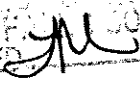


RECEIVED

AUG - 9 2001

Department of Water Resources

2001 AUG - 8 PM 3: 35

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED 

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	)	
	)	ORDER OF PARTIAL DECREE
Case No. 39576	)	
_____	)	For Water Right 72-07257

On June 15, 2001, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 72-07257 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED August 8, 2001.



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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 72-07257

2001 AUG -8 PM 3:35

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED *[Signature]*

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

SOURCE: BRUNO CREEK TRIBUTARY: SQUAW CREEK

QUANTITY: 9.62 CFS
1600.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 72-07193 IS LIMITED TO A
A TOTAL COMBINED ANNUAL VOLUME OF 2916 AF.

PRIORITY DATE: 03/11/1983

POINT OF DIVERSION: T12N R16E S25 SENESW Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Industrial	01-01 TO 12-31	9.62 CFS
	Industrial Storage	01-01 TO 12-31	1600.00 AFY
	Industrial from Storage	01-01 TO 12-31	1600.00 AFY

INDUSTRIAL USE 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.

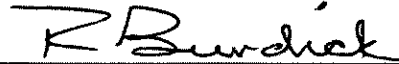
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

WHEN WATER USED UNDER THIS RIGHT IS DISCHARGED INTO THE
NATURAL CHANNEL, SETTLING PONDS MUST BE MAINTAINED WHICH ARE
CAPABLE OF REDUCING THE SILT LOAD TO SUCH A LEVEL THAT THE
QUALITY WILL NOT BE IMPAIRED FOR OTHER BENEFICIAL USES.

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.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2001 AUG 08 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED 

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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 72-07257

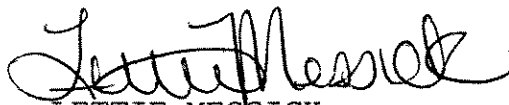
CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 72-07257 was mailed
on August 08, 2001, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

CYPRUS THOMPSON CREEK MINING
Represented by:
SCOTT L. CAMPBELL
PO BOX 1539
BOISE, ID 83701
Phone: 208-343-5454

USDI BLM
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835


LETTIE MESSICK
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
08/08/01