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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 94-02120  
(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: Hecla Ltd

Address: 6500 N Mineral Dr, Ste 200; Coeur d'Alene, ID 83815-9408

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.

## 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:

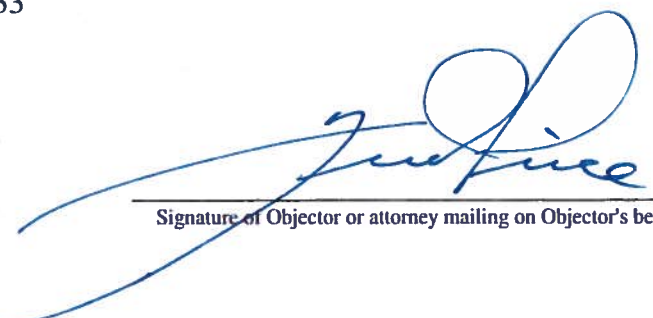
Name: Hecla Ltd  
Address: 6500 N Mineral Dr, Ste 200; Coeur d'Alene, ID 83815-9408  
Name:  
Address: ;  
Name:  
Address: ;  
Name:  
Address: ;

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 L

Mixed Ownership POU:

- The place of use (POU) identified below contain both private and public land.
- Clarify the POU such that it is clear only private land is intended.

RIGHT NUMBER: 94-2120  
NAME AND ADDRESS: HECLA LTD  
6500 N MINERAL DR STE 200  
COEUR D ALENE ID 83815-9408

SOURCE: GROUND WATER

TRIBUTARY:

The source of this right is ground water flowing from the Tamarack No. 3, Tamarack No. 4 and Tamarack No. 7 Tunnels.

QUANTITY: 4.600 CFS

The quantity of water under this right for domestic use shall not exceed 2,500 gallons per day.

PRIORITY DATE: 02/27/1923

POINT OF DIVERSION: T48N R05E S5 NWSE Within SHOSHONE County  
T48N R05E S5 NWSE Within SHOSHONE County  
T48N R05E S8 SESW Within SHOSHONE County

PURPOSE AND PERIOD OF USE:

| PURPOSE OF USE  | PERIOD OF USE | QUANTITY  |
|-----------------|---------------|-----------|
| DOMESTIC        | 01/01 12/31   | 0.040 CFS |
| MINING          | 01/01 12/31   | 4.600 CFS |
| FIRE PROTECTION | 01/01 12/31   | 4.600 CFS |

Water was used under this right for mining and domestic use by Tamarack & Custer Consolidated Mining Company. This right is recommended pursuant to Section 42-223(11), Idaho Code.

PLACE OF USE: MINING in SHOSHONE County

|               |      |               |                 |
|---------------|------|---------------|-----------------|
| T48N R05E S05 | NENE | T48N R05E S05 | NWNE            |
| T48N R05E S05 | SWNE | T48N R05E S05 | SENE            |
| T48N R05E S05 | SENE | T48N R05E S05 | NESW            |
| T48N R05E S05 | NWSE | T48N R05E S08 | SESW <b>mix</b> |

DOMESTIC in SHOSHONE County

|               |      |               |                 |
|---------------|------|---------------|-----------------|
| T48N R05E S05 | SWNE | T48N R05E S08 | SESW <b>mix</b> |
|---------------|------|---------------|-----------------|

FIRE PROTECTION same as MINING

Place of use does not include federal public land.

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

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

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. 48N05E086100, MC0428, MC0505 and MC0541

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

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

SHOSHONE COUNTY 079  
GOEUR D'ALENE DISTRICT

STATUS OF PUBLIC DOMAIN  
LAND AND MINERAL TITLES

MT PLAT

[illegible]

See individual supplemental plans for appropriate remarks

*[The page contains faint horizontal lines, suggesting it was part of a lined notebook or document.]*

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

|                                  |                      |          |     |
|----------------------------------|----------------------|----------|-----|
| FILE REF                         | EC048694-000000-0000 |          |     |
| CONVERTED TYP                    | DAT197512            | BY       | LTM |
| LAST UPDATED:                    | DA197512             | BY       | LTM |
| GAGE #1:                         |                      | GAGE #2: |     |
| POSTED TO PUBLIC RELEASE         | JUN 16, 1972         |          |     |
| PUBLIC LAND SURVEY SYSTEM (PLSS) |                      |          |     |
| BLE GROSS ACQUIRED:              | 0464000000           |          |     |
| OTHER:                           | N/A                  |          |     |
| PROJECTED COORDINATE SYSTEM      | UTM ZONE 11N, 1983   |          |     |
| NOTES:                           |                      |          |     |
| USE PLAT:                        |                      |          |     |

Source: Mast,  
T. 48 N  
R. 5 E

|                                   |                                   |                                   |                                   |                                   |                                   |
|-----------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|
| SEE SUPPLEMENTAL PLAT NO 3<br>006 | SEE SUPPLEMENTAL PLAT NO 3<br>005 | SEE SUPPLEMENTAL PLAT NO 2<br>004 | SEE SUPPLEMENTAL PLAT NO 2<br>003 | SEE SUPPLEMENTAL PLAT NO 1<br>002 | SEE SUPPLEMENTAL PLAT NO 1<br>001 |
| SEE SUPPLEMENTAL PLAT NO 3<br>007 | SEE SUPPLEMENTAL PLAT NO 3<br>008 | SEE SUPPLEMENTAL PLAT NO 2<br>009 | SEE SUPPLEMENTAL PLAT NO 2<br>010 | SEE SUPPLEMENTAL PLAT NO 1<br>011 | SEE SUPPLEMENTAL PLAT NO 1<br>012 |
| SEE SUPPLEMENTAL PLAT NO 4<br>018 | SEE SUPPLEMENTAL PLAT NO 4<br>017 | SEE SUPPLEMENTAL PLAT NO 5<br>016 | SEE SUPPLEMENTAL PLAT NO 5<br>015 | SEE SUPPLEMENTAL PLAT NO 6<br>014 | SEE SUPPLEMENTAL PLAT NO 6<br>013 |
| SEE SUPPLEMENTAL PLAT NO 4<br>019 | SEE SUPPLEMENTAL PLAT NO 4<br>020 | SEE SUPPLEMENTAL PLAT NO 5<br>021 | SEE SUPPLEMENTAL PLAT NO 5<br>022 | SEE SUPPLEMENTAL PLAT NO 6<br>023 | SEE SUPPLEMENTAL PLAT NO 6<br>024 |
| SEE SUPPLEMENTAL PLAT NO 8<br>030 | SEE SUPPLEMENTAL PLAT NO 9<br>029 | SEE SUPPLEMENTAL PLAT NO 8<br>028 | SEE SUPPLEMENTAL PLAT NO 8<br>027 | SEE SUPPLEMENTAL PLAT NO 7<br>026 | SEE SUPPLEMENTAL PLAT NO 7<br>025 |
| SEE SUPPLEMENTAL PLAT NO 8<br>031 | SEE SUPPLEMENTAL PLAT NO 9<br>032 | SEE SUPPLEMENTAL PLAT NO 8<br>033 | SEE SUPPLEMENTAL PLAT NO 8<br>034 | SEE SUPPLEMENTAL PLAT NO 7<br>035 | SEE SUPPLEMENTAL PLAT NO 7<br>036 |

46° 47' 27" N  
102° 115' 48" W

17A4E

47 N-SE 47 N-SE

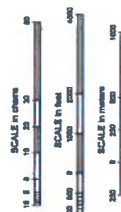
**QUALITY IMPROVEMENT**

This plot is only a graphic display of the Bureau of Land Management's (BLM) Records of Title and Township survey data. Records herein do not reflect title changes which may have been affected by lateral encroachments of river or other bodies of water. Refer to cadastral surveys for official information.

The results shown on worksheets represent the best action taken, but may not be the effective date. See the historical notes for the date of original withdrawal order.



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



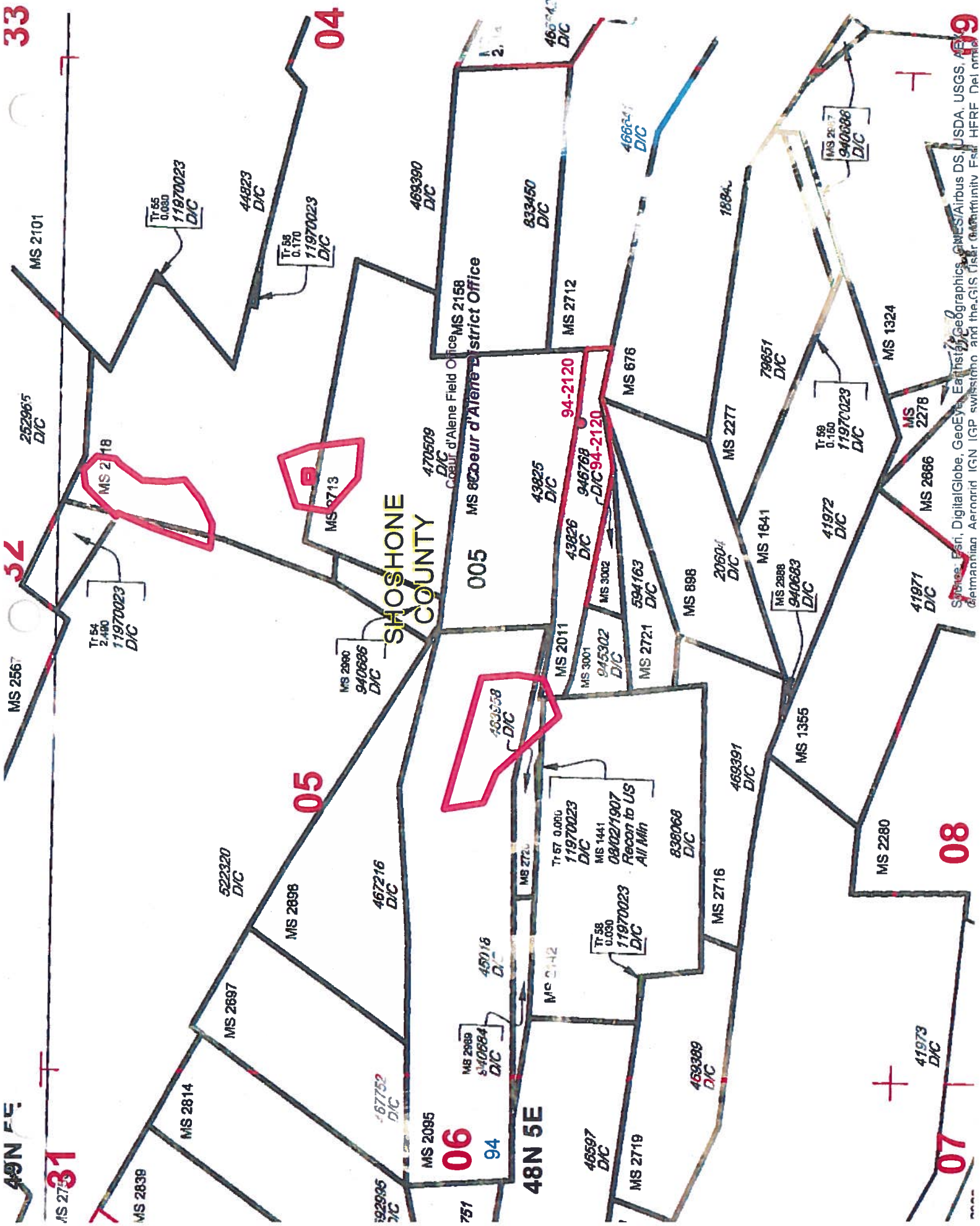




49N FC

32

33



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community





