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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 94-04235
(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: Gold Creek Mines
Address: P.O. Box 709; Wallace, ID 83873

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:

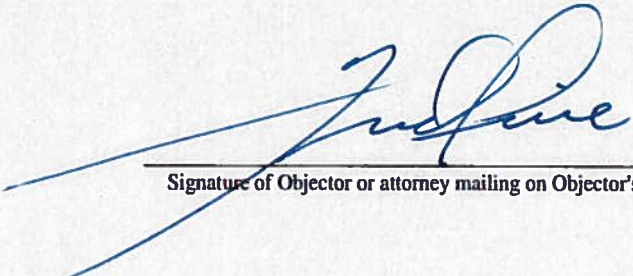
Name: Gold Creek Mines
Address: P.O. Box 709; Wallace, ID 83873
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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: 94-4235

NAME AND ADDRESS: GOLD CREEK MINES
PO BOX 709
WALLACE ID 83873Mixed 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: GOLD CREEK

TRIBUTARY: SOUTH FORK COEUR D ALENE RIVER

QUANTITY: 2.020 CFS
16.00 AFY

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1956

POINT OF DIVERSION: T47N R05E S4 NENE Within SHOSHONE County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DIVERSION TO STORAGE	01/01 12/31	2.000 CFS
MINING	01/01 12/31	2.000 CFS
RECREATION STORAGE	01/01 12/31	16.00 AFY
DOMESTIC	01/01 12/31	0.020 CFS

Domestic use is for road side fountain/rest area.

Recreation storage is in two stocked fish ponds.

Water was used under this right for mining, milling and power at the Gold Creek Mine and Mill. The mining portion of this right is recommended pursuant to Section 42-223(11), Idaho Code.

PLACE OF USE: MINING in SHOSHONE County

T48N R05E S33 Lot 5 SWSE Mix: pvt/BLM

DOMESTIC in SHOSHONE County

T48N R05E S33 Lot 5 SWSE Mix: pvt/BLM

RECREATION STORAGE in SHOSHONE County

T48N R05E S33 Lot 6 SESW Mix: pvt/BLM T48N R05E S33 Lot 5 SWSE Mix: pvt/BLM

Place of use is limited to Mineral Survey 2229 and 3373.

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

SHOSHONE COUNTY 079
COEUR D'ALENE DISTRICT

MT PLAT

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See individual supplemental plots for appropriate remarks

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

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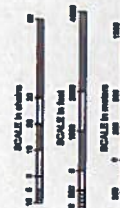
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Lat 47° 27' 35" N
Long 115° 35' W

NAME _____

47N48E

RESEARCH DESIGN



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



**MT PLAT
SUPPL Secs 27, 28, 33, 34**

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MDI 079577 Dst PL 167 (Aid of Cong 07/23/1998) completed
08/28/1998. All PD surfaces Mgrnt by BLM enclosing

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MISCELLANEOUS DOCUMENTS

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(208) 373-4000

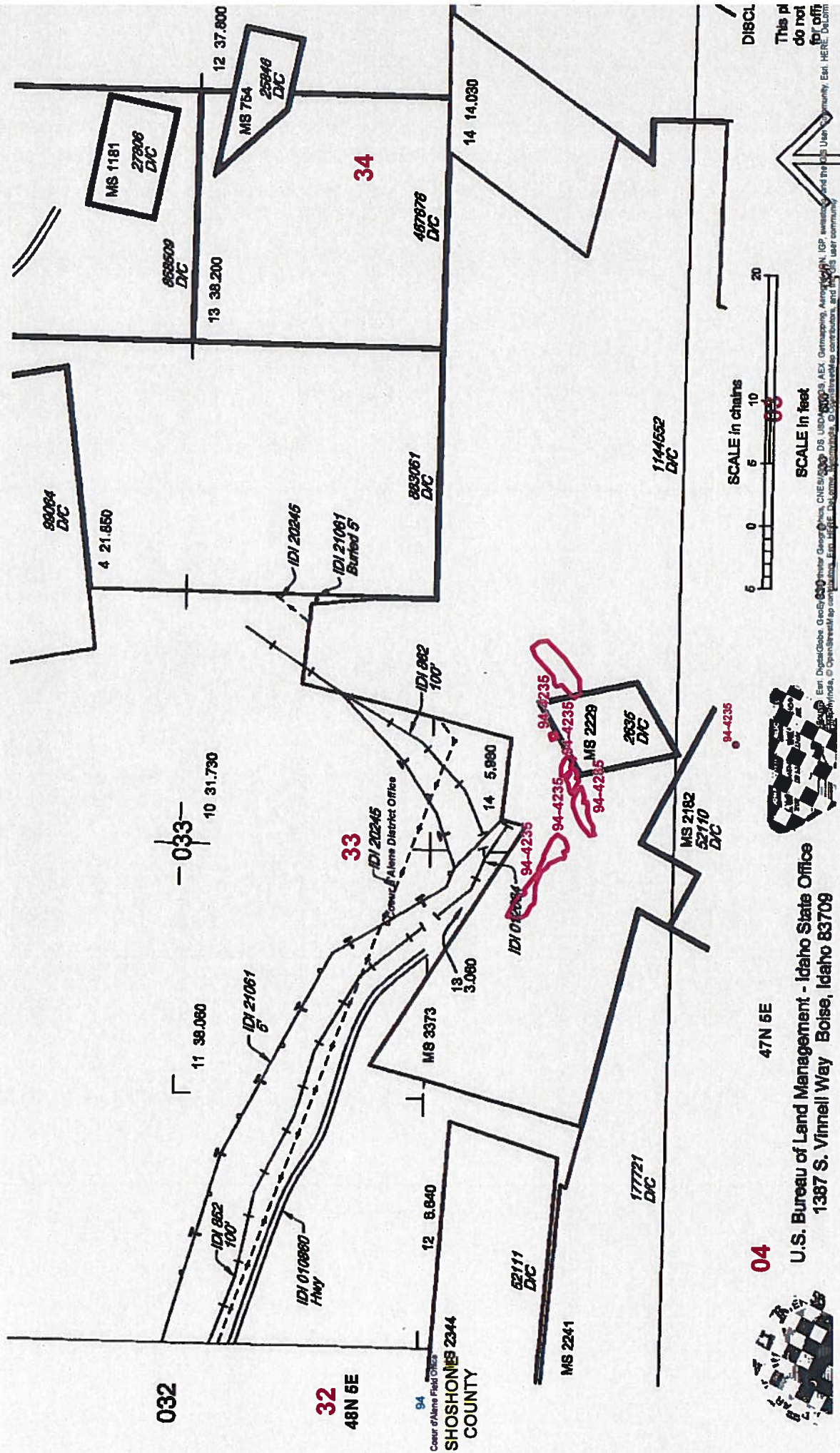
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COEUR D'ALENE DISTRICT
94-4238

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DISCLOSURE: This plan does not have an office.

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