

RECEIVED
MAY 07 2015
DEPARTMENT OF
WATER RESOURCES

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

In Re CSRBA)
)
)
Case No. 49576)
)
)
_____)

A. Subcase Number: **92-07208**

(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: State of Idaho,
Department of Lands
Address: 300 N. 6th Street, Suite 103
P.O. Box 83720
Boise, ID 83720-0050
Phone: (208) 334-0200

Name and Address of Attorney, if any:

Attorney Name: LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
ANN Y. VONDE (ISB #8406)
MICHAEL C. ORR (ISB #6720)
Deputy Attorney General
Attorney Address: Office of the Attorney General
Joe R. Williams Building
700 West State Street, 2nd Floor
P.O. Box 44449
Boise, Idaho 83711-4449
Attorney Phone No. (208) 334-2400

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Emerald Creek Garnet LTD
Address: P.O. Box 190
Fernwood ID 83830-0190

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ **Name and Address:**
Should be: See below.
2. ☒ **Source:**
Should be: See below.
3. ☒ **Quantity:**
Should be: See below.
4. ☒ **Priority Date:**
Should be: See below.
5. ☒ **Point of Diversion:**
Should be: See below.
6. ☐ **Instream Flow Beginning and Ending Point:**
Should be: _____
7. ☒ **Purpose(s) of Use:**
Should be: See below.
8. ☒ **Period of Year:**
Should be: See below.
9. ☒ **Place of Use:**
Should be: See below.
10. ☐ **General Provision** ☐ Individual Water Right ☐ All Water Rights
☐ Should not be recommended.
☐ This general provision was not recommended but should be recommended as described below.
Should be: _____

- ☐ General provision was recommended but should be modified as described below:

Should be: _____

11. ☐ **I object** because the recommendation contains an accomplished transfer under Idaho Code § 42-1425 resulting in injury to my water right(s) and/or enlargement of the original right.
12. ☒ **I object because:**
- ☒ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):** Lack of beneficial use for more than five years.

F. **VERIFICATION (Must be Completed)**

State of Idaho)
) ss.
County of Ada)

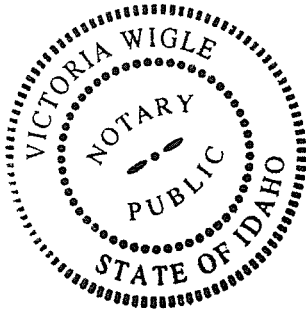
MICHAEL C. ORR, Deputy Attorney General, duly sworn, upon oath, deposes and says:

That the State of Idaho in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
ANN Y. VONDE
MICHAEL C. ORR
Deputy Attorney General


By Attorney signing in representative capacity

Subscribed and sworn to before me on: May 6, 2015
(Insert Date)



Victoria Wigle
Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 6/22/16

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on this 6TH day of May, 2015, I caused the original and the copies of this objection, including all attachments, to be served on the following persons by the method designated:

1. Original to:

Clerk of the District Court
Coeur d'Alene-Spokane River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
HAND DELIVERY

2. One copy to the owner of the water right at the following address:

Emerald Creek Garnet LTD
P.O. Box 190
Fernwood ID 83830-0190
U.S. MAIL

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, Idaho 83720-0098
STATEHOUSE MAIL

Chief of Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449
(not applicable)

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, Idaho 83724
U.S. MAIL



Signature of Objector or attorney
Mailing on Objector's behalf