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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 No. 91-7140

**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: P.O. Box 83720  
Boise, ID 83720-0010  
Phone: 208-334-2400

Attorney Name: LAWRENCE G. WASDEN  
Attorney General  
Clive J. Strong  
Deputy Attorney General  
Chief, Natural Resources Division  
Steven W. Strack (ISB # 3906)  
Anne E. Vonde (ISB # 8406)  
Deputy Attorneys General  
Attorney Address: P.O. Box 83720  
Boise, Idaho 83720-0010  
Attorney Phone No.: Telephone: (208) 334-2400

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

Name: Coeur d'Alene Tribe of the Coeur D'Alene Indian Reservation  
Address: 850 A. Street, PO Box 408PI  
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
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.

**Reasons for Response.** 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 July 27, 2015, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:  
Clerk of the District Court  
Snake 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:  
  
William Kopp  
1558 Cottonwood Dr.  
Saint Maries, ID 83861
3. Once copy to the party who filed the Objection at the following address:  
  
Howard Funke  
Howard Funke & Associates, P.C.  
P.O. Box 969  
Coeur d'Alene, ID 83816-0969

Copies to

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

Chief of Natural Resource Division  
Office of the Attorney General  
State of Idaho  
P.O. Box 83720  
Boise, ID 83720-0010

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



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Your signature or signature of attorney  
mailing on your behalf