

Proof of Publication The Post Register

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Department of Water Resources
Southern Region

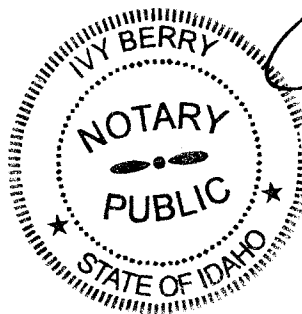
State of Idaho
County of Bonneville

I, ~~Dan Moore~~, or Dave Oakley, first being duly sworn, depose and say: That I am the ~~Production Supervisor~~, or Assistant Production Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for 2 consecutive (days) weeks, first publication having been made on the 16TH day of DECEMBER 2004, last publication having been made on the 23RD day of DECEMBER 2004 at the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

OK
MB
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Subscribed and sworn to before me, this 28TH day of DECEMBER 2004



Notary Public

My commission expires January 10, 2009

**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 afa) 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 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
Published: December 16, 23, 2004

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