creek Mining Company. Water Right 72-07414 was licensed on May 26, 1994. Prior to that time, Permit Number 72-07414 had been assigned to N M Rothschild & Sons, Ltd., as part of a financial transaction. On or about May 26, 1994, N M Rothschild & Sons, Ltd., quitclaimed Water Right 72-07414 to Thompson Creek Mining Company.

Thompson Creek Mining Company never relinquished the property to which 72-07414 is appurtenant. However, Thompson Creek is attaching the IDWR map which was attached to the Director's Rec. for SRBA Claim 72-07414.

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SEP 25 2001

Kevin Loughrey
Senior Vice President
and General Counsel

By Facsimile and E-mail

June 11, 1999

Angela D. Schaer
Elam & Burke
Key Financial Center, 702 West Idaho
Boise, ID 83701

**Re: Thompson Creek Mining Co. Water Rights
Applications for Transfer and for Permit**

Dear Ms. Schaer:

In response to your letter of June 11, 1999, listed below are the names and addresses of the corporate officers for Thompson Creek Mining Co.

<u>Office</u>	<u>Name and Mailing Address</u>
President	Richard J. Fiorini 945 West Kenyon Avenue Englewood, CO 80110
Senior Vice President, General Counsel, and Secretary	Kevin Loughrey 945 West Kenyon Avenue Englewood, CO 80110
Vice President	Kent Watson P. O. Box 62, 35 miles SW of Challis Clayton, ID 83227
Vice President, Treasurer, and Assistant Secretary	Vicki P. Byrne 945 West Kenyon Avenue Englewood, CO 80110
Vice President	Richard S. DeCesare 945 West Kenyon Avenue Englewood, CO 80110

Sincerely,

Kevin Loughrey

KL:je

MICROFILMED
SEP 25 2001

ATTACHMENT C

MEMORANDUM

DATE: September 21, 2000

TO: Water Right File 72-07414

FROM: Shelley W. Keen *SWK*

RE: Motion to Amend License

This morning I met with Angela Schaer to discuss her motion to amend water right license 72-07414. I suggested dropping the combined use condition altogether and changing the maximum diversion volume figure to reflect the actual volume diverted in 1990, if Thompson Creek Mining Company can provide some diversion records or other description of their operation. Ms. Schaer said she would speak with Thompson Creek about my suggestion.

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ATTORNEYS AND COUNSELORS AT LAW
Established in 1928

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

Department of Water Resources

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

E-mail: ads@elamburke.com

ANGELA D. SCHAEER

August 25, 2000

Shelly Keene
Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706

Re: Motion to Amend License No. 72-07414

Dear Mr. Keene:

On today's date, I conferred with my clients regarding your proposal to resolve our Motion to Amend Licence for the above-referenced water right. My clients certainly are amenable to the idea that the annual diversion volume limitation be placed solely on 72-07414 but not be a combined limit with other water rights. As a practical matter, that solution would be one of the better ones, due to the nature of diversion of this water right.

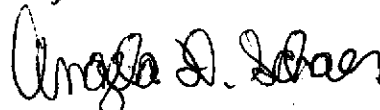
The diversion for this water right, as you may notice from review of your files, consists of a sump pump placed in the bottom of Thompson Creek's pit mine at the site. Although the water is indeed used in the mining operation, the quantity diverted depends in part on the amount of water coming up from the water table into the mine. Because the mine's operations are essentially continual, I believe that it would be proper to assume that the diversion occurs 365 days per year.

Because the diversion occurs 365 days per year, I would propose that the Department consider placing an annual diversion volume limitation at 803.6 acre feet per acre. I believe that this is consistent with what you and I discussed, and reflects the actual diversion of the water.

I hope that you will carefully consider what I have proposed, and let me know whether the proposal is acceptable to the Department. Thank you very much for your cooperation and your willingness to work with us, and I look forward to hearing from you.

Very truly yours,

ELAM & BURKE
A Professional Association



Angela D. Schaer

ADS:dapG:\Dap\WPDATA\0016\00154-keene ltr.wpd

cc: Kevin Loughrey
Bert Doughty

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Department of Water Resources

ELAM & BURKE
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ATTORNEYS AND COUNSELORS AT LAW
Established in 1928

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702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

ANGELA D. SCHAEER

E-mail: ads@elamburke.com

August 18, 2000

Mr. Shelly Keene
Idaho Department of Water Resources
1301 North Orchard Street
Boise, ID 83706-2237

Re: Thompson Creek Mining Company's Motion to Amend License No. 72-07414

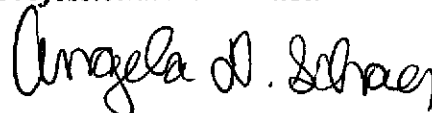
Dear Mr. Keene:

The purpose of this correspondence is to simply inform you that after discussion with Scott Campbell, I forwarded your proposed resolution of the above-referenced motion to my client for their consideration and review. After I receive a response from my client, I will contact you and we can determine how to proceed at that time.

Thank you very much for your willingness to work with us in the matter, and I look forward to a speedy and mutually satisfying resolution of my client's motion.

Very truly yours,

ELAM & BURKE
A Professional Association



Angela D. Schaer

ADS:dap G:\Dap\WPDATA\0016\00153-keene ltr.wpd

cc: Kevin Loughrey
Bert Doughty

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SEP 25 2001

MEMORANDUM

DATE: August 14, 2000

TO: Water Right File 72-07414

FROM: Shelley W. Keen *SWK*

RE: Motion to Amend License

Last week I spoke on the phone with Angela Schaer about her motion to amend water right license 72-07414. I explained that IDWR does not normally put a consumptive use limit on a license. As an alternative, I suggested dropping the combined use condition altogether and changing the maximum diversion volume figure to reflect the actual volume diverted in 1990, if Thompson Creek Mining Company can provide some diversion records. Ms. Schaer said she would speak with Thompson Creek about my suggestion.

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

TELEPHONE
208-343-5454
FACSIMILE

ANGELA D. SCHAEER

208-384-5844

August 7, 2000

RECEIVED

AUG - 7 2000

Department of Water Resources

VIA HAND DELIVERY

Mr. Glen Saxton, P.E.
Idaho Department of Water Resources
1301 North Orchard Street
Boise, ID 83706-2237

Re: Thompson Creek Mining Company Motion to Amend License

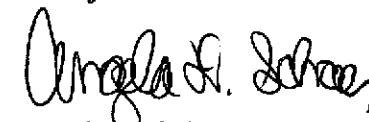
Dear Mr. Saxton:

When we spoke on Friday, August 4, 2000, you indicated that neither Norm Young, Shelly Keene, nor yourself had seen the enclosed documents. According to our records, these documents were hand delivered to the Idaho Department of Water Resources, State Office, on July 25, 2000. Rather than wait to decide whether those documents will appear, I am having them hand delivered to you, with copies to Norm Young and Nick Spencer.

My clients believe that this matter presents an unusual circumstance that warrants amending the license, and hope that this matter can be resolved expeditiously. If you have any questions, please do not hesitate to contact me.

Very truly yours,

ELAM & BURKE
A Professional Association


Angela D. Schaer

ADS:dap G:\Dap\WPDATA\0016\00149-Saxton ltr re pldgings.wpd
encl.

cc(w/encl.): Nick Spencer
Norm Young

cc(w/o encl.): Kevin Loughery
Bert Doughty

SEP 25 2001

RECEIVED

JUL 25 2000

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
Established in 1928

Department of Water Resources

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

SCOTT L. CAMPBELL

July 25, 2000

VIA HAND DELIVERY

Idaho Department of Water Resources
Water Allocation
1301 N. Orchard
Boise, ID 83706

Re: Change of Water Right Ownership - Water Right No. 72-07414

Dear Sir or Madam:

Enclosed please find the original and two copies of the following

1. Notice of Change of Water Right Ownership for water right no. 72-07414;
2. Affidavit of Counsel; and
3. Motion to Amend License.

Please file the originals, keep one set of copies for your files and date-stamp the second set of copies. Please return the date-stamped copies to this office in the enclosed envelope. I appreciate your assistance in this regard.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

ELAM & BURKE
A Professional Association


Scott L. Campbell

SLC:dap G:\Dap\WPDATA\0016\00148-IDWR filing ltr.wpd
Encl.

cc: Thompson Creek Mining Company

MICROFILMED

SEP 25 2001

*See separate folder
for documents as
described above.*



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 30, 1995

N M ROTHSCHILD & SONS LTD
NEW COURT
ST SWITHINS LN
LONDON ENGLAND UK C4U 4DU

RE: WATER RIGHT NO. 72-07414

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

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SEP 25 2001

LICENSE REVIEW CHECKLIST



PERMIT NO. 72-07414 DATE 5/19/95

NAME Change OK ✓ Or Address Change? New Owner
 PRIORITY DATE ✓ Assignment Processed ✓
 Advance? ✓ Advanced to:
 Order to reinstate needed?
 Incorrect fee for rate recommended? NO

SOURCE ✓ Changes or just clarification of originally intended source?
 Notice of Intent to Void necessary?

POINT OF DIV ✓ Amendment needed?
✓ Overlaps?

PLACE OF USE ✓ Amendment needed?
✓ Overlaps? 72-07193 and 72-07257

DIV RATE ✓ Permit/fee limits: 4 CFS
 Meas Q = Theo Q = Recommend: 1.11
Pump test noted at 500 gpm = 1.11 CFS
 Combined rates exceed capacity

ANNUAL VOLUME ✓ Volume Limit: Season:
 Calculations:
 Flow limit: 1.11 cfs x 365 x 1.9835 = 803.6
 Combined volumes exceed capacity/allowable

USES ✓ Change in Nature of Use or additional uses?
 Amendment necessary?

ADDITIONAL INFO Supplemental Groundwater PPU Scenario
 Irr/Dom Combination Shared G/W System

NEW REMARKS NO Multiple p/d(s) in 1/4
W45 Other (EDIT) 72-07193 & 72-07257 / 29116 of
Keep Agreement remark + edit it. limit

NEW CONDITIONS Watermaster control - District
 Measuring/Locking Devices
 Irrigation Overlap
YES Other RO6 (06A)
KEEP Water Quality 09E Heat/Cool/Fish verified

COMMENTS: 72-07220 & 72-07219 are for domestic & truck washing.
Overlap not NECESSARY.

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	<u>YES</u>
<u>Industrial</u>	<u>1.11</u>	<u>803.6</u>	Adjustment Memo Needed	<u>NO</u>
_____	_____	_____	LICENSE	<u>✓</u>
_____	_____	_____	1ST AMEND LETTER	_____
_____	_____	_____	2ND AMEND LETTER	_____



12-07414
SOUTH BUTTE
SUB SITE

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

Stored volume

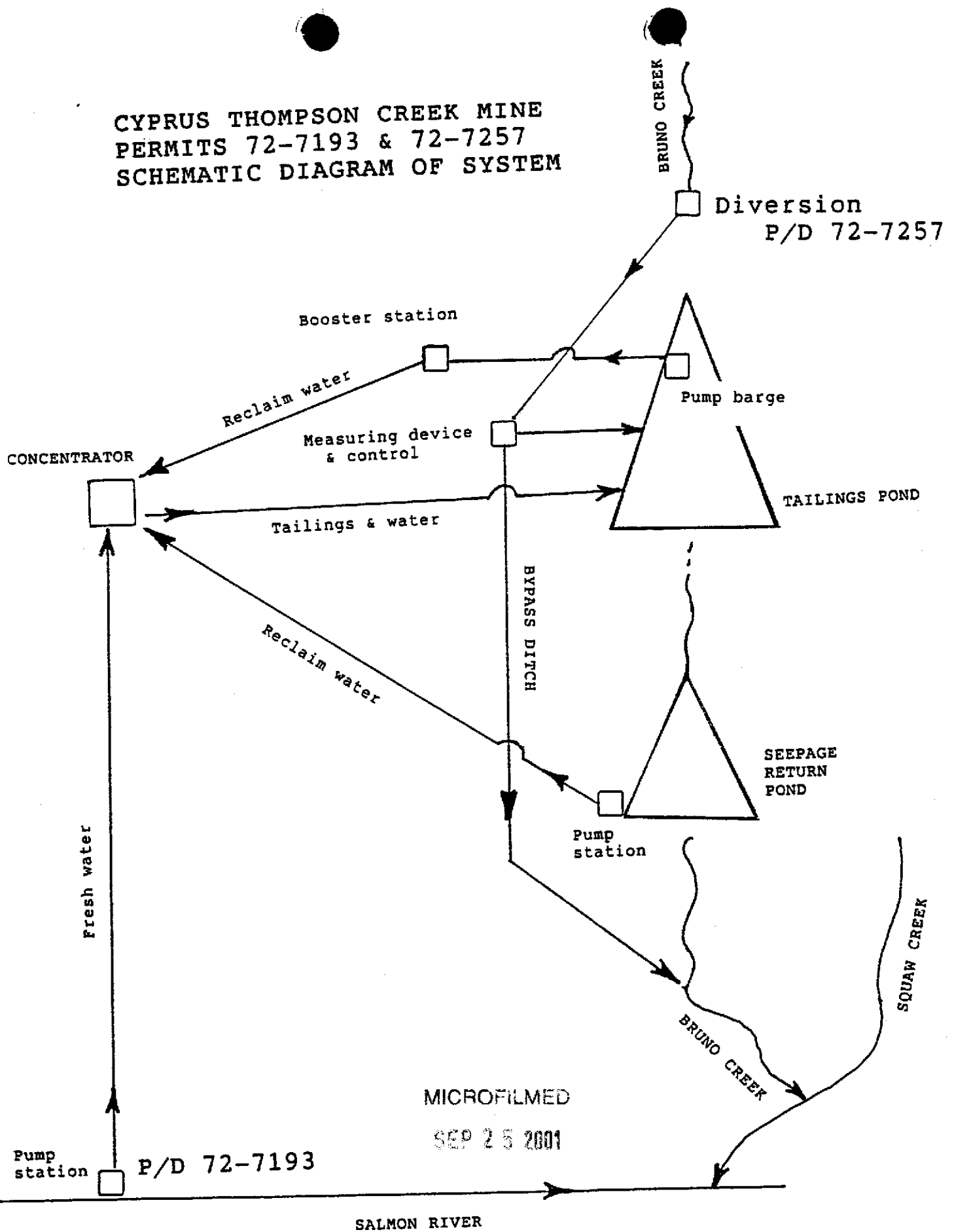
The tailings impoundment is designed to be able to store a probable maximum flood event (PMF). This is estimated to be 1530 acre-feet in the design report. Additionally, the impoundment has capacity to store 160 acre-feet over any 10-day period. The design storage quantities justify licensing a quantity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

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SEP 25 2001

72-07414

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



FYI - 72-07414

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

72-7414
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☐ Computer Data Proof Report
- ☐ Copy of U.S.G.S. Quad

me ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index MTS 5-4-92 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☐ Other: _____

Check of P/U index MTS 5-4-92 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☒ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☒ Other: Old Source

Aerial Photo

Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? 4-16-92 MTS (Initial and date)

☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed MTS 3-12-92 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent JS 1-19-94 (Initial and date)

Exam Reviewed by Manager of Regional Office _____ (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office _____ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
SEP 21 1994
Department of Water Resources

A. GENERAL INFORMATION

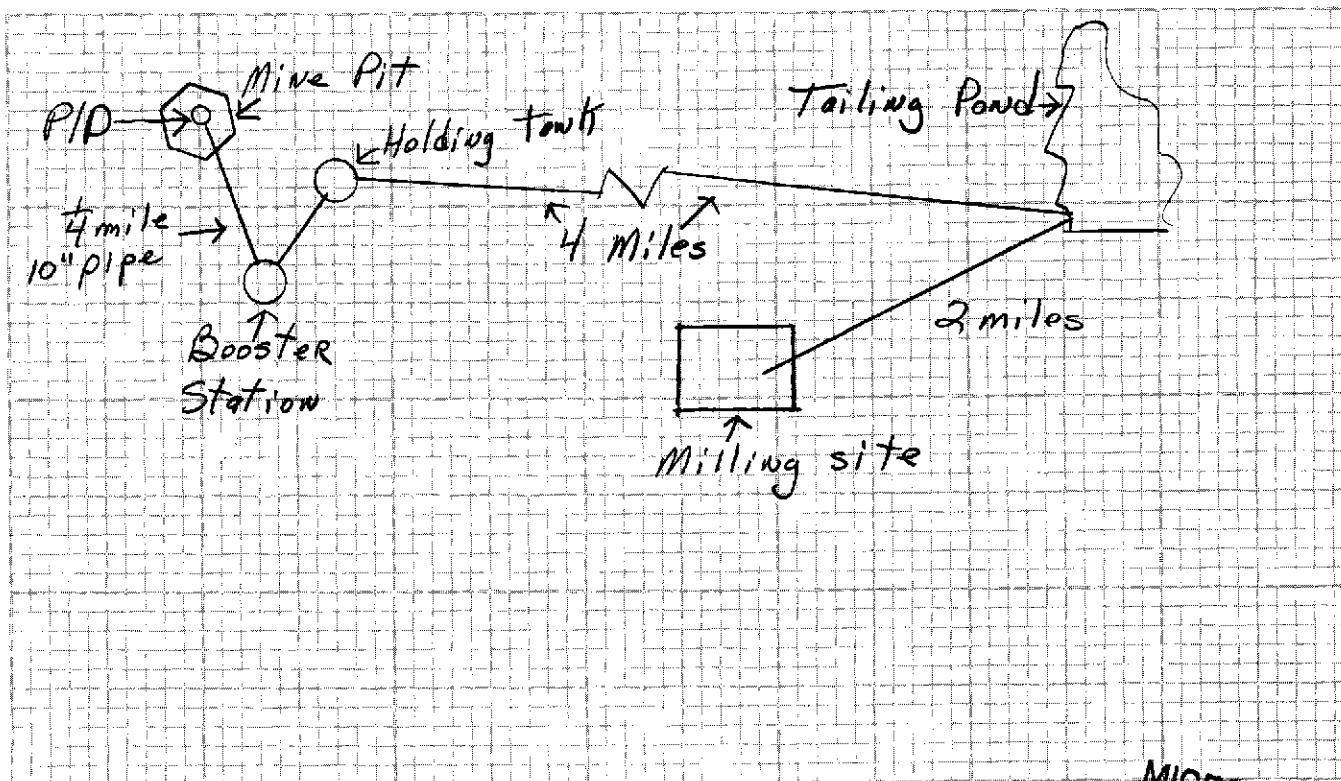
1. Owner: Cypress Thompson Creek Mining Co. Permit No. 72-7414
Current Address: P.O. Box 62, Clayton, Idaho 83227 Phone No. _____
2. Accompanied by: Bert Doughty (Brent Bunker) EXAM. DATE: 5-6-92
Address: same Phone No. 838-2200
Relationship to Permit Holder: Supervisor Environmental Affairs
3. Source: groundwater tributary to none
(seepage water in pit)

B. OVERLAP REVIEW

1. Other water rights with same place of use: 72-7193, ~~72-7219~~, ~~72-7220~~
72-7257 ☐ Copies Attached
2. Other water rights with same point of diversion: _____
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = Not to scale

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2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

A 40 Hp submersible pump draws water from a collection sump in the bottom of the mining pit and discharges it to a 10" pipe. The pipe flows to a booster station about 1/4 mile from the sump and about 100' vertically higher. at the booster station sump water is mixed with other water and discharged with two -100 Hp pump to a large tank located about 1000' West. From the tank water gravity flows in an 8" pipe to a tailing pond 4 miles away and then returned about 2 miles to the mill

☒ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	ABS	40	5490-166	Galigher	4"

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	SW	NW	2	11N	16E	Custer	quad map

6. Place(s) of Use:

Indicate Method of Determination *quad map - exam*

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11N	16E	12		I															

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SEP 25 2001

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

None - See attached pump curve and test data

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

1.11 cfs x 1.9835 x 365 = 803.6 afa

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

site. all water used in the milling plant is cycled through the tailing pond. This permit water is a small part of the 9,000 gpm used in the mill under rights 72-7193, 72-7219, 72-7250 and 72-7257. The mill and this system operate 24 hrs per day. The system T & H varies at times depending on the operation. The pumping system was designed and rated at 500 gpm at 83' T & H. Recommended diversion is based on this rated flow and the volume on 24 hrs a day; 365 days a year. Diversion point is in different 10-acre tract than permitted, but is in same 40 - no amendment required. Not to exceed 276 AFA when combined with 72-7193 & 72-7257. Recommend measuring-device requirement be waived; pump curve is adequate to determine flow rate.

I. RECOMMENDATIONS**1. Recommended Amounts**

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Industrial	1-1	12-31	1.11 cfs	803.6 afa
Totals:			1.11	803.6 afa

2. Recommended Amendments☐ Change P.D. as reflected above☐ Add P.D. as reflected above☒ None☐ Change P.U. as reflected above☐ Add P.U. as reflected above☐ Other**J. AUTHENTICATION**

Field Examiner's Name

Melvin T. Schulte

Signature

Melvin T. Schulte

Certification Date

Field Report Preparation Date

5-12-92

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

MICROFILMED
SEP 25 2001

Galigher **ASH**

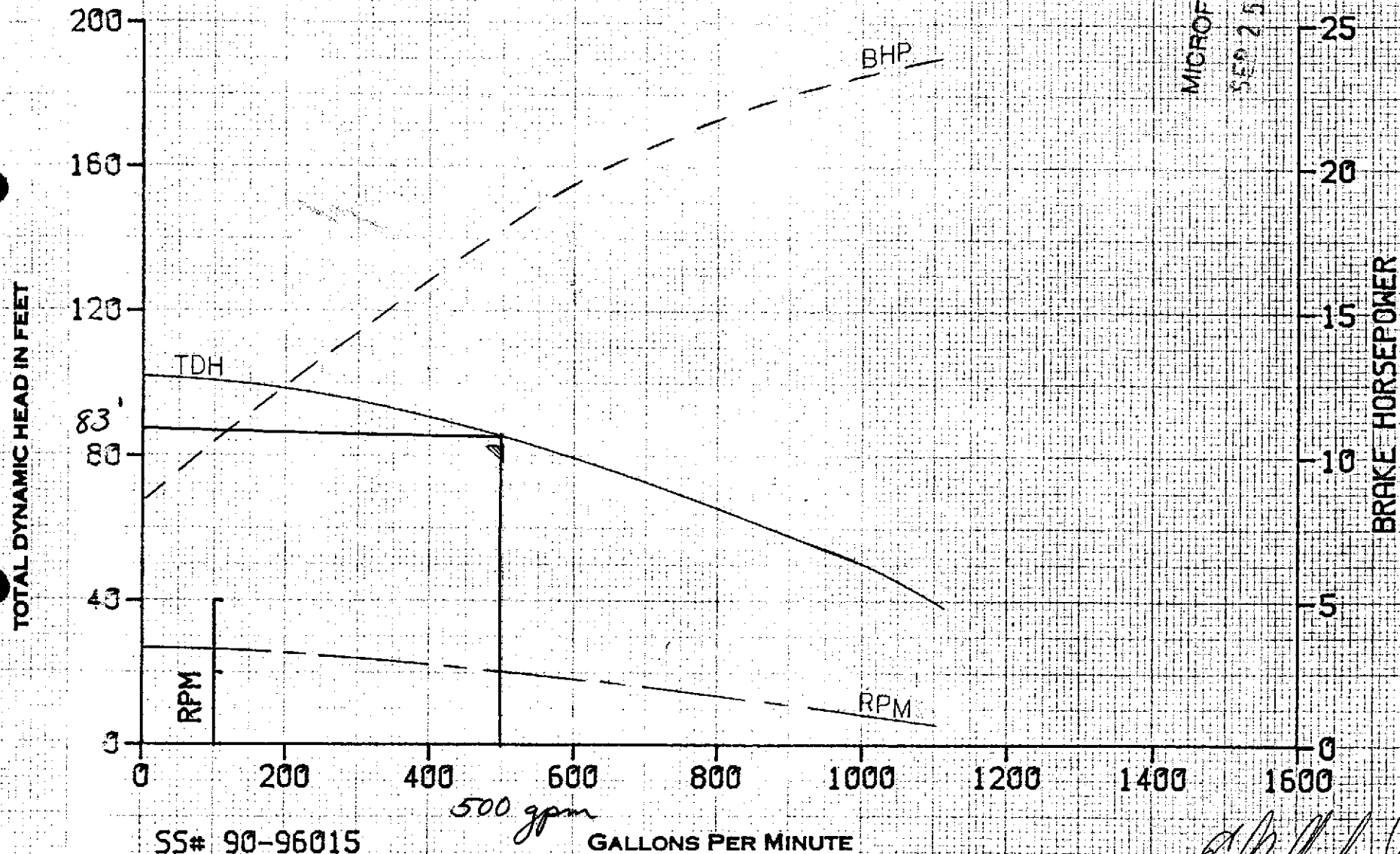
440 WEST 800 SOUTH

P.O. BOX 209

72-7414

SALT LAKE CITY, UTAH 84110

BUYER: CYPRUS MINES CORP. P.O.# 88265
USER: CYPRUS MINES CORP.



1.0 S.G.

TEST CERTIFIED BY

S/N SJ90-166

DATA BY: E.P. SHEPHERD

DRAWN BY: COMPUTER

DATE: AUG. 21, 1990

SUBMERSIBLE PUMP

MODEL: 4-SUN5-MA7300

IMPELLER: 9.5" H-C TRIM

PERF. CURVE# 3393-A

12-7414

BGA
INTERNATIONAL

TEST DATE..... AUG. 21, 1990
PUMP MODEL NUMBER... 4-SUN5-MA7300
PUMP SERIAL NUMBER.. SU90-166
ED NUMBER..... SS# 90-96015
BUYER NAME..... CYPRUS MINES CORP.
BUYER PO NUMBER..... 88265
USER NAME..... CYPRUS MINES CORP.
PERFORMANCE CURVE NO 3393
DATA TAKEN BY..... E.P.SHEPHERD
IMPELLER DIAMETER... 9.5" H-C TRIM
SPECIFIED HEAD..... 83'
SPECIFIED FLOW..... 500 GPM

<-----REDUCED DATA 2 RUNNING SPEED----->

<-----TEST DATA 2 RUNNING SPEED----->

POINT	CAPACITY (GPM)	HEAD (FEET)	EFFICIENCY (PERCENT)	WATER HORSEPOWER	SPEED RPM	METER SIZE	FLOW RATE (MM HG)	DISC.PRS (PSI)	SUCT.PRS (IN HG)	KILLOWATT ACTUAL	KILLOWATT METER
1	0	101.89	0	8.55	1794	6	0	41.86	0	8.6	17.2
2	343	93.79	54.07	15.02	1792	6	343	37.62	0	14.1	28.2
3	503	85.79	60.65	17.97	1790	6	503	33.32	0	16.6	33.2
4	738	69.53	61.54	21.05	1788	6	738	24.48	0	19.25	38.5
5	882	59.13	58.72	22.43	1786	6	882	18.54	0	20.45	40.9
6	1005	50.72	55.41	23.23	1784	6	1005	13.47	0	21.15	42.3
7	1115	37.52	44.49	23.75	1783	6	1115	6.32	0	21.6	43.2

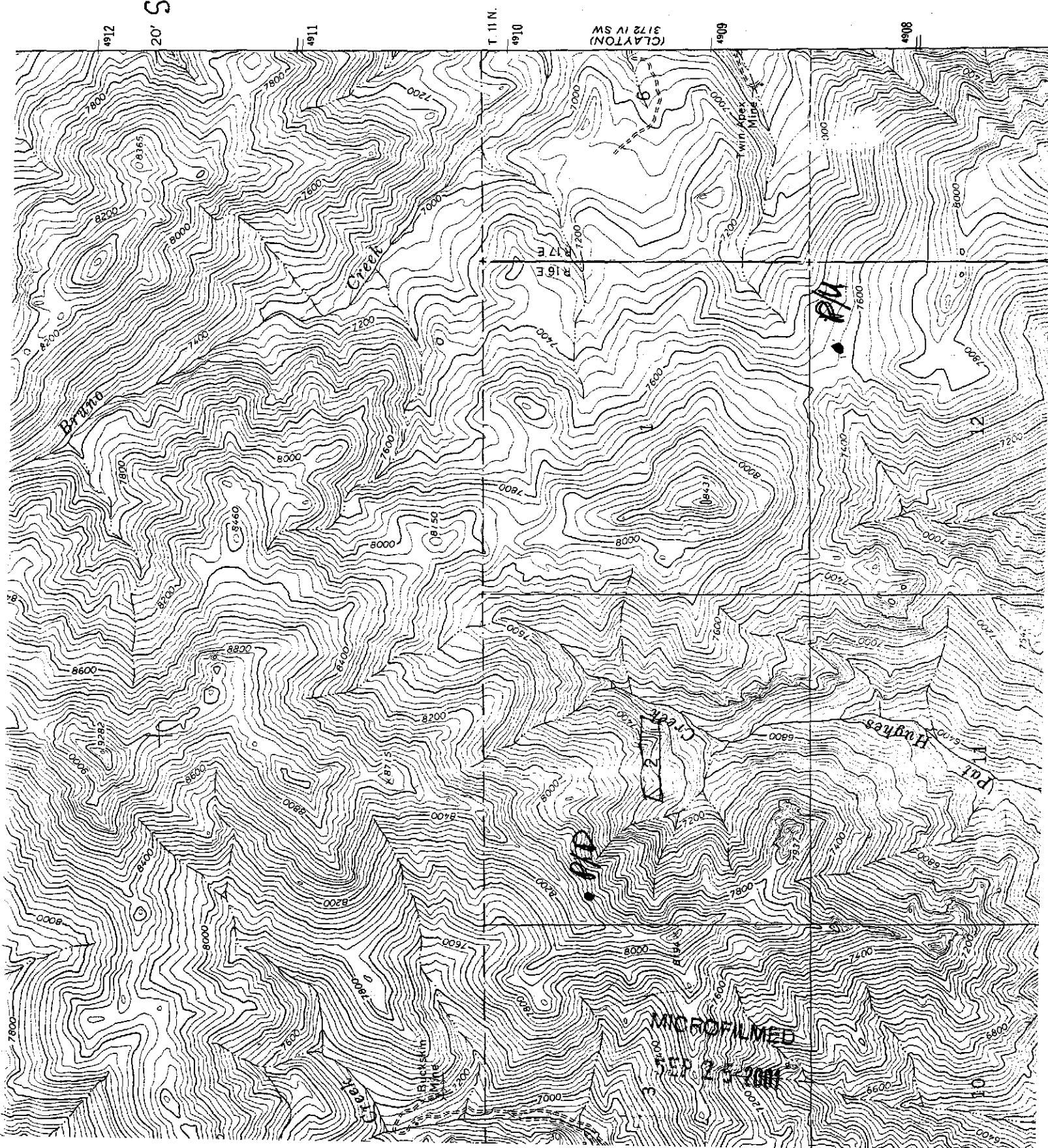
REDUCED DATA 2 1760 RPM W/9.5 DIA. IMP.

POINT	CAPACITY (GPM)	HEAD (FEET)	EFFICIENCY (PERCENT)	WATER HORSEPOWER
1	0	98.06	0	8.08
2	336.88	90.47	54.07	14.23
3	494.57	82.94	60.65	17.08
4	726.44	67.37	61.54	20.08
5	869.16	57.42	58.72	21.46
6	991.48	49.36	55.41	22.31
7	1100.62	36.56	44.49	22.84

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SEP 25 2001

72-7414



72-7414



#5-

24" pipe and 8" pipe
from mill site and
holding tank to the tailing
pond.



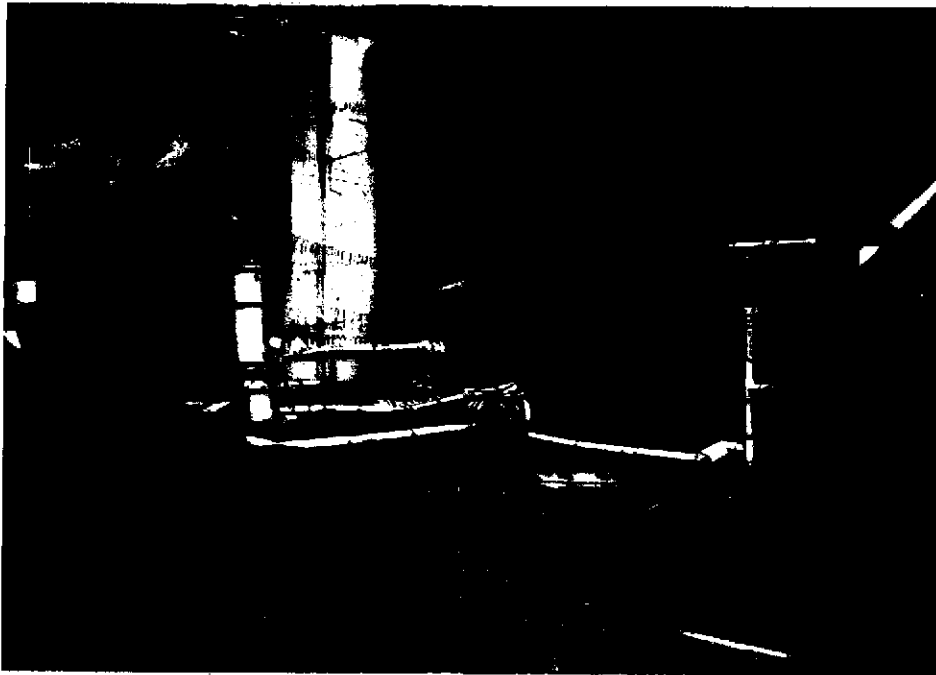
#6.

Tailing pond

NOT FILMED

SEP 25 2001

72-7414



#3

Booster station
and collection
tank.



#4

One of two
booster pumps

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SEP 25 2001

72-7414



#1 P/D

Pump and motor
located in mining
pit sump.



#2.

Discharge pipe
going from sump
to booster station

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SEP 25 2001

72-7414



7. P14
Mill site

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SEP 25 2001



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

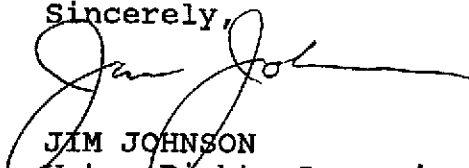
March 9, 1994

RICHARD F GOODSON
HAWLEY TROXELL ENNIS & HAWLEY
FIRST INTESTATE CENTER
877 MAIN STREET SUITE 1000
PO BOX 1617
BOISE ID 83701-1617

Dear Mr. Goodson:

Per your telephone request enclosed is your copy of the duplicate original for the Assignment of Permit of Water Right No. 72-07414. Also enclosed is the Assignment of Permit form.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED

APR 20 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

March 1, 1994

RICHARD F GOODSON
HAWLEY TROXELL ENNIS & HAWLEY
877 MAIN ST SUITE 1000
PO BOX 1617
BOISE ID 83701-1617

RE: Permit No. 72-07414

Dear Mr. Godson:

I recently received a completed Assignment of Permit form from you in reference to permit 72-07414 changing the ownership to N. M. Rothschild & Sons Ltd. The assignment is complete and is sufficient documentation for changing our records to reflect the new owner. In the future the new owner will receive, from the department, all necessary correspondence related to perfecting this permit to a license.

Per our conversation, I understand this letter will provide sufficient acknowledgement from the department that the ownership change has been received and the Departments records have been updated.

If you have any further questions regarding this matter, please feel free to contact me at (208) 327-7947.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

RECEIVED

APR 20 1994

RECEIVED

FEB 23 1994

HAWLEY TROXELL ENNIS & HAWLEY

ATTORNEYS AND COUNSELORS

FIRST INTERSTATE CENTER
877 MAIN STREET, SUITE 1000
POST OFFICE BOX 1617
BOISE, IDAHO 83701-1617

TELEPHONE
(208) 344-6000

FAX
(208) 342-3829

Department of Water Resources

KETCHUM OFFICE
319 WALNUT AVENUE
POST OFFICE BOX 297
KETCHUM, IDAHO 83340-0297

POCATELLO OFFICE
125 NORTH GARFIELD
POST OFFICE BOX 4167
POCATELLO, IDAHO 83205-4167

RICHARD F. GOODSON

February 17, 1994

State of Idaho
Department of Water Resources
1301 N. Orchard
Boise, ID 83706

Re: Rothschild/Tonopah Credit Facility - Cypress
Thompson Mining Company

Gentlemen:

Please find duplicate originals of the Assignment of Permit No. 72-07414 enclosed in connection with the above-referenced matter. Please file one of the enclosed duplicate originals of the Assignment of Permit in your records. Please return to our office the other duplicate original of the Assignment of Permit stamped with the appropriate filing data.

I would also like you to return to our office a copy of this letter which has been executed by a duly authorized officer of your department advising N M Rothschild & Sons, Ltd. that the Department will notify it of any and all filings and/or claims which may be filed against or in connection with Water Permit No. 72-07414.

If you have any questions concerning this matter, please give me a call.

Thank you in advance for your usual time and consideration.

HAWLEY TROXELL ENNIS & HAWLEY

By: Richard F. Goodson
Richard F. Goodson

APR 20 1994

HAWLEY TROXELL ENNIS & HAWLEY

State of Idaho
February 17, 1994
Page 2

The State of Idaho, Department of Water Resources, hereby agrees to notify N M Rothschild & Sons, Ltd., New Court, St. Swithin's Lane, London, England C4P4DU, United Kingdom if any filings, claims or any other documents are filed in connection with Water Permit No. 72-07414.

State of Idaho
Department of Water Resources

By: _____
Name: _____
Title: _____

RFG:trj
Enclosures
cc: Brian T. Dolan, Esq. (w/o encls.)
Howard Hertzberg (w/o encls)

APR 20 1994

February 26, 1991

CYPRUS THOMPSON CREEK MINING CO.
P.O. BOX 62
CLAYTON, ID 83227

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 72-07414

Dear Permit Holder:

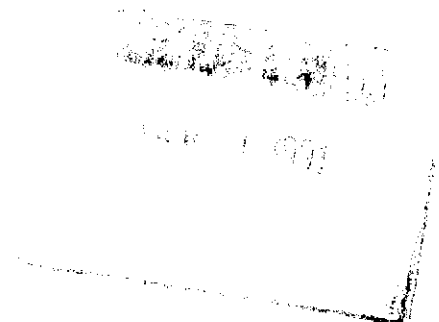
The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region



Cyprus Minerals Company

CHECK REQUEST

Date of Request <u>1/14/91</u>	Send Attachment With Check ☐	Date Check Required <u>1/16/91</u>	Use Same Date On Check ☒	Location <u>Thompson Creek</u>
				Company <u>CYPRUS MINERALS</u>

P A Y E E	Name <u>State of Idaho Dept. of Water Res.</u>	Business Associate No.	SEND CHECK TO (if other than Payee)	Name
	Address <u>Butte House</u>	Employee Soc. Sec. No.		Mail Code or Room No.
	City, State, Zip Code <u>10160 Idaho 83720</u>			Location and/or Telephone No.

CHECK MOUNT	Write Amount in Numbers <u>175.00</u>	(Write Amount in Words) <u>one hundred seventy five and 00/100</u>
-------------	--	---

CHARGE TO	Department <u>ENVIRONMENTAL</u>	Account Number <u>540-27</u>
PURPOSE OF PAYMENT	License examination fee for water right pertaining to pit dewatering system.	
riefly describe material, service or other reason for expenditure.	MICROFILMED	
☐ "X" if to be printed on check stub, and limit description to 240 characters and spaces.	Please type serial permit # <u>P-72 07414</u>	
	MAR 21 1991	

Prepared By (Print Legibly) <u>David Bergery</u>	Date <u>1/14/91</u>	Approved By (Legible Signature, No Initials) <u>David P. Bergery</u>	Date
---	------------------------	---	------

RECEIVED

JAN 17 1991

Department of Water Resources

Cypress
72-07414
mining

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. P-72 07414

Name(s) of Permit Holder(s): Cyprus Thompson Creek Mining Co.

Post Office Address: P.O. Box 62

Clayton, ID 83227

Tel. No. 2200

☒ I hereby certify that construction of diversion on the above referenced permit began on 2/11/88 (date) I understand that I must

continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control:

Note: A financing difficulty is not an acceptable reason.

01/14/91

Date

Signature of Permit Holder

PLACE
STAMP
HERE



MICROFILMED

MAR 21 1991

**IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
September 21, 1989

CYPRUS THOMPSON CREEK MINING CO.
P.O. BOX 62
CLAYTON, ID 83227

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P72-07414

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of

INDEXED

SEP 23 1989

Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

RECEIVED

SEP 20 1989

United States
Department of
Agriculture

Forest
Service

Intermountain
Region

324 25th Street
Ogden, UT 84401

RECEIVED
MAY 25 1989

Reply to: 2540

Date: MAY 22 1989

Mr. R. Keith Higginson
Director

Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720

Department of Water Resources

RECEIVED

MAY 31 1989

Department of Water Resources
Southern Region Office

Dear Mr. Higginson:

We are writing to withdraw our protest of Application for Permit No. 72-7414
filed by Cyprus Thompson Creek Mining Company. The agreement between the Forest
Service and the applicant is enclosed. Please put it in the Application file.

Sincerely,

Randall H. Hall

for J. S. TIXIER
Regional Forester

Enclosure

INDEXED
SEP 25 1989

RECEIVED

MAY 25 1989

RECEIVED

MAY 31 1989

Department of Water Resources
Southern Region Office

In the matter of protest)
against application for)
Permit No. 72-7414)
filed in the name of Cyprus)
Thompson Creek Mining Co.)

Department of Water Resources

Agreement for withdrawal of protest

This agreement, between the U.S. Forest Service and Cyprus Thompson Creek Mining Company, is entered into for the purposes of: 1) Identifying in-stream flow changes associated with inter-basin transfer of water from the Cyprus pit in the Thompson Creek drainage to the Mill/tailing areas in the Squaw Creek drainage and, 2) Providing augmentation to Thompson Creek when flows drop below the historic low flow level.

The U.S. Forest Service agrees to:

- 1) Provide stage/discharge relationships for Thompson Creek at the USGS station annually.
- 2) Monitor winter stream flow by receiving USGS data on a monthly basis, if agreeable with USGS.

Cyprus Thompson Creek Mining Company agrees to:

- 1) Read stage gauge at the USGS Thompson Creek station weekly, beginning on August 1, until ice renders stage gauge unreliable.
- 2) Read stage gauge at the USGS Thompson Creek station daily when stream flow is 2.5 cubic feet per second (CFS) or less. The U.S. Forest Service will be notified when this flow is reached.
- 3) Augment in-stream flow when Thompson Creek flow at the USGS station is 2.1 CFS or less.

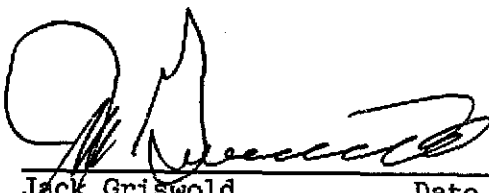
MICROFILMED

SEP 25 1989

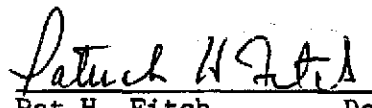
It is mutually agreed that:

- 1) Augmentation will begin within two days of a recorded reading of 2.1 CFS or less and will continue for a period of two addition days once the in-stream flow at the USGS Thompson Creek station exceeds 2.1 CFS.
- 2) Augmentation will be at a rate in gallons per minute (GPM) of the previous month average for water diverted from the pit to the Squaw Creek drainage. (448.8 GPM equals one CFS)
- 3) Water used in augmentation will meet applicable water quality standards.
- 4) Point of augmentation may be anywhere between and including the Buckskin and Cherry Creek drainages.
- 5) Augmentation will be done in a manner which will not create an environmental problem.
- 6) In the event augmentation is indicated, but water had not been diverted for at least the last month, both parties will meet and decide on the course of action.
- 7) In the event augmentation is indicated, but either party feels there may be unusual circumstances, both parties will meet and decide on the course of action.

In witness whereof, the parties hereto, through their duly authorized officials, have executed this agreement on the respective dates indicated below:

 4/26/89

Jack Griswold Date
Forest Supervisor
Challis National Forest

 4/24/89

Pat H. Fitch Date
General Manager
Cyprus Thompson Creek

MICROFILMED

SEP 25 1989

January 27, 1989

Cyprus Thompson Creek Mining Co.
P.O. Box 62
Clayton, ID 83227

Applicant

Re: Application for permit No. 72-7414

Gentlemen:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your above referenced application. The Department suggests you contact the protestant directly in an effort to determine nature of the protest and to attempt to resolve the protest.

At a conference, the following are the principal items the Department can consider in either approving or denying an application for permit (Section 42-203, IDAHO CODE):

- 1) Will the proposed use reduce the quantity of water under existing rights?
- 2) Is the proposed water supply insufficient for the purposes intended?
- 3) Is the application made in good faith or for delay or speculative purposes?
- 4) Has the applicant sufficient financial resources with which to complete the proposed project?
- 5) Will the proposed use conflict with the local public interest?

If you have any questions concerning this matter, please feel free to contact me.

Sincerely,

LOREN O. HOLMES, P.E.
Manager, Southern Regional Office

MICROFILMED
SEP 23 1989

January 27, 1989

Jack Griswold, Forest Supervisor
Challis National Forest
Challis, ID 83226

Protestant

Re: Application for permit No. 72-7414, Cyprus Thompson Creek
Mining Co.

Dear Mr. Griswold:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

At a conference, the following are the principal items the Department can consider in either approving or denying an application for permit (Section 42-203, IDAHO CODE):

- 1) Will the proposed use reduce the quantity of water under existing rights?
- 2) Is the proposed water supply insufficient for the purposes intended?
- 3) Is the application made in good faith or for delay or speculative purposes?
- 4) Has the applicant sufficient financial resources with which to complete the proposed project?
- 5) Will the proposed use conflict with the local public interest?

If you have any questions concerning this matter, please feel free to contact me.

Sincerely,

LOREN O. HOLMES, P.E.
Manager, Southern Regional Office

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SEP 25 1989

CONVERSATION MEMORANDUM

DATE 1-18-89FILE 72-07414NAME OF PARTY Roland Libey (Forest Hydrologist)EMPLOYEE Terry BlauRE: Reasons for Protest

Met with Mr. Libey at S.O. in Challes. Their concern is that the groundwater flows intercepted by the pit may be tributary to Thompson Cr. During some periods of time the flows in Thompson are marginal for the fisheries they support. They have no objection to them using this water in milling because in its present condition it probably would not meet water quality standards. However if there is a significant reduction in stream flows in Thompson Creek due to the interception of this water during critical flow periods these flows should be augmented.

Another factor is that the water would be pumped from the Thompson Cr. drainage into the Squaw Cr. drainage.

Recommendation: A conference needs to be held ~~and~~ or an agreement reached between the two parties to resolve the possible impact to Thompson Cr.

MICROFILMED

SEP 25 1989

Reply to: 2540

Date: September 19, 1988

Mr. Loren Holmes
Southern Region Director
Idaho Department of Water Resources
2148 Fourth Avenue East
Twin Falls, ID 83301

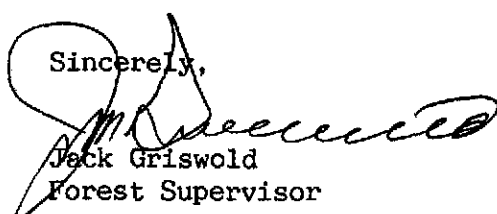
Dear Mr. Holmes:

The purpose of this letter is to protest application for Permit No. 72-07414 filed by Cyprus Thompson Creek Mining for four cubic feet per second as groundwater from the Thompson Creek drainage. The basis for our protest follows:

1. The United States has Federal reserved rights to a minimum instream flow necessary to secure favorable conditions of water flow which is one purpose of the reservation. Instream flow requirements are currently being quantified for Thompson Creek.
2. The Forest Service has been mandated by Congress to manage National Forest System lands for multiple use resources. Should the State grant the application, the Forest Service will be unable to comply with Federal law.
3. Base flow is currently measured at approximately five cubic feet per second (cfs). The referenced application for water right will divert up to four cfs from the Thompson Creek drainage which will affect instream flows, particularly at base flow periods. Loss of minimum instream flows will need to be augmented.

Based on the above, we respectfully request the subject application be denied.

Sincerely,


Jack Griswold
Forest Supervisor

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SEP 21 1988

Department of Water Resources
Southern Region Office

RECEIVED

SEP 20 1988

RECEIVED

SEP 19 1988

Department of Water Resources
Eastern District Office

RECEIVED

SEP 15 1988

Department of Water Resources
Southern Region Office

IDAHO DEPARTMENT OF FISH AND GAME
REGION 6
1515 Lincoln Road
Idaho Falls • Idaho • 83401

September 14, 1988

Mr. Loren O. Holmes, P.E.
Southern Region Manager
Department of Water Resources
2148 4th Avenue East
Twin Falls, Idaho 83301

RE: Application No. 72-07414
Cyprus Mining Company

Dear Loren:

Department of Fish and Game personnel have reviewed the above referenced application and have no objection to the issuance of a permit to Cyprus Mining Company, as described, for the use of ground water seepage for milling molybdenum ore.

Thank you for the opportunity to comment on this application.

Sincerely,



Herbert A. Pollard, II
Regional Supervisor
Region 6

HAP:JRL:dk

cc: U.S. Fish & Wildlife Service
Bureau of Program Coordination
Bureau of Fisheries
James R. Lukens

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SEP 25 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

September 1, 1988

Cyprus Thompson Creek Mining Co.
P.O. Box 62
Clayton, ID 83227

Re: Application for permit No. 72-07414

Gentlemen:

This office has accepted and is currently reviewing your application for permit.

In reviewing the application for compliance with the requirements of the department's Rules and Regulations for Water Appropriations, we have determined that the following information is required to make the application complete for processing.

- 1) If the application is filed in the name of a corporation, the names and addresses of its directors and officers shall be provided. If the application is filed by or in behalf of a partnership or joint venture, the application shall provide the names and addresses of all partners and shall designate the managing partner, if any. (Rule 3,3,2,1)

Because the required information does not appear in the legal notice, we are proceeding with advertising of your application. Advertising and protest period should be completed by September 19, 1988. If the required information is received by that date, no additional delay should be incurred in processing.

If you have any questions, please contact this office.

Very Truly yours,

Loren O. Holmes, P. E.
Southern Region Manager

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SEP 25 1989

MEMO

Attached is a copy of your legal notice
as it will be published in the Challis Messenger
beginning with the Sept. 1 issue.

Please proofread it carefully and call us
immediately at 208-879-4445 if there are any
errors.

RECEIVED

AUG 31 1988

Department of Water Resources
Southern Region Office

Bert Doughty was spelled incorrectly,
We changed it.

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SEP 23 1989



Custer Publishing, Inc.
The Challis Messenger • Challis, ID • 879-4445



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

23-Aug-1988

Dept. of Health & Welfare
Attention: Gordon Hopson
150 N. Third Ave.
Pocatello, ID 83201

Re: Application for Permit No. 72-07414

Dear Mr. Hopson:

Please find enclosed a copy of the above referenced
Application for Permit for your information and files.

If you have any questions or if this office can be of further
assistance, please feel free to contact us.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

Enclosure

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SEP 20 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

23-Aug-1988

USDA-Forest Service
Challis National Forest
Attention: Jerry Hinz
P.O. Box 404
Challis, ID 83226

Re: Application for Permit No. 72-07414

Dear Mr. Hinz:

Please find enclosed a copy of the above referenced
Application for Permit for your information and files.

If you have any questions or if this office can be of further
assistance, please feel free to contact us.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

Enclosure

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SEP 20 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

23-Aug-1988

Dept. of Fish & Game
Attention: Carl H. Nellis
P.O. Box 428
Jerome, ID 83338

Re: Application for Permit No. 72-07414

Dear Mr. Nellis:

Please find enclosed a copy of the above referenced
Application for Permit for your information and files.

If you have any questions or if this office can be of further
assistance, please feel free to contact us.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

Enclosure

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SEP 20 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

23-Aug-1988

USDI-Bureau of Land Management
P.O. Box 430
Salmon, ID 83467

Re: Application for Permit No. 72-07414

Gentlemen:

Please find enclosed a copy of the above referenced
Application for Permit for your information and files.

If you have any questions or if this office can be of further
assistance, please feel free to contact us.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

Enclosure

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SEP 23 1989



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

23-Aug-1988

Cyprus Thompson Creek Mining Company
c/o Bert Dougty
P.O. Box 62
Clayton, ID 83227

Re: Application for Permit No. 72-07414

Dear Mr. Dougty:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 72-07414. Please refer to this number in all further correspondence.

This office will be advertising the application in the Challis Messenger on 9/1 & 9/8/88. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Enclosed please find your Receipt No. S001482 for the amount of \$105.00.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

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SEP 20 1989

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Margaret Parks
Publisher of the Challis Messenger,
a weekly newspaper, published at
Challis, Idaho, do solemnly swear
that the notice hereto attached and
made a part hereof, was published
in the regular and entire issue of
the Challis Messenger for 2.....

consecutive weeks, commencing with
the issue dated Sept. 1.....

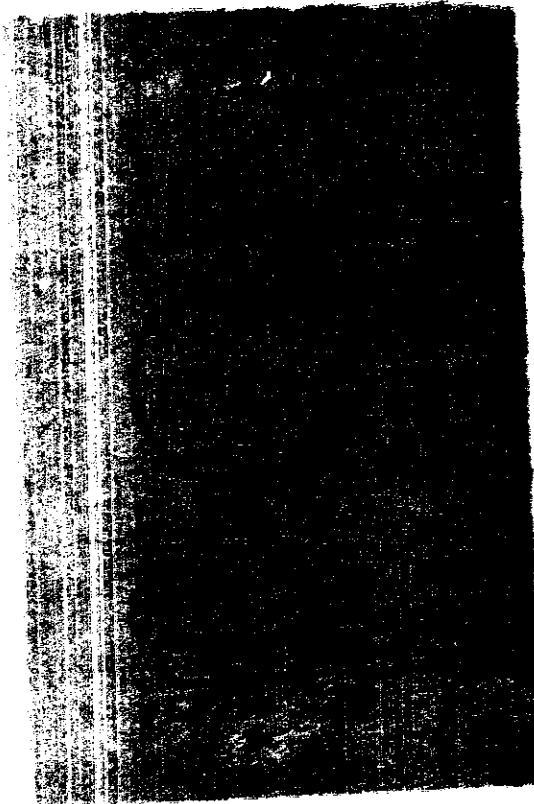
19. 88 and ending with the issued
dated Sept. 8..... 19. 88

Margaret Parks
Subscribed and sworn to before
me this 9th day of Sept.
19. 88

Ernest M. Peck
Notary Public, residing at Challis,
Idaho. My commission expires on

3-21-92

0 mb
10/26/88



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SEP 22 1988

SEP 25 1989

Department of Water Resources
Southern Region Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

AUGUST 16, 1988

CUSTER PUBLISHING COMPANY
P.O. BOX 405
CHALLIS, ID 83226

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before SEPTEMBER 19, 1988.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

SEP 25 1989

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed appropriate the public waters of the State of Idaho:

72-07414

CYPRUS THOMPSON CREEK MINING COMPANY
C/O BERT DOUGHTY
P.O. BOX 62
CLAYTON, ID 83227

Source: GROUNDWATER

Diversion Pt: NESWNW Sec 2 T 11N R 16E; Custer County; 3 miles North
& 9 miles East of Sunbeam.
Use: INDUSTRIAL (4.000 CFS)

Date Filed: 7/28/1988

In: T11N R16E S12 NWNE

The permit(s) will be subject to all prior water rights. Protests must be filled with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before SEPTEMBER 19, 1988.

R. KEITH HIGGINSON, Director

Published 9/01/1988 & 9/08/1988

MICROFILMED

SEP 25 1989

**NOTICE OF APPLICATION
FOR WATER RIGHT
72-07414**

The Following application(s)
have been filed to appropriate the
public waters of the State of Idaho:
CYPRUS THOMPSON CREEK
MINING COMPANY
C/O BERT DOUGHTY, P.O. BOX
62, CLAYTON, ID 83227

Source: GROUNDWATER

Diversion Pt: NESWNW Sec 2 T
11N R 16E; Custer County; 3 miles
North & 9 miles East of Sunbeam.

Use: INDUSTRIAL (4,000 CFS)

Date Filed: 7/28/1988

In: T11N R16E S12 NWNE

The permit(s) will be subject to
all prior water rights. Protests
must be filed with the Director,
Dept. of Water Resources, South-
ern Region, 2148 4th Avenue East,
Twin Falls, Idaho 83301 on or before
SEPTEMBER 19, 1988.

R. Keith Higginson, Director

Pub: Sept. 1 & 8, 1988.

OK
MB
9/1/86

MICROFILMED

SEP 25 1989

RECEIVED

JUL 25 2000

Department of Water Resources

Attorneys for Cyprus Thompson Creek Mining Company
and Thompson Creek Mining Company

Scott L. Campbell
Angela D. Schaer
ELAM & BURKE, P.A.
Key Financial Center, 10th Floor
702 West Idaho
Post Office Box 1539
Boise, Idaho 83701
Telephone: (208) 343-5454
Facsimile: (208) 384-0544
Campbell - ISB #2251
Schaer - ISB #5436

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

In Re SRBA	)	Subcase No. 72-07414
	)	
	)	MOTION TO AMEND LICENSE
Case No. 39576	)	
_____	)	

Thompson Creek Mining Company ("Thompson Creek") by and through its attorneys of record Elam & Burke, P.A., and in accordance with IDAPA 37.01.01.260 (IDWR Rule of Procedure 260) and Idaho Code § 42-224, hereby moves the Idaho Department of Water Resources ("IDWR") for an order amending the license for water right number 72-07414. Specifically, Thompson Creek seeks amendment of Condition Number 8 of the license for water right number 72-07414, which limits the total combined annual diversion volume for water rights 72-07414, 72-07193, and 72-07257 to 2916.0 acre feet.¹ Thompson Creek's position is that the

¹Thompson Creek is also filing a Notice of Change of Ownership for water right 72-07414.

combined annual volume limitation should pertain to the consumptive use component of the water rights, not diversion volume.

I.

PROCEDURAL BACKGROUND

On May 26, 1995, when permit number 72-07414 was licensed (License at Exhibit A to *Affidavit of Counsel*, filed concurrently herewith), the permit for that right had been assigned to N M Rothschild & Sons, Ltd. (Exhibit B to *Affidavit of Counsel*, filed concurrently herewith), solely as incidental collateral for a loan which was quickly repaid. When the license issued, the collateral assignment of the permit had not been removed, despite the loan repayment. Therefore, when the right was licensed, Thompson Creek did not have the opportunity to review and move to amend the license at that time. The Director/Manager of N M Rothschild & Sons Ltd., recently executed a quitclaim deed for water right number 72-07414, deeding the same to Thompson Creek Mining Company. (Exhibit C to *Affidavit of Counsel*, filed concurrently herewith).

Water right number 72-07414 was licensed on May 26th, 1995. (Exhibit A to *Affidavit of Counsel*, filed concurrently herewith). Thompson Creek filed its SRBA notice of claim for water right number 72-07414 in early 1990. (Exhibit D to *Affidavit of Counsel*, filed concurrently herewith).

II.

LICENSE NUMBER 72-07414 SHOULD BE AMENDED

Thompson Creek first became aware of Condition Number 8 to the license for 72-07414 during the course of SRBA proceedings regarding the SRBA claim for that water right, as well as

for SRBA claim numbers 72-07193 and 72-07257. On or about January 25, 1999, the IDWR Director issued his Director's Reports for those three rights. The Reports contained the following limitations regarding the quantity element:

SRBA Claim Number 72-07257: "Use of this right with right no. 72-07193 is limited to a total combined annual volume of 2916 AF."

SRBA Claim Number 72-07193: "Use of this right with right no. 72-07257 is limited to a total combined annual *diversion* volume of 2916 AF." (Emphasis added).

SRBA Claim Number 72-07414: "This right when combined with rights 72-07193 and 72-07257 is limited to a total combined annual *diversion* volume of 2916.0 AFY." (Emphasis added).

(Director's Reports at Exhibit E to *Affidavit of Counsel*, filed concurrently herewith).

A. Water Right Numbers 72-07193 and 72-07257

Counsel for Thompson Creek has reviewed the IDWR files pertaining to water rights 72-07257, 72-07193, and 72-07414 (*Affidavit of Counsel*, p. 2, filed concurrently herewith), and discovered several items which support Thompson Creek's argument that the combined annual diversion limitation on license 72-07414 should be amended to limit annual *consumptive use* volume instead of *diversion* volume.

Water right number 72-07193 was licensed on January 6, 1989. Condition Number 5 to that license provides that "[t]he maximum combined annual volume under this right & Right 72-7257 shall not exceed 2916.0 acre feet." (Exhibit F-1 to *Affidavit of Counsel*, filed concurrently herewith). Thus, the license is not clear which volume is to be limited. However, the Adjudication Claim Profile Report dated January 10, 1994, for the right includes a remark that "use of this right with right no. 72-07257 is limited to a total combined annual *consumptive use* volume of 2916 af." (Exhibit F-2 to *Affidavit of Counsel*, filed concurrently herewith) (emphasis

added). Similarly, the Adjudication Claim Verification Report dated June 6, 1992, refers to “*consumptive use* combined with right 72-07257, 72-07414. . .” (Exhibit F-3 to *Affidavit of Counsel*, filed concurrently herewith) (emphasis added). That Verification Report also contains a hand-written note on page 10 of the Report under a column titled “Rec. Cons. Use” which provides “in Remarks combined 2916.0 AF.” (*Id.*)

Similarly, the license for water right 72-07257 was licensed on January 6, 1989, and contains a condition that “[t]he maximum combined annual volume of water under this right & Right 72-7193 shall not exceed 2916.0 acre feet.” (Exhibit G-1 to *Affidavit of Counsel*, filed concurrently herewith).² Moreover, the Adjudication Claim Profile Report, dated December 21, 1993, includes a remark that “Use of this right with right no. 72-07193 is limited to a total combined annual *consumptive use volume* of 2916 af.” (Exhibit G-2 to *Affidavit of Counsel*, filed concurrently herewith) (emphasis added). On page 13 of the Adjudication Claim Verification Report for 72-07257, the “consumptive use” amount (right hand side of page) is 2916.0 AFA. That number is circled, and there is a note which states “to remarks as combined.” (Exhibit G-3 to *Affidavit of Counsel*, filed concurrently herewith). On page 14 of that document, “Item 8” provides “consumptive use combined with right no. 72-07414, 72-07193.” There is a handwritten note with an arrow pointing to those words, and the note states “rewrite as variation of E09 c.u. only.” (*Id.*)

All of those items, while pertaining more to the adjudication claim than to the license, show that IDWR’s intent, has been to limit the combined annual *consumptive use* volume, not

²As noted above, the limitation on the Director’s Report for 72-07257 was “total combined annual volume” and did not specify “diversion volume.”

diversion volume for those rights. Most telling, however, is a document entitled "Analysis of Water Requirements: Permits 72-7193 and 72-7257", which seems to pertain to the permitting and licensing procedure. It discusses flow and consumptive use, and states in part that "[t]otal volume consumed per year: 2916 acre-feet." (Exhibits H-1 and H-2 to *Affidavit of Counsel*, filed concurrently herewith). In fact, on the version of the analysis which is from the file regarding water right number 72-07257, the words "2916 acre-feet" are circled, with the words "consumptive use" written next to the circled text. (Exhibit H-2 to *Affidavit of Counsel*, filed concurrently herewith). Thus, with regard to 72-07193 and 72-07257, the combined annual volume limitation was intended to be a limitation on *consumptive volume*, not *diversion* volume.

B. Water Right No. 72-07414

The license for water right number 72-07414, which was issued on May 26, 1995, does provide that "[t]his right when combined with rights 72-07193 and 72-07257 is limited to a total combined annual diversion volume of 2916. af." (Exhibit A to *Affidavit of Counsel*, filed concurrently herewith). The beneficial use report for 72-07414 is somewhat unclear. Item H therein is the "remarks and overlap review analysis", and contains a statement that the right is "not to exceed 2916 AFA when combined with 72-7193 & 72-7257." (Exhibit I to *Affidavit of Counsel*, filed concurrently herewith). However, it seems logical that if the volume limitation for 72-7193 and 72-7257 was for consumptive use, not diversion volume, that limitation would be the same for 72-07414.

C. Timing Issues

Had the license for 72-07414 been issued in Thompson Creek's name, Thompson Creek could have moved at that time to have the license amended. However, the right was licensed in

the name of the entity to which Thompson Creek collaterally assigned the permit. It was only when the Director's Reports for the three rights discussed herein were issued that Thompson Creek became aware of the limitation. Due to the fact that N M Rothschild is headquartered in London, it took some time for Thompson Creek to secure the necessary quitclaim deed in order to have the ownership properly reflect Thompson Creek's name. Thompson Creek assumed that in order to move to amend a license, one must be the entity or individual listed as the owner of the right.

III.

THOMPSON CREEK REQUESTS A HEARING

Should the Department rule that it will not amend the license for 72-07414, Thompson Creek hereby requests a hearing, in accordance with the provisions of Idaho Code § 42-224.

CONCLUSION

The intent of IDWR has traditionally been that there be a 2916.0 acre feet combined annual *consumptive use* limitation for 72-07414, 72-07193, and 72-07257, rather than a combined annual diversion volume limitation. Therefore, Thompson Creek respectfully requests that the license for water right number 72-07414 be amended so that Condition Number 8 be amended to provide that "[t]his right when combined with rights 72-07193 and 72-07257 is limited to a total combined annual consumptive use volume of 2916.0 af."

DATED this 25th day of July, 2000.

ELAM & BURKE, P.A.

By: Scott L. Campbell
Scott L. Campbell, Of the Firm

By: Angela D. Schaer
Angela D. Schaer, Of the Firm

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of July, 2000, I served a true and copy of the foregoing MOTION TO AMEND LICENSE by sending true and correct copies thereof as indicated below:

Cyprus Thompson Creek
Mining Company
c/o Bert Doughty
PO Box 62
Clayton, ID 83227

☐ Facsimile (208-838-2299)
☒ U.S. Mail
☐ Overnight Mail
☐ Hand-Delivery

Director of the IDWR
PO Box 83720
Boise, ID 83720-0098

☐ Facsimile (327-5400)
☒ U.S. Mail
☐ Overnight Mail
☒ Hand-Delivery

Nicholas B. Spencer
Office of Attorney General
PO Box 83720
Boise, ID 83720-0055

☐ Facsimile (327-5400)
☒ U.S. Mail
☐ Overnight Mail
☐ Hand-Delivery

Angela D. Schaer
for Elam & Burke, P.A.

RECEIVED

JUL 25 2000

Attorneys for Cyprus Thompson Creek Mining Company
and Thompson Creek Mining Company

Department of Water Resources

Scott L. Campbell
Angela D. Schaer
ELAM & BURKE, P.A.
Key Financial Center, 10th Floor
702 West Idaho
Post Office Box 1539
Boise, Idaho 83701
Telephone: (208) 343-5454
Facsimile: (208) 384-0544
Campbell - ISB #2251
Schaer - ISB #5436

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

In Re SRBA	)	Subcase No. 72-07414
	)	
	)	AFFIDAVIT OF COUNSEL
Case No. 39576	)	
	)	
_____	)	

ANGELA D. SCHAER, being first duly sworn upon oath, deposes and says:

1. I am one of the attorneys of record providing legal representation to Thompson Creek Mining Company ("Thompson Creek") in its water right matters before the Idaho Department of Water Resources ("IDWR") and the courts of the State of Idaho. I have knowledge of the files pertinent to this matter, and I make this affidavit based upon personal knowledge.

2. On or about May 14, 1999, I traveled to the IDWR Southern Region office in Twin Falls and examined the IDWR files pertaining to Thompson Creek's water rights. I made or caused copies to be made of certain documents contained in those files. Certain documents were already contained in Thompson Creek's files at Elam & Burke.

3. Appended hereto as Exhibit A is a true and correct copy of the water right license for water right number 72-7414, issued on May 26, 1995, in the name of N M Rothschild & Sons Ltd.

4. Appended hereto as Exhibit B is a true and correct copy of the "Assignment of Permit", received in IDWR offices on February 23, 1994. By this document, Thompson Creek assigned permit number 72-07414 to N M Rothschild & Sons, Ltd.

5. Appended hereto as Exhibit C is a true and correct copy of the Quitclaim Deed executed by the Director/Manager of N M Rothschild & Sons Ltd. By this document, N M Rothschild quitclaimed State of Idaho Water Right Number 72-07414 to Thompson Creek. This document was executed in London, England, and a notary public was not available.

6. Appended hereto as Exhibit D is a true and correct copy of the Notice of Claim to a Water Right Acquired under State Law, filed for water right number 72-07414 by Cyprus Thompson Creek Mining Company.

7. Appended hereto as Exhibit E are true and correct copies of the individual Director's Reports for SRBA Claim Numbers 72-07414, 72-07257, and 72-07193. These Director's Reports were sent to counsel for Thompson Creek Mining Company.

8. Appended hereto as Exhibit F-1 is a true and correct copy of the Water Right License for water right number 72-07193. Counsel for Thompson Creek either copied or caused to be copied that document from the files of the Southern Region office of IDWR.

9. Appended hereto as Exhibit F-2 is a true and correct copy of the Adjudication Claim Profile Report for SRBA Claim Number 72-07193. Counsel for Thompson Creek either copied or caused to be copied that document from the files of the Southern Region office of IDWR.

10. Appended hereto as Exhibit F-3 is a true and correct copy of the Adjudication Claim Verification Report for SRBA Claim Number 72-07193. Counsel for Thompson Creek either copied or caused to be copied that document from the files of the Southern Region office of IDWR.

11. Appended hereto as Exhibit G-1 is a true and correct copy of the water right license for water right number 72-07257. Counsel for Thompson Creek either copied or caused to be copied that document from the files of the Southern Region office of IDWR.

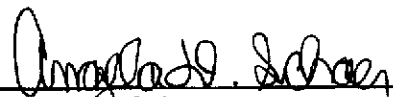
12. Appended hereto as Exhibit G-2 is a true and correct copy of the Adjudication Claim Profile Report for SRBA Claim Number 72-07257. Counsel for Thompson Creek either copied or caused to be copied that document from the files of the Southern Region office of IDWR.

13. Appended hereto as Exhibit G-3 is a true and correct copy of the Adjudication Claim Verification Report for SRBA Claim Number 72-07257. Counsel for Thompson Creek either copied or caused to be copied that document from the files of the Southern Region office of IDWR.

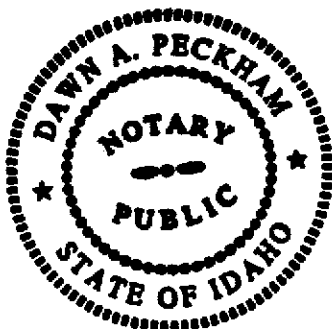
14. Appended hereto as Exhibit H-1 is a true and correct copy of a document entitled "Analysis of Water Requirements: Permits 72-7193 and 72-7257. Counsel for Thompson Creek either copied or caused to be copied that document from the files of the Southern Region office of IDWR. Specifically, the document was copied from the file pertaining to water right/SRBA Claim number 72-07193.

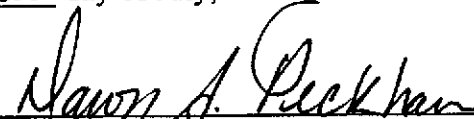
15. Appended hereto as Exhibit H-2 is a true and correct copy of a document entitled "Analysis of Water Requirements: Permits 72-7193 and 72-7257. Counsel for Thompson Creek either copied or caused to be copied that document from the files of the Southern Region office of IDWR. Specifically, the document was copied from the file pertaining to water right/SRBA Claim number 72-07257.

16. Appended hereto as Exhibit I is a true and correct copy of the Beneficial Use Field Report for Permit No. 72-7414. Counsel for Thompson Creek either copied or caused to be copied that document from the files of the Southern Region office of IDWR.


Angela D. Schaer

SUBSCRIBED AND SWORN before me this 25th day of July, 2000.




Notary Public in and for Idaho
Residing at Boise, ID
Commission Expires 07/17/2006

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of July, 2000, I served a true and copy of the foregoing AFFIDAVIT OF COUNSEL by sending true and correct copies thereof as indicated below:

Cyprus Thompson Creek
Mining Company
c/o Bert Doughty
PO Box 62
Clayton, ID 83227

☐ Facsimile (208-838-2299)
☒ U.S. Mail
☐ Overnight Mail
☐ Hand-Delivery

Director of the IDWR
PO Box 83720
Boise, ID 83720-0098

☐ Facsimile (327-5400)
☒ U.S. Mail
☐ Overnight Mail
☒ Hand-Delivery

Nicholas B. Spencer
Office of Attorney General
PO Box 83720
Boise, ID 83720-0055

☐ Facsimile (327-5400)
☒ U.S. Mail
☐ Overnight Mail
☐ Hand-Delivery

Amelia A. Sabner
for Elam & Burke, P.A.

EXHIBIT A

MICROFILMED

SEP 25 2001

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 72-07414

Priority: July 28, 1988

Maximum Diversion Rate:

1.11 CFS

Maximum Diversion Volume:

803.6 AF

This is to certify, that N M ROTHSCHILD & SONS LTD

NEW COURT

ST SWITHINS LN

LONDON ENGLAND UK C4U 4-DU

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 28, 1988; and has submitted Proof of Beneficial Use on January 18, 1991. An examination indicates that the works have a diversion capacity of 1.110 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
INDUSTRIAL	01/01 To 12/31	1.11 CFS	803.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 2, Township 11N, Range 16E
CUSTER County

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

11N 16E 12

NWNE

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. 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 of water will not be impaired for other beneficial uses.
6. Water used under this right if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.

MICROFILMED

SEP 25 2001

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

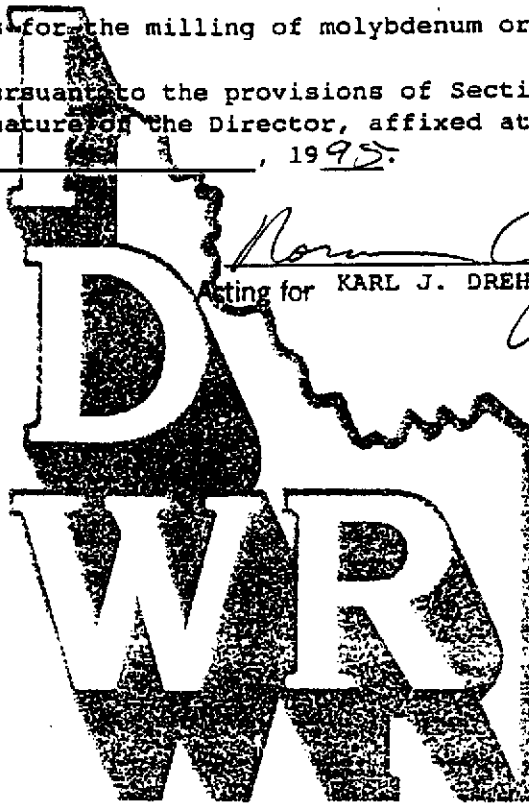
WATER RIGHT NO. 72-07414

CONDITIONS/REMARKS:

7. This right is subject to the agreement dated April 26, 1989 between right holder and protestant(s) to the extent such agreement covers matters within the jurisdiction of the Department of Water Resources.
8. This right when combined with rights 72-07193 and 72-07257 is limited to a total combined annual diversion volume of 2916.0 af.
9. Industrial use is for the milling of molybdenum ore.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 26TH day of MAY, 1995.


Acting for KARL J. DREHER, Director



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SEP 25 2001

EXHIBIT B

MICROFILMED

SEP 25 2001

Department of Water Resources

ASSIGNMENT OF PERMIT

CYPRUS THOMPSON CREEK
X. MINING CO., hereby assign, to N M ROTHSCHILD & SONS, LIMITED
of New Court, St. Swithin's Lane, London. England C4P 4DU, United Kingdom
Address

CHECK ONE



All ^{of its} right, title, and interest in and to Permit No. 72-07414
to appropriate the public waters of the State of Idaho. *



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

* This assignment is given as collateral security for a
loan to be secured by a mortgage from Assignor to Assignee
covering the real property described in said permit.

Made this 27th day of January, 19 94.

RECEIVED

FEB 23 1994

Department of Water Resources

CYPRUS THOMPSON CREEK MINING CO.
Permit Holder

By:

Amorrey
President

RECEIVED

APR 20 1994

MICROFILMED

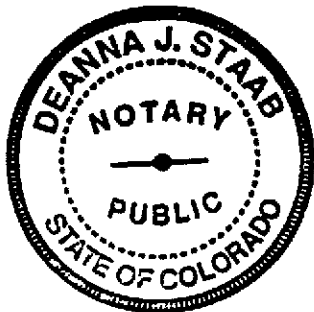
SEP 25 2001

Database updated 2/10/04 cm

STATE OF COLORADO)
City -)
County of Denver) ss.

On this 37th day of January, 199⁴, before me,
Deanna J. Staab, a Notary Public in and for said
State, personally appeared E. Steven Mooney, known
or identified to me to be the President of CYPRUS THOMPSON
CREEK MINING CO., the corporation that executed the within
instrument or the person who executed the instrument on behalf of
said corporation, and acknowledged to me that such corporation
executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year in this certificate first
above written.



Deanna J. Staab
Notary Public for Colorado
Residing at 1625 Broadway, #1600
My commission expires 10/28/95

MICROFILMED

SEP 25 2001

APR 26 1994

EXHIBIT C

MICROFILMED

SEP 25 2001

QUITCLAIM DEED

FOR VALUABLE CONSIDERATION RECEIVED, N M ROTHSCHILD & SONS LTD, whose address is NEW COURT, ST SWITHINS LN, LONDON ENGLAND UK EC4P 4DU, Grantor, does hereby convey, release, remise and forever quitclaim unto THOMPSON CREEK MINING COMPANY, whose current address is POST OFFICE BOX 62, CLAYTON, ID 83227, the following described water right, to-wit:

State of Idaho Water Right Number 72-07414,
and any right, title and interest therein.

DATED this 8th day of MAY, 2000 GRANTOR.

Clemens Ambler

DIRECTOR MANAGER (title)
N M ROTHSCHILD & SONS LIMITED

MICROFILMED

SEP 25 2001

EXHIBIT D

MICROFILMED
SEP 25 2001

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 P-72-07414 A72-07414
Date Received 1-12-90
Receipt Number 0013965

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Cyprus Thompson Creek Mining Company Phone (208) 338-2200
Mailing Address c/o Bert Doughty, P.O. Box 62, Clayton, ID Zip 83227

2. Date of Priority (Only one (1) per claim) July 28, 1988

3. Source of water supply (a) Groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 11N Range 16E Section 2,
NE 1/4 of SW 1/4 of NW 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. Sump on pit floor with pumps and 3"
pipeline to booster station. From there distributed to mine or mill for use as
freshwater through 8" metal pipeline. See Exhibit A

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SEP 25 2001

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For industrial purposes from Jan 1 to Dec 31 amount 4 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 4 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 2196 acre feet per annum. Combined with right
No. 72-07257, 72-07193

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

10. Description of place of use:

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

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.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
11N	16E	12	I	I															

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.
72-07257, 72-07193 or None ()

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. 11N., Rge. 17E. - Sec. 5, 6, 8, 9, 16, 21, 27, and 28

Twp. 11N., Rge. 16E - Sec. 1, 2, 3, 4, 11 and 12

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

Twp. 12N., Rge. 16E - Sec. 25, 32, 34, 35 and 36

Last Name Cyprus

Ident No. 72-07193

SEP 25 2001

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit ☒ Decree _____

If applicable provide IDWR Water Right Number P72-07414

Court _____ Case Number 2 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 Two (2)

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 Organization _____ that I have signed the foregoing

document in the space below as Vice President/General Manager Title _____ of Cyprus Thompson Creek Mining Company Organization _____

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

Signature of Authorized Agent Patrick H. Fitch

Patrick H. Fitch

Title and Organization Vice President/General Manager 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, ID 83701

Date January 11, 1990

MICROFILMED

Last Name Cyprus Ident. Number _____

SEP 25 2001

Copies White-State, Yellow-Claimant

EXHIBIT E

MICROFILMED
SEP 25 2001

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: January 26, 1999
PAGE: 1

RIGHT NUMBER: 72-07414

NAME AND ADDRESS: THOMPSON CREEK MINING CO
C/O BERT DOUGHTY
PO BOX 62
CLAYTON ID 83227

SOURCE: GROUNDWATER

QUANTITY: 1.1 CFS
803.6 AFY

THIS RIGHT WHEN COMBINED WITH RIGHTS 72-07193 AND 72-07257
IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF
2916.0 AFY.

PRIORITY-DATE: 07/28/1988

POINT OF DIVERSION T11N R16E S02 SWNW Within CUSTER County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	INDUSTRIAL	01-01 12-31	1.1 CFS 803.6 AFY

PLACE OF USE: INDUSTRIAL Within CUSTER County
T11N R16E S12 NWNE

OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 72:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
INDUSTRIAL USE IS FOR THE MILLING OF MOLYBDENUM ORE.

MICROFILMED

SEP 25 2001

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: January 26, 1999

PAGE: 1

RIGHT NUMBER: 72-07257

NAME AND ADDRESS: CYPRUS THOMPSON CREEK MINING CO
C/O BERT DOUGHTY
PO BOX 62
CLAYTON ID 83227

SOURCE: BRUNO CREEK TRIBUTARY: SQUAW CREEK

QUANTITY: 9.62 CFS
1600.0 AFY

USE OF THIS RIGHT WITH RIGHT NO. 72-07193 IS LIMITED TO A
A TOTAL COMBINED ANNUAL VOLUME OF 2916 AF.

PRIORITY-DATE: 03/11/1983

POINT OF DIVERSION T12N R16E S25 SENESW Within CUSTER County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	INDUSTRIAL	01-01 12-31	9.62 CFS
	INDUSTRIAL STORAGE	01-01 12-31	1600.0 AFY
	INDUSTRIAL FROM STORAGE	01-01 12-31	1600.0 AFY

INDUSTRIAL USE FOR MILLING OF MOLYBDENUM ORE.

PLACE OF USE: INDUSTRIAL Within CUSTER County
T11N R16E S12 NENE NWNE

Place of use for INDUSTRIAL FROM STORAGE is same as INDUSTRIAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

MICROFILMED

SEP 25 2001

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: January 26, 1999
PAGE: 1

RIGHT NUMBER: 72-07193

NAME AND ADDRESS: THOMPSON CREEK MINING CO
C/O BERT DOUGHTY
PO BOX 62
CLAYTON ID 83227

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 20.89 CFS
1600.0 AFY

USE OF THIS RIGHT WITH RIGHT NO. 72-07257 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2916 AF.

PRIORITY-DATE: 06/16/1982

POINT OF DIVERSION T11N R16E S25 LOT 5 (NESESE) Within CUSTER County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	INDUSTRIAL	01-01 12-31	20.89 CFS
	INDUSTRIAL STORAGE	01-01 12-31	1600.0 AFY
	INDUSTRIAL FROM STORAGE	01-01 12-31	1600.0 AFY

INDUSTRIAL USE FOR MILLING MOLYBDENUM ORE.

PLACE OF USE: INDUSTRIAL Within CUSTER County
T11N R16E S12 NENE NWNE

Place of use for INDUSTRIAL FROM STORAGE is same as INDUSTRIAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

RETURN FLOW IF DISCHARGED TO A SURFACE WATER SYSTEM SHALL MEET
IDAHO WATER QUALITY STANDARDS.

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 72:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

MICROFILMED

SEP 25 2001

EXHIBIT F-1

MICROFILMED
SEP 25 2001

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 72-07193

Priority: June 16, 1982 Amount: 20.89 CFS 1600.0 AFA

This is to certify, that CYPRUS THOMPSON CREEK MINING CO.

P.O. BOX 62

CLAYTON, ID 83227

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated June 16, 1982, and has submitted proof to the Department of Water Resources on November 13, 1984, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 20.890 cfs of water from:

SALMON RIVER tributary to SNAKE RIVER

source and that a water right has been established as follow:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
INDUSTRIAL	01/01 to 12/31	20.89 CFS	
INDUSTRIAL STORAGE	01/01 to 12/31		1600.0 AFA
INDUSTRIAL FROM STORAGE	01/01 to 12/31		1600.0 AFA
	Totals	20.89 CFS	1600.0 AFA

LOCATION OF POINT OF DIVERSION(S): LOT 5(SESE), Sec. 25, Township 11N, Range 16E
CUSTER County

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

11N 16E 12 NENE NWNE

PLACE OF USE: INDUSTRIAL STORAGE, same as INDUSTRIAL use

PLACE OF USE: INDUSTRIAL FROM STORAGE, same as INDUSTRIAL use

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

MICROFILMED

SEP 25 2001

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 72-07193

CONDITIONS/REMARKS:

4. Return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.
5. The maximum combined annual volume of water under this right & Right 72-7257 shall not exceed 2916.0 acre feet.
6. Industrial use is for processing ore.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 6th day of January, 1989.

Acting for the Director

MICROFILMED

SEP 25 2001

State of Idaho
Department of Water Resources

RECEIVED
NOV 16 1988

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 72-07193

Department of Water Resources

Date of Priority: June 16, 1982

Comes now CYPRUS THOMPSON CREEK MINING CO.
P.O. BOX 62
CLAYTON, ID 83227

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 72-07193, and requests that the permit be changed as follows:

Source: SALMON RIVER tributary to SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
INDUSTRIAL STORAGE FOR INDUSTRIAL	01/01 to 12/31	20.89 CFS	1600 AF SLC
<u>LOCATION OF POINT OF DIVERSION(S):</u> Industrial From Storage	01/01 to 12/31	SESE, Sec. 25, Township 11N, Range 16E CUSTER County	1600 AF SLC

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

11N 16E 12

NWNE and NENE
SLC

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Cyprus Thompson Creek, this 11th day of November, 19 88.

MICROFILMED

SEP 25 2001

Patrick J. Koles
(Signature)

General Manager

Scott L. Campbell, attorney-in-fact, for Cyprus Thompson Creek
Mining Company.

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 72-07193

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = \$20.00 ✓ Received by CP Date 11/17/88 #C003423

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 72-07193 with the following;

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.
5. The maximum combined annual volume of water under this right & Right 72-7257 shall not exceed 2916.0 acre feet.
6. Industrial use is for processing ore.

Witness my hand this 27th day of January, 1989.

R. Keith Higginson
Acting for the (Director)

MICROFILMED

SEP 25 2001

EXHIBIT F-2

MICROFILMED

SEP 25 2001

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

VERIFIED BY *See*
DATE: 01/10/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THOMPSON CREEK MINING CO C/O BERT DOUGHTY PO BOX 62 CLAYTON ID 83227 (208) 838-2200	06/16/1982	INDUSTRIAL INDUSTRIAL STORAGE INDUSTRIAL FROM STORAGE	01-01 12-31 01-01 12-31 01-01 12-31	20.89 CFS	1600.0 AFA 1600.0 AFA 1600.0 AFA
TOTAL DIVERSION:					20.89 CFS	1600.0 AFA

Water Source: SALMON RIVER

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion: T11N R16E S25 Lot05(NESESE)

CUSTER County

Place of use Legal Description for: INDUSTRIAL

NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
11N	16E	12	:	1		1										:

Place of use location for INDUSTRIAL FROM STORAGE is the same location as described for: INDUSTRIAL

POU County: CUSTER

Non-Irrigation Uses: INDUSTRIAL, MILLING PROCESS ON MOLYBDENUM ORE

Other Rights: 72-07257 & PERMIT 72-07414

Conditions of Approval:

- LO8 - RETURN FLOW IF DISCHARGED TO A SURFACE WATER SYSTEM SHALL MEET
- IDAHO WATER QUALITY STANDARDS.

Remarks: USE OF THIS RIGHT WITH RIGHT NO. 72-07257 IS LIMITED TO A
TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 2916 AF.

Dates: Exam Made Date: 08/25/1993 Verified Date: 01/10/1994

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

SEP 25 2001
MICROFILMED

NOV 01 1994
MICROFILMED

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 8: CONSUMPTIVE USE COMBINED WITH RIGHT 72-07257, 72-07414

Date: 12/21/1993 User-ID: CLELLAND Subject: UNCLAIMED PORTION
LICENSED FOR INDUSTRIAL STORAGE AND IND. FROM STORAGE BUT FAILED
TO CLAIM THESE USES. LETTER SENT TO ACKNOWLEDGE THE OVERSIGHT.
VARIATION OF LETTER #18.

Date: 01/10/1994 User-ID: CLELLAND Subject: AMENDED CLAIM & REC'D
RECEIVED THE AMENDED CLAIM FOR UNCLAIMED USES.

1. REC'D AS LICENSED ALTHOUGH CLAIMED AS CFS RATES INSTEAD OF VOL
2. NAMED THOMPSON CREEK MINING CO.; OWNERSHIP CHANGE PROCESSING.
3. ATTORNEY AHS SWITCHED LAW FIRMS BACK TO ELAM & BURKE, PAPER
TRAIL IN PROCESS THRU STATE OFFICE STAFF.

Audit:

01/10/94 CLELLAND

MICROFILMED

SEP 25 2001

MICROFILMED
NOV 01 1994

State of Idaho
Department of Water Resources

RECEIVED

NOV 16 1988

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 72-07257

Date of Priority: March 11, 1983

Department of Water Resources

Comes now CYPRUS THOMPSON CREEK MINING CO.
P.O. BOX 62
CLAYTON, ID 83227

and represents to the Director of

APPROVED

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 72-07257, and requests that the permit be changed as follows:

Source: BRUNO CREEK tributary to SQUAW CREEK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
INDUSTRIAL	01/01 to 12/31	9.62 CFS	
INDUSTRIAL STORAGE	01/01 to 12/31		1600.0 AFA
INDUSTRIAL FROM STORAGE	01/01 to 12/31		1600.0 AFA
	Totals	9.62 CFS	1600.0 AFA

LOCATION OF POINT OF DIVERSION(S):

NESW, Sec. 25, Township 12N, Range 16E
CUSTER County

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

11N 16E 12

NWNE and NENE
SEC

PLACE OF USE: INDUSTRIAL STORAGE, same as INDUSTRIAL use

PLACE OF USE: INDUSTRIAL FROM STORAGE, same as INDUSTRIAL use

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Cyprus Thompson Creek, this 11th day of November, 1988.

MICROFILMED

SEP 25 2001

Patrick H. Felt
(Signature)

General Manager

Scott L. Campbell, attorney-in-fact, for Cyprus Thompson
Creek Mining Company

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 72-07257

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = \$20.00 ✓ Received by CP Date 11/17/88 # C003423

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 72-07257 with the following;

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. When water used under this license 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 of water will not be impaired for other beneficial uses.
5. The maximum combined annual volume of water under this right & Right 72-7193 shall not exceed 2916.0 acre feet.
6. Industrial use is for milling of ore.

Witness my hand this 6TH day of January, 1989.

Norman C. Young
Acting for the (Director)

MICROFILMED

SEP 25 2001

EXHIBIT G-2

MICROFILMED

SEP 25 2001

AJ0749NP
No. R72-07257

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

VERIFIED BY
DATE: 12/21/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CYPRUS THOMPSON CREEK MINING CO C/O BERT DOUGHTY PO BOX 62 CLAYTON ID 83227 (208) 838-2200	03/11/1983	INDUSTRIAL INDUSTRIAL STORAGE INDUSTRIAL FROM STORAGE	01-01 12-31 01-01 12-31 01-01 12-31	9.62 CFS	1600.0 AFA 1600.0 AFA 1600.0 AFA
TOTAL DIVERSION:					9.62 CFS	1600.0 AFA

Water Source: BRUNO CREEK

Tributary to: SQUAW CREEK

Stage: LICENSE

Point(s) of Diversion:

T12N R16E S25

SENESEW

CUSTER County

Place of use Legal Description for: INDUSTRIAL

NE				NW				SW				SE			
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac						
11N	16E	12	: 1 1	:	:	:	:	:	:						

Place of use location for INDUSTRIAL FROM STORAGE is the same location as described for: INDUSTRIAL

POU County: CUSTER

Non-Irrigation Uses: INDUSTRIAL, MILLING PROCESS OF MOLYBDENUM ORE

Other Rights: 72-07193 & PERMIT 72-07414

Conditions of Approval:

- L04 - 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.

Remarks: USE OF THIS RIGHT WITH RIGHT NO. 72-07193 IS LIMITED TO A
A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 2916 AF.

Dates: Exam Made Date: 08/25/1993 Verified Date: 12/21/1993

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

MICROFILMED

NOV 0 1 1994

MICROFILMED

SEP 2 5 2001

MICROFILMED
NOV 0 1 1994

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 12/21/93
PAGE: 2

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 10B IS THE STORAGE TANK AT THE
CONCENTRATOR SITE AND WILL ACT AS A DISTRIBUTION POINT TO NINE
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

MICROFILMED

SEP 25 2001

EXHIBIT G-3

MICROFILMED
SEP 25 2001

PAGE: 1
GENERAL INFORMATION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADMINISTRATIVE CLAIM VERIFICATION REPORT

CLAIM NUMBER: A77-07197

00:00:35
06/06/97

LAST: CAMPBELL
ADDRESS: DAVID LUTHER TERNANT
702 W IDAHO ST STE 700
CITY: BOISE
PHONE NUMBER: 208-333-8300
OWNER CODE: A

PROJECT: SCOTT L

STATE: ID ZIP: 83702

NAME: THOMPSON CREEK MINING CO.
ADDRESS: C/O BERT HOGGITY
P.O. BOX 62
CITY: CLAYTON
PHONE NUMBER: 208-830-0000

FIRST:

STATE: ID ZIP: 83227

FIELD EXAM REQUIRED:

DATABASE Y FIELD EXAMTYPE

VERIFICATION REQUIRED DUE TO REMARKS:

CLAIM REMARKS:

THOMPSON CREEK MINING COMPANY OWNS SOME OF THE LAND LISTED AS PLACE OF USE AND THE REMAINDER IS LAND OWNED ITS CONTROL BY VARIOUS MINING CLAIMS OR ESTATE 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 PIPE FACILITIES LOCATED IN ALL OR PARTS OF THE FOLLOWING SECTIONS:
TWP. 11 N., RGE. 17 E. - SEC. 5, 6, 8, 9, 10, 21, 27 AND 28
TWP. 11 N., RGE. 16 E. - SEC. 1, 2, 3, 4, 11 AND 12
TWP. 10 N., RGE. 17 E. - SEC. 31
TWP. 10 N., RGE. 16 E. - SEC. 29, 30, 34, 35 AND 36
1
ITEM 5
A TAILINGS DAM APPROXIMATELY 325 FEET HIGH BY 2000 FEET WIDE PROVIDES ACTIVE SEEPING CAPACITY TO STONE APPROXIMATELY 1600 ACRES FEET OF WATER. THERE IS ALSO A SHALLER SEEPAGE RETURN DESCRIBED. THIS SYSTEM IS INTERCONNECTED WITH THE MINE'S MILLING OPERATION THROUGH A SYSTEM OF PUMPS AND PIPELINES. THREE SMALL DIVERSION DAMS WITH A COMPLETE COLLECTION BOX AND ASSOCIATED VALVE AND PIPELINES ARE USED FOR CONTROLLING BRIND CREEK FLOW AND 31.5 NEAREST FLOW TO TAILINGS EMPLACEMENT AREA.

ITEM 6
CONCURRENCE USE CONTINUED WITH RIGHT NO. 77-07197, 77-07197

MICROFILMED
NOV 01 1994

MICROFILMED
SEP 25 2001

CONTACT PERSON:

DATE OF FIELD EXAM: 8/25/93

ACCOMpanied BY: Gregg Hurress

RELATIONSHIP TO CLAIMANT: *Daughter*

REPORTING TO PROPERTY / REPAIRS

APPOINTMENT MADE: YES ☒ NO ☐

PHONE NUMBER: () -
TIRE: ()
GROUP NUMBER: ()

MICROFILMED
NOV 01 1994

MICROFILMED
SEP 25 2001

PAGE: 2
PRIORITY DATE FURTHER FACT

CLAIM NUMBER: 472-07259

A. AT CLAIM: 4 472-07259 PRIORITY DATE: 02-11-1993 STAGE: 1
B. AP. RECORD: 2 02-07259 PRIORITY DATE: 02-11-1993 STAGE: 1
C. FIELD EVAL. EQUIPMENT

DATE TO PRIORITY DATE NECESSARY? (Y/N) DATABASE FIELD
H EVANTING

ARE THERE PREVIOUS REASON? ON QUESTION THE PRIORITY DATE CLAIMED? (Y) () N/ ☒

REMARKS:

per license

DEFINITION PRIORITY DATE:
02/11-1993

DEFINITION BY

San

DATE *12-20-93*

MICROFILMED

NOV 01 1994

MICROFILMED

SEP 25 2001

A. AT CLAIM POINT OF INSPECTION AND CORRECTION:

POINT	TWP	RGE	SECT.	1/4	1/4	1/4	1/4	LOT	CHTY	COUNTY
672-07272	13N	16E	25		NE		SW			

OTHER AT CLAIMS WITH SAME AT FOR
A. EFFECTIVELY
B. EFFECTIVELY
NONE

SUBJECT: BOUNDARY CORRECTION

TYPE: CORRECTION

B. UP POINT OF INSPECTION AND CORRECTION:

POINT	TWP	RGE	SECT.	1/4	1/4	1/4	1/4	LOT	CHTY	COUNTY
672-07272	13N	16E	25		NE		SW			

OTHER UP EFFECTS WITH SAME UP FOR

AT CLAIMS IN SAME AS ABOVE TRACT
A. EFFECTIVELY
B. EFFECTIVELY

NONE

NONE

NONE

CORRECTION: BOUNDARY CORRECTION

TYPE: CORRECTION

C. FIELD EXAM REQUIREMENTS:

DATE TO FOR DISCREPANCY? (Y/N)
DATE TO CORRECT DISCREPANCY? (Y/N)

DATABASE

FIELD

EXAMINER

Y

N

N

REMARKS:

Per license & field exam, Topo Map from Claim.

~~104c tract =~~ 104c tract = 5E 1/4

MICROFILMED

NOV 01 1994

MICROFILMED

SEP 25 2001

RECOMMENDED POINT(S) OF DIRECTION AND SOURCE:				
TWP.	RANGE	SEC.	1/4	1/4
12N	16E	25	SE	NE SW
SOURCE: PERIOD OPEN				
TRUTH: SOURCE OPEN				
REVIEWED BY: <i>Sw</i>				
DATE: 12-20-93				

MICROFILMED
NOV 6 1 1993

MICROFILMED
SEP 25 2001

EXHIBIT F-3

MICROFILMED

SEP 25 2001

LAST: CYRUS THOMPSON CREK MINING CO. FIRST:
ADDRESS: P.O. BOX 60 STATE: ID ZIP: 83207
CITY: CLAYTON
PHONE NUMBER: 208-838-2200
OWNER CODE: 0

NAME: CAMPBELL FIRST: SCOTT L.
ADDRESS: 700 W. TAPPALE ST. STE 700
CITY: BUTTE STATE: ID ZIP: 83202
PHONE NUMBER: 208-200-8200

OWNER CODE: 0

VERIFICATION REPORTS: YES TO RECORDS

DATA: YES FIELD EXAMINED

CLAIM NUMBER:

CYRUS THOMPSON CREK MINING COMPANY OWNS SOME OF THE LAND LISTED AS PLACE OF USE AND THE REMAINDER IS LAND UNDER ITS CONTROL BY VARIOUS OTHER OWNERS OR BY THE BUREAU OF LAND MANAGEMENT AND U.S. FOREST SERVICE LANDS.

A. THE PLACE OF USE DESCRIBED IN 10P IS THE STORAGE TANK AT THE CREK MINING SITE AND WILL ACT AS A DISTRIBUTION POINT TO SOME 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 29
TWP. 11 N., RGE. 16 E., SEC. 1, 2, 3, 4, 11 AND 12
TWP. 12 N., RGE. 17 E., SEC. 21
TWP. 12 N., RGE. 16 E., SEC. 20, 22, 24, 25 AND 26

ITEM 00 CONSUMPTIVE USE COMPARED WITH RIGHT 72-67257, 72-07414

MICROFILMED
NOV 01 1994

MICROFILMED
SEP 25 2001

CORRECT PREPARED
DATE OF FIRST FILING: 8/25/93
AFFIDAVIT MADE BY: Gregg Hueless, MGR
RELATIONSHIP TO PLAINTIFF: DANE BREGY, consultant
REFERENCE TO PREVIOUS / NEW FILE:

AFFIDAVIT MADE BY: X

FILED NUMBER: 100-100
TYPE: 1
FILED NUMBER: 100-100

MICROFILMED
NOV 01 1994

12-22-93

Call from Scott C.

wants to amend as
licensed, will be
pending amended claim
near 1-7-93

See

MICROFILMED
SEP 25 2001

A	AT CLAIM: 4 06-16-1993	PRIORITY DATE: 06-16-1993	STAGE: 1
B	BP EXCISE: 4 06-16-1993	PRIORITY DATE: 06-16-1993	STAGE: 1
C	FILED EXAM: 06-16-1993		
D	DATE TO PRIORITY DATE DIFFERENCE (Y/M)	DATAPACK: 11	FILED EXAMINER:

ARE THERE OTHERS BECAUSE TO OBJECTING THE PRIORITY DATE CLAIMS? YES ☒ NO ☐

REMARKS:

per license

PRIORITY DATE: 06-16-1993

RECEIVED BY

See

DATE

12-21-93

MICROFILMED

NOV 01 1994

MICROFILMED

SEP 25 2001

A. AT CLARK POINT OF DISSECTION AND SOURCE:

FIGURE	TOP	REF	REF.	1/A	1/A	1/A	TOT	ENTY
672-07100	110	100	20	GE	GE	GE	5	CHOTED

GROUP AT CLARK WITH CASE AT FOR
A. REF. 1/4
REF. 1/4

UP RECORDS IN CASE 40 AT THE TRACT
P. 1/4

SOURCE: SALMON RIVER

TRIP: SALMON RIVER

B. UP POINT OF DISSECTION AND SOURCE:

FIGURE	TOP	REF	REF.	1/A	1/A	1/A	TOT	ENTY
672-07100	110	100	20	GE	GE	GE	5	CHOTED

GROUP UP RECORDS WITH CASE UP FOR

AT CLARK IN CASE 40 AT THE TRACT
A. REF. 1/4

GROUP

GROUP

GROUP

SOURCE: SALMON RIVER

TRIP: SALMON RIVER

C. FIELD EXAM EQUIPMENT

DATE TO FOR DISSECTION	(Y/N)	DATABASE	FIELD
DATE TO EQUIP DISSECTION	(Y/N)	Y	EXAMINED

2

PHOTOS:

*Confined by full exam, Blm photo, just let maps
clark maps, & topo 1172.*

MICROFILMED
JUL 25 2001

MICROFILMED
NOV 01 1994

PERFORMANCE TO DATE BY DEPARTMENT: 1/4 1/4 1/4 1/4 1/4

TIME: 11N 16E 25

NE SE SE 05 37

SUBJECT: CALICO RIVER

TRAIL: SHAVE RIVER

PREPARED BY:

See

DATE:

12-21-93

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NOV 01 1994

MICROFILMED
SEP 25 2001

A. AT CLAIMED USER:

PURPOSES
672-07193 INDUSTRIAL

MONTH/DAY
FROM 01-01 TO 12-31

INDUCTION QUANTITY
20,000 PPS

TOTAL INDUCTION RATE/VOLUME CLAIMED

20,000 PPS

B. UP REPORTED USER:

PURPOSES
72-07193 INDUSTRIAL STORAGE
72-07193 INDUSTRIAL FROM STORAGE
72-07193

MONTH/DAY
FROM 01-01 TO 12-31
FROM 01-01 TO 12-31
FROM 01-01 TO 12-31

INDUCTION QUANTITY
20,000 PPS
20,000 PPS
20,000 PPS

TOTAL INDUCTION RATE/VOLUME CLAIMED

20,000 PPS 1600.00 AF/G

C. FIELD FROM RECOLLECT:

PURPOSES
72-07193 INDUSTRIAL STORAGE
72-07193 INDUSTRIAL FROM STORAGE
72-07193

MONTH/DAY
FROM 01-01 TO 12-31
FROM 01-01 TO 12-31
FROM 01-01 TO 12-31

INDUCTION QUANTITY
20,000 PPS
20,000 PPS
20,000 PPS

D. PERIOD OF USE:

PURPOSES AS CLAIMED

RECOLLECT TO BE STANDARDS OF OTHERS

Y/N
Y Y N Y

INDUCTION QUANTITY

Failed to claim Storage component.

OK as claimed - Need to Notify Claimant & Lawyer.

Hardware & bugs mentioned during exam

that the Co. was moving away from the use of Solomon L. website due to the technical expense of pumping. Could have intentionally left Storage paid out.

PAGE: 0
INJECTION ABOUT 100000 GALLONS

CLAIM NUMBER: 672-07100

A. DOES INJECTION RATE CLAIMED AGREE WITH EXISTING RECORDS

AT TOTAL CLAIMED INJECTION RATE: 20,000 CFS
UP FROM EXISTING INJECTION RATE: 20,000 CFS

YES NO

ALL UP TO 100% OF STATUTORY CLAIM OR REDUCTION NOT THEN (1) NO MEASUREMENT REQUIRED, OR
IF IT IS FOUND EXISTING THEN THE ORIGINAL INJECTION RATE IS 10
IF CLAIMED AND NO DATA IS NOT REQUIRED, PROVIDE IN REPLY: 10

FIELD MEASUREMENT REQUIRED

DATE TO STATE OF INJECTION RATE DEFICIENCY (Y/M)

FIELD
DATE/DATE

FIELD MEASUREMENT

MEASUREMENT METHOD

USE ATTACHED CALCULATIONS

C. ARE OTHER WATER RIGHTS ISSUED (Y/N) IF YES COMPLETE OVERLAP REQUIRED

OTHER RIGHTS LISTED IN CLAIM: 72-07257, 72-07214

DO CLAIMS TOGETHER WITH ARE FOR AND IRRIGATION USAGE

LIST ALL RIGHTS WITH GALLONS PER MINUTE FOR IRRIGATION.

CLAIM NO. PERIODS NAME

MONTH/DAY

DATE

NO. OF

ACRES/ACRES IRRIGATION EXCESS THOMPSON CREEK MINING FARM 61-01 TO 12-01 110 CFS

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NOV 01 1994

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SEP 25 2001

DATE/VOLUME CALCULATIONS: (TERMINATION)

1b. CALCULATIONS

1a. INVESTIGATION DATE: _____
APPROX. 0.00 CFS/AREA = _____
(Taken from n/4 review)
DOES AMOUNT CLAIMED EXCEED 0.00 CFS/AREA? () YES () NO () 444

444 IF YES ADDITIONAL WATER USE FORM FILLED AND ATTACHED () YES () NO () 444

3. INVESTIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 3916.0 AF/A

APPROX. CONSUMPTIVE USE, AF/A FOR AREA

TOTAL CONSUMPTIVE USE AF/A

3. INVESTIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

APPROX. DIVERSION VOL. AF/A FOR AREA

TOTAL DIVERSION VOLUME AF/A

4. CALCULATIONS FOR USES OTHER THAN TERMINATION

ARE ATTACHED SHEETS () YES () NO ()

REMARKS: (Include location of CONSUMPTIVE USE for combined sheets.)

per license

MICROFILMED
NOV 11 1994

MICROFILMED
SEP 25 2001

PERIODICITY:

PERIODICITY
 FROM TO

PERIODICITY
 FROM TO

PERIODICITY
 DATE PER

PERIODICITY
 DATE PER

PERIODICITY
 DATE PER

~~INDUSTRIAL~~

1-1 12-31

20.89

1600

1600

RECEIVED
 NOV 11 1994

TOTAL FOR THIS PERIOD

INDUSTRIAL STORAGE
 INST. FROM STORAGE

PERIODICITY

See A

DATE: 12-21-93

See Remarks

as per Bureau rate & rules
 via amended claim

1-10-97
 See

EO9 revision; CU only

2916.04

A. CHECK ONLY THE CONDITIONS THAT APPLY.

CHURCHSHIP
EFFECT/ABANDON
ADDITIONAL DU AMOUNT

ACCEPTED
AS PLATED
()
()
()
()
()
()
()
()

B. SPLIT WATER RIGHT EXPENSE

ROOT WATER RIGHT NUMBER: 72-07193
TOTAL DIVERSION RATE OF MR SPLITTS

DATABASE
20.000

EXAMPLE

CFS

SPLITS:

MR RIGHT
NUMBER

DIVERSION
RATE

CURRENT "D"
CLAIM NUM.

"D" R/W
DATE

MR RIGHT
NUMBER

DIVERSION
RATE

672-07193

20.000

72-07193

20.000

TOTAL CFS

20.000

20.000

DIVERSION RATE EXPENSE

DO THE SPLIT RATE ON THE SPLITTS EQUAL THE ROOT RIGHT CFS RATE (Y/N)
IF NO, IS THE SPLITTS RATE SHEET ATTACHED (Y/N)

DATABASE
Y

EXAMPLE

REMARKS:

n/a

AUTHENTICATION:

SIGNATURE:

Jim Good

NAME OF FIELD ENGINEER:

DATE: 12-21-93

See 1-10-94

TITLE:

MICROFILMED
NOV 01 1994

MICROFILMED
SEP 25 2001

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES
 AMPLIFICATION CLAIM UPGRADATION REPORT

CLAIM NUMBER: 672-071

06:00:35
 06/06/99

FILED
 NOV 01 1994
 SICK

WATER ELEMENT	FIELD YEAR Y/M	CONDEMNATION SENT/RECEIVED BY MONTH/DATE	FIELD YEAR BY MONTH/DATE	FINANCE CLAIM Y/M	DELETED BY CODE	COMPLETED DATE MONTH/DATE	FOURTH DATE MONTH/DATE	UPGRADED DATE MONTH/DATE
PROPERTY DATE								
POINT OF DIV	Y		8-25-93 SCU	N	104c 1/4	1456	12-21-93	12-21-93
SOURCE	Y			①	1456			
DATE OF USE	Y			N				
TOTAL AMOUNT FES/UNIT/HR	Y			N	1456			
CONSUMPTIVE USE	Y			N				
EXPENSES	Y			①	6.			
REGION OF USE	Y			N	① 6.			
BASIS OF CLAIM	Y			N				
REMARKS	Y			①	6.			

underground water
Sent 12-21-93
letter sent 1-10-94
amended

DELETED BY CODE

TOPIC MAP/DEPTH-FO = 1
 AGES MAP = 2
 WATERMASTER ETDRING = 3
 MAPS PLOTTER = 4
 FIELD YEAR = 5
 OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EVALUATED RECEIVED THE INFORMATION
 TO THE DATA WITH FIELD EVALUATION. INDICATED ARE ALL CODES WHICH APPLY

00:07:41
06/06/93

PLATE NUMBER: 472-071

RECEIVED
FBI - NEW YORK
JUN 10 1964
1609 AD
1600 AD
1600 AF
Remarks

See
12-21-93

EXHIBIT G-1

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 72-07257

Priority: March 11, 1983 Amount: 9.62 CFS 1600.0 AFA

This is to certify, that CYPRUS THOMPSON CREEK MINING CO.

P.O. BOX 62

CLAYTON, ID 83227

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated March 11, 1983, and has submitted proof to the Department of Water Resources on July 11, 1983, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 9.620 cfs of water from:

BRUNO CREEK tributary to SQUAW CREEK

source and that a water right has been established as follow:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
INDUSTRIAL	01/01 to 12/31	9.62 CFS	
INDUSTRIAL STORAGE	01/01 to 12/31		1600.0 AFA
INDUSTRIAL FROM STORAGE	01/01 to 12/31		1600.0 AFA
	Totals	9.62 CFS	1600.0 AFA

LOCATION OF POINT OF DIVERSION(S): NESW , Sec. 25, Township 12N, Range 16E
CUSTER County

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

11N 16E 12 NENE NWNE

PLACE OF USE: INDUSTRIAL STORAGE, same as INDUSTRIAL use

PLACE OF USE: INDUSTRIAL FROM STORAGE, same as INDUSTRIAL use

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

MICROFILMED

SEP 25 2001

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 72-07257

CONDITIONS/REMARKS:

4. When water used under this license 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 of water will not be impaired for other beneficial uses.
5. The maximum combined annual volume of water under this right & Right 72-7193 shall not exceed 2916.0 acre feet.
6. Industrial use is for milling of ore.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 6th day of January, 1987.

Acting for the Director



MICROFILMED

SEP 25 2001

FIFTY
FVATK

Steam & Topo map

103

MICE

MICROFILMED
NOV 01 1994

DISBURSEMENT REPORT

CLAIM NUMBER: 000-07000

A. BY CLAIM TYPE

DISBURSEMENT	INITIAL	FROM	TO	MONTH/DAY
000-07000	000-07000	01-01	12-31	
000-07000	000-07000	01-01	12-31	
000-07000	000-07000	01-01	12-31	

TOTAL DISBURSEMENT RATE/VOLUME CLAIMED

B. BY RECEIPT TYPE

DISBURSEMENT	INITIAL	FROM	TO	MONTH/DAY
000-07000	000-07000	01-01	12-31	
000-07000	000-07000	01-01	12-31	
000-07000	000-07000	01-01	12-31	

TOTAL DISBURSEMENT RATE/VOLUME CLAIMED

C. FIELD EXAM RESULTS

DISBURSEMENT	INITIAL	FROM	TO	MONTH/DAY
000-07000	000-07000	01-01	12-31	
000-07000	000-07000	01-01	12-31	
000-07000	000-07000	01-01	12-31	

DISBURSEMENT RATE/VOLUME CLAIMED

D. PERIOD OF USE

DISBURSEMENT AS CLAIMED

DISBURSEMENT TO BE CLAIMED OR OTHER

DATE:

Per Invoice

YES NO
YES NO

DISBURSEMENT TO BE CLAIMED OR OTHER

MICROFILMED

NOV 25 2001

MICROFILMED

NOV 01 2001

A. DOES DIVERSION DATE CLAIMED AGREE WITH EXISTING RETURNS?

AT TOTAL CLAIM'S DIVERSION RATE: 9.600 CFS
 OR SMIT DIGHT TOTAL DIVERSION RATE: 9.600 CFS

YES NO

44. IF NO OR IF STATUTORY CLAIM OF BENEFICIAL USE THEN FLOW MEASUREMENT PROVIDED: 44
 44 IF AN ANNUAL MEASUREMENT THEN THE ANNUAL DIVERSION RATE IS 44
 44 CLAIMED AND AN ANNUAL IS NOT REQUIRED, EXPLAIN IN REMARKS: 44

FLOW MEASUREMENT REQUIREMENTS

HOW TO OBTAIN OR DIVERSION RATE DISCREPANCY? (Y/N)

DATEBASE EXAMINED
 Y

FLOW MEASUREMENT

MEASUREMENT METHOD

SEE ATTACHED CALCULATIONS

0 ARE OTHER WATER RIGHTS ISSUED? (Y/N) NO Y IF YES COMPLETE OVERLAP RETURN

OTHER RIGHTS LISTED IN CLAIM: 72-07193, 72-07111

NO CLAIMS FORBID WITH SAME FOR GAIN IRRIGATION USAGE

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

CLAIM NO.

DATE

NAME

MONTH/DAY

DATE

UNIT

672-07193

TRANSFER

CYPRESS THROUGH CREEK RIDING FROM 01-01 TO 12-31 20.890 CFS

MICROFILMED

NOV 01 1994

MICROFILMED

SEP 25 2001

D. DATE/VOLUME CALCULATIONS* (IRRIGATION)

15. IRRIGATION RATE
ACRES = 0.02 CFS/ACRE = CFS
(calculated from a/pu apvian)

16. CALCULATIONS

DUES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

444 IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() 444

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 2916.0 AF/A
ACRES = CONSUMPTIVE VOL. AF/A FOR AREA
TOTAL CONSUMPTIVE USE AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 1600.00 AF/A
ACRES = DIVERSION VOL. AF/A FOR AREA
TOTAL DIVERSION VOLUME AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N() X

per license

72-07257

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

MICROFILMED

NOV 01 1994

MICROFILMED

SEP 25 2001

RECOMMENDATIONS:

REF: PERIOD
FROM TO

INDUSTRIAL
INDUSTRIAL STORAGE
INDUSTRIAL FROM STORAGE

TOTAL FOR THIS RIGHT

REVIEWED BY:

Sw

DATE: 12-20-93

12-20-93

9,620 1600.00

1600.00 1600.00

DATABASE EXAMINER

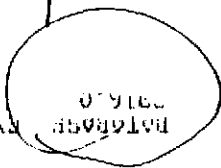
DATABASE EXAMINER

REF: RATE PER

REF: RATE PER

DATABASE EXAMINER

REF: CORRECTION



MICROFILMED

NOV 01 1994

To Remedy
w/ 3193

Sw

12-21-93

MICROFILMED

NOV 01 1994

A. CHECK ONLY THE CONDITIONS THAT APPLY:

MANUSCRIPT
EXEMPT/EXEMPTED
ADDITIONAL PIV. AMOUNT

ACCEPTED
AS CLAIMED
()
()
()
DEFERRED
()
()
()

B. SPLIT WATER RIGHT FEES

ROOT WATER RIGHT NUMBER: 72-07257
TOTAL HYDRATION RATE OF UP SPLITS
SPLITS:

DATABASE
9.620

EXAMINED

CTS

OLD RIGHT
NUMBER

HYDRATION
RATE

EXEMPT "R"
CLAIM NUM.

"R" PIV.
WATER

UP RIGHT
NUMBER

HYDRATION
RATE

672-07257

9.620

72-07257

9.620

TOTAL FTS

9.620

9.620

HYDRATION RATE EQUIVALENT

DO THE SUM FTS RATE OF THE SPLITS EQUAL THE ROOT RIGHT FTS RATE (Y/N)
IF NO, IS THE DIFFERENCE REASONABLE? (Y/N)

DATABASE
Y

FIELD
EXAMINED

PHASES:

N/A

AUTHENTICATION:

SIGNATURE:

Steve Allen

NAME OF FIELD EXAMINER:

DATE:

12-20-93

TITLE:

MICROFILMED

NOV 01 1994

RECORDED

SEP 25 2001

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES
 ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: 672-0700

00100135
 07/06/2005

DATE ELEMENT	FIELD EXAM Y/N	CONFERENCE/REVIEW BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CLAIM Y/N	DEFERRED BY CLERK	COMPLETED BY WHOM/DATE	COMPLETED DATE ENTRY WHOM/DATE	DEFERRED DATE ENTRY WHOM/DATE
REVIEW DATE			8-25-93 SW	N	104c 156	SW 12-20-93	SW 12-21-93	SW 12-21-93
POINT OF DIS	Y			(D)	1456			
OBJECT				N				
REASON FOR DIS	Y			N	1456			
DATE AMOUNT CFS/QUANTITY				N				
CONJECTIVE USE				N				
REMARKS				N	1456			
REASON FOR DIS				N				
REASON FOR CLAIM				N				
REMARKS	Y			(V)	6.			

*REMARKS BY CODES

- TOTAL MAP/SECTION-FO = 1
- ASSETS MAP = 2
- ADJUDICATION RECORDS = 3
- MAP PHOTOS = 4
- FIELD EXAM = 5
- OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE WHY THE FIELD EXAMINER DEFERRED THE INFORMATION
 IF TO FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

1602 5 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AQUIFACIION CLAIM VERIFICATION REPORT

00124126
06/06/03

CLAIM NUMBER: 679-07050

OWNER COUNT	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION DATE	AMOUNT CFS
1	TYPEDE SUBDIVISION FERRY WINDING CO. C/O PEET HOLDING P.O. BOX 60 CLAYTON IN 83307 (208) 830-0000	03/11/1983	INDUSTRIAL INDUSTRIAL STORAGE INDUSTRIAL FROM STORAGE	01-01 12-31 01-01 12-31 01-01 12-31	0.60 CFS	1500 CFS
			TOTAL DIVERSION: CONSUMPTIVE USE:		0.60 CFS	1500 CFS

Water Source: SQUIR CREEK

TOWN RISE 505

SE NW 34

Tract: 100 SQUIR CREEK

CHARTER COUNTY

Area of 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STATE OF ILLINOIS
DEPARTMENT OF WATER RESOURCES
ADMINISTRATIVE CLAIM INVESTIGATION REPORT

CLAIM NUMBER: AWA 000000

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Remarks: A TAILINGS DAM APPROXIMATELY 300 FEET HIGH BY 2000 FEET WIDE FROM AN ACTIVE RESERVOIR CAPACITY TO STORE APPROXIMATELY 1000 ACRES FEET OF WATER. THERE IS ALSO A GRADLE STAGE BEHIND RESERVOIR. THIS SYSTEM IS INTERCONNECTED WITH THE THREE RILLING OPERATION THROUGH A SYSTEM OF PUMPS AND PIPELINES. THREE SMALL INTERSECTION DAMS WITH A CONCRETE COLLECTION ROW AND ASSOCIATED VALVES AND PIPELINES ARE USED FOR CONTROLLING THE BRUNN OPERATIONS AND OTHER OPERATIONS FROM TAILINGS PREPARATION AREA.

ITEM 9
CONSUMPTIVE USE CONTINUED WITH PUMP NO. 72-07414, 72-07193

Date: 8-25-93
Meter: District Number: 72-07193

Identified Date: 72-07193
Field Inspection Place: 72-07193
Investigation Place: 72-07193

→ move to
Comm.

Re with as basis of EDP
CU. only

See
12-21-93

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SEP 25 2001

EXHIBIT H-1

MICROFILMED

SEP 25 2001

POOR ORIGINAL

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 10 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

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.

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EXHIBIT H-2

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SEP 25 2001

POOR U.

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 Sturges during exam) the concentrator requires a water flow of approximately 10 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: 2239 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.

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EXHIBIT I

MICROFILMED

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
SEP 21 1994
Department of Water Resources

A. GENERAL INFORMATION

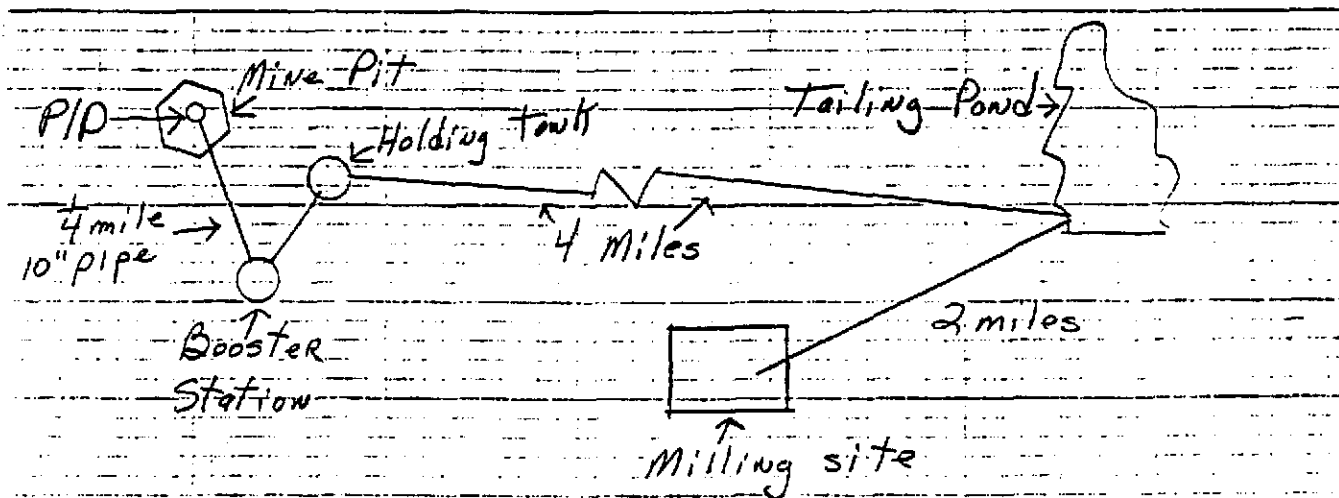
1. Owner: Cypress Thompson Creek Mining Co. Permit No. 72-7414
Current Address: P.O. Box 42, Clayton, Idaho 83227 Phone No. _____
2. Accompanied by: Barb Doughty (Barb Brumber) EXAM. DATE: 5-6-92
Address: same Phone No. 838-2200
Relationship to Permit Holder: Supervisor Environmental Affairs
3. Source: groundwater tributary to None
(seepage water in pit)

B. OVERLAP REVIEW

1. Other water rights with same place of use: 72-7193, 72-7219, 72-7220
72-7257 ☐ Copies Attached
2. Other water rights with same point of diversion: _____
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



SEP 23 2001

Scale: 1" = Not to scale

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

None - See attached pump curve and test data

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) : Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

1.11 cfs x 1.9835 x 365 = 803.6 gfa

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System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

A 40 Hp submersible pump draws water from a collection sump in the bottom of the mining pit and discharges it in a 10" pipe. The pipe flows to a booster station about 1/4 mile from the sump and about 100' vertically higher. At the booster station pump water is mixed with other water and discharged with two -100 Hp pump to a large tank located about 1000' West. From the tank water gravity flows in an 8" pipe to tailing pond 4 miles away and then returned about 2 miles to the mill

☒ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	ABS	40	S490-166	Galigher	4"

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	SW	NW	2	11N	16E	Custer	quad map

6. Place(s) of Use:

Indicate Method of Determination *quad map - exam*

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11N	16E	12				I													

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Do not use this space



H. REMARKS AND OVERLAP VIEW ANALYSIS

site. All water used in the milling plant is cycled through the tailing pond. This permit water is a small part of the 9,000 gpm used in the mill under rights 72-7193, 72-7219, 72-7250 and 72-7257. The mill and this system operate 24 hrs per day. The system, T.O.H. varies at times depending on the operation. The pumping system, was designed and rated at 500 gpm at 83' G.P.H. Recommended diversion is based on this rated flow and the volume on 24 hrs a day, 365 days a year. Diversion point is in different 10-acre tract than permitted, but is in same 40 - no amendment required. Not to exceed 2916 AFA when combined with 72-7193 + 72-7257. Recommend measuring-device requirement be waived; pump curve is adequate to determine flow rate.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Industrial	1-1	12-31	1.11 cfs	803.6 afa
Totals:			1.11	803.6 afa

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name Melvin T. Schulte
 Signature Melvin T. Schulte
 Certification Date _____
 Field Report Preparation Date 5-12-92

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

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 SEP 25 2001