

Holmes, Christopher

From: Holmes, Christopher
Sent: Monday, August 31, 2026 9:12 AM
To: 'james.williams@nutrien.com'
Cc: Kristin Moore
Subject: BRBA Water Right Claims 11-2114 and 11-9375
Attachments: Mining Exemption Water Rights.xlsx

Good morning James,

I am emailing you in regards to the water right claims filed in the Bear River Basin Adjudication (BRBA) for the mine in Georgetown Canyon by Nu-West Mining Inc. I spoke with Rocky Mountain Environmental Associates Inc and they shared your contact information with me to reach out.

BRBA claims 11-2114 and 11-9375 acknowledge that mining is not currently active at the site. In addition, the claim cites Idaho Code § 42-223(11) describing water right exemption to forfeiture related to mining practices. This section is applicable to Nu-West Mining Inc's BRBA claims but evidence is required to support the forfeiture exemption. Attached is a spreadsheet that contains water rights that successfully went through the Northern Idaho Adjudications with the mining exemption. This list can be used to look at the water right backfiles to see examples of documents submitted to the department that supported the requirements for mining exemption. Here is the link to use that search tool:

<https://research.idwr.idaho.gov/apps/waterrights/wrajsearch/wradjsearch.aspx>. Overall, the organization must show sufficient evidence for all exemption requirements in the statute.

The BRBA claims referenced in this email will be recommended as disallowed in the BRBA until additional evidence is provided. Feel free to call or email me if you would like to discuss this more.

Sincerely,

Christopher Holmes

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