



State of Idaho

DEPARTMENT OF WATER RESOURCES

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 25, 2005

Western Watersheds Project
C/o Jon Marvel
Box 1770
Hailey, ID 83333

RE: LETTER INQUIRY – T71264 – THOMPSON CREEK MINING CO.

Dear Mr. Marvel:

Your email message to Karl Dreher of February 18, 2005, brought to my attention that the Department has not responded to your January 12, 2005 letter in connection with the above referenced matter. Slightly contrary to your email message, the application for transfer sought to add points of diversion to the water right rather than to change the existing point of diversion to different points.

In your letter you ask whether the IDWR takes into consideration the likelihood of negative impacts on listed fish species before a water right transfer is approved for a point of diversion change on shall streams such as Pat Hughes and Buckskin Creek tributary to Thompson Creek that ultimately is tributary to the Salmon River in Custer County, Idaho.

IDWR does consider potential impacts of projects in such cases. In this case, the applicant submitted a biological assessment that was prepared in connection with the proposed project. IDWR considered the assessment and other information in the file before acting on the application for transfer.

I apologize for untimely response to your inquiry.

Sincerely,

L. GLEN SAXTON, P.E.
Administrator
Water Management Division

c: Allen Merritt - IDWR
Jeff Peppersack - IDWR