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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 94-02171
(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 83916
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. Need to trim shapefile.

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 by hand
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 83916
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

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

RIGHT NUMBER: 94-2171

NAME AND ADDRESS: STERLING MINING CO
PO BOX 2938
COEUR D ALENE ID 83816

POU shapefile includes some BLM land:
- Trim shapefile to exclude BLM.

SOURCE: UNNAMED STREAM TRIBUTARY: BIG CREEK

QUANTITY: 2.000 CFS

PRIORITY DATE: 01/08/1935

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.

POINT OF DIVERSION: T48N R03E S21 NENE Within SHOSHONE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINING	01/01 12/31	2.000 CFS

PLACE OF USE: MINING 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.

Source is also known as Gullickson Creek.

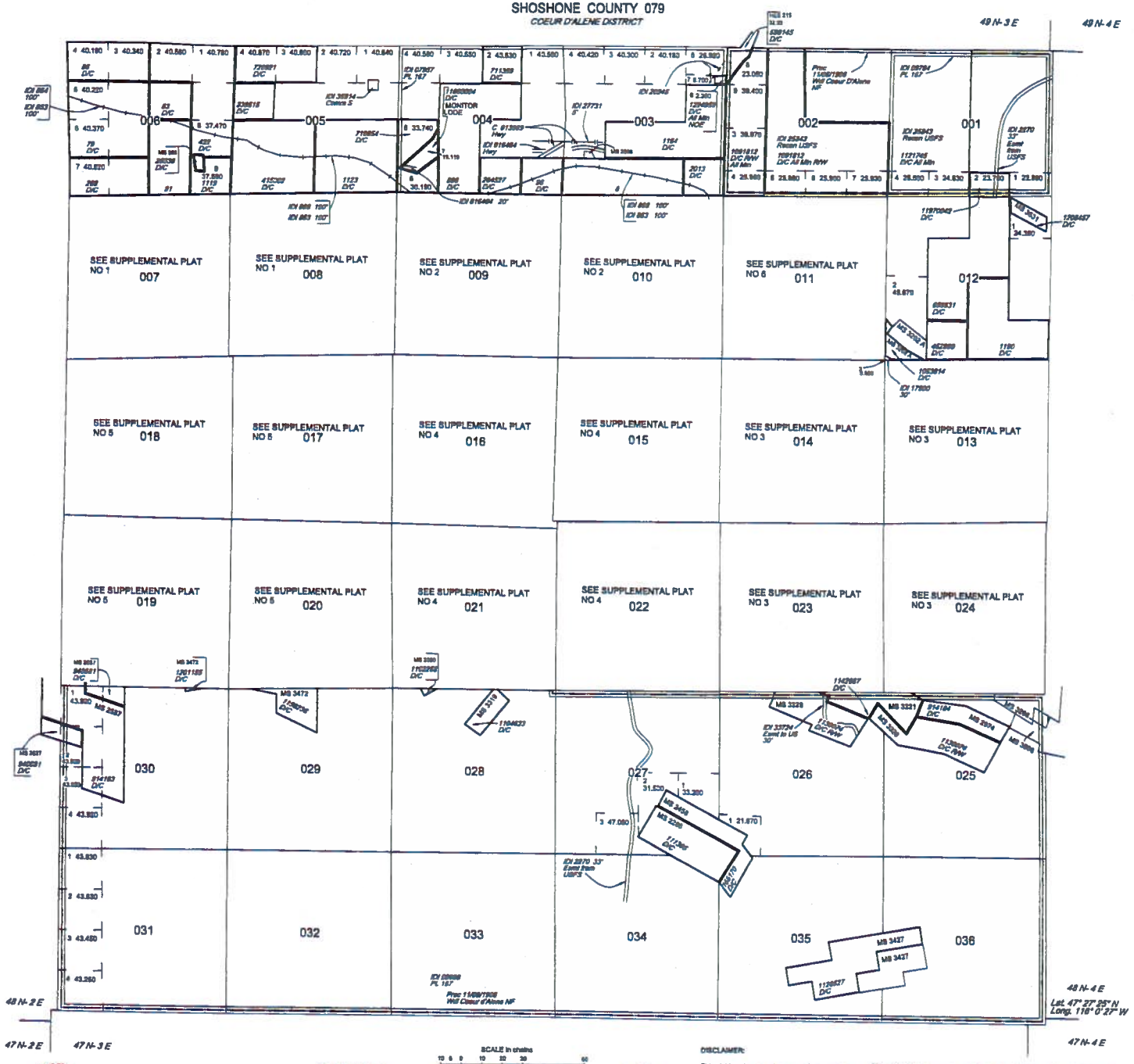
Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Property is also known as Sunshine Mine Site.

TOWNSHIP 48 NORTH RANGE 3 EAST OF THE BOISE MERIDIAN, IDAHO

SHOSHONE COUNTY 079

COEUR D'ALENE DISTRICT



STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES

MT PLAT

INDEX TO SEGREGATED TRACTS

RESURVEY				ORIGINAL SURVEY	
TRACT NO.	T.	R.	SEC.	SUBDIVISION	

IDI 09998 Det PL 167 (Act of Cong 07/23/1955) completed 05/21/1962. All NF surface Mgmt by USFS excluding
IDI 09998- D-41 Sec 20: NE, Sec 21: NW Glant No 8

IDI 09764 Det PL 167 (Act of Cong 07/23/1955) completed 07/10/1962. All NF surface Mgmt by USFS

IDI 07957 Det PL 167 (Act of Cong 07/23/1955) completed 08/28/1962. All PD surface Mgmt by BLM excluding
IDI 07957- G-1 Sec 24: SW Standard
IDI 07957- G-2 Sec 24: SE Lead
IDI 07957- G-3 Sec 24: SW Jumbo
IDI 07957- G-4 Sec 24: SE Copper
IDI 07957- G-5 Sec 24: SE Silver
IDI 07957- G-6 Sec 24: SW Hercules
IDI 07957- G-7 Sec 24: SW Pay Streak
IDI 07957- G-8 Sec 24: SW Grub Stake
IDI 07957- G-11 Sec 24: S2 June
IDI 07957- G-12 Sec 24: SW Ruby
IDI 07957- K-1 Sec 24: W2 Surprise
IDI 07957- K-2 Sec 24: W2 Maude A
IDI 07957- K-3 Sec 24: E2 Buckeye
IDI 07957- K-4 Sec 24: E2 Kentucky
IDI 07957- K-5 Sec 24: SE Silver Leaf
IDI 07957- K-7 Sec 24: E2 Norwich Frac No 1
IDI 07957- K-8 Sec 24: E2 Norwich Frac No 2
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
IDI 07957- AF-1 Sec 24: NW Bill
IDI 07957- AF-2 Sec 24: SW Jack
IDI 07957- AF-3 Sec 24: SW Mark
IDI 07957- AF-4 Sec 24: SW Robin
IDI 07957- AF-5 Sec 24: SW Ray

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

FILE REF:	IDS048N0003EaM100000.dwg
CONVERTED TIFF:	07/21/2006 BY: PB
LAST UPDATED:	02/16/2012 BY: LPM
QA/QC #1:	QA/QC #2:
POSTED TO PUBLIC RECORDS:	February 16, 2012 BY:
PUBLIC LAND SURVEY SYSTEM (PLSS)	
BLM GCDB ACQUIRED:	04/28/2006
OTHER:	N/A
PROJECTED COORDINATE SYSTEM:	UTM ZONE 11N, NAD 1983
NOTES:	
USE PLATS:	

Boise Mer.
T. 48 N
R. 3 E

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

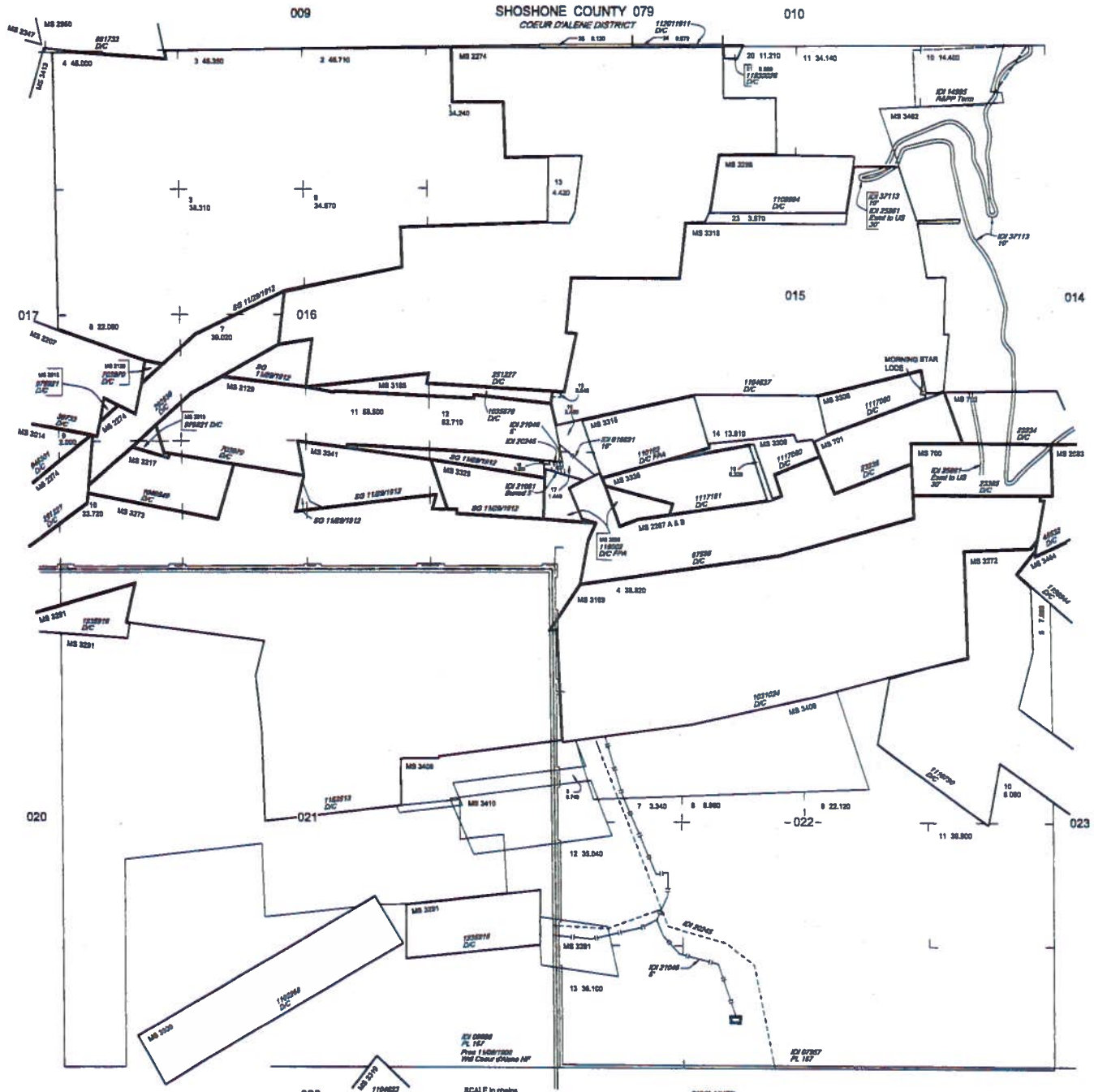
DISCLAIMER:

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

The notation shown on withdrawals represent the last action taken, but may not be the effective date. See the historical index for the date of original withdrawal order.

No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or aggregate use with other data is not guaranteed.

TOWNSHIP 48 NORTH RANGE 3 EAST OF THE BOISE MERIDIAN, IDAHO



No. 4

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT
SUPPL Sec 15,16,21,22

INDEX TO SEGREGATED TRACTS

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IDI 07957 Del PL 167 (Act of Cong 07/23/1955) completed 08/28/1962. All PD surface Mgmt by BLM

IDI 14995 R&PP Landfill Lse Term 06/05/1990
Sec 15: MSB

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

FILE REF:	ID090403N0030EsM116004.dwg
CONVERTED TIFF:	07/04/2006 BY: PB
LAST UPDATED:	09/03/2013 BY: JCB
QA/QC #1:	SSB 09/09/2013 QA/QC #2: SSB
POSTED TO PUBLIC RECORDS:	September 3, 2013 BY:
PUBLIC LAND SURVEY SYSTEM (PLSS)	
BLM GCDB ACQUIRED:	04/26/2006
OTHER:	N/A
PROJECTED COORDINATE SYSTEM:	UTM ZONE 11N, NAD 1983
NOTES:	
USE PLATS:	

U.S. Bureau of Land Management - Idaho State Office
1387 S. Vinnell Way Boise, Idaho 83709
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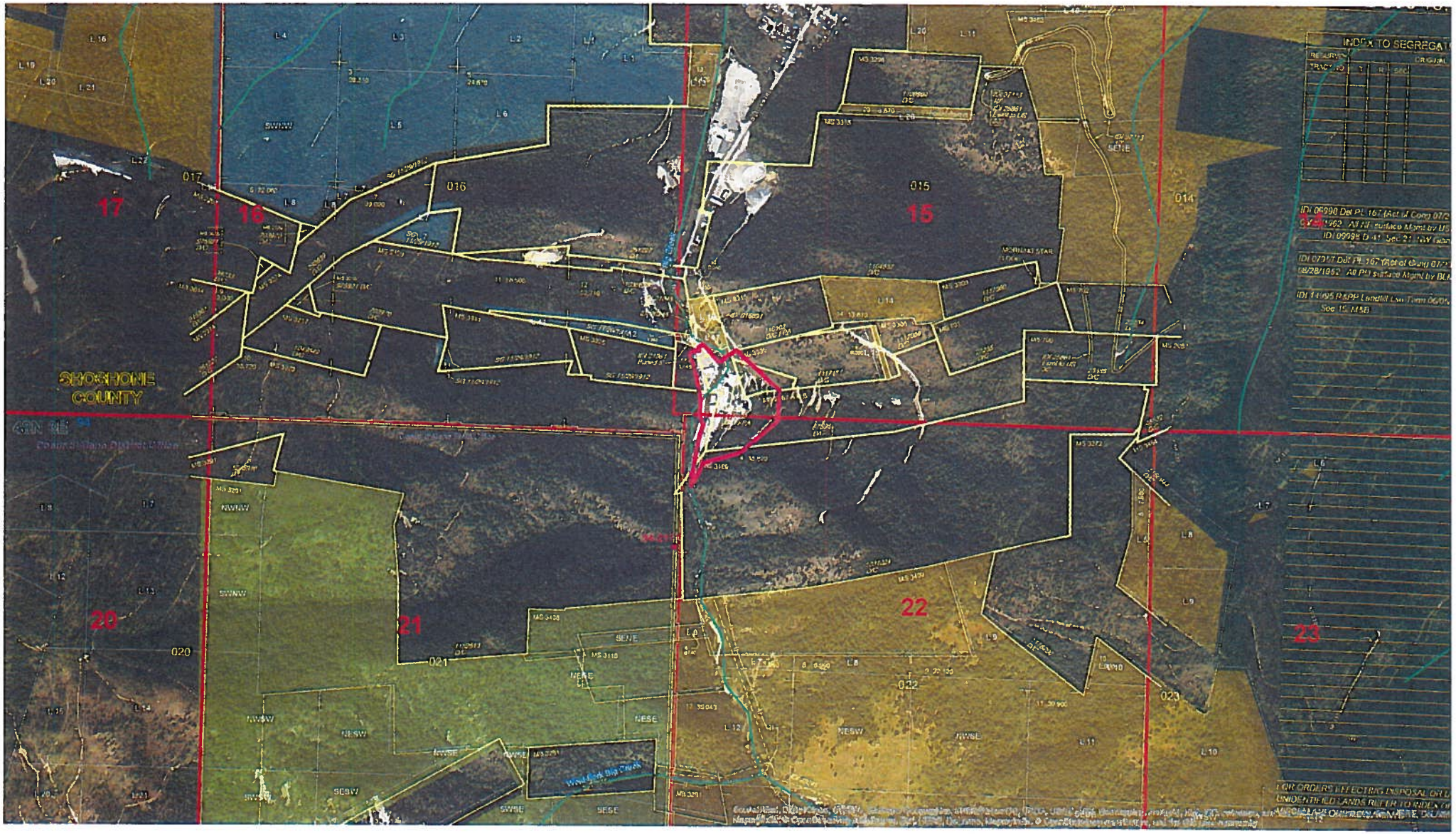
R. 3 E
No. 4


SHOSHONE COUNTY
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INDEX TO SEGREGA