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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

Case No. 49576

A. Subcase 94-02093
(Insert water right number)

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 Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

David L. Negri (208) 334-1936 phone, (208) 334-9375 fax
United States Department of Justice
Environment and Natural Resources Division
Natural Resources Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

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

Name: David Bennett
Address: 18020 NW Seabeck Holly Rd; Seabeck, WA 98380

Name: Kellie Bennett
Address: 18020 NW Seabeck Holly Rd; Seabeck, WA 98380

Name:
Address: ;

Name:
Address: ;

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:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
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 attached.
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 for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land.

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 July 28, 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:

Name: David Bennett
Address: 18020 NW Seabeck Holly Rd; Seabeck, WA 98380
Name: Kellie Bennett
Address: 18020 NW Seabeck Holly Rd; Seabeck, WA 98380
Name:
Address: ;
Name:
Address: ;

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 Resources Division
Natural Resources Section
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney mailing on Objector's behalf

02/16/2016

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 94-2093

NAME AND ADDRESS: DAVID BENNETT
18020 NW SEABECK HOLLY RD
SEABECK WA 98380

KELLIE BENNETT
18020 NW SEABECK HOLLY RD
SEABECK WA 98380

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.010 CFS

Right numbers 94-2093 and 94-8973 are limited to a total combined diversion rate of 0.02 cfs.

PRIORITY DATE: 11/10/1914

POINT OF
DIVERSION: T48N R04E S13 NESW Lot 38 Within SHOSHONE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

DOMESTIC

Domestic use is for 1 home.

PERIOD OF USE

01/01 12/31

QUANTITY

0.010 CFS

PLACE OF USE: DOMESTIC in SHOSHONE County

T48N R04E S14

NESE

MX Place of use does not include federal

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Public land.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right No. 94-8973 is a split of this right.

Property is also known as 11 Caron Court.

Parcel No. RP48N04E147580.

SHOSHONE COUNTY 079
COEUR D'ALENE DISTRICT

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES

[illegible]

ML 361 PL 359 (Act of Cong. 08/11/1959)

DOI 00000 Dat PL 107 (Act of Cong 08/23/1958) completed
05/21/1982. All NF surface Mgmt by USFS

DOI 010033 Del PL 167 (Aut of Cong 07/23/1953) completed
05/21/1982. All NF surface Mgmt by USFS

DOI 07957 Del PL 167 (Act of Cong. 07/23/1955) completed
05/28/1962, All PD surface Mgmt by BLM including

IDI 07957-G-9	Sec 30: NW	Berry
IDI 07957-G-10	Sec 30: NW	Edison
IDI 07957-K-6	Sec 19: SW	North Star

IDI 07957-K-7	Sec 18: W2	North Frac No 1
IDI 07957-K-8	Sec 19: W2	North Frac No 2
IDI 07957-K-9	Sec 10: SW	1 center Fracture

IDI 07967-K-10	Sec 18: SW	Lucky Friday No 1
IDI 07967-K-11	Sec 18: SW	Lucky Friday No 2

IDI 07957-K-13	Sec 18: SW	Lucky Friday No 4
IDI 07957-K-14	Sec 18: SW	Codina

DATE	TIME	WIND DIRECTION	WIND SPEED	SEA STATE	WAVE PERIOD	WAVE HEIGHT	WAVE LENGTH	WAVE DIRECTION	WAVE PERIOD	WAVE HEIGHT	WAVE LENGTH	WAVE DIRECTION
01/07/97	08:00	N	10	S	6	1.5	10	N	6	1.5	10	N
01/07/97	09:00	N	10	S	6	1.5	10	N	6	1.5	10	N
01/07/97	10:00	N	10	S	6	1.5	10	N	6	1.5	10	N
01/07/97	11:00	N	10	S	6	1.5	10	N	6	1.5	10	N
01/07/97	12:00	N	10	S	6	1.5	10	N	6	1.5	10	N
01/07/97	13:00	N	10	S	6	1.5	10	N	6	1.5	10	N
01/07/97	14:00	N	10	S	6	1.5	10	N	6	1.5	10	N
01/07/97	15:00	N	10	S	6	1.5	10	N	6	1.5	10	N
01/07/97	16:00	N	10	S	6	1.5	10	N	6	1.5	10	N
01/07/97	17:00	N	10	S	6	1.5	10	N	6	1.5	10	N
01/07/97	18:00	N	10	S	6	1.5	10	N	6	1.5	10	N
01/07/97	19:00	N	10	S	6	1.5	10	N	6	1.5	10	N
01/07/97	20:00	N	10	S	6	1.5	10	N	6	1.5	10	N
01/07/97	21:00	N	10	S	6	1.5	10	N	6	1.5	10	N
01/07/97	22:00	N	10	S	6	1.5	10	N	6	1.5	10	N
01/07/97	23:00	N	10	S	6	1.5	10	N	6	1.5	10	N
02/07/97	00:00	N	10	S	6	1.5	10	N	6	1.5	10	N
02/07/97	01:00	N	10	S	6	1.5	10	N	6	1.5	10	N
02/07/97	02:00	N	10	S	6	1.5	10	N	6	1.5	10	N
02/07/97	03:00	N	10	S	6	1.5	10	N	6	1.5	10	N
02/07/97	04:00	N	10	S	6	1.5	10	N	6	1.5	10	N
02/07/97	05:00	N	10	S	6	1.5	10	N	6	1.5	10	N
02/07/97	06:00	N	10	S	6	1.5	10	N	6	1.5	10	N
02/07/97	07:00	N	10	S	6	1.5	10	N	6	1.5	10	N
02/07/97	08:00	N	10	S	6	1.5	10	N	6	1.5	10	N
02/07/97	09:00	N	10	S	6	1.5	10	N	6	1.5	10	N
02/07/97	10:00	N	10	S	6	1.5	10	N	6	1.5	10	N
02/07/97	11:00	N	10	S	6	1.5	10	N	6	1.5	10	N
02/07/97	12:00	N	10	S	6	1.5	10	N	6	1.5	10	N
02/07/97	13:00	N	10	S	6	1.5	10	N	6	1.5	10	N
02/07/97	14:00	N	10	S	6	1.5	10	N	6	1.5	10	N
02/07/97	15:00	N	10	S	6	1.5	10	N	6	1.5	10	N
02/07/97	16:00	N	10	S	6	1.5	10	N	6	1.5	10	N
02/07/97	17:00	N	10	S	6	1.5	10	N	6	1.5	10	N
02/07/97	18:00	N	10	S	6	1.5	10	N	6	1.5	10	N
02/07/97	19:00	N										

ICI 07957-AK-3	Sec 30: W2	Thiols No 3
ICI 07957-AK-4	Sec 30: E2	Thiols No 4
ICI 07957-AK-5	Sec 30: S2	Thiols No 5

IDI 07957-AK-6	Sec 30: NE	Triangle No 6
IDI 07957-AK-7	Sec 30: E2	Triangle No 7
IDI 07957-AK-8	Sec 30: SE	Triangle No 8

ID# 07957-AK-9 Sec 30: NW Triangle No 9
 ID# 07957-AK-10 Sec 30: NW Triangle No 10
 ID# 07957-AK-11 Sec 30: NW Triangle No 11

ID# 07957-AK-11 Sec 30: NW Triangle No 11
ID# 07957-AK-12 Sec 30: NW Triangle No 3 Frac

ICI 07957-AK-14	Sec 30: N2	Duo No 7
ICI 07957-AK-15	Sec 30: NE	Duo No 8

DOI 17631 Silas Act 02/26/1981

Sec 31: SE

Sec 34: All unappropriated public land

See Supplemental Remarks Plat No 1

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF

1000

CONVERTED TYP:	08/07/2009	BY:	LJM
LAST UPDATED:	03/18/2013	BY:	LJM

POSTED TO PUBLIC RECORDS: February 18, 2012 BY: [REDACTED]

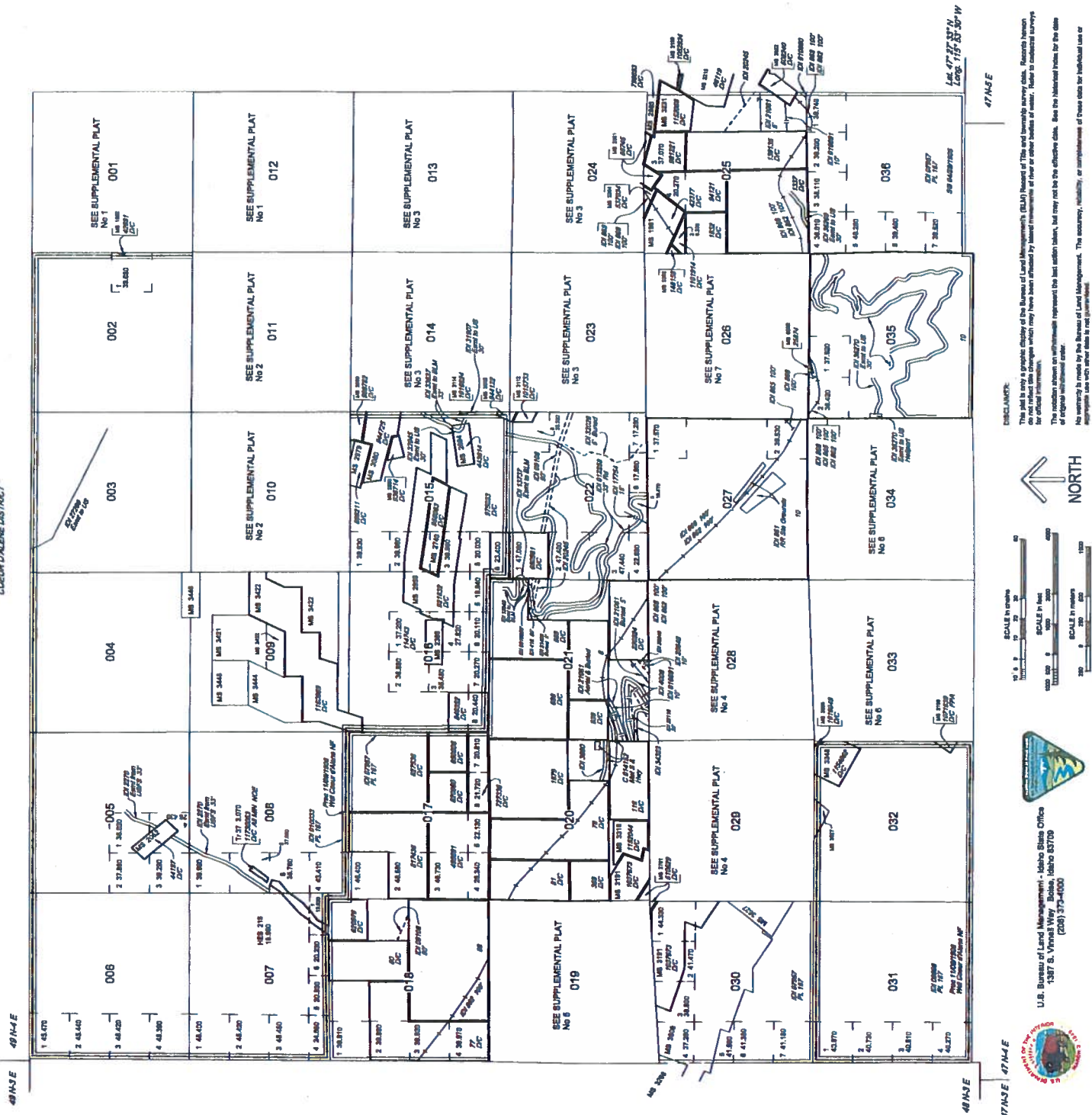
PUBLIC LAND SURVEY SYSTEM (PLSS)	BLM OCCAS ACQUIRED:	04/28/2008
	OTHER:	N/A

PROJECTED COORDINATE SYSTEM: UTM ZONE 11N, MAD 1983

NOTES:

USE PLATE: _____

T. 48 N
R. 4 E



SHOSHONE COUNTY 079
COEUR D'ALENE DISTRICTNo. 3
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT
SUPPL Sec 13, 14, 23, 24

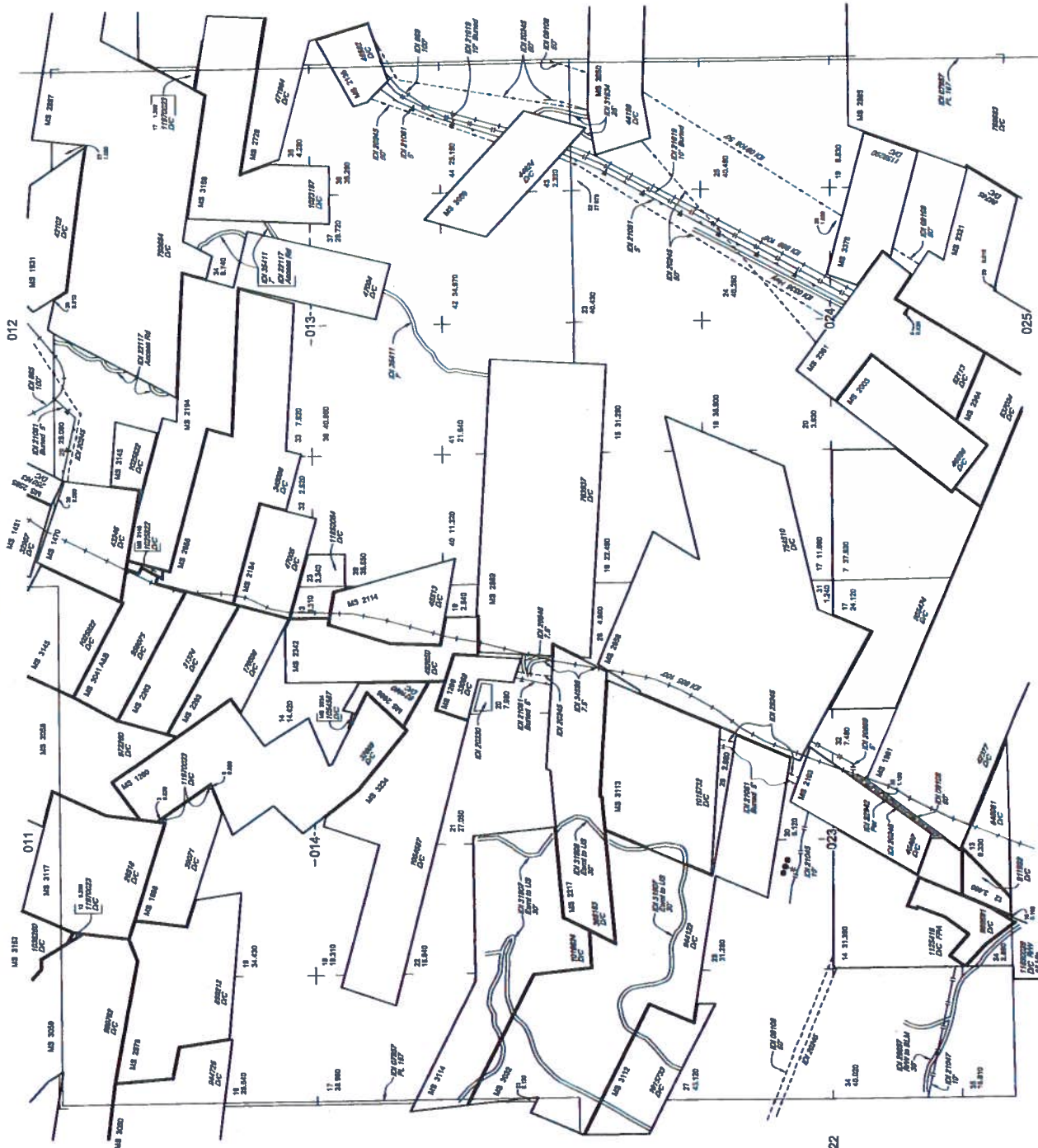
[illegible]

DOI 07957 Del PL 187 (Act of Cong 07/23/1955) completed
06/28/1952. All PD surface Mgmt by BLM enclosing
DOI 07957-X-1 Sec 24: NE Willow

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

FILE REF.	DISASTER MANAGEMENT MODEL 2mg		
CONVERTED TYP.	03/29/2012	BY:	UPL
LAST UPDATED:	03/29/2012	BY:	UPL
DATE IN:		DATE RE:	
			February 27, 2012
		BY:	
PUBLIC LAND SURVEY SYSTEM (PLS)			
DATES ACQUIRED:			
BNA			
PROJECTED COORDINATE SYSTEM: UTM ZONE 11N, NAD 1983			
NOTE:			
USE PLATE:			

T. 48 N
 R. 4 E
 No. 3

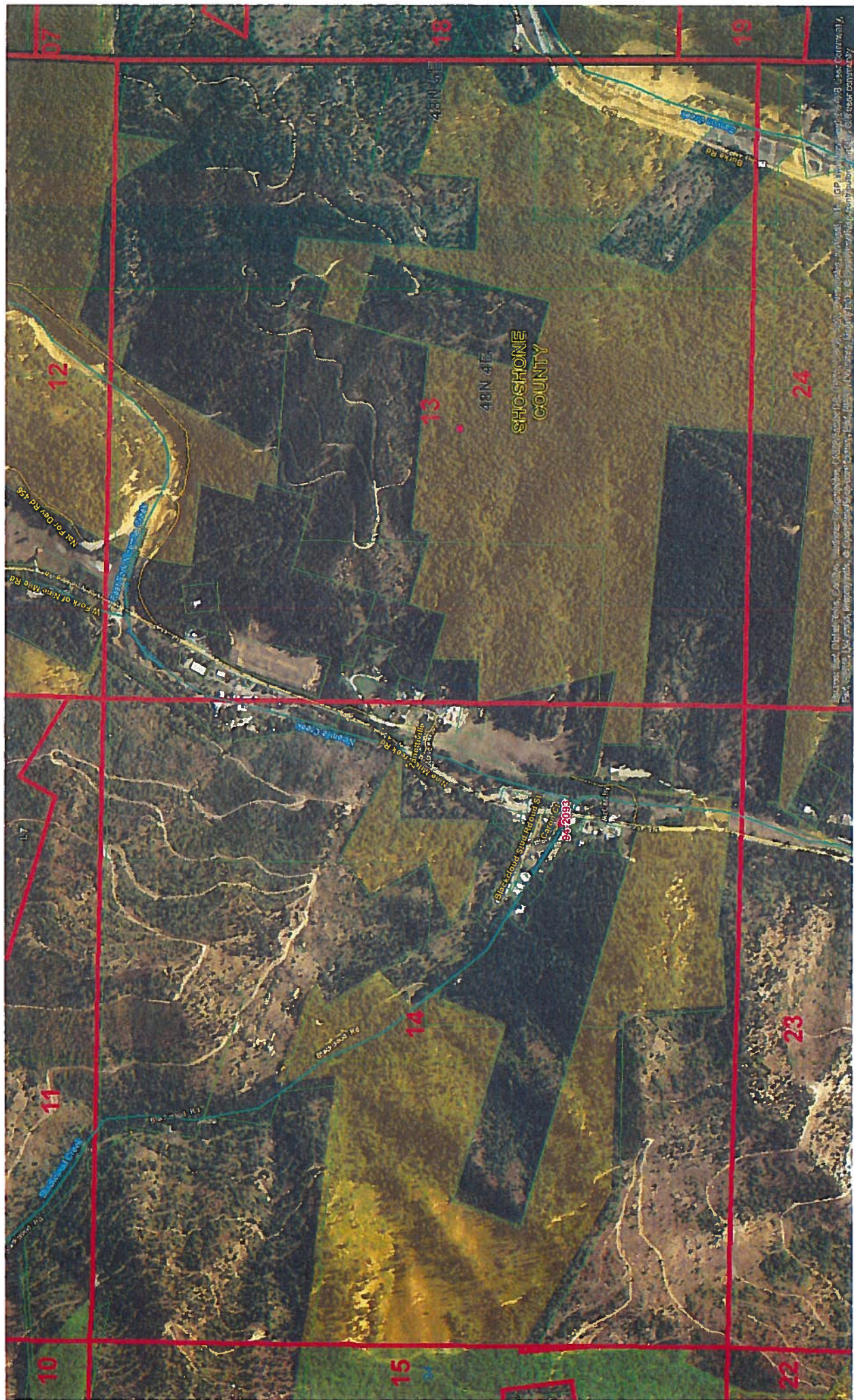


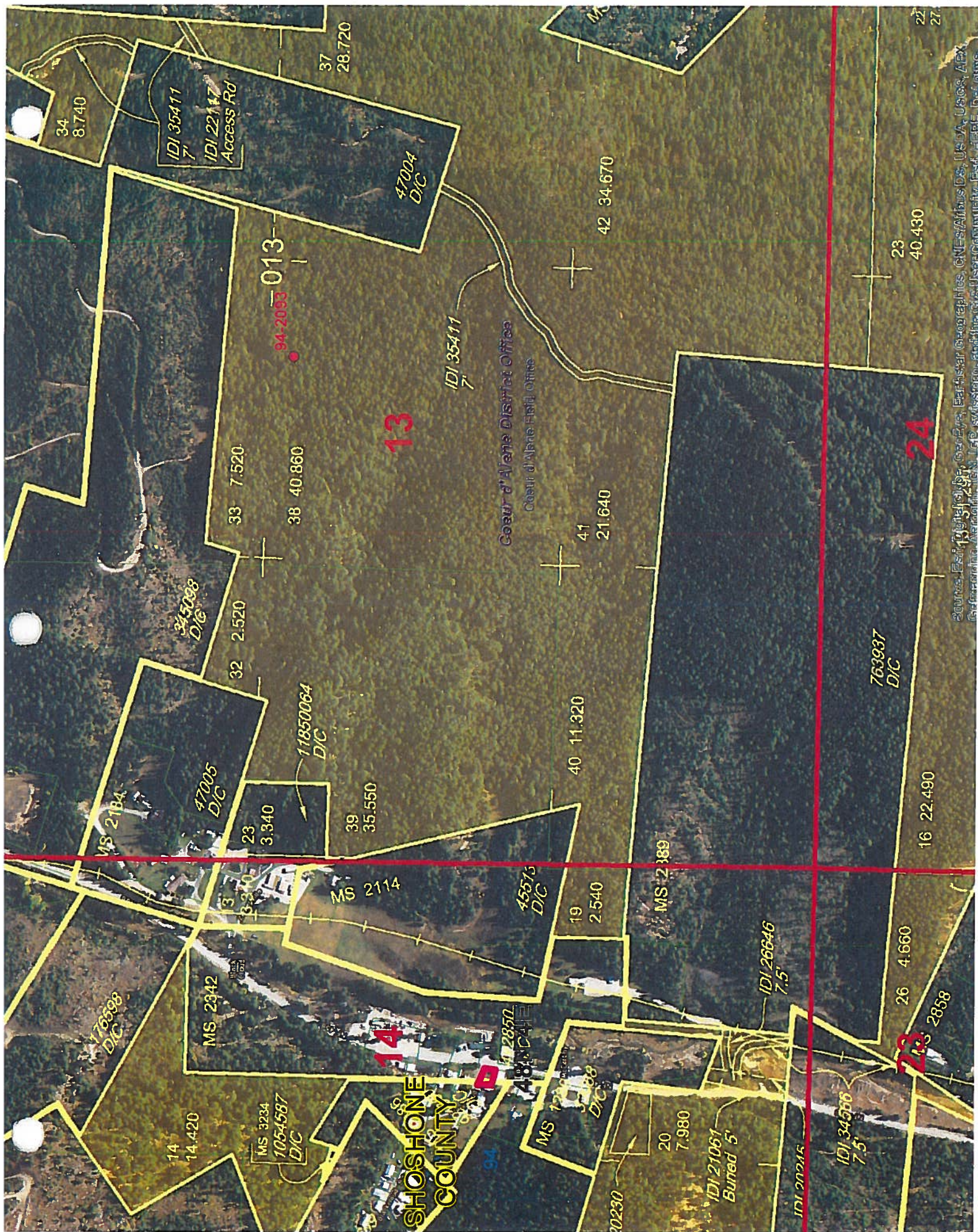
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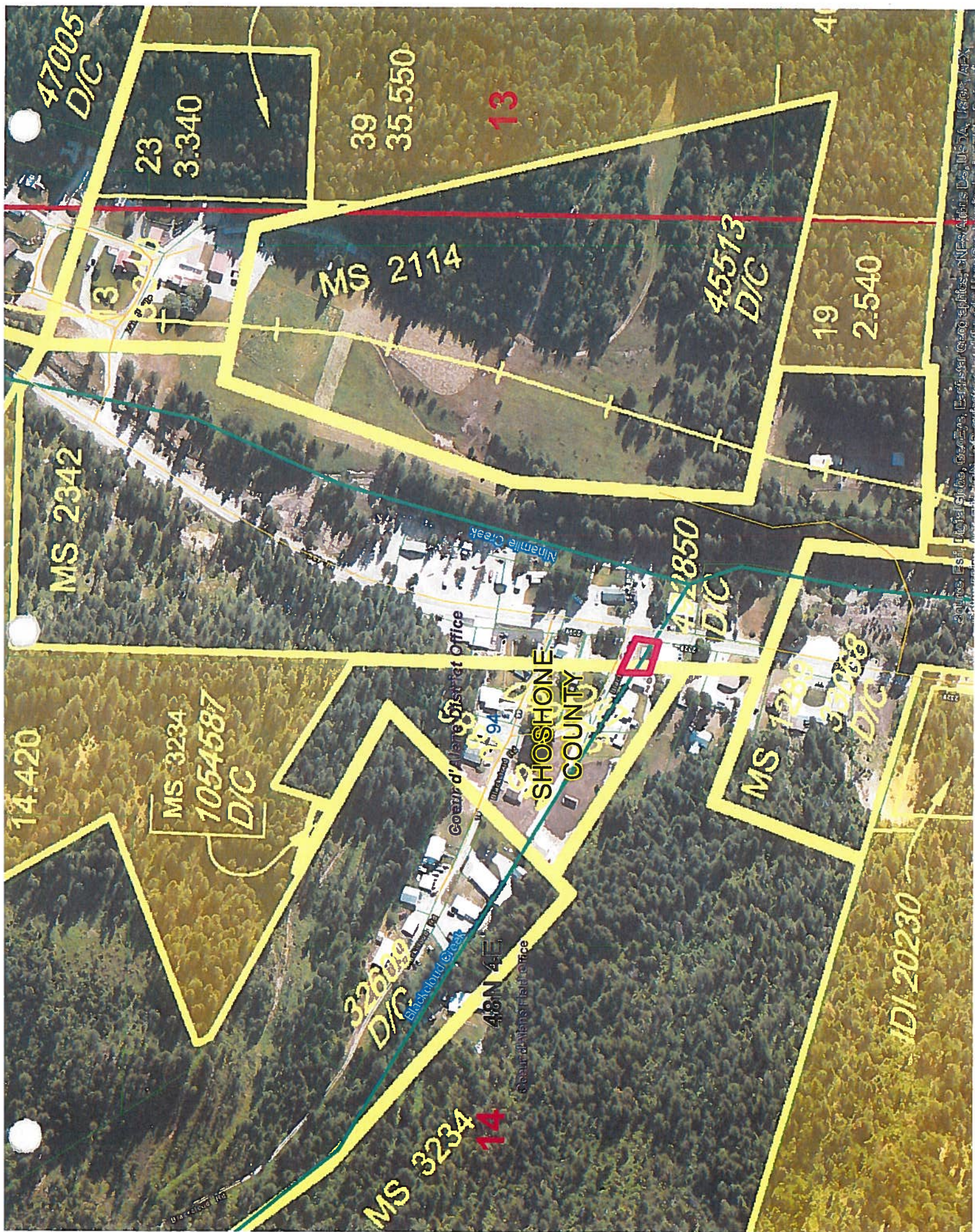
[illegible]

J.S. Bureau of Land Management - Idaho State Office
1387 S. Vinell Way Boise, Idaho 83709
(208) 375-4000











14 48N 4E

Coeur d'Alene Field Office

Coeur d'Alene District Office

SHOSHONE
COUNTY

Blackbird Creek

94

Ninemile Creek

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNR/Airphoto, USDA, Landsat, Airphoto, Gelmann, Aerial, and the GIS User Community