

DISTRICT COURT - CSRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
JUL - 8 2015	
By _____	Clerk
Deputy Clerk	

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

In Re CSRBA	)	A. Subcase No's. <u>92-7211</u>
	)	
Case No. 49576	)	
	)	STANDARD FORM 2
	)	RESPONSE TO OBJECTION
	)	
_____	)	

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: North Idaho Water Rights Alliance on behalf of the
Respondents identified in Attachment A

Address: 391 Bella Rose Rd
St Maries, Idaho 83861

Phone: 208-245-0275

Attorney Name: Douglas P. Payne (ISB # 4789)

Attorney Address: 701 W. Collage St. Suite 201
St Maries, Idaho 83861

Attorney Phone No. 208-245-2564

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

Name: Coeur d'Alene tribe 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.

E: Respondents Recommendation:

This water right should be decreed as recommended by the IDWR Director on the following grounds: In 1891 the Coeur d'Alene reservation was created by Congress, reserving the beds and the banks of submerged lands within the reservation. In 1906, Congress opened up the reservation under the Allotment and Homestead Acts and provided that the land, once patented, would be thereafter subject to the law of the State in which it was located. The U.S. reserved certain mineral and hydropower rights in regard to the subject lands. The U.S. did not reserve any other littoral or riparian rights in regard to the subject lands which are ordinarily attendant to waterfront property, including the right to access water, to wharfage, or to use the adjacent water. These rights are therefore appurtenant to and including with those waterfront lands sold by the U.S and are subject only to State law regulation as provided by the Acts of Congress enabling the alienation of those lands.

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.

F. CERTIFICATE OF MAILING

I certify that on September 12, 2014, I mailed the original and copies of this objection, including all attachments, to the following persons

:

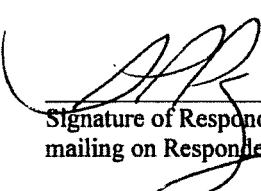
1. Original to: Clerk of the District Court
Coeur d'Alene-Spokane River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707
2. One copy to the claimant of the water right at the following address:
Name: Coeur d'Alene tribe of the Coeur d' Alene
Indian Reservation
Address: 850 A street, PO Box 408
P Plummer, ID 83851

3. Copies to:

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

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449

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



Signature of Respondent or attorney
mailing on Respondent's behalf

Attachment 'A'

The below identified respondents listed below are members of the North Idaho Water Rights
North Idaho Water Rights Alliance

pg 1 of 10

Steve 33037 S. Hells Gulch Road St. Maries ID 83861	Addington	Linda 26914 Dudley E. Road Cataldo ID 83810	Aldredge.	Ed 57 Deer Lane Kellogg ID 83837	Bailey
Tuck 5151 Alder Creek St. Maries ID 83861	Ainge	Candace P. O. Box 327 Kingston ID 83839	Anderson	Janice 57 Deer Lane Kellogg ID 83837	Bailey
June 33037 S. Hells Gulch Road St. Maries ID 83861	Addington	Shannon P. O. Box #56 Cataldo ID 83810	Anderson	Leroy 705 "A" Street Pinehurst ID 83850	Bailey
Billy 440 Agency Road Plummer ID 83851	Anderson	Conrad 9486-A Coeur d' Alene River Kingston ID 83839	Anderson	Betty 705 "A" Street Pinehurst ID 83850	Bailey
Doris 9486-A Coeur d' Alene River Kingston ID 83839	Anderson	Joseph P. O. Box #56 Cataldo ID 83810	Anderson	Mary Lou 715 N. Chisholm Court Post Falls ID 83854	Baker
Edward P. O. Box 327 Kingston ID 83839	Anderson	David 8250 IHells Gulch Road St. Maries ID 83861	Banderob	Gary 975 Watertower Road St. Maries ID 83861	Barton
Joy 389 Shady Lane Wallace ID 83873	Averitt	Jeffrey 715 N. Chisholm Court Post Falls ID 83854	Baker	Janet 975 Watertower Road St. Maries ID 83861	Barton
William 558 Placer Creek Wallace ID 83873	Becker	Merrilee 558 Placer Creek Wallace ID 83873	Becker	Ron 209 Pine Wallace ID 83873	Bertoch
Judy 209 Pine Wallace ID 83873	Bertoch	Angelo 5305 E. O'Gara Road Harrison ID 83833	Bissell	Joyce 5305 E. O'Gara Road Harrison ID 83833	Bissell
George 27180 S. Wildwood Drive Worley ID 83876	Bloomsburg	Hilma 27180 S. Wildwood Drive Worley ID 83876	Bloomsburg	Leland 4924 Honey Hill Road Oak Hills CA 92344	Boldt
Boldt 4924 Honey Hill Road Oak Hills CA 92344	Danielle	Robert P. O. Box 241 Potlatch ID 83855	Bostrom	Dianna P. O. Box 241 Potlatch ID 83855	Bostrom

Attachment 'A'

The below identified respondents listed below are members of the North Idaho Water Rights
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pg 2 of 10

Shannon Dellinger P. O. Box #444 Silverton ID 83867	Ken Devries 333 Lost Trail St. Maries ID 83861	Yvonne Devries 333 Lost Trail St. Maries ID 83861
Mary Dickson P. O. Box #1138 Spirit Lake ID 83869	Dale Dimico 99 Bulter Drive St. Maries ID 83861	Pete Dirlam P. O. Box #155 Santa ID 83866
Jean Dohrman 59510 S. Hwy 97 St. Maries ID 83861	Larry Domingo P. O. Box #963 Pinehurst ID 83850	Joan Dorsett 3007 Woodland Drive Pinehurst ID 83850
Tom DuHamel 4300 E. Sunset Drive Harrison ID 83833	Eileen DuHamel 4300 E. Sunset Drive Harrison ID 83833	Cherie Duncan 1684 Goosehaven Road St. Maries ID 83861
Fred Duncan 1684 Goosehaven Road St. Maries ID 83861	East Shoshone County Water District 606 Cedar Street Wallace ID 83873	F & H Mine Supply. Inc. P. O. Box #747 Wallace ID 83873
Barbara Eckman 15459-B St. Joe River Road St. Maries ID 83861	Betty Ellis 174 S. Cda Street - Bldg H204 Spokane WA 99201	Beverly Evans 6776 Benewah Creek Road St. Maries ID 83861
Birdie Ellison 360 Eagle Creek Road Wallace ID 83873	Lisa Emerson 354 Ahrs Loop St. Maries ID 83861	Don Eckman 15459-B St. Joe River Road St. Maries ID 83861
Elmor Evans 6776 Benewah Creek Road St. Maries ID 83861	Fernwood Water & Sewer District P. O. Box #215 Fernwood ID 83830	Janet Ferrell P. O. Box #125 Santa ID 83866
Edmond Ferrell P. O. Box #125 Santa ID 83866	John Ferris 7569 Windfall St. Maries ID 83861	Shirley Ferris 7569 Windfall St. Maries ID 83861
Nick Ferris 1967 Alder Creek Loop St. Maries ID 83861	Sabrina Ferris 1967 Alder Creek Loop St. Maries ID 83861	Mike Fish 2626 Railroad Grade Road St. Maries ID 83861
Jonny Fish 2626 Railroad Grade Road St. Maries ID 83861	Eugene Flamand 4970 N. Industrial Way STE-2 Coeur d' Alene ID 83815	Nancy Flamand 4970 N. Industrial Way STE-2 Coeur d' Alen ID 83815

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pg 3 of 10

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Attachment 'A'

The below identified respondents listed below are members of the North Idaho Water Rights
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pg 4 of 10

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Attachment 'A'

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pg 5 of 10

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Margo Linscott 7150 Burke Road Wallace ID 83873	Bernie Lowry 640 Renlow Road Plummer ID 83851	Robert Lowry 640 Renlow Road Plummer ID 83851
Fredric Manthey P. O. Box #619 Mullan ID 83846	Lorraine Manthey P. O. Box #619 Mullan ID 83846	Mary McDonald 18729 S. River Road Cataldo ID 83810
William McAninch 205 Santa Marie Woods Drive St. Maries ID 83861	Nancy McAninch 205 Santa Marie Woods Drive St. Maries ID 83861	Lance McDaniel P. Box 606 St. Maries ID 83861
Michele McDaniel P. Box 606 St. Maries ID 83861	John McFaddin 20189 S. Eagle Peak Road Cataldo ID 83810	Agnes McFaddin 20189 S. Eagle Peak Road Cataldo ID 83810
Bob McKay P. O. Box #931 Osburn ID 83849	Pat McKay P. O. Box #931 Osburn ID 83849	Michelle McMahon P. O. Box 872 Victorville CA 92393
John McMahon P. O. Box 872 Victorville CA 92393	Douglas New 16673 S. Bull Run Road Cataldo ID 83810	& Adrienne New 16673 S. Bull Run Road Cataldo ID 83810
Joel Newsom 260 S. River Hideaway St. Maries ID 83861	Cindy Newsom 260 S. River Hideaway St. Maries ID 83861	Carl Nordstrom 404 Klette Road Kingston ID 83839
Dawn Weber 60553 Hwy 3 South Fernwood ID 83830	Marvin Wheeler 33716 S. Benewah Road Harrison ID 83833	MaryAnne Wheeler 33716 S. Benewah Road Harrison ID 83833
Verland Woempner 6351 S. Army's Road Harrison ID 83833	Carla Woempner 6351 S. Army's Road Harrison ID 83833	Marion C. Woodstock P. O. Box #257 Santa ID 83866
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Attachment 'A'

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pg 6 of 10

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Geraldine Butler 2600-A E. Seltice Way #214 Post Falls ID 83854	Gordon Canterbury P. O. Box #967 Wallace ID 83873	Barbara Canterbury P. O. Box #967 Wallace ID 83873
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James Carney 19483 S. Latour Creek Road Cataldo ID 83810	Arlene Carney 19483 S. Latour Creek Road Cataldo ID 83810	Mary Carver 2301 Cromwell Drive St. Maries ID 83861
Thomas Carver 2301 Cromwell Drive St. Maries ID 83861	City of Osburn P. O. Box #865 Osburn ID 83849	Jack Conklin 41845 Silver Valley Road Kingston ID 83839
Mary Combs 38079 S. Hwy 3 St. Maries ID 83861	Yvonne Conklin 41845 Silver Valley Road Kingston ID 83839	Robert Coppa P. O. Box #183 Santa ID 83866
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Rick Day 59494 S. Hwy 97 St. Maries ID 83861	Holly Day 59494 S. Hwy 97 St. Maries ID 83861	Todd Dellinger P. O. Box #444 Silverton ID 83867

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pg 7 of 10

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Attachment 'A'

The below identified respondents listed below are members of the North Idaho Water Rights

North Idaho Water Rights Alliance

pg 8 of 10

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Colleen Smith
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Larry Sotin
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Jennifer Steele
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Attachment 'A'

The below identified respondents listed below are members of the North Idaho Water Rights
North Idaho Water Rights Alliance

pg 9 of 10

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Sally Turner
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Martha Vail
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Attachment 'A'

The below identified respondents listed below are members of the North Idaho Water Rights
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pg 10 of 10

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