

**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 94-07339
(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: North Idaho Mountain Brew
Address: 108 Nine Mile Rd; P.O. Box 947; 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:

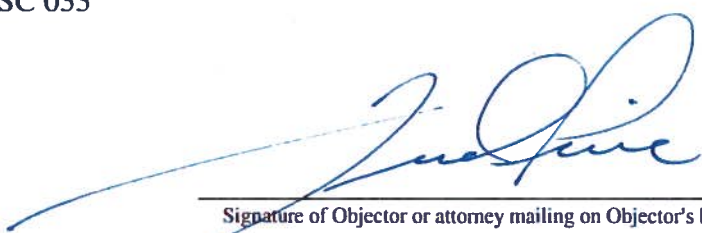
Name: North Idaho Mountain Brew
Address: 108 Nine Mile Rd; P.O. Box 947; Wallace, ID 83873
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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

02/16/2016

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

RIGHT NUMBER: 94-7339
NAME AND ADDRESS: NORTH IDAHO MOUNTAIN BREW
108 NINE MILE RD
PO BOX 947
WALLACE ID 83873

Mixed Ownership issue: ~~POT~~ 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: NINEMILE CREEK

TRIBUTARY: SOUTH FORK COEUR D ALENE RIVER

QUANTITY: 0.020 CFS
3.00 AFY

Right Nos. 94-7339 and 94-7358 are limited to a total combined irrigation diversion rate of 0.03 cfs and to a total combined annual diversion volume of 3.0 AF.

PRIORITY DATE: 05/10/1992

POINT OF DIVERSION: T48N R04E S27 SESE Lot 2 Within SHOSHONE County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FIRE PROTECTION	01/01 12/31	0.020 CFS
IRRIGATION	03/15 11/15	0.020 CFS 3.00 AFY

PLACE OF USE: IRRIGATION in SHOSHONE County

T48N R04E S26	NWSW	0.10	Mix	T48N R04E S26	SWSW	0.50
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T48N R04E S27	SESE	0.10		T48N R04E S27 Lot 2 SESE		0.30
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FIRE PROTECTION in SHOSHONE County

T48N R04E S26	NWSW	Mix	T48N R04E S26	SWSW	
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T48N R04E S27	SESE		T48N R04E S27 Lot 2 SESE		
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1 ACRES TOTAL

Right Nos. 94-7339 and 94-7358 are limited to the irrigation of a combined total of 1.0 acre in a single irrigation season.

The place of use described as S26, NWSW is limited to Mineral Survey 1252.

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

Right No. 94-7358 is also diverted through point of diversion described above.

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

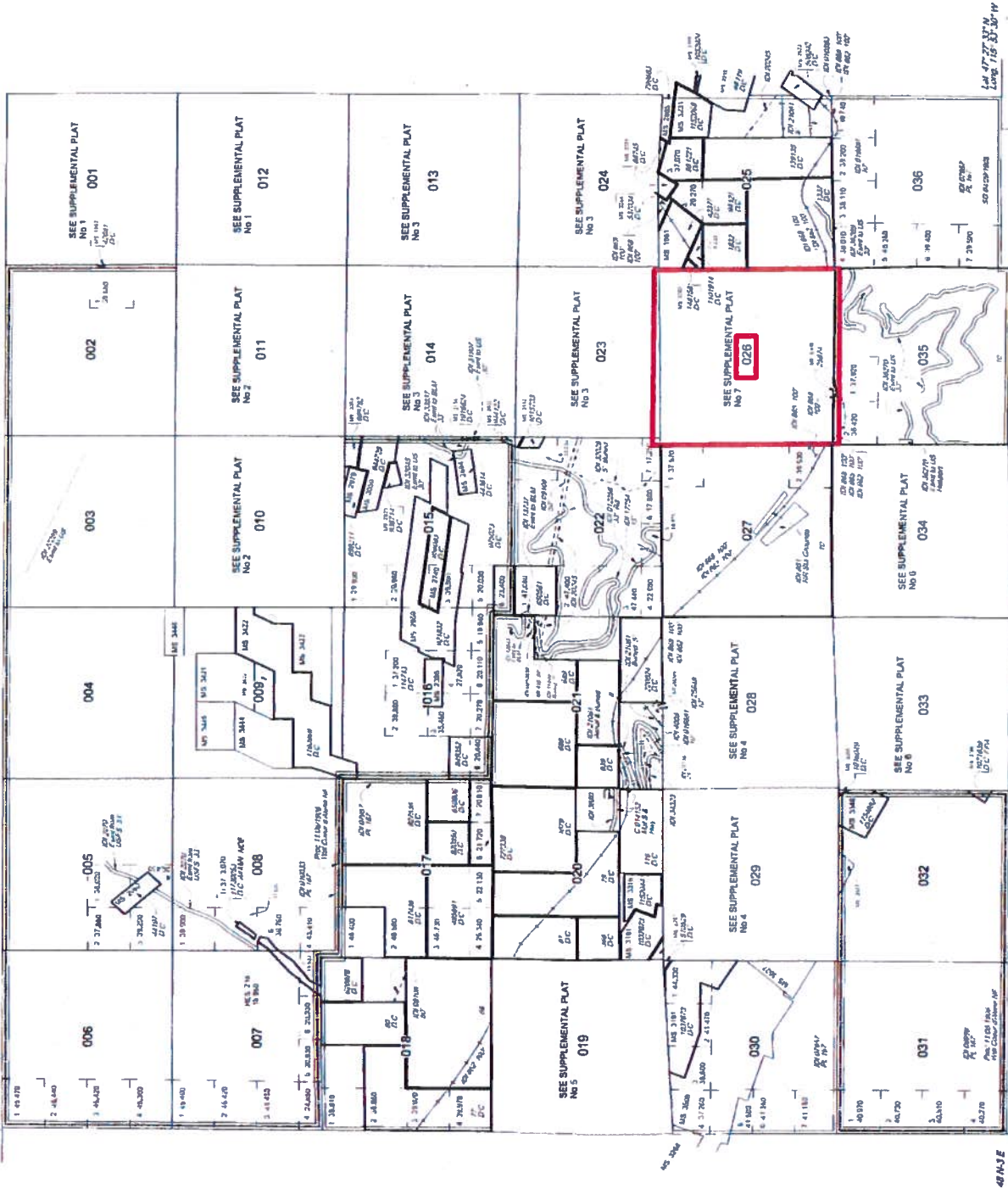
Parcel Nos. RPB045000A001A, RPB00000266140 & RPB00000278450.

TOWNSHIP 48 NORTH RANGE 4 EAST OF THE BOISE MERIDIAN, IDAHO

SHOSHONE COUNTY 079
COLUM DALINE DISTRICT

48 N-3 E

48 N-4 E



NORTH



U.S. Bureau of Land Management - Idaho State Office
1307 S. Verne Way, Boise, Idaho 83709
(208) 333-3000



47 N-3 E 47 N-4 E

48 N-3 E 48 N-4 E

49 N-3 E 49 N-4 E

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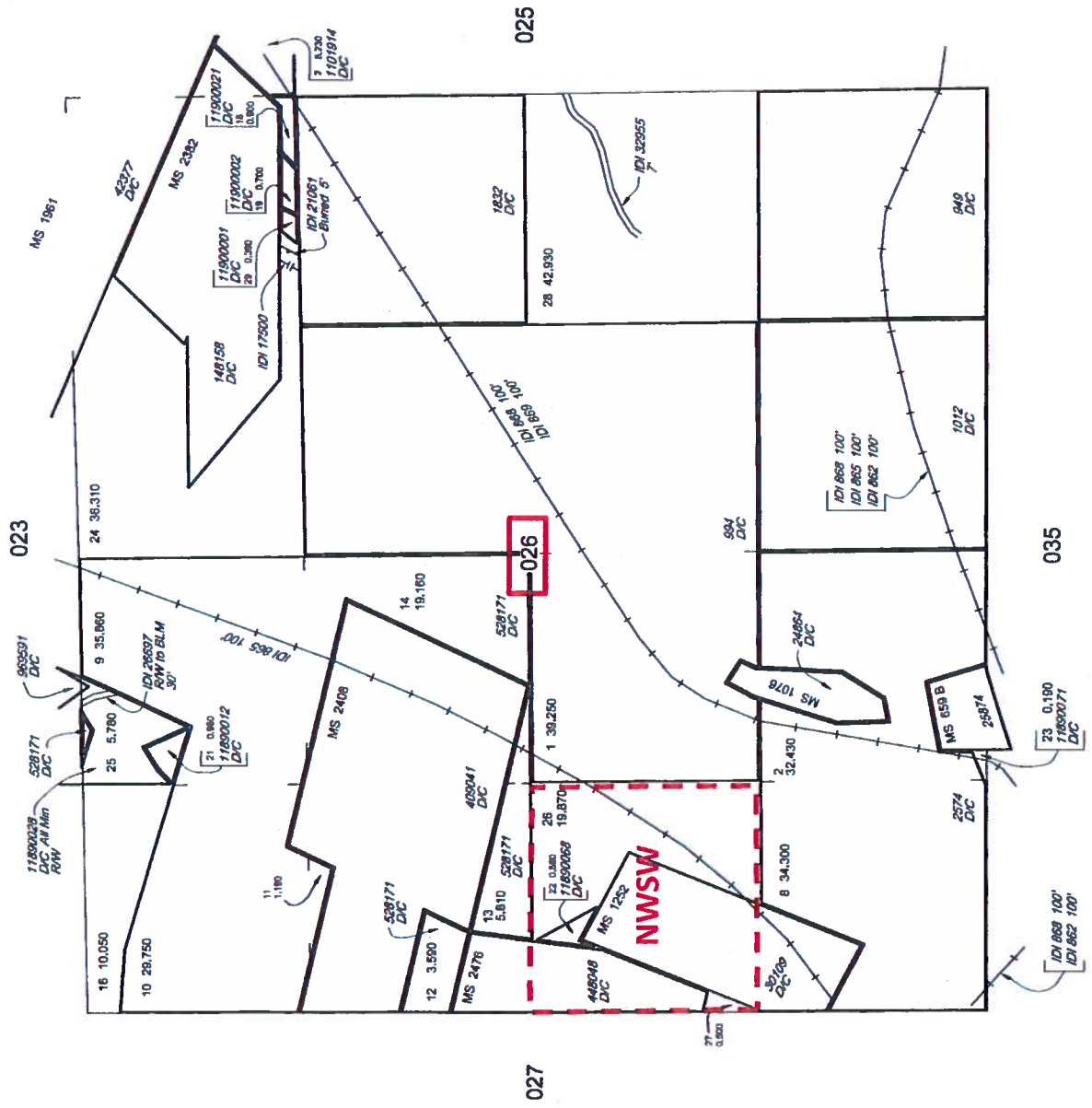
272 N-3 E 272 N-4 E

273 N-3 E 273 N-4 E

274 N-3 E 274 N-4 E

275 N-3 E

MTP Blowup of T48N, R04E, S26, Supl. Plat #7



**94-07339 Mixed Ownership
T48N, R04E, S26, NWSW**

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

