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JUL 29 2016

DEPT. 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 94-08920

(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: Snowstorm Enterprises LLC

Address: 1332 Oregon Dr

Concord, CA 94521

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: _____
4. ☐ **Priority Date**
Should be: _____
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: See E 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): The legal description of the Point of Diversion (POD) of this water right shown in the Directors Report Recommendation is the NWSE Sec 30 T48N R6E. This quarter-quarter is mixed private and federal ownership. Information in IDWR files shows that the POD is on private land within Mineral Survey (MS) 2104. This is the actual legal description of the property and needs to be included in the elements of the water right to distinguish that it is not on National Forest System (NFS) land also in the NWSE Sec 30 that is surveyed as Lot 5. The elements of the water right also need to have a phrase that the POD and Place of Use (POU) are not on federal land. The Directors Report Recommendation includes information that this water right shares the same POD as water right nos. 94-04221, 94-08554, 94-08919 and 94-08922. There is an inconsistency here because the source for 94-04221 and 94-08554 is a spring tributary to Daisy Gulch Creek while the source for 94-08919, 94-08920 and 94-08922 is Daisy Gulch Creek tributary to the South Fork Coeur d'Alene River. This inconsistency needs to be rectified and water right source changed on the applicable water right descriptions to reflect the actual source of water.

F.

CERTIFICATE OF MAILING

I certify that on July **27**, 2016, 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:

Snowstorm Enterprises LLC
1332 Oregon Dr
Concord, CA 94521

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

United States Department of Justice
Environment and Natural Resource Division
Natural Resources Section
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf