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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 94-02114
(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: Sterling Mining Co.
Address: P.O. Box 2838; Coeur d'Alene, ID 83816

Name:
Address: ;

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. The shapefile for the POU may need trimmed.

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: Sterling Mining Co.
Address: P.O. Box 2838; Coeur d'Alene, ID 83816
Name:
Address: ;
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: 94-2114
NAME AND ADDRESS: STERLING MINING CO
PO BOX 2838
COEUR D ALENE ID 83816

POU shapefile includes some BLM land:
• Trim shapefile to exclude BLM

SOURCE: BIG CREEK

TRIBUTARY: SOUTH FORK COEUR D ALENE
RIVER

QUANTITY: 2.000 CFS

PRIORITY DATE: 12/09/1920

Mixed Ownership issue: POU:

- The Place of Use (POU) identified below contains both private (pvt) and public land.
- Clarify the POU such that it is clear that only private land is intended.

POINT OF
DIVERSION: T48N R03E S22 NWNW Within SHOSHONE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
INDUSTRIAL	01/01 12/31	2.000 CFS
Industrial use is for milling ore.		

PLACE OF USE: INDUSTRIAL in SHOSHONE County

T48N R03E S15 SWSW Mix: (pvt/BLM) T48N R03E S22 NWNW(Pvt)

The place of use under this right does not include federal public lands.

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

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Parcel Nos. RP48N03E156100 & RP48N03E223100.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Property is also known as Sunshine Mine Site.

SHOSHONE COUNTY 079

49N-3E | 49N-4E

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

IDI 00000 Dst PL 167 (Act of Cong 07/23/1963) completed
 5/5/21/1962. All NF surfaces Mgmt by USFS including
 IDI 00000-D-41 Sec 20: NE, Sec 21: NW Grant No 8

DI 08764 Det PL 167 (Act of Cong 07/23/1983) completed
7/10/1983. All NF surface Monr by USFS

DOI 07057 Del PL 167 (Act of Cong 07/23/1955) completed
3/26/1952. All PD surfaces Mgmt by BLM including
DOI 07057-G-1 Sec 24; SW Standard

DOI 07957- G-2	Sec 24: SE	Lead
DOI 07957- G-3	Sec 24: SW	Jumbo
DOI 07957- G-4	Sec 24: SE	Copper
DOI 07957- G-5	Sec 24: SE	Shale

101 07957- G-8 Sec 24: SW Hercules
101 07957- G-7 Sec 24: SW Pay Streak
101 07957- G-8 Sec 24: SW Grub Stalk

101 07857- G-12	Sec 24: SW	Ruby
101 07857- K-1	Sec 24: W2	Surprise
101 07857- K-2	Sec 24: W2	Maurice A

ID# 07857-K-4 Sec 24; E2 Kentucky
 ID# 07857-K-8 Sec 24; SE Silver Leaf
 ID# 07857-K-7 Sec 24; E2 Norwich Finc No 1

IDI 07957- K-11 Sec 24; SE *Lucky Friday No 2*
 IDI 07957- K-14 Sec 24; SE *Collins*
 IDI 07957- K-15 Sec 24; N2 *Blue Jay Frac*

ICI 07857-AF-1 Sec 24; NW	ESI
ICI 07857-AF-2 Sec 24; SW	Jack
ICI 07857-AF-3 Sec 24; SW	Mark
ICI 07857-AF-4 Sec 24; SW	Robin

DOI 07857-AF-8 800 24: SW Rev

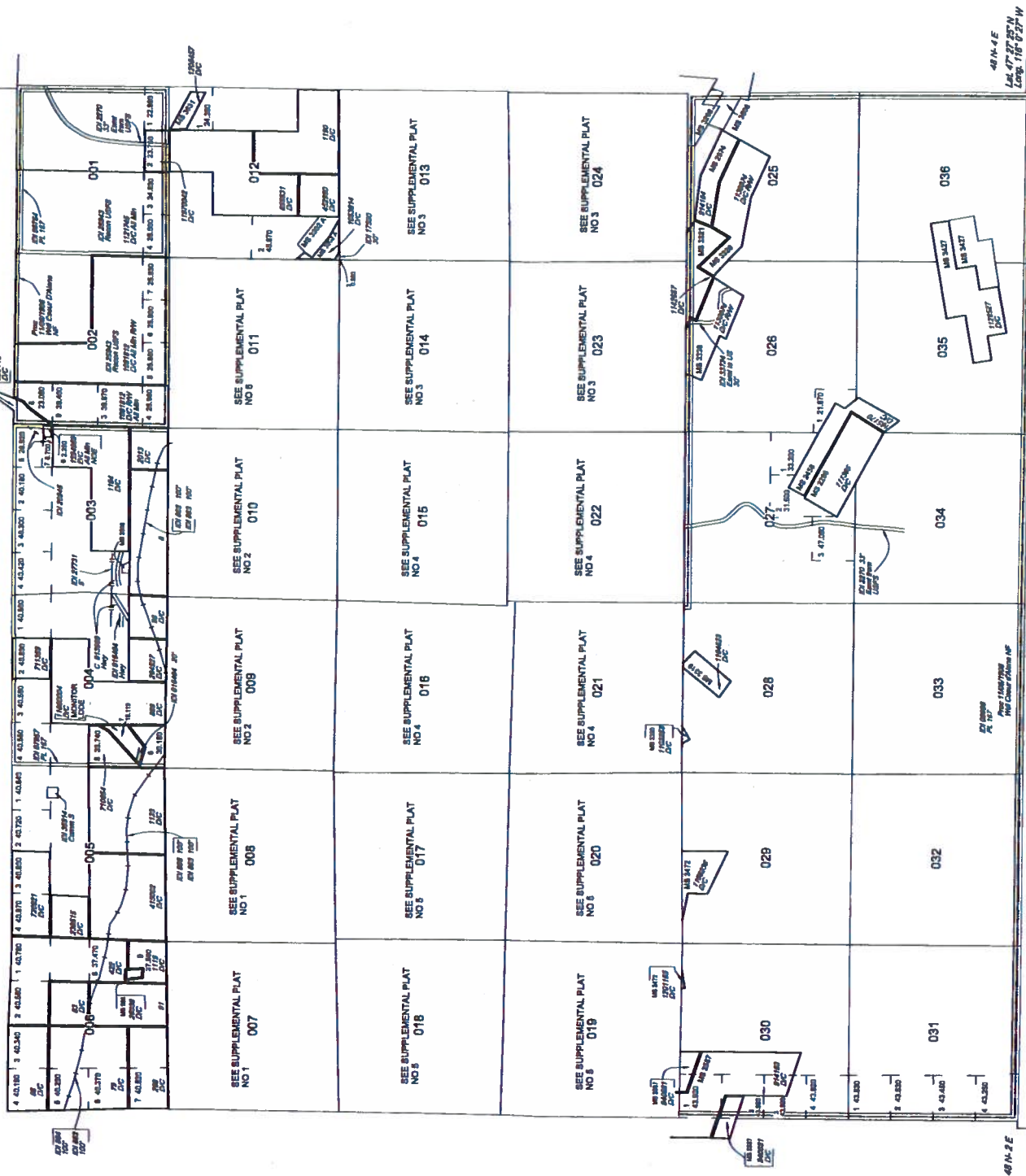
100

[illegible]

UNIDENTIFIED LAND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

FILE #:	EN000000000000000000000000
COMPILED BY:	ETI00000
LAST UPDATED:	05/09/01
CADIC #:	CADIC #:
POSTED TO P-ALIC RECORDS:	February 16, 2012
BY:	
P-ALIC LAND SURVEY SYSTEM (P-ALIC)	
NM BENCH ACQUIRED:	WAL
OTHER:	
PREDICTED COORDINATE SYSTEM:	UTM ZONE 11N MAG 1983
NOTE:	
LAST P-ALIC:	

Jackson, Miss.
 T. 48 N
 B. 9 E



1000

[illegible]

U.S. Bureau of Land Management - Idaho State Office
1387 S. Vinell Way Boise, Idaho 83709
(208) 373-4000

208) 373-4000



47AL2F

 NORTH

No. 4 STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES

MT PLAT
SUPPL Sec 15,16,21,22

[illegible]

DI 00008 Del PL 167 (Act of Cong 07/23/1965) completed
06/21/1962. All NF surface Mgmt by USFS excluding
DI 00008-D-1 Sec 21: NW Grant No 8

DI 07957 Del PL 107 (Act of Cong 07/23/95) completed

DI 14985 RALPH L. LEE Term 06/05/1990

100

100

[illegible]

100

[illegible]

100

[illegible]

1000

[illegible]

1000

1000

1000

100

1000

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

INSECTICIDE USE DOCUMENTS

FILE REF: D086F0N000ZAM11D004.dwg

LAST UPDATED: 08/03/2013 BY: JCO

POSTED TO PUBLIC RECORDS: September 3, 2013

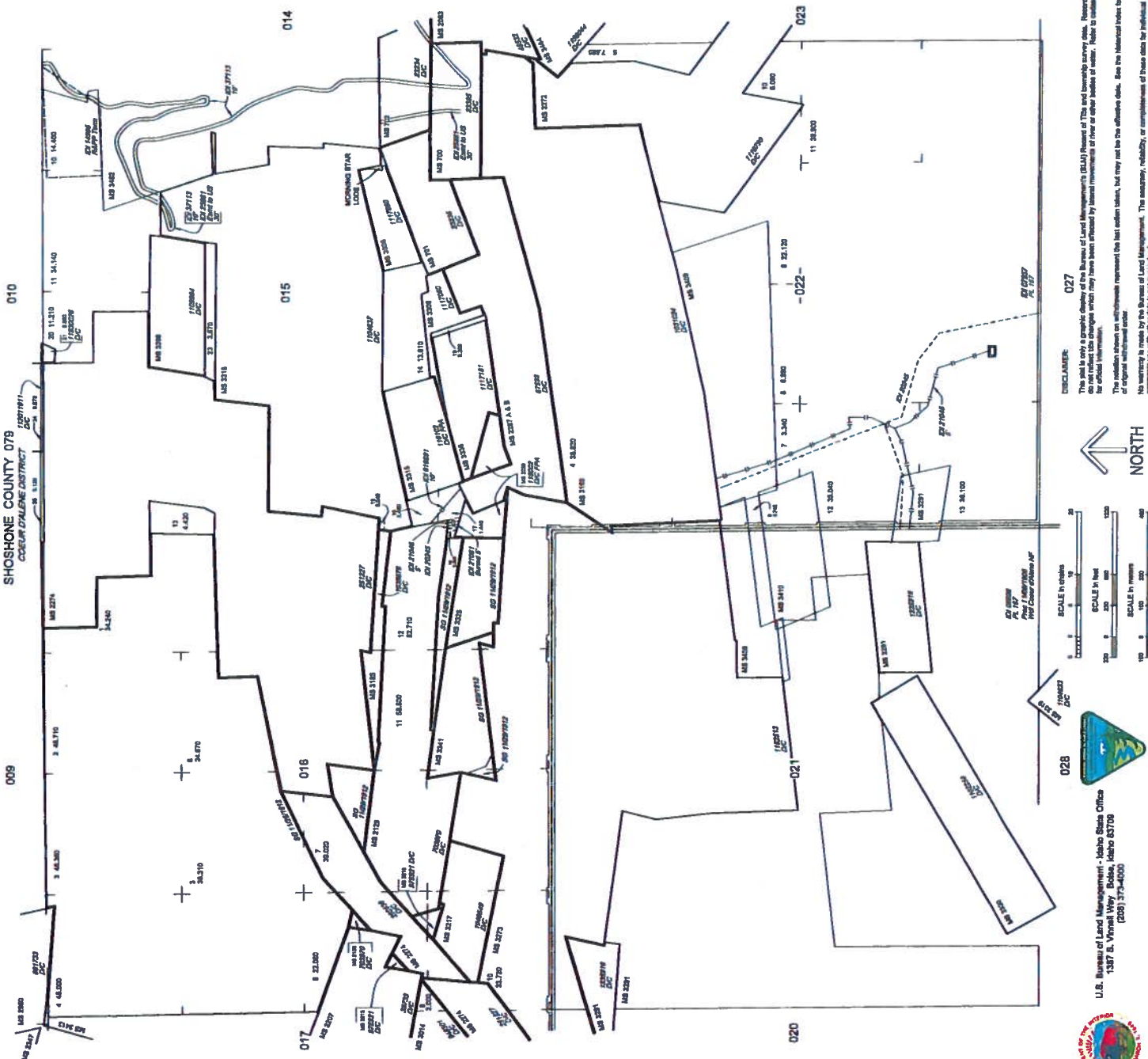
PUBLIC LAND SURVEY SYSTEM (PLSS)
B1 M 6-0000 A PLM 1000000 01 00000000

OTHER	NIA
SEN ILLIEN COORDINATING SYSTEMS	1993 TOLSON GENERAL 4000

NOTE:

USE PLATE:

10

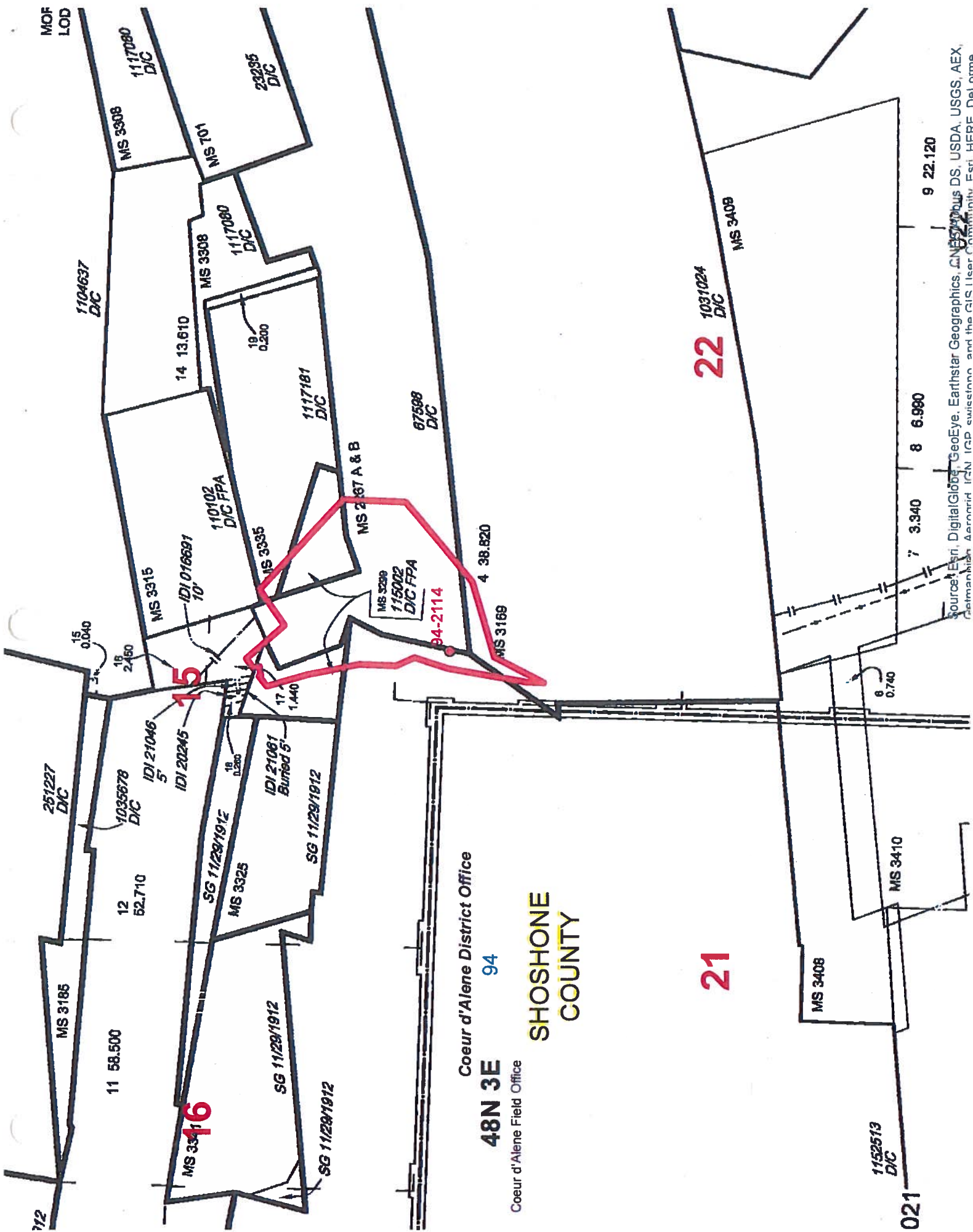
R. 3 E
No. 4

028

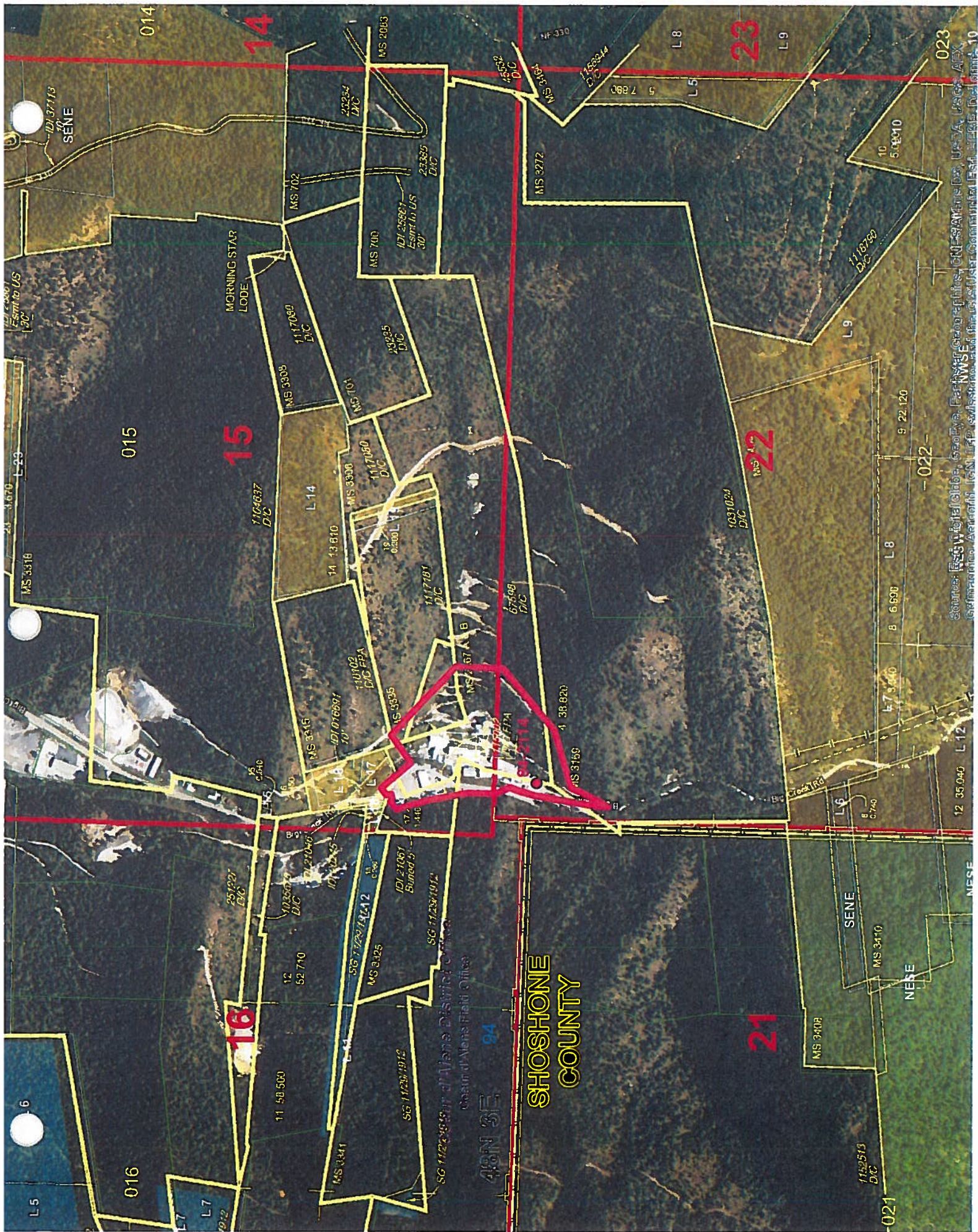
U.S. Bureau of Land Management - Idaho State Office
1357 E. Vinnell Way Boise, Idaho 83708
(208) 373-4000

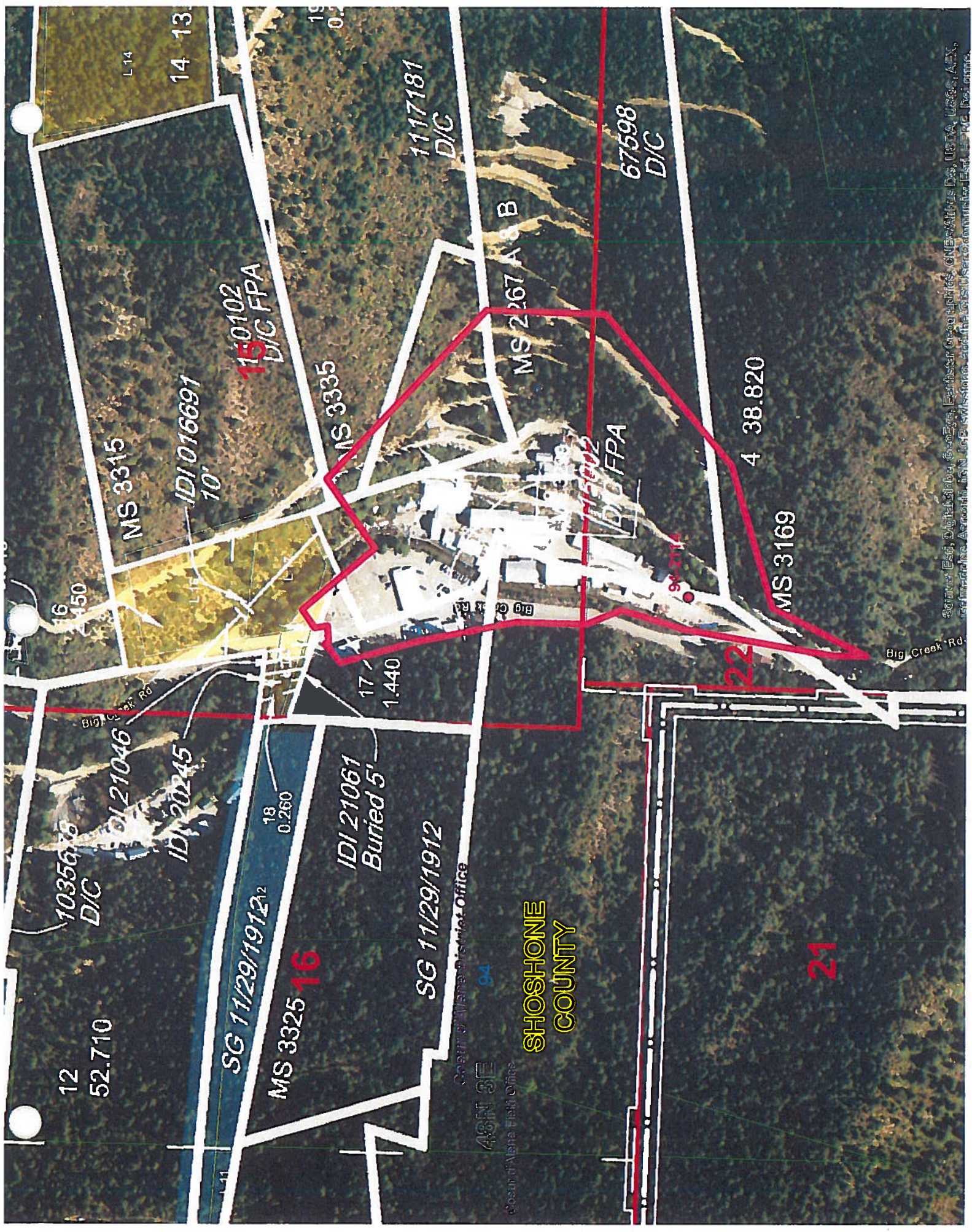


NORTH



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