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JUL 2 9 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 94-08952
(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: James P. Striker
Address: P.O. Box 304; 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: 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.

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: James P. Striker
Address: P.O. Box 304; 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: 94-8952

NAME AND ADDRESS: JAMES P STRIKER
PO BOX 304
WALLACE ID 83873

Mixed ownership issue: POD & POU

- 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.

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 06/22/1957

POINT OF DIVERSION: T48N R04E S14 NESE Within SHOSHONE County

The point of diversion resides within Mineral Survey 2342.

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC	01/01 12/31	0.040 CFS

Domestic use is for 1 shop.

PLACE OF USE: DOMESTIC in SHOSHONE County

T48N R04E S14 NESE

The place of use is limited to Mineral Survey 2342.

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.

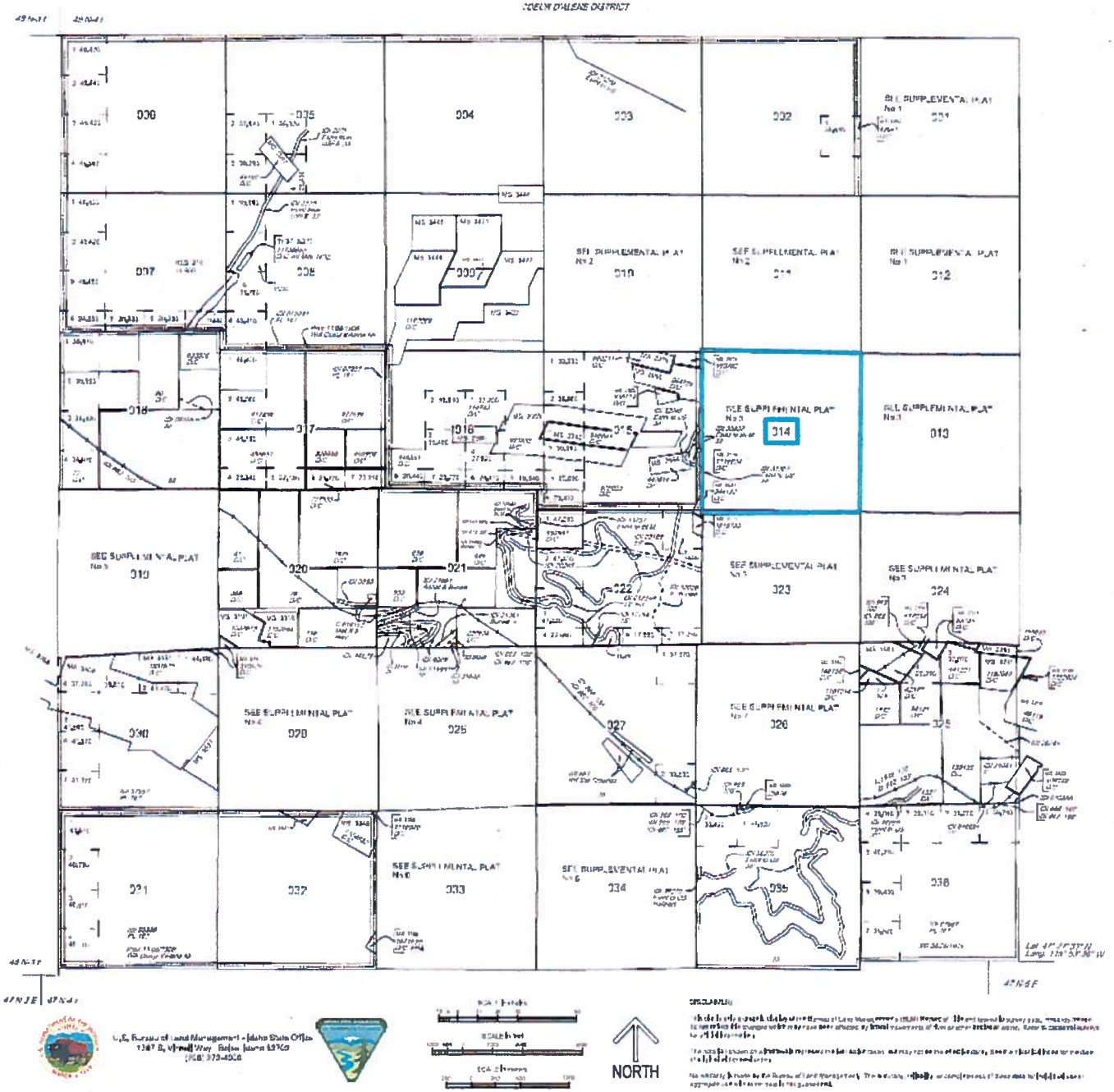
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Parcel No. RP48N04E147480

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

SHOSHONE COUNTY 079
COEUR D'ALENE DISTRICT



STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES

MT PLAT

INDEX TO SEGREGATED TRACTS

SURVEY NO.	TOWNSHIP, SURVEY			DESCRIPTION
	T.	R.	MER.	

Mt 384 Pt 383 (Act of Cong 8/4/1886)
Sec 36 Cable No 3 Title

dDI 28924 Dat Pt 197 (Act of Cong 8/4/1886) segregation
0621/1966 All Inf surveys Mgmt by USFS

dDI 27967 Dat Pt 197 (Act of Cong 8/4/1886) segregation
0621/1966 All Inf surveys Mgmt by USFS
dDI 27967-G-3 Sec 18 NW Bailey
dDI 27967-G-18 Sec 18 NW Lagoon
dDI 27967-Ark6 Sec 15 SW North Star
dDI 27967-Ark7 Sec 15 NW Hermann Tract No 1
dDI 27967-Ark8 Sec 14 NW Hermann Tract No 2
dDI 27967-Ark9 Sec 13 SW Lucky 1 Tract
dDI 27967-Ark10 Sec 13 SW Lucky Friday No 1
dDI 27967-Ark11 Sec 13 SW Lucky 1 Tract No 2
dDI 27967-Ark12 Sec 13 SW Lucky Friday No 3
dDI 27967-Ark13 Sec 13 SW Lucky 1 Tract No 4
dDI 27967-Ark14 Sec 12 SW Dakota
dDI 27967-Ark Sec 24 NE Monroe
dDI 27967-AK-1 Sec 35 NW Triangle No 1
dDI 27967-AK-2 Sec 35 NE Triangle No 2
dDI 27967-AK-3 Sec 35 NW Triangle No 3
dDI 27967-AK-4 Sec 35 SW Triangle No 4
dDI 27967-AK-5 Sec 35 SE Triangle No 5
dDI 27967-AK-6 Sec 35 SE Triangle No 6
dDI 27967-AK-7 Sec 35 SE Triangle No 7
dDI 27967-AK-8 Sec 35 SE Triangle No 8
dDI 27967-AK-9 Sec 35 NW Triangle No 9
dDI 27967-AK-10 Sec 35 NW Triangle No 10
dDI 27967-AK-11 Sec 10 SW Triangle No 11
dDI 27967-AK-12 Sec 35 NW Triangle No 12
dDI 27967-AK-13 Sec 35 NW Triangle No 13 Exc
dDI 27967-AK-14 Sec 35 NW Dakota No 1
dDI 27967-AK-15 Sec 35 NW Dakota No 2
dDI 27967-AK-16 Sec 35 NW Dakota No 3

dDI 27931 Status Act 8/25/1921
Sec 19 All
Sec 34 All unsegregated mineral land

Sec Supplemental Survey Plat No 1

LOW PRIORITY LAND FOR DISPOSAL OR USE BY UNALLOTTED LAND REFER TO INCEA CF
MISCELLANEOUS DOCUMENTS

FILED	
CONVEYED	PAT
LAST UPDATED	PAT
CAD-LAND	CAD-LAND
PROTRACTED	February 6, 2012
PUBLIC LAND SURVEY SYSTEM	
BASE LINE	
PRINCIPAL MERIDIAN	
GEOGRAPHIC NAME	
REMARKS	

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

SCALE 1 inch = 1 mile
SCALE 1:63,360
1 0 1 2 3 4 Miles
1 0 1 2 3 4 5 Kilometers

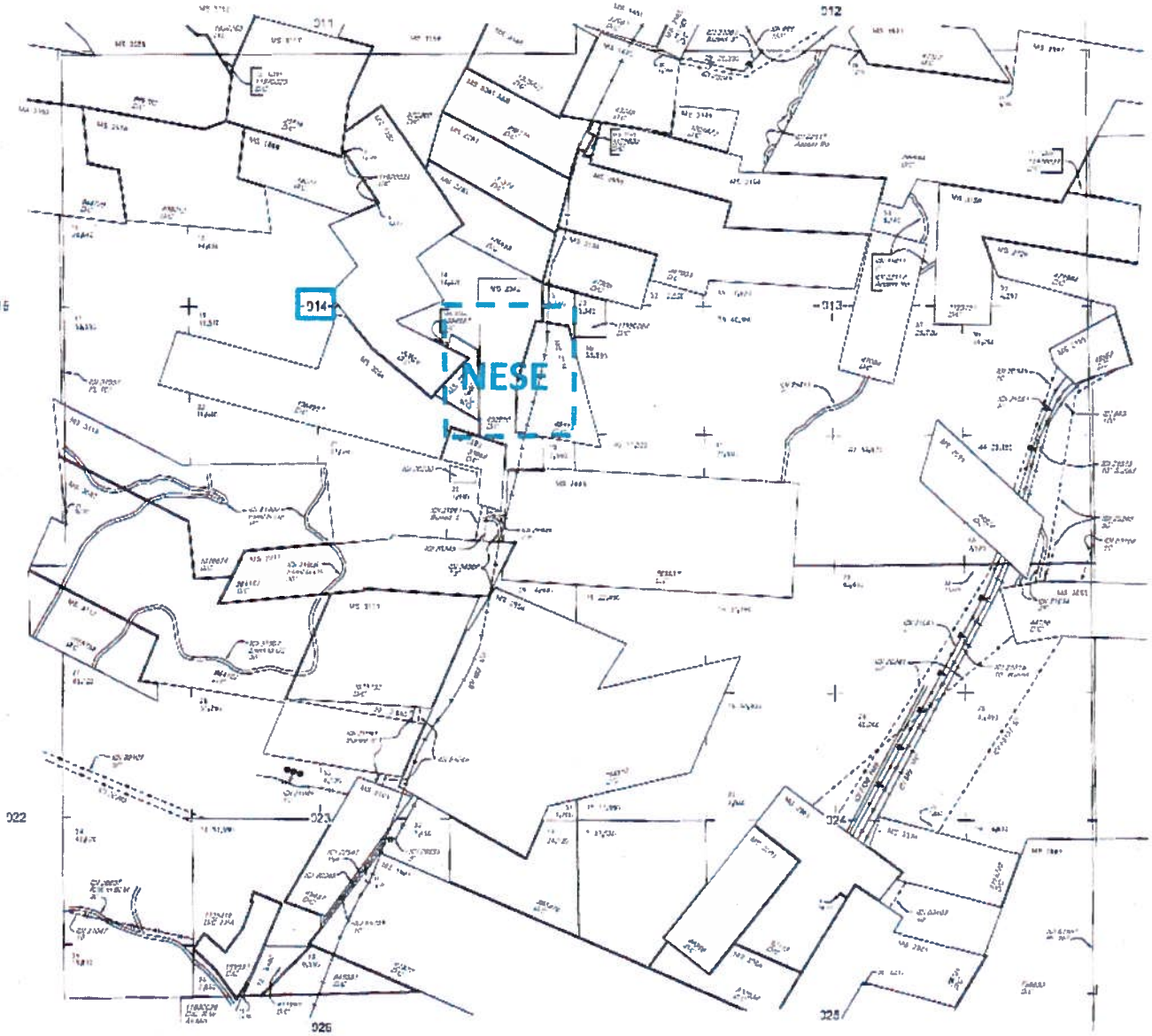
NORTH

DISCLAIMER

The data in this map is compiled from various sources and may not reflect current conditions. This map is not to be used for navigation, real estate, or any purpose requiring precise measurement of distance, direction, or area. The United States Government does not warrant the accuracy, reliability, or completeness of this map.

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

SHOSHONE COUNTY 073
COEUR D'ALENE DISTRICT



Supplemental Plat #3

No. 1

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT
SUPPL Sec 13, 14, 23, 24

INDEX TO SEGREGATED TRACTS

SURVEY	ORIGINAL SURVEY			
TRACT NO.	T.	R.	APP.	SUBDIVISION

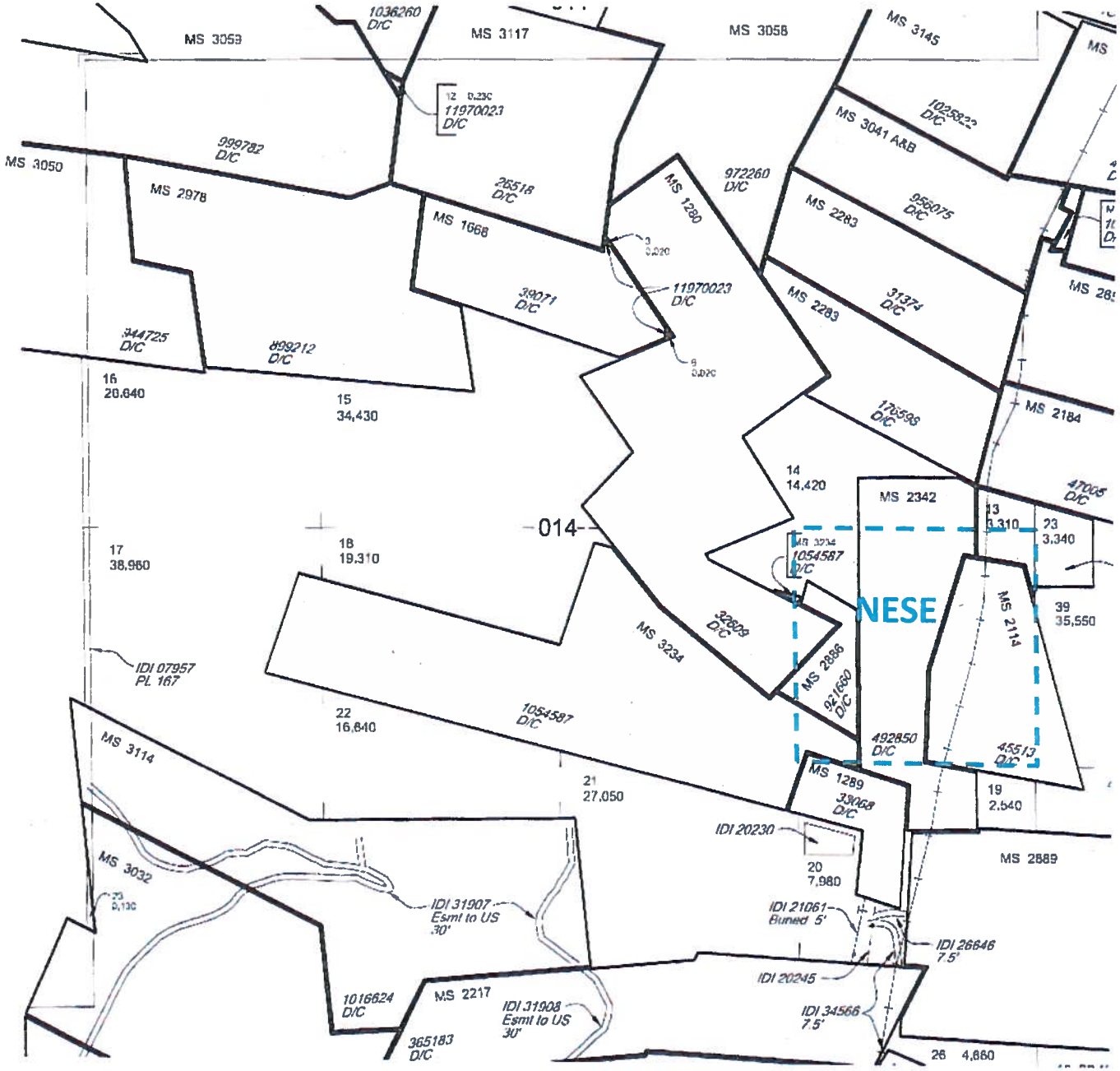
SCALE in chains

SCALE in feet

SCALE in meters

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

MTP Blowup of T48N, R04E, Supl. Plat #3



94-08952 Mixed Ownership

- The described POD & POU contain both private and public land
- Need to clarify that POD & POU include only private land

