



ENVIRONMENTAL SOLUTIONS FROM A PRACTICAL PERSPECTIVE

November 10, 2003

Allen D. Merritt
Manager
Idaho Department of Water Resources
Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301

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Department of Water Resources
Southern Region

Re: Water Rights Transfer/Modification – 72-7247

Dear Mr. Merritt:

Earthworks Technology, Inc. (Earthworks) is submitting this water rights transfer application on behalf of George and Pamella Forestier. All matters associated with this request to modify the water right will be handled by Earthworks.

The water rights transfer application is requesting a change to the following:

- Change in the Place of Use
- Change in Beneficial Use
- Change in Period of Use

Change in the Place of Use

The request is to modify the current place of use by include the new area shown on Page 1 (Part 1) of the application to transfer. While the irrigation use at the current place of use will no longer exists after the transfer, mining use of water in the current place of use will occur albeit at a much lower rate.

Change in Beneficial Use

The request will change the use from agricultural irrigation to a mining use classification.

Change in Period of Use

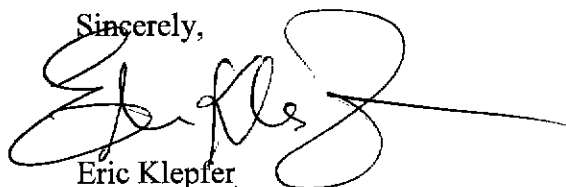
The current water right allows for water use during the period April to November, which coincides with the irrigation season. The mine operation will need water during all twelve months of the year. As such, it is understood that the amount of water available will not change but only the time period that water can be withdrawn from the Salmon River.

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Mr. Allen Merritt
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Enclosed is a check for \$100 to cover the transfer fee for the water rights. If you have any questions, you can reach me at the Field Office in Coeur d'Alene, ID, that phone number is 208-769-5924.

Sincerely,



Eric Klepfer
Vice President
Operations and Technical Services

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Enclosures: *Application for Transfer of Water Rights*
Application Fee of \$100

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