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May 21, 2004

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

RECEIVED
MAY 24 2004
Department of Water Resources
Southern Region

Re: Thompson Creek Mining Company
Application for Exchange of Water
MTBR&F File No. 18976.4

Dear Allen:

Enclosed herewith please find the original and one copy of Thompson Creek Mining Company's Application for Exchange of Water, concerning water right number 72-07193, together with the required attachments. Also enclosed please find a check in the amount of \$330, as and for the requisite filing fee. Please file the original Application, receive stamp the copy, and return it in the enclosed self-addressed, stamped envelope.

I am also writing to confirm our meeting on June 3, 2004, commencing at 1:30 p.m., to discuss the enclosed Application. If you are unable to meet on June 3, please contact me to reschedule. 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

Enclosure

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

Applicant 105
71264

RECEIVED

MAY 24 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Southern Region

APPLICATION FOR EXCHANGE OF WATER

Under the provisions of Section 42-240, *Idaho Code*, any person holding a surface water right may apply to exchange such water for the use of water from the same source or a different surface water source. Surface water right holders may also apply to exchange for the use of water authorized for diversion under one or more other valid water rights from the same source or a different surface water source.

1. INFORMATION ABOUT THE APPLICANT

Applicant Thompson Creek Mining Company
(Name of Applicant)
PO Box 62, Clayton, Idaho 83227 Telephone No: (208) 838-2200
(Mailing Address) (Zip Code)

Applicant's Water Right(s) to be exchanged 72-07193
Attach a photocopy of the License, Permit, Transfer, Decree, or Claim evidencing the right(s) or attach a printout obtained from IDWR.

2. INFORMATION ABOUT THE CO-APPLICANT

Complete this portion if the applicant proposes to exchange for water diverted under a water right held by another party. The co-applicant is the holder of the right to be exchanged for the applicant's right. If more space is needed, please attach another sheet containing information about each co-applicant.

Co-applicant n/a
(Name of Co-applicant)

(Mailing Address) (Zip Code) Telephone No: _____

Co-applicant's Water Right(s) to be exchanged _____
Attach a photocopy of the License, Permit, Transfer, Decree, or Claim evidencing the right(s) or attach a printout obtained from IDWR.

3. EXCHANGE AGREEMENT -- Attach a copy of the written agreement between the applicant and the co-applicant(s).

4. EXCHANGE INFORMATION -- Complete **Part A** or **Part B** to explain how the proposed exchange will operate.

Part A -- For an exchange involving two or more water right holders.

The applicant proposes to divert _____ cfs and/or _____ acre feet per year of water authorized to be diverted under the co-applicant's water right(s) listed above at _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.

Additional points of diversion, if any: _____
In exchange for authorization to divert water as described above, _____ cfs and/or _____ acre feet per year of water authorized for diversion under the applicant's water right(s) listed above will be (*complete 1 or 2 below*):

1. made available to the co-applicant for diversion at _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.

Additional points of diversion, if any: _____

OR

2. released from storage by the co-applicant into _____ at _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.

Part B -- For an exchange involving only the applicant's water right(s).

Pl. see Attachment A.

The applicant proposes to divert ^ cfs and/or acre feet per year of water at 1/4 of 1/4, Govt. Lot Sec. Township Range B.M., County. Additional points of diversion, if any:

In exchange for authorization to divert water as described above, 2.49 cfs and/or 681.39 acre feet per year of water authorized for diversion under the applicant's water right(s) listed above ~~will be (complete 1 or 2 below):~~ will not be (complete 1 or 2 below:)

1. diverted from Salmon River at SE 1/4 of SE 1/4, Govt. Lot 5 Sec. 25 Township 11 N Range 16 E B.M., Custer County ~~and injected into~~ at 1/4 of 1/4, Govt. Lot Sec. Township Range B.M., County.

OR

2. released from storage by the applicant into at 1/4 of 1/4, Govt. Lot Sec. Township Range B.M., County.

Additional Explanation – Attach additional sheets if necessary.

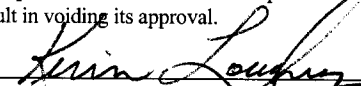
Please see Attachment B.

If this exchange is not intended to be a permanent arrangement, please describe the circumstances under which the proposed exchange will terminate.

5. MAPS – Attach two maps, one showing the water right(s) as it is (they are) now used, and another showing how the water right(s) will be used under the proposed exchange. Each map should be on an 8 1/2"x11" sheet and should clearly identify the locations of the point(s) of diversion, injection, and re-diversion of water and the place(s) of use by 40-acre subdivisions, section, township and range of the public land survey. Photocopies of USGS 7 1/2-minute topographic quadrangles are preferred as base maps.

SIGNATURE

Applicant hereby asserts that no one will be injured by such exchange of water and acknowledges that the applicant and/or the co-applicant will be responsible for all actions taken pursuant to this exchange. I understand that any willful misrepresentations made in this application may result in voiding its approval.

X  4-22-04
Applicant's Signature (and title if application is for an organization) Date
Senior Vice President, Senior Counsel, Thompson Creek Mining Company

FOR DEPARTMENT USE ONLY

This exchange application contains pages, including attachments.
Received by AD Date 5/24/04 Fee \$330.00
Receipted by AD Date 5/24/04 Receipt No. 5026767
Preliminary review by
Published in
Publication dates
Protests filed by
Copies of protests forwarded by
Watermaster recommendation requested on
Watermaster recommendation received on
Hearing held by Date

Recommended for Approval Denial By

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 72-07193

2001 AUG -8 PM 3:34

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILES

NAME AND ADDRESS: THOMPSON CREEK MINING CO
C/O BERT DOUGHTY
PO BOX 62
CLAYTON, ID 83227

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 20.89 CFS
1600.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 72-07257 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2916 AF.

PRIORITY DATE: 06/16/1982

POINT OF DIVERSION: T11N R16E S25 LOT 05 (NESESE) Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Industrial	01-01 TO 12-31	20.89 CFS
	Industrial Storage	01-01 TO 12-31	1600.00 AFY
	Industrial from Storage	01-01 TO 12-31	1600.00 AFY

INDUSTRIAL USE IS FOR MILLING OF MOLYBDENUM ORE.

PLACE OF USE:	Industrial		Within Custer County
	T11N R16E S12	NENE	NWNE
	Industrial Storage		Within Custer County
	Same as Other Use		
	Industrial from Storage		Within Custer County
	Same as Other Use		

PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LANDS.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

RETURN FLOW IF DISCHARGED TO A SURFACE WATER SYSTEM SHALL
MEET IDAHO WATER QUALITY STANDARDS.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

A handwritten signature in black ink, appearing to read "R. Burdick", is written over a horizontal line.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

ATTACHMENT A
TO APPLICATION FOR EXCHANGE OF WATER

The applicant, Thompson Creek Mining Company, proposes to divert 2.49 cfs (combined flow) to a maximum annual volume of 681.39 afa from the Buckskin Creek, Pat Hughes Creek, and two (2) unnamed springs at the following points of diversion:

- ? Section 4, Township 11 N, Range 16 E, SW NE SE - *1/2 Sec*
- ~~Section 34, Township 11 N, Range 6 E (VERIFY WITH SLC), SE SW SW~~ *SLC*
? Section 11, Township 11 N, Range 16 E, SE NE SW - *1/2 Sec*
- ~~Section 2, Township 11 N, Range 16 E, NE NW SE~~ *SLC*
Section 4, Township 11 N, Range 16 E, SE NW SE - *1/2 Sec*

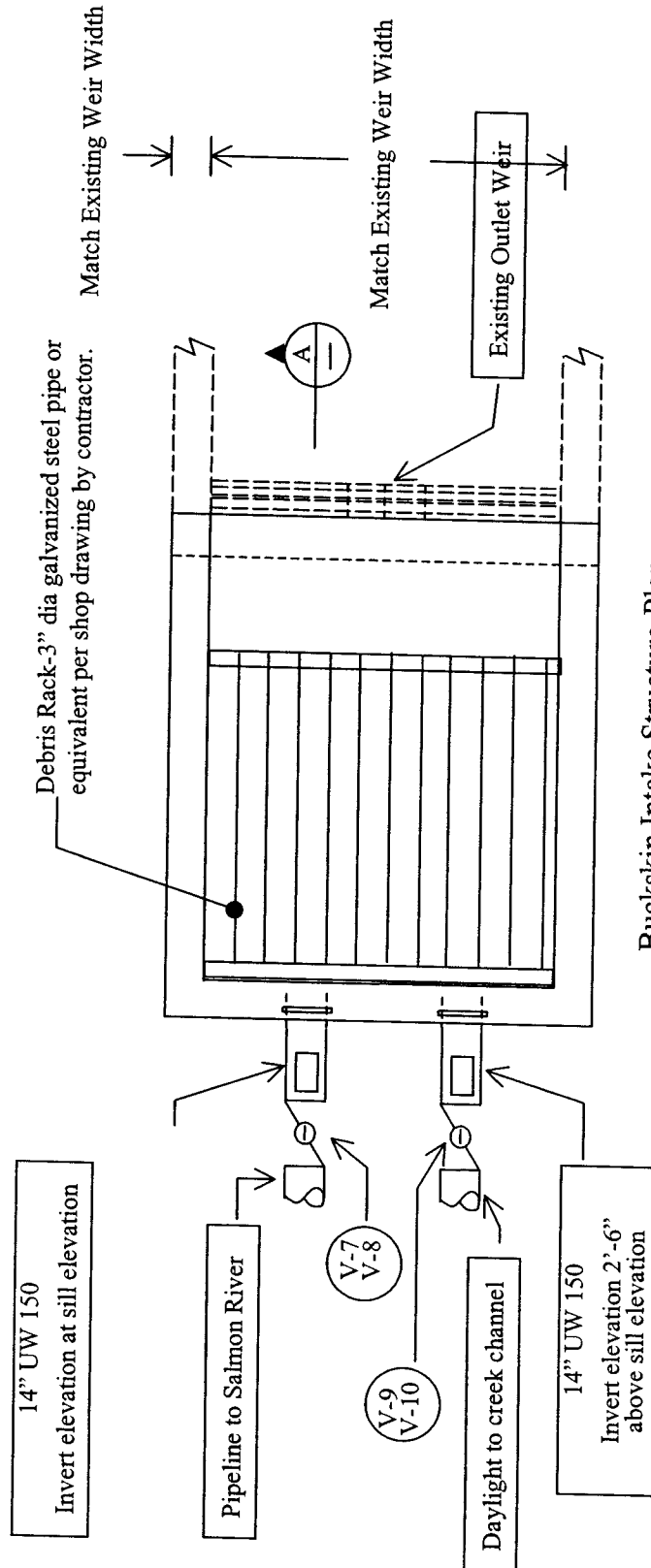
The unnamed springs are both located within Section 4, Township 11 North, Range 16 E, SE NW SE. The GPS coordinates for each spring are as follows:

Spring 1: 4908752.61 N
 693048.45 W

Spring 2: 4908783.48 N
 693121.59 W

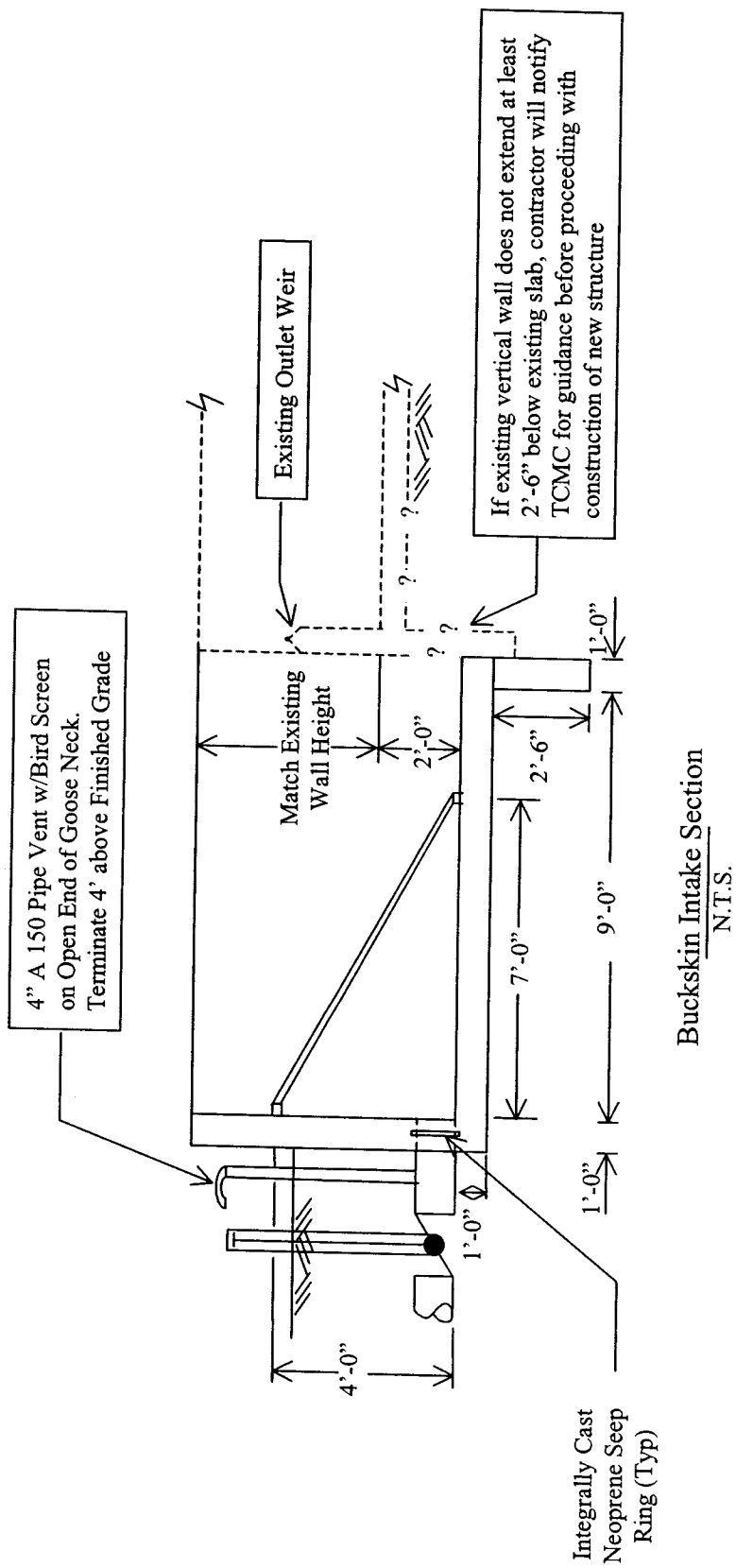
70
70
70

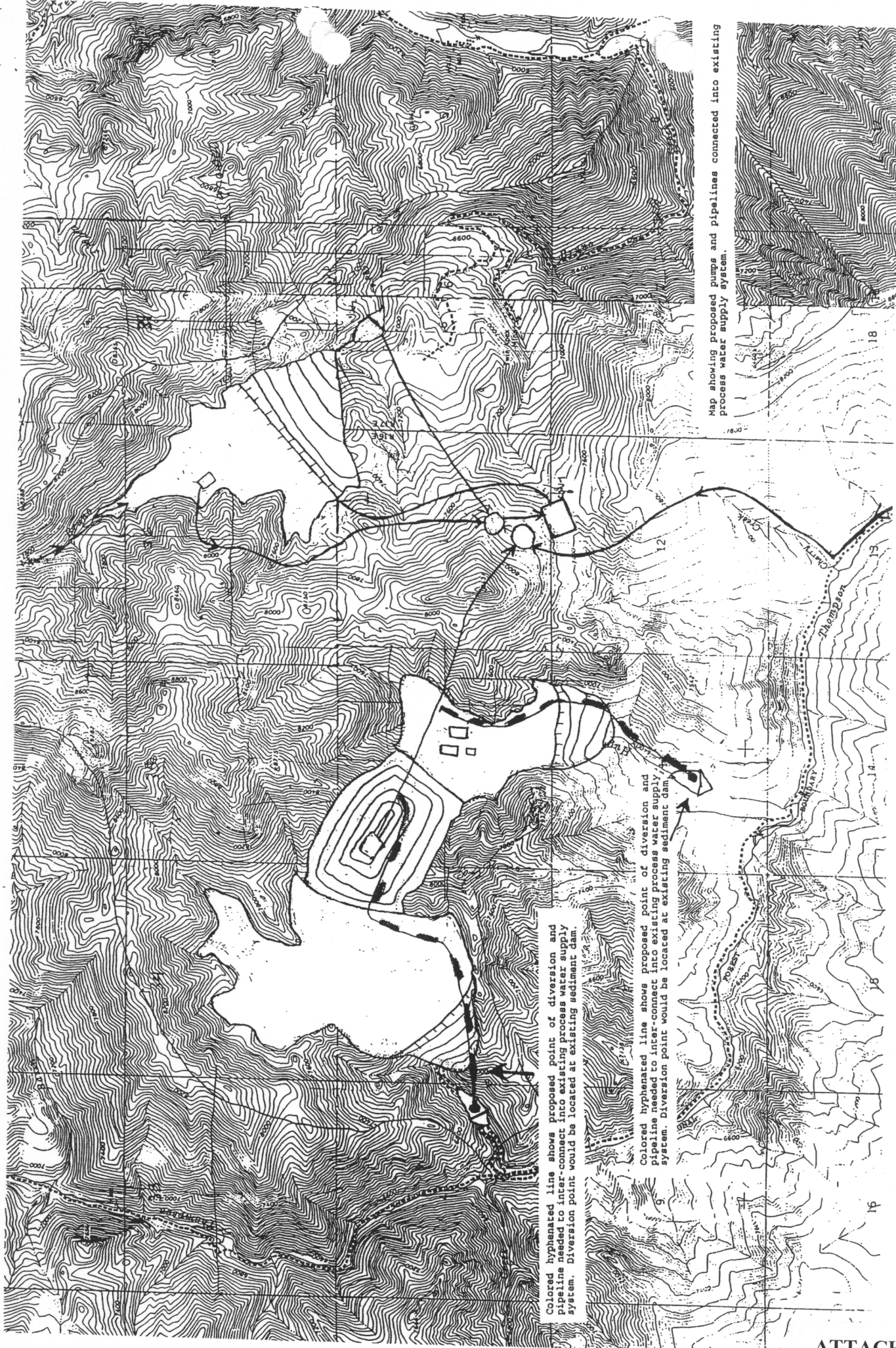
Steel reinforcement shall be #5 Grade 60 @ 12".
Contractor shop drawing required.



Buckskin Intake Structure-Plan

N.T.S.





Colored hyphenated line shows proposed point of diversion and pipeline needed to inter-connect into existing process water supply system. Diversion point would be located at existing sediment dam.

Colored hyphenated line shows proposed point of diversion and pipeline needed to inter-connect into existing process water supply system. Diversion point would be located at existing sediment dam.

Map showing proposed pumps and pipelines connected into existing process water supply system.

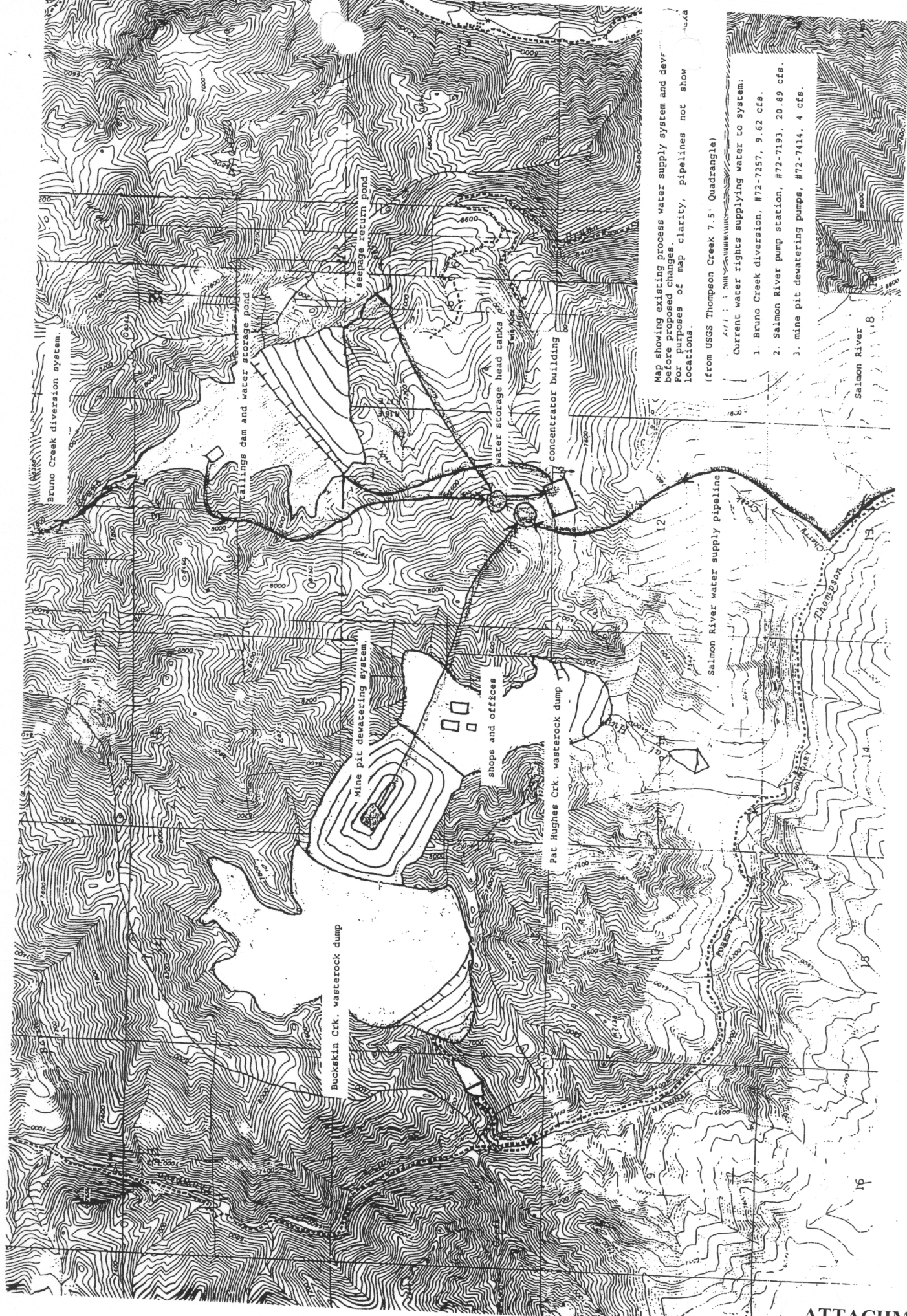


Exhibit A

72-7257

