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DEPARTMENT OF
WATER RESOURCES

AMENDED OBJECTION

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 91-07884

(Insert water right number)

Case No. 49576

STANDARD FORM 1
OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the USDA Forest Service

Address: 550 West Fort Street, MSC 033

Boise, Idaho 83724

Daytime Phone: 208- 365-7055

Name & Address of Attorney, if any:

David L. Negri

United States Department of Justice

Environment and Natural Resource Division

Natural Resources Section

550 West Fort Street, MSC 033

Boise, Idaho 83724

(208) 334-1936 phone, (208) 334-9375 fax

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

Name: Jackson Timberland Opportunities Tristar LLC

Address: 654 N State St

Jackson, MS 39202

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

1. ☐ **Name and Address**
Should be: _____
2. ☒ **Source**
Should be: See E below
3. ☒ **Quantity**
Should be: Quantity historically used and put to beneficial use.
4. ☒ **Priority Date**
Should be: Claimant must establish beneficial use of claimed quantity as of date of priority.
5. ☒ **Point(s) of Diversion**
Should be: See E below.
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
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):** The Sources, Bluff Creek and West Fork Bluff Creek, and legal descriptions of the Points of Diversion, T44N R07E Sec 28 NESW and T44N R08E Sec 5 NWSW, are on National Forest System land (NFS). The claimants are not authorized to occupy and use NFS land for this purpose. These elements need to be deleted from the water right elements. See United States' Motion to Amend Objection regarding the "quantity" and "priority" objection.

F. **CERTIFICATE OF MAILING**

I certify that on November 12, 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
Coeur d'Alene – Spokane River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

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

Michael A Ealy
P.O. Box 1336
Coeur d'Alene, ID 83816-1336

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

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



Signature of Objector or attorney
mailing on Objector's behalf