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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

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)
)
)
)
)

A. Subcase 94-04194
(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: US Silver Corp
Address: P.O. Box 440; Wallace, ID 83873-0440

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: See attached.

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 five and nine (POD & 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.

E.

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: US Silver Corp
Address: P.O. Box 440; Wallace, ID 83873-0440

Name:
Address: ;

Name:
Address: ;

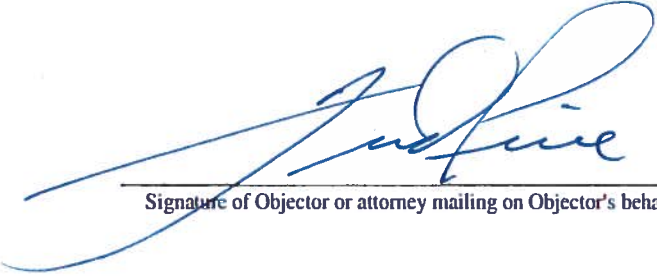
Name:
Address: ;

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: 94-4194
NAME AND ADDRESS: U S SILVER CORP
PO BOX 440
WALLACE ID 83873-0440

Mixed Ownership issue: POD & POU:

-The Place of Use (POU) identified below contains both private (pvt) and public land. The Point of Diversion (POD) described in Lot 10 is private land however the shapefile is on BLM land within Mineral Survey 3527.

-Clarify the POU such that it is clear that only private land is intended.

SOURCE: LAKE CREEK

TRIBUTARY: SOUTH FORK COEUR D ALENE RIVER

QUANTITY: 5.040 CFS

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

PRIORITY DATE: 01/15/1947

POINT OF
DIVERSION:

T48N R04E S29 NESE Within SHOSHONE County

T48N R04E S29 SESE Lot 10 Within SHOSHONE County

PURPOSE AND
PERIOD OF USE:

POD in Lot 10 is private land, however the shapefile resides on BLM in SESE (MS-3527)

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
MINING	01/01 12/31	5.000 CFS
Domestic and mining use is at the Galena Mine.		

PLACE OF USE: MINING in SHOSHONE County

T48N R04E S28	SWNW	T48N R04E S28	NWSW
T48N R04E S29	SENE	Mix: pvt/BLM	T48N R04E S29 NESE

Place of use is limited to Mineral Survey 2047, 2463, 3056.

DOMESTIC same as MINING

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 - Beneficial Use

Parcel No. RPMC0356

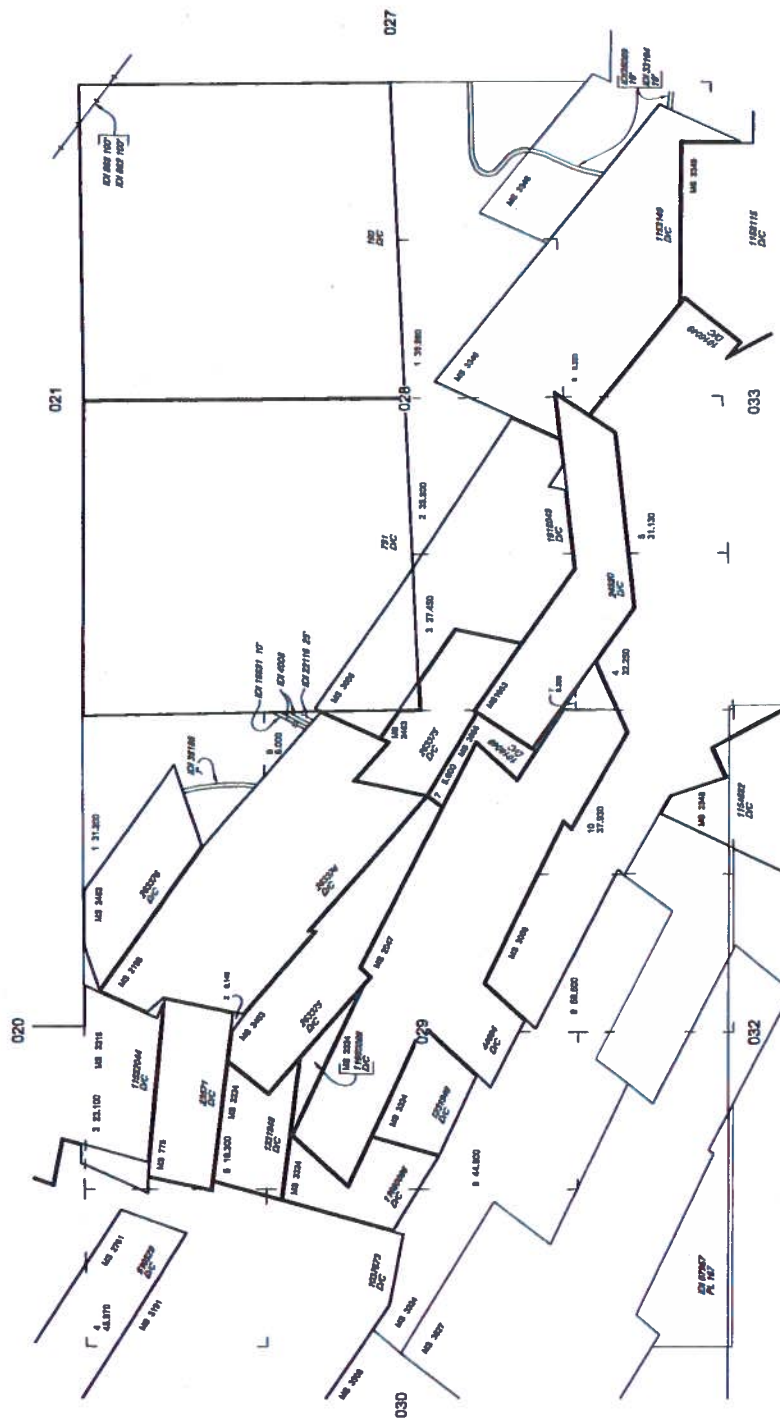
SHOSHONE COUNTY 079
COEUR D'ALENE DISTRICT

No. 4
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT
SUPPL Sec 28.29

[illegible]

DOI 07957 Del PL 167 (Act of Cong 07/23/1969) completed
08/28/1962. All PD surface Mined by BLM



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

FILE REF.	EUBRAN00000000AM1008A.jpg
CONVERTED TPT:	BIG52019
LAST UPDATED:	03/05/2015
DQC #1:	040C 6E
PORTED TO PUBLIC RECORD:	February 28, 2012
BT:	
PUBLIC LAND SURVEY SYSTEM (PLSS)	
BLM BOOK ACQUIRED:	DAZ52020
OTHER:	N/A
PROJECTED COORDINATE SYSTEM:	UTM ZONE 11N, NAD 83
NOTE:	
USE PAGE:	

T. 48 N
 R. 4 E
 No. 4



U.S. Bureau of Land Management • Idaho State Office
1367 E. Vannell Way Boise, Idaho 83709
(208) 373-4000

[illegible]

