

RECEIVED
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 94-04229
(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 *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:

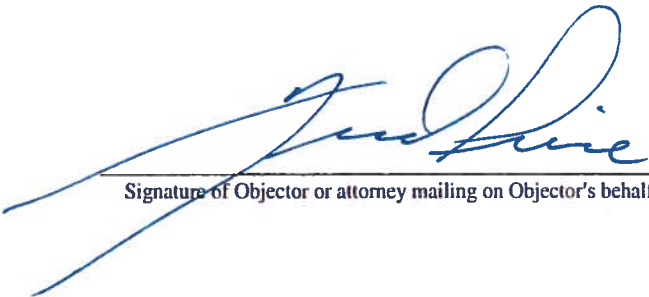
Name: Hecla Ltd
Address: 6500 N Mineral Dr, Ste 200; Coeur d'Alene, ID 83815-9408
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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

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

RIGHT NUMBER: 94-4229

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

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.

SOURCE: GROUND WATER

TRIBUTARY:

The source of this right is ground water from a drilled diamond hole in Hercules No. 5 Tunnel.

QUANTITY: 1.200 CFS

PRIORITY DATE: 01/01/1922

POINT OF DIVERSION: T48N R05E S4 NWSW 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	0.200 CFS
MINING	01/01 12/31	1.000 CFS

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

PLACE OF USE: INDUSTRIAL in SHOSHONE County

T48N R05E S08 SESW Mix: pvt/BLM

Place of use is limited to Mineral Survey 1287, 2437, 1550.

MINING same as INDUSTRIAL

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 - Beneficial Use

Parcel Nos. 48N05E086100, MC0428, MC0505 and MC0541

SHOSHONE COUNTY 079
COEUR D'ALENE DISTRICT

Production Diagram No 9 approved 04/07/2018

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

See individual supplemental plots for appropriate remarks

[illegible]

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

FILE REF:	D:\ADMIN\DATA\H00001.Amg		
COLLECTED BY:	DUNN	SPT:	LPM
CONTAINER TYPE:	CANISTER	SPT:	LPM
LAB UPDATES:	DATE/STG	CHARGE:	
DATE PI:	June 11, 2012		
POSTED TO PUBLIC RESPONSE SPT:			
PUBLIC LAB SURVEY SYSTEM (PLSS)			
BLM ACQ# ACQUIRED:	DAIR2698		
OTHER:	NA		
PROJECTED COORDINATE SYSTEM UTM ZONE 11N, MAG 1983			
NOTE:			
USE PLATE:			

T. 48 N
R. 5 E

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

Lat 47° 27' 33" N
Long. 115° 45' W

3144

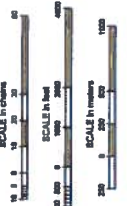
47N5E

DISCLAIMER:

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

The numbers shown on **withdrawals** represent the last action taken, but may not be the effective date. Use the **historical** button 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 uses appropriate also with other data is not guaranteed.



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



Protection Diagram No 8 approved 05/02/1998

MT PLAT
SUPPL Sec 3, 4, 9, 10

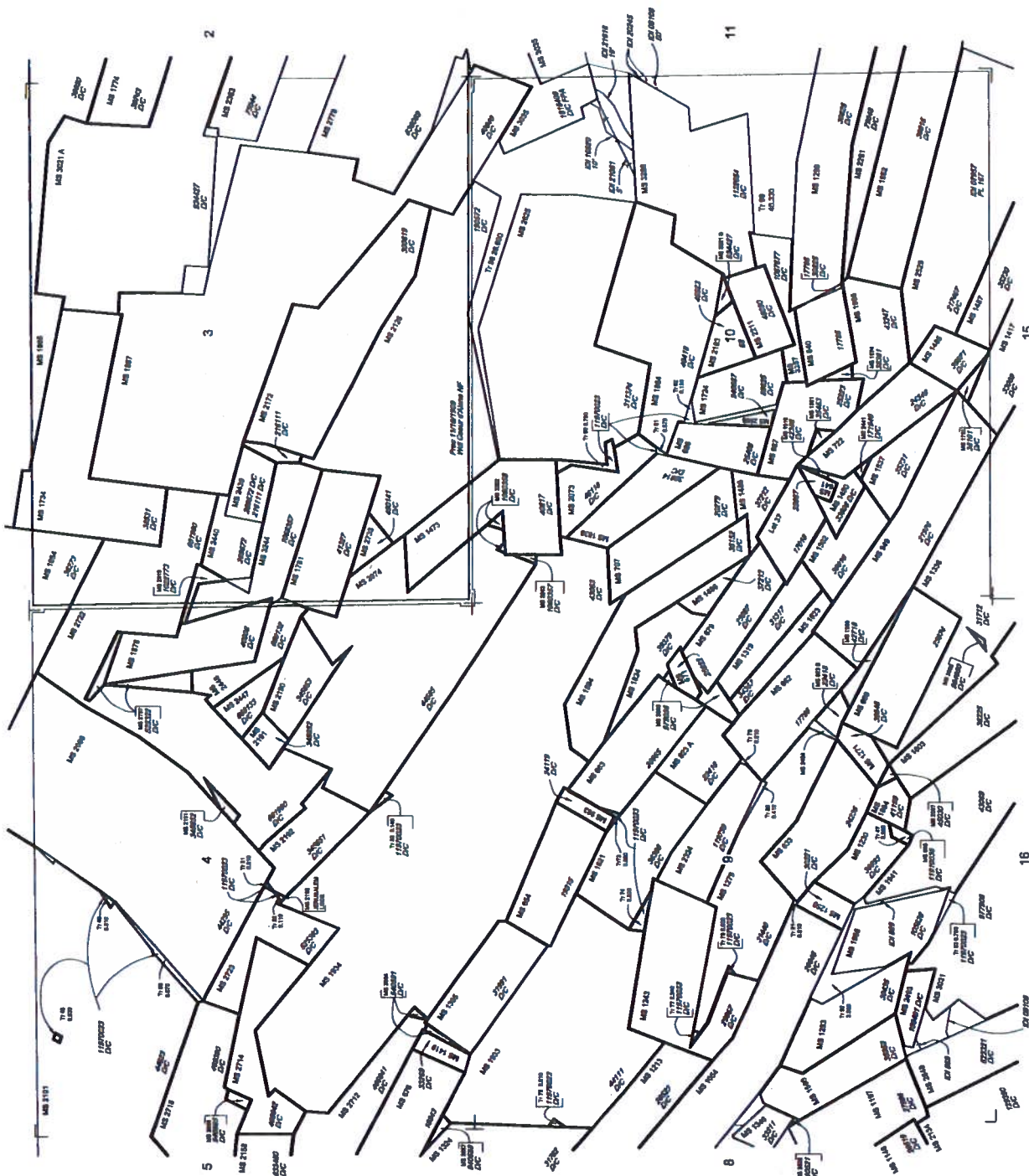
[illegible]

MDI 07857 Det PL 167 (Act of Cong 07/23/1935)
completed 08/28/1962. All PD surface marked by BLM

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

[illegible]

T. 48 N
 R. 5 E
 No. 2



QUESTIONS

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

The relation shown on **withdrawals** represent the last action taken, but may not be the effective date. See the **historical** index for the date an item was withdrawn.

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