



**Western  
Watersheds  
Project**

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*Working to protect and restore Western watersheds*

January 12, 2004

**RECEIVED**

**JAN 13 2005**

Department of Water Resources  
Southern Region

Karl Dreher, Director  
Idaho Department of Water Resources  
The Idaho Water Center  
322. E. Front Street  
Boise, Idaho 83720-0098

Dear Director Dreher:

I am writing in regard to an application for a change in water rights (see enclosed legal advertisement) by Thompson Creek Mining Company.

This proposed change in point of use will affect Endangered Species Act listed fish species (salmon, steelhead, and bull trout) in Thompson Creek; however, the current Idaho statute (IC Section 42-222) does not permit other parties who do not have a water right that might be affected to protest such a request to change a water right point of diversion on the grounds of negative environmental impact, public interest or public trust.

Will you and IDWR take into consideration the likelihood of negative impacts on listed fish species before this water right transfer application is approved for a point of diversion change to small tributary streams (Pat Hughes and Buckskin Creeks) of Thompson Creek several miles from the Salmon River ?

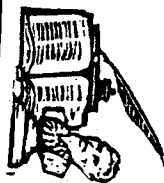
Thank you for your early reply.

Jon Marvel  
Executive Director

c: Laird Lucas  
Twin Falls Office IDWR



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# PUBLIC Notices

The People's Right to Know

## NOTICE OF TRUSTEE'S SALE

**Trustee's Sale No. 02-WG-37824**  
NOTICE IS HEREBY GIVEN that REGIONAL TRUSTEE SERVICES CORPORATION, the duly appointed Successor Trustee, will on April 8, 2005, at the hour of 2:00 p.m., of said day, AT THE MAIN ENTRANCE TO THE CUSTER COUNTY COURTHOUSE, 801 MAIN STREET, CHALLIS, ID., sell at public auction to the highest bidder, for cash, in lawful money of the United States, all property of the United States, all property (hereafter referred to collectively as the "Property"), situated in the County of Custer, State of Idaho, to-wit:

LOT 9, WARM SPRINGS ESTATES, CUSTER COUNTY, IDAHO, AS SHOWN BY THE OFFICIAL PLAT, THEREOF, RECORDED AS INSTRUMENT NO. 157751, RECORDS OF CUSTER COUNTY, IDAHO.

conferred in the Deed of Trust executed by DELBERT E. CLARK AND KENDALL L. CLARK, HUSBAND AND WIFE AS JOINT TENANTS, as Grantor, to CUSTER COUNTY TITLE, as Trustee, for the benefit and security of LONG BEACH MORTGAGE COMPANY, as Beneficiary, dated 12/5/2002, recorded 12/16/2002, under Instrument No. 0226142, Mortgage records of CUSTER County, IDAHO, the beneficial interest in which is presently held by DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR LONG BEACH MORTGAGE LOAN TRUST 2003-1.

THE ABOVE GRANTORS ARE NAMED TO COMPLY WITH SECTION 45-1506(4)(A), IDAHO CODE, NO REPRESENTATION IS MADE THAT THEY ARE, OR ARE NOT, PRESENTLY RESPONSIBLE FOR THIS OBLIGATION.

The default for which this sale is made is the failure to pay when due under the Deed of Trust Note dated 12/5/2002. THE MONTHLY PAYMENT WHICH BECAME DUE ON 6/1/2004 AND ALL SUBSEQUENT MONTHLY PAYMENTS, PLUS LATE CHARGES AND OTHER COSTS AND FEES AS SET FORTH.

Amount due as of November 29, 2004: Delinquent payments from June 1, 2004, 3 payments at \$785.83 each; \$2,357.49, 3 payments at \$1,013.74 each; \$3,041.22. (06-01-04 through 11-

29-04). Late Charges: \$229.25. Beneficiary Advances: \$105.40. Suspense Credit: \$0.00. Total: \$5,733.36.

All delinquencies are now due, together with unpaid and accruing taxes, assessments, trustee's fees, attorney's fees, costs and advances made to protect the security associated with this foreclosure. The principal balance is \$75,006.98, together with interest thereon at 9.850% per annum from 5/1/2004 to 9/1/2004, 9.850% per annum from 9/1/2004, until paid.

The Beneficiary elects to sell or cause the trust property to be sold to satisfy said obligation.

Anyone having any objection to the sale on any grounds whatsoever will be afforded an opportunity to be heard as to those objections if they bring a lawsuit to restrain the same.

DATED: November 29, 2004  
Regional Trustee Services Corporation

By: Jill Green  
c/o Regional Trustee Services Corporation,  
616 First Avenue, Suite 500  
Seattle, WA 98104  
Phone: (206) 340-2550

Sale Information:  
<http://www.trustee.com>  
Publish: Dec. 16, 23, 30, 2004  
& Jan. 6, 2005.

## NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

NOTICE IS HEREBY GIVEN that an Application for Transfer has been filed with the Idaho Department of Water Resources for changes to water rights within Custer County: THOMPSON

CREEK MINING CO., PO BOX 62: CLAYTON ID 83227 filed Application No. 71264 on 10/29/2004. Transfer proposes to modify right 72-7193 currently authorized to divert 20.89 cfs (1600 aia) from the Salmon River.

Currently the right is diverted using pumps in the Salmon River near the mouth of Thompson Creek where water is pumped to the Thompson Creek Mine for industrial purposes. The proposed modification is to add diversion points to right 72-7193 on tributary streams to the Salmon River to allow water to be pumped at times from Buckskin Creek (8.0 cfs), Pat Hughes Creek (11.0 cfs) and Springs (0.2 cfs) that are all tributary to Thompson Creek. These additional points of diversion are closer to the mine and will allow better control of potential runoff and seepage from the mine site to improve water quality and lessen impacts to the Salmon River. Additionally the application identifies the place where water is stored in detention and tailings dams that are utilized in the mining process and are already part of the existing right. For specific details regarding the application, please contact IDWR Southern Regional Office at 208-736-3033 or visit [www.idwr.state.id.us](http://www.idwr.state.id.us) with detail provided under "New Water Right Applications".

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St., Suite 200, Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before January 4, 2005. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director  
Publish: Dec. 16 & 23, 2004.  
**STATEMENT OF NONDISCRIMINATION**  
Custer Telephone Cooperative, Inc. is the recipient of federal financial assistance from the Rural Utilities Services, an agency of the U. S. Department of Agriculture, and subject to the provisions of Title VI of the Civil Rights Act of 1964, as amended, section 504 of the Rehabilitation Act of 1973, as amended, the Age Discrimination Act of 1975, as amended, and the rules and regulations of the U. S. Department of Agriculture which provide that no person in the United States on the basis of race, color, national origin, age or handicap shall be excluded from participation in, admission or access to, denied benefits of, or otherwise be subjected to discrimination under any of this organization's, programs or activities.

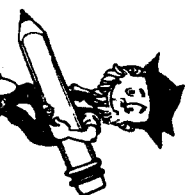
The person responsible for coordinating this organization's nondiscrimination compliance efforts is Dennis L. Thornock, General Manager. Any individual or specific class of individuals, who feels that this organization has subjected them to discrimination may obtain further information about the statutes and regulations listed above from and/or file a written complaint with this organization; or, the Secretary, U. S. Department of Agriculture, Washington, D.C. 20250; or the Administrator Rural Utilities Services, Washington, D.C. 20250. Complaints must be filed within 180 days after the alleged discrimination. Confidentiality will be maintained to the extent possible. Publish: Dec. 16, 2004.

## Messenger

# MARKETPLACE

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