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JUN 10 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) A. Subcase 92-10521

Case No. 49576)

STANDARD FORM 2
RESPONSE TO OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: State of Idaho

Address: PO Box 83720

Boise, ID 83720-0010

Daytime Phone: 208.334.4143

Name & Address of Attorney, if any:

Steven W. Strack

C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDING

Name: Coeur d'Alene of the Coeur D'Alene Indian Reservation

Address: 850 A. Street, PO Box 408

Plummer, ID 83851

D. I am responding to the Objections to the following elements or general provision. (Please check the appropriate box(es)).

1. ☐ Name and Address
2. ☒ Source
3. ☐ Quantity
4. ☐ Priority Date
5. ☐ Point of Diversion
6. ☐ Instream Flow Beginning and Ending Point
7. ☐ Purpose(s) of Use
8. ☐ Period of Year
9. ☐ Place of Use
10. ☐ General Provision
11. ☒ Recommendation:

☒ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

The reservation of the beds and banks of a navigable waterway, and the reservation, if any, of the minimum amount of water rights necessary to fulfill the purposes of the Coeur d'Alene Indian Reservation, does not deprive the State of its authority to authorize the diversion of non-reserved waters by nonmembers residing within the Reservation. Waters within the Reservation in excess of the water, if any, found by this Court to be necessary to fulfill reserved water rights, are under the sovereign control of the State of Idaho, and may be appropriated as provided by the laws of the State of Idaho.

INSTRUCTIONS FOR MAILING

You must mail the Response, including all attachments, 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.

E. CERTIFICATE OF MAILING

I certify that on June 9, 2015, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Coeur d'Alene-Spokane River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

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

Name: Jerry A. Wemhoff
Address: PO Box 446
Saint Maries, ID 83861

3. One copy to the party who filed the Objection at the following address:

Name: Coeur d'Alene of the Coeur d'Alene Indian Reservation
Address: 850 A. Street, P.O. Box 408
Plummer, ID 83851

4. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div.
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
State of Idaho
PO Box 83720
Boise, ID 83720-0010



Your signature or signature of attorney
mailing on your behalf