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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 94-07487
(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: Clifford M. Hinsz
Address: Box 810; Wallace, ID 83873

Name: Kathy Jo Hinsz
Address: Box 810; Wallace, ID 83873

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: See attached.
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. The priority date precedes issuance of the patent.

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 27, 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
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:

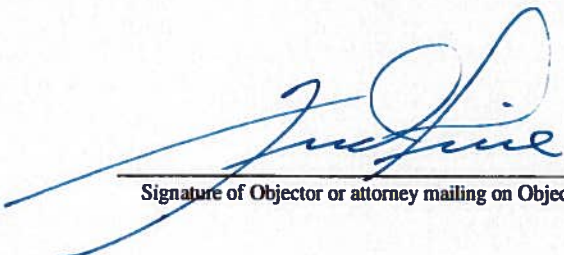
Name: Clifford M. Hinsz
Address: Box 810; Wallace, ID 83873
Name: Kathy Jo Hinsz
Address: Box 810; Wallace, ID 83873
Name:
Address: ;
Name:
Address: ;

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: 94-7487 Mixed Ownership POD & POU:
 NAME AND ADDRESS: CLIFFORD M HINSZ
 BOX 810
 WALLACE ID 83873
 KATHY JO HINSZ
 BOX 810
 WALLACE ID 83873

- The point of diversion (POD) and place of use (POU) identified below contain both private and public land.
- Clarify the POD & POU such that it is clear only private land is intended.

POU shapefile includes some BLM land:

- Trim shapefile to exclude BLM.

Shapefile resides in other quarter-quarters (OO):

- Shape includes S24, NWSE but is not recommended.
- S24, NWSE is mixed ownership, so clarification needed.

Priority precedes patent:

SOURCE: SPRINGS
 QUANTITY: 0.040 CFS

TRIBUTARY: CANYON CREEK

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

PRIORITY DATE: 12/31/1907 *Patent 88745 issued 11/11/1909.*

POINT OF
DIVERSION:

T48N R04E S24 SWSE Within SHOSHONE County
 T48N R04E S24 SWSE Within SHOSHONE County
 T48N R04E S24 SWSE Within SHOSHONE County
 T48N R04E S24 SWSE Within SHOSHONE County
 T48N R04E S24 SWSE Within SHOSHONE County

} Mixed (pvt/BLM)

The points of diversion reside within Mineral Survey 2321.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC	01/01 12/31	0.020 CFS
STOCKWATER	01/01 12/31	0.020 CFS

Domestic use is for 1 home.

PLACE OF USE:

STOCKWATER in SHOSHONE County
 T48N R04E S24 SWSE Mix (pvt/BLM)

DOMESTIC in SHOSHONE County
 T48N R04E S24 SESW Mix (pvt/BLM) T48N R04E S24 SWSE Mix (pvt/BLM)
 T48N R04E S25 NWNE T48N R04E S25 NENW

The place of use under this right does not include federal public lands.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right 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. RP48N04E245250

Property is also known as Mineral Survey 2321.

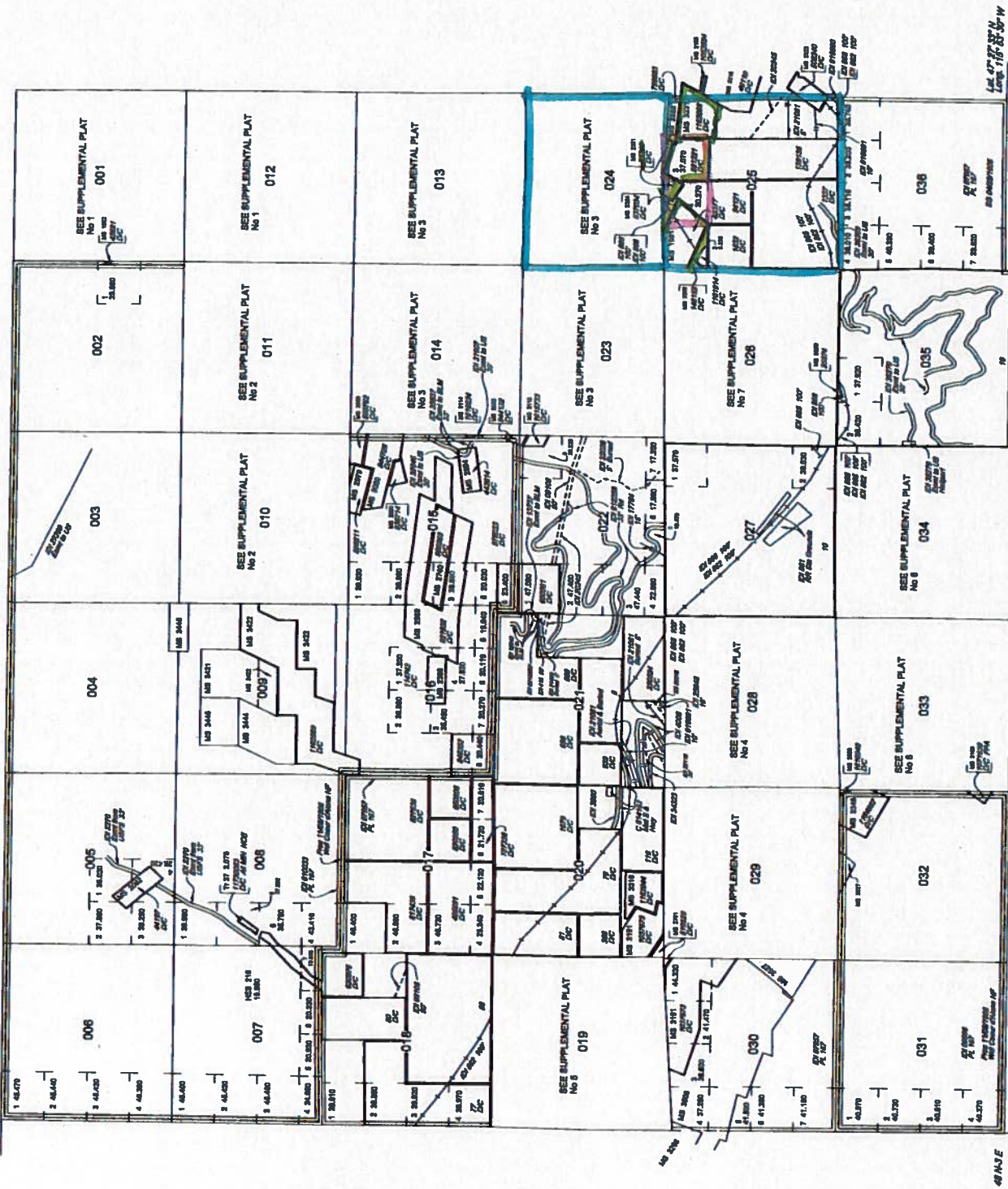
SHOSHONE COUNTY 079
COEUR D'ALENE DISTRICT

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES[illegible][illegible]

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

FILE REF.	COAST GUARDIAN	WATERWAY	
COMPLETED BY	INTERVIEW	BY	LWJ
LAST MODIFIED	INTERVIEW	BY	LWJ
DATED BY		DATED BY	
PRINTED TO FILED RECORDS	BY		February 16, 2012
PULASKI LAND SURVEY SYSTEM (PLSS)			
BUT SECURE ACQUIRED			
OTHER:			
N/A			
UNCALCULATED COORDINATE SYSTEM:			
UTM ZONE 17N MAG 1983			
NOTES:			
USE PLATE:			

F. 49 N
R. 4 E



RESEARCH AND EVALUATION

The results obtained on volumetric treatment of the feed water indicate that, even for the effective tests, the use of a larger volumetric ratio is recommended.



SHOSHONE COUNTY 079
COEUR D'ALENE DISTRICT

No. 3
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

**MT PLAT
SUPPL Sec 13, 14, 23, 24**

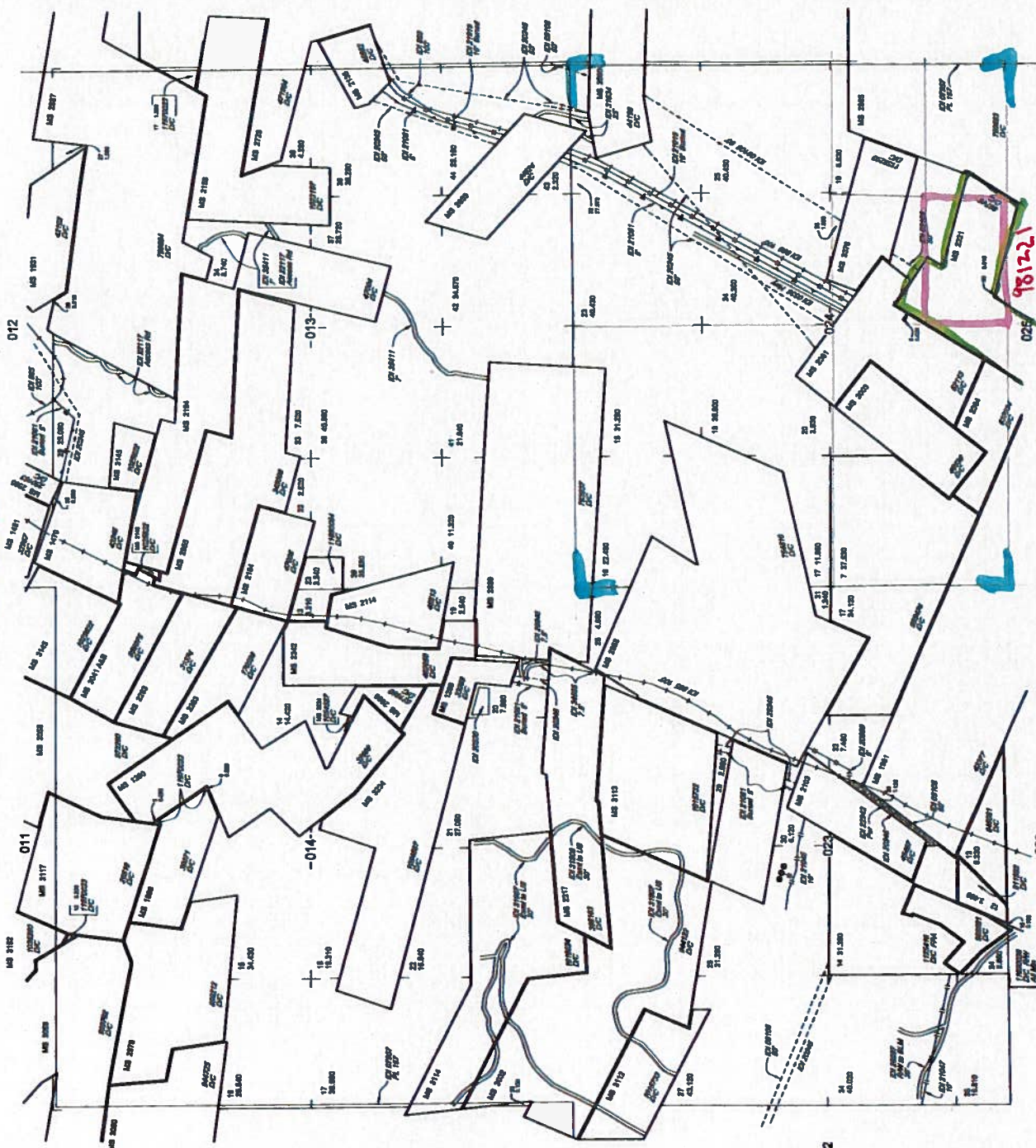
[illegible]

ON 07/05/77 Del PL 167 (Act of Cong 07/23/1969) completed
06/26/1962. All PO surface Mount by BLM including

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

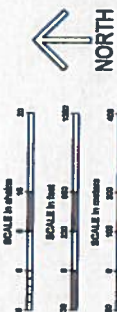
FILE REF	EDWARDS/ROUSSEAU/1001/1001/1001
COMPONENTS	EDWARDS
LAST UPDATED	8/17/93
STATUS	OPEN
DATE	8/17/93
PROJECTED COORDINATE SYSTEM	UTM ZONE 18N, HAID 1803
NOTES	
LAST P. XPR	

T. 49 N
R. 4 E
No. 3



UNIT ONE

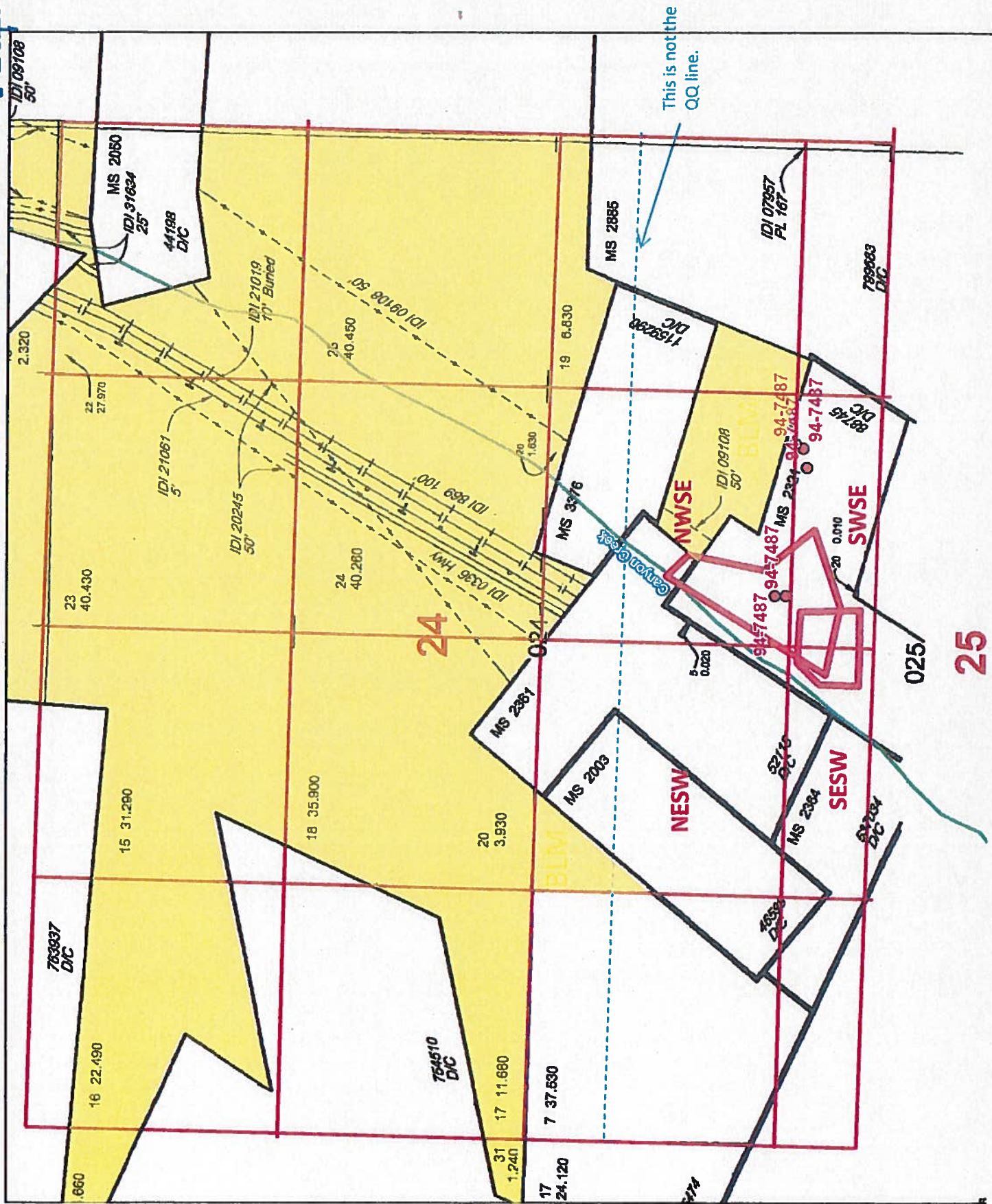
This job is not only a graphic display of the Bureau of Land Management's (BLM) Record of Decision and its inevitable survey data. It is also a critical illustration of the information which may have been obtained by public involvement of citizens or other bodies of water. Public involvement is a key element of the BLM's Record of Decision.



J.B. Bureau of Land Management • Idaho State Office
1347 S. Vinland Way, Boise, Idaho 83709
(208) 373-4000

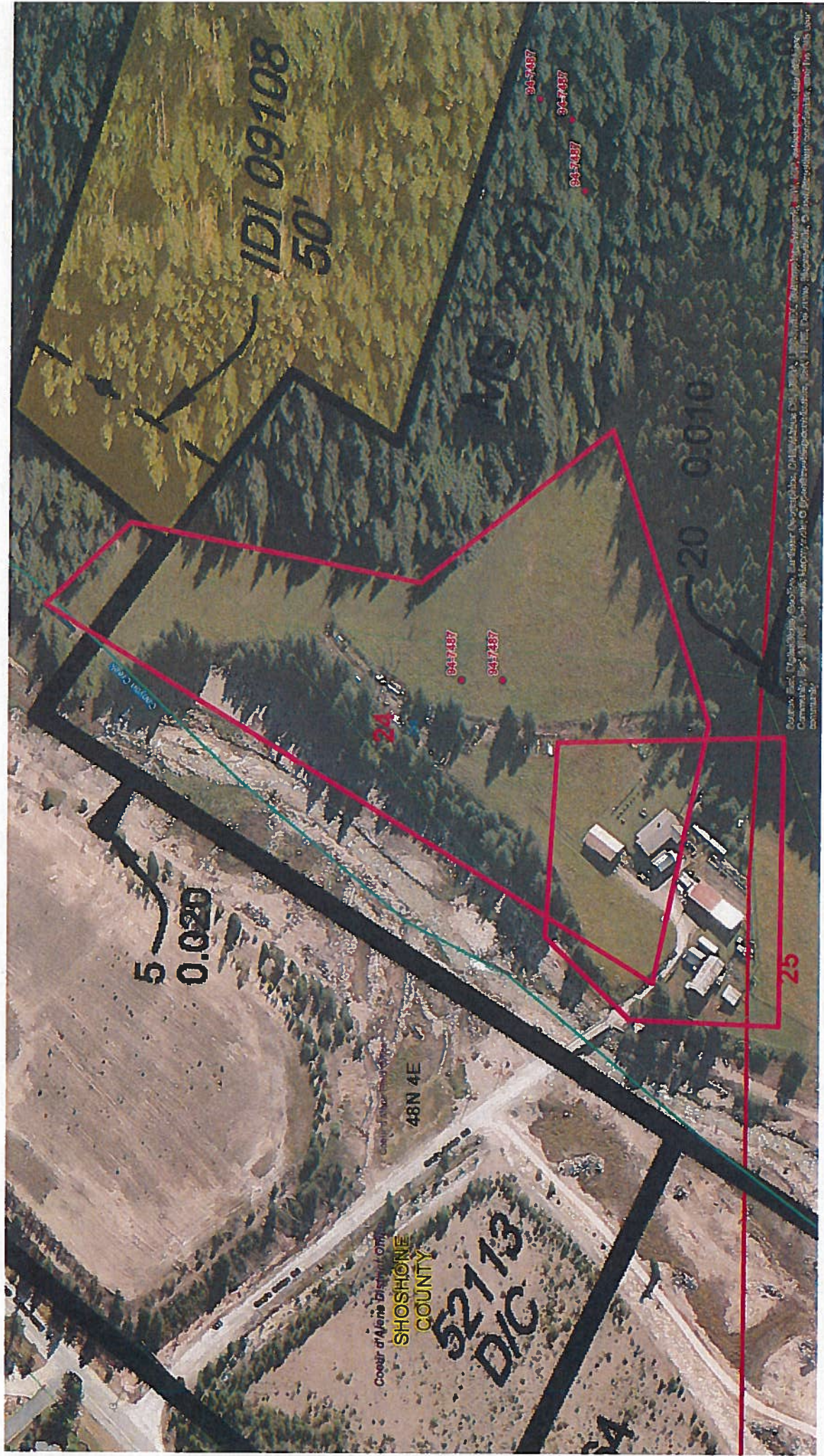


T48N, R04E, S46#3



[illegible]

94-0746



General Land Office

Mineral Certificate

No.

No.

COEUR D'ALENE 0448

The United States of America,

Do all to whom these presents shall come, Greeting:

Whereas, In pursuance of the provisions of the Revised Statutes of the United States, Chapter Six, Title Thirty-two, and legislation supplemental thereto, there have been deposited in the General Land Office of the United States the Plat and Field Notes of survey and the Certificate, No. 0448, of the Register of the Land Office at COEUR D'ALENE in the STATE of IDAHO, accompanied by other evidence whereby it appears that HARRY M. BORDWELL

did, on the SIXTEENTH day of FEBRUARY, A. D. 1909, duly enter and pay for that certain mining claim or premises, known as the HALIFAX AND BOUNDARY LODGE MINING CLAIMS,

designated by the Surveyor General as SURVEY NO. 2321, EMBRACING A PORTION OF TOWNSHIP FORTY-EIGHT NORTH OF RANGE FOUR EAST OF THE BOISE MERIDIAN, AND A PORTION OF SECTION TWENTY-FIVE IN TOWNSHIP FORTY-EIGHT NORTH OF RANGE FOUR EAST OF THE BOISE MERIDIAN, IN THE PLACER CENTER MINING DISTRICT, IN THE COUNTY OF SHOSHONE AND STATE OF IDAHO,

in the District of Lands subject to sale at COEUR D'ALENE and bounded, described, and platted as follows, with magnetic variation TWENTY-ONE DEGREES, FIVE MINUTES EAST:

Beginning, FOR THE DESCRIPTION OF THE HALIFAX LODGE CLAIM, AT CORNER NO. 1, A PINE POST FIVE INCHES SQUARE, THREE FEET ABOVE GROUND, MARKED 1 - 2321, WITH MOUND OF EARTH AND STONE, FROM WHICH THE NORTH QUARTER CORNER OF SECTION TWENTY-FIVE IN TOWNSHIP FORTY-EIGHT NORTH OF RANGE FOUR EAST OF THE BOISE MERIDIAN, BEARS NORTH EIGHTY-NINE DEGREES, FORTY-TWO MINUTES WEST TWO HUNDRED SEVENTY AND FIFTY-FIVE-HUNDREDTHS FEET DISTANT;

THENCE, FIRST COURSE, NORTH THIRTY-ONE DEGREES, THIRTY MINUTES EAST SIX HUNDRED TWENTY FEET TO CORNER NO. 2, A CEDAR POST SIX INCHES SQUARE, THREE AND ONE-HALF FEET ABOVE GROUND, MARKED 2 - 2321, WITH MOUND OF EARTH;

THENCE, SECOND COURSE, SOUTH SEVENTY-THREE DEGREES, FORTY MINUTES EAST NINE HUNDRED SEVENTY FEET TO CORNER NO. 3, A FIR POST SIX INCHES SQUARE, THREE AND ONE-HALF FEET ABOVE GROUND, MARKED 3 - 2321, WITH MOUND OF STONE;

THENCE, THIRD COURSE, SOUTH THIRTY-ONE DEGREES, THIRTY MINUTES WEST SIX HUNDRED TWENTY FEET TO CORNER NO. 4, A FIR POST FIVE INCHES SQUARE, THREE AND ONE-HALF FEET ABOVE GROUND, MARKED 4 - 2321, WITH MOUND OF EARTH, FROM WHICH DISCOVERY SHAFT BEARS NORTH TWENTY-SEVEN DEGREES, TEN MINUTES WEST FOUR HUNDRED TWELVE AND FORTY-FIVE-HUNDREDTHS FEET DISTANT;

THENCE, FOURTH COURSE, NORTH SEVENTY-THREE DEGREES, FORTY MINUTES WEST NINE HUNDRED SEVENTY FEET TO CORNER NO. 1, THE PLACE OF BEGINNING, THE SURVEY OF THE LODE CLAIM, AS ABOVE DESCRIBED, EXTENDING NINE HUNDRED SEVENTY FEET IN LENGTH ALONG SAID HALIFAX VEIN OR LODE:

BEGINNING, FOR THE DESCRIPTION OF THE BOUNDARY LODE CLAIM, AT CORNER NO. 1, A SPRUCE POST SIX INCHES SQUARE, THREE FEET ABOVE GROUND, MARKED 1 - 2321, WITH MOUND OF EARTH, FROM WHICH SAID QUARTER SECTION CORNER BEARS NORTH NINE DEGREES, ELEVEN MINUTES EAST SIX HUNDRED NINE AND FORTY-FIVE-HUNDREDTHS FEET DISTANT;

THENCE, FIRST COURSE, NORTH FIFTY-FIVE DEGREES, THIRTY-SIX MINUTES WEST SIX HUNDRED FEET TO CORNER NO. 2, A CEDAR POST SEVEN INCHES SQUARE, THREE FEET ABOVE GROUND, MARKED 2 - 2321, WITH MOUND OF EARTH, FROM WHICH DISCOVERY SHAFT BEARS SOUTH EIGHTY DEGREES, EIGHT MINUTES EAST THREE HUNDRED TWENTY-TWO AND THIRTY-ONE-HUNDREDTHS FEET DISTANT;

THENCE, SECOND COURSE, NORTH THIRTY-ONE DEGREES, THIRTY MINUTES EAST ONE THOUSAND FIVE HUNDRED FEET TO CORNER NO. 3, A FIR POST FIVE INCHES SQUARE, THREE FEET ABOVE THE GROUND, MARKED 3 - 2321, WITH MOUND OF STONE;

THENCE, THIRD COURSE, SOUTH FIFTY-FIVE DEGREES, THIRTY-SIX MINUTES EAST SIX HUNDRED FEET TO CORNER NO. 4, A PINE POST SIX INCHES SQUARE, THREE FEET ABOVE GROUND, MARKED 4 - 2321, WITH MOUND OF STONE;

THENCE, FOURTH COURSE, SOUTH THIRTY-ONE DEGREES, THIRTY MINUTES WEST ONE HUNDRED SEVENTY-SIX FEET TO CORNER NO. 2 OF SAID HALIFAX LODE CLAIM, ONE THOUSAND FIVE HUNDRED FEET TO CORNER NO. 1, THE PLACE OF BEGINNING, THE SURVEY OF THE LODE CLAIM, AS ABOVE DESCRIBED, EXTENDING ONE THOUSAND FIVE HUNDRED FEET IN LENGTH ALONG SAID BOUNDARY VEIN OR LODE; THE PREMISES HEREIN GRANTED, CONTAINING THIRTY-THREE AND NINETY-SIX-HUNDREDTHS ACRES, MORE OR LESS:

NOW KNOW YE, That there is therefore hereby granted by the United States unto the said
HARRY M. BORDWELL

and to HIS HEIRS and assigns, the said mining premises
hereinbefore described, and not expressly excepted from these presents, and all that portion of the said
HALIFAX AND BOUNDARY

vein, lode, or ledge, and of all other veins, lodes, and ledges throughout their entire depth, the tops or apexes of which
lie inside of the surface boundary lines of said granted premises in said SURVEY NO. 2321,

extended downward vertically, although such veins, lodes, or ledges in their downward course may so far depart from a
perpendicular as to extend outside the vertical side lines of said premises: *Provided*, That the right of possession to such
outside parts of said veins, lodes, or ledges, shall be confined to such portions thereof as lie between vertical planes
drawn downward through the end lines of said SURVEY NO. 2321,

so continued in their own direction that such planes will intersect such exterior parts of said veins, lodes, or ledges:
And provided further, That nothing herein contained shall authorize the grantee herein to enter upon the surface
of a claim owned or possessed by another.

TO HAVE AND TO HOLD said mining premises, together with all the rights, privi-
leges, immunities, and appurtenances of whatsoever nature thereunto belonging unto the said grantee above named
and to HIS HEIRS and assigns forever;

subject, nevertheless, to the above-mentioned and to the following conditions and stipulations:

First. That the premises hereby granted, *with the exception of the surface*, may be entered by the proprietor of any
other vein, lode, or ledge, the top or apex of which lies outside of the boundary of said granted premises, should the
same in its dip be found to penetrate, intersect, or extend into said premises, for the purpose of extracting and removing
the ore from such other vein, lode, or ledge.

Second. That the premises hereby granted shall be held subject to any vested and accrued water rights for mining,
agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water
rights as may be recognized and acknowledged by the local laws, customs, and decisions of the courts. And there is
reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of
the United States.

Third. That in the absence of necessary legislation by Congress, the Legislature of IDAHO
may provide rules for working the mining claim or premises hereby granted, involving easements, drainage and other
necessary means to its complete development.

IN TESTIMONY WHEREOF, I, WILLIAM H. TAFT

President of the United States of America, have caused these letters to be
made Patent, and the seal of the General Land Office to be hereunto affixed.

[SEAL]

GIVEN under my hand, at the City of Washington, the ELEVENTH
day of NOVEMBER, in the year of our Lord one thousand nine
hundred and NINE, and of the Independence of the United
States the one hundred and THIRTY-FOUR.

By the President:

By

Secretary.

Recorder of the General Land Office.