

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

Boise
Idaho Falls
Pocatello
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Shawn C. Nunley
Tyler J. Anderson
Russell G. Metcalf
Morgan W. Richards, *of counsel*
Willis C. Moffatt, 1907-1980
Kirk R. Helvie, 1956-2003

October 28, 2004

US Bank Plaza Building
101 S Capitol Blvd 10th Fl
PO Box 829
Boise, Idaho 83701 0829

208 345 2000
800 422 2889
208 385 5384 Fax
www.moffatt.com

Allen Merritt
Water Rights Supervisor
Idaho Department of Water Resources Southern
Region Office
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

RECEIVED
OCT 29 2004
Department of Water Resources
Southern Region

Re: Thompson Creek Mining Company
Application for Transfer of a Water Right - Transfer No. 71264
MTBR&F File No. 18976.4

Dear Allen:

Enclosed for filing please find an original and one copy of the Amended Application for Transfer of a Water Right concerning water right 72-07193, in the name of Thompson Creek Mining Company. Please file the original, receive stamp the copy, and return the copy to me in the enclosed self-addressed, stamped envelope.

Also enclosed please find the requisite filing fee in the amount of \$680. It is our understanding from you that the actual fee for the transfer application is \$1,010. Less the \$330 we previously tendered to the Department, the remaining amount owed is \$680. If this amount is incorrect, please let me know.

Thank you for your assistance in this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,


Scott L. Campbell

SLC/tmh

Enclosures

cc: Bert Doughty (w/encls.)
Kevin Loughrey (w/encls.)

RECEIVED

OCT 29 2004

Department of Water Resources
Southern Region

Transfer No. 71264
Receipt No. S026767

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Please send all correspondence
to Scott L. Campbell, Moffatt Thomas Barrett Rock & Fields, Chtd.
PO Box 829, Boise, Idaho 83701

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Amended

1. Applicant Information THOMPSON CREEK MINING CO
PO BOX 62
CLAYTON ID 83227
(208)838-2200

Will this transfer result in an ownership change? _____ Yes x No

2. Current Water Right

Part 2 Attached for Each Right

	Origin/Basis WR/License	Rate	Volume	Acre Limit	Total Acres	Source
72-7193		20.89	1,600.0			SALMON RIVER

3. Purpose of Transfer (Change Proposed)

Part 3A Attached for Each Proposed Right
Part 3B Attached for Each Split Right

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
72-7193	NO	NO	YES	YES	NO	NO

Describe the reason for the proposed changes

This application proposes to modify right 72-7193 currently authorized to divert 20.89 cfs and 1600 afa from the Salmon River for industrial uses at the mine. The proposed modifications are to add diversion points on tributary streams to the Salmon River that are near the mine to eliminate any potential runoff and seepage from the mine site. The proposed diversions from these streams will allow recycling of site runoff water to preserve water quality and lessen impacts to the Salmon River. It is proposed to at times divert up to 8.0 cfs from Buckskin detention dam, at times divert 11.0 cfs from Pat Hughes detention dam and 0.2 cfs from springs tributary to Buckskin Creek in lieu of diversion from the Salmon River. Additionally this application identifies the place where water is stored in detention and tailings dams that is utilized in the mine process and is already part of the existing right.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

Does not apply.

B. Describe the effects on other water uses resulting from the proposed change

Does not apply.

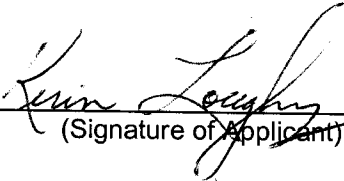
5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
72-7193	20.89 cfs			1,600.0 af
TOTAL	20.89 cfs			1,600.0 af

Transfer No. 71264
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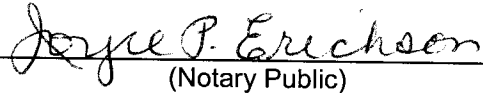
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.


(Signature of Applicant)

Sr. Vice President & General Counsel
(Title or Office)

Subscribed and sworn to before me this 25th day of October, 2004.


(Notary Public)

My commission expires 8/19/07

Transfer No. 71264
Receipt No. S026767

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 72-7193

Priority Date: June 16, 1982
Origin: Water Right
Basis: Decreed
Status: Active

Source: SALMON RIVER

Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
INDUSTRIAL FROM STORAGE	1/01	12/31		1,600.0 AFA	
INDUSTRIAL STORAGE	1/01	12/31		1,600.0 AFA	
INDUSTRIAL	1/01	12/31	20.89 CFS		
Total Diversion			20.89 CFS	1,600.0 AFA	

Source and Point(s) of Diversion:

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															

Conditions/Remarks:

- INDUSTRIAL USE FOR MILLING MOLYBDENUM ORE.
- USE OF THIS RIGHT WITH RIGHT NO. 72-07257 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2916 AF.
- THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
- RETURN FLOW IF DISCHARGED TO A SURFACE WATER SYSTEM SHALL MEET IDAHO WATER QUALITY STANDARDS.

5. PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LANDS

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer
None

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

Transfer No. 71264
Receipt No. S026767

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 72-7193

Priority Date: June 16, 1982
Origin: Water Right
Basis: Decreed
Status: Active

Source:	BUCKSKIN CREEK PAT HUGHES CREEK SALMON RIVER SPRING	Tributary:	THOMPSON CREEK THOMPSON CREEK SNAKE RIVER BUCKSKIN CREEK
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<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
INDUSTRIAL FROM STORAGE	1/01	12/31		1,600.0 AFA	
INDUSTRIAL STORAGE	1/01	12/31		1,600.0 AFA	
INDUSTRIAL	1/01	12/31	20.89 CFS		
	Total Diversion		20.89 CFS	1,600.0 AFA	

Source and 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

Describe the proposed diversion system

Point of Diversion # 1 PUMP STATION, PIPELINES TO HEAD TANK
Point of Diversion # 2 PUMP STATION, PIPELINES TO HEAD TANK
Point of Diversion # 3 PUMP STATION, PIPELINES TO HEAD TANK
Point of Diversion # 4 PUMP STATION, PIPELINES TO HEAD TANK
Point of Diversion # 5 PUMP STATION, BOOSTER PUMP STATION, PIPELINES TO HEAD TANK

PLACE OF USE: INDUSTRIAL

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11N	16E	12	X	X															

PLACE OF USE: INDUSTRIAL FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
11N	16E	12	X	X															

PLACE OF USE: INDUSTRIAL STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
11N	16E	1	X	X															
			L 1	L 2															
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						