

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71264

This is to certify that: THOMPSON CREEK MINING CO
PO BOX 62
CLAYTON ID 83227
(208)838-2200

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
72-7193	WR/Decreed	06/16/1982	20.89 cfs	1600 af	N/A	N/A	SALMON RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
72-7193	NO	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
72-7193	72-7193	20.89 cfs	1600 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		20.89 cfs	1600 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 18th day of January, 20 05



Chief, Water Allocation Bureau

WATER RIGHT NO. 72-7193
As Modified by Transfer No. 71264

In accordance with the approval of Transfer No. 71264, Water Right No. 72-7193 is now described as follows.

Right Holder: THOMPSON CREEK MINING CO
 PO BOX 62
 CLAYTON ID 83227

Priority Date: June 16, 1982

Source: BUCKSKIN CREEK	Tributary: THOMPSON CREEK
PAT HUGHES CREEK	THOMPSON CREEK
SALMON RIVER	SNAKE RIVER
SPRING	BUCKSKIN CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
INDUSTRIAL FROM STORAGE	1/01	12/31		1,600.0 AF
INDUSTRIAL STORAGE	1/01	12/31		1,600.0 AF
INDUSTRIAL	1/01	12/31	20.89 CFS	
			20.89 CFS	1,600.0 AF

LOCATION OF POINT(S) OF DIVERSION:

BUCKSKIN CREEK	SWNESE	Sec. 4	Twp 11N	Rge 16E	CUSTER County
SPRING	SEWSE	Sec. 4	Twp 11N	Rge 16E	CUSTER County
SPRING	SEWSE	Sec. 4	Twp 11N	Rge 16E	CUSTER County
PAT HUGHES CREEK	SENESE	Sec. 11	Twp 11N	Rge 16E	CUSTER County
SALMON RIVER	L5 (NESESE)	Sec. 25	Twp 11N	Rge 16E	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		X														

PLACE OF USE: INDUSTRIAL FROM STORAGE

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		X														

PLACE OF USE: INDUSTRIAL STORAGE

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	1		X	X														
		L 1																	
11N	16E	4															X		
11N	16E	11									X								
11N	17E	6			X			X											
12N	16E	25															X		
12N	16E	36	X	X	X	X					X			X	X	X	X	X	
12N	17E	31						X		X	X	X							

WATER RIGHT NO. 72-7193
As Modified by Transfer No. 71264

CONDITIONS OF APPROVAL

1. Industrial use is for mining and milling of molybdenum ore.
2. The use of this right is limited such that at no time shall more than 20.89 cfs be diverted at any instant from the multiple authorized points of diversion. Additionally the following limits shall apply:
Buckskin Creek limited to 8.0 cfs
Pat Hughes Creek limited to 11.0 cfs
Springs tributary to Buckskin Creek limited to 0.20 cfs
Salmon River limited to 20.89 cfs
3. Rights 72-07257 and 72-7193 when combined shall not exceed a total annual maximum diversion volume of 2916 af.
4. Rights 72-07257, 72-7414, and 72-7193 when combined shall not exceed a total annual maximum diversion volume of 3108 af.
5. Prior to the diversion and use of water under Transfer approval 71264, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
7. Place of use does not include Federal Public Lands.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18th day of January, 20 05


Chief, Water Allocation Bureau