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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

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)
)
)
)

A. Subcase 94-08995
(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 D. Taylor
Address: Box 67; Wallace, ID 83873
Name: William R. Taylor
Address: Box 67; Wallace, ID 83873
Name: Doretha Taylor
Address: Box 67; Wallace, ID 83873
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:

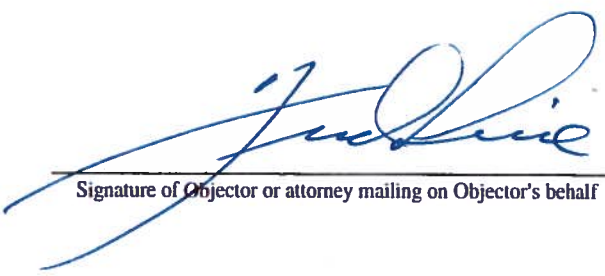
Name: James D. Taylor
Address: Box 67; Wallace, ID 83873
Name: William R. Taylor
Address: Box 67; Wallace, ID 83873
Name: Doretha Taylor
Address: Box 67; Wallace, ID 83873
Name:
Address: ;

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

02/16/2018

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

RIGHT NUMBER: 94-8895

NAME AND ADDRESS: JAMES D TAYLOR
BOX 67
WALLACE ID 83873

WILLIAM F TAYLOR
BOX 67
WALLACE ID 83873

DORETHA TAYLOR
BOX 67
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: WEST GULCH

TRIBUTARY: FRICHARD CREEK

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 12/31/1951

POINT OF
DIVERSION: T49N R05E S5 SENE Within SHOSHONE County

The point of diversion resides within Mineral Survey 1232.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
Domestic use is for 1 home.		

PLACE OF USE: DOMESTIC in SHOSHONE County

T49N R05E S05 SENE

The place of use is limited to Mineral Survey 1232.

OTHER PROVISIONS NECESSARY FOR DEFINITION OF 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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

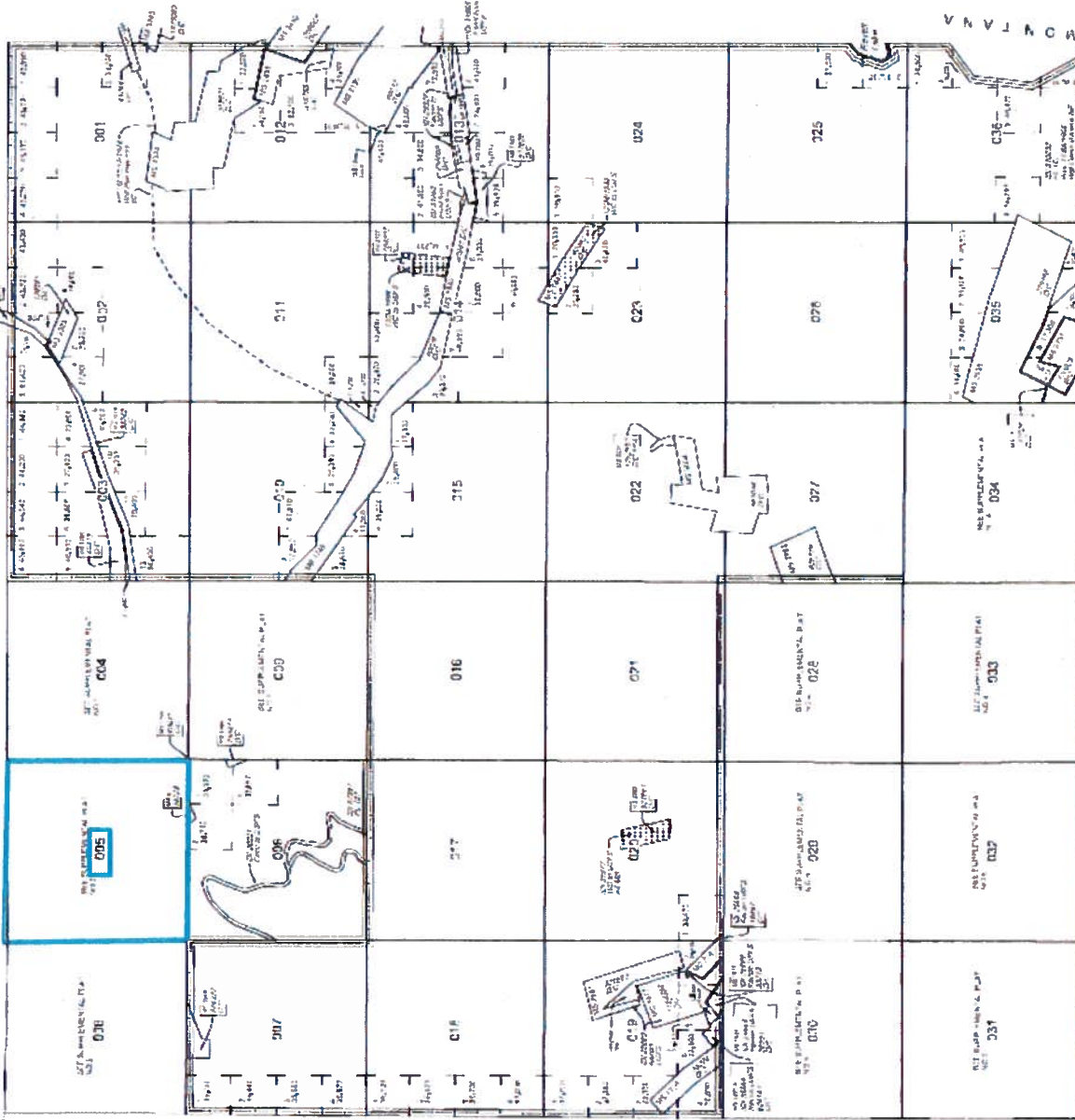
Parcel No. MC0216.

TOWNSHIP 49 NORTH RANGE 5 EAST OF THE BOISE MERIDIAN, IDAHO

SHOSH-ONTE COUNTY D73
TERRITORY DISTRICT

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

32 N. 41 82 N. 5 E



U.S. Bureau of Land Management
1917 Act of March 3, 1879
2003 Act of March 3, 1879



NORTH

This map is a reproduction of the original map of the Boise Meridian, Idaho, as shown on the original map. The map is a reproduction of the original map, and it is not a survey. The map is a reproduction of the original map, and it is not a survey. The map is a reproduction of the original map, and it is not a survey.

MT PLAT

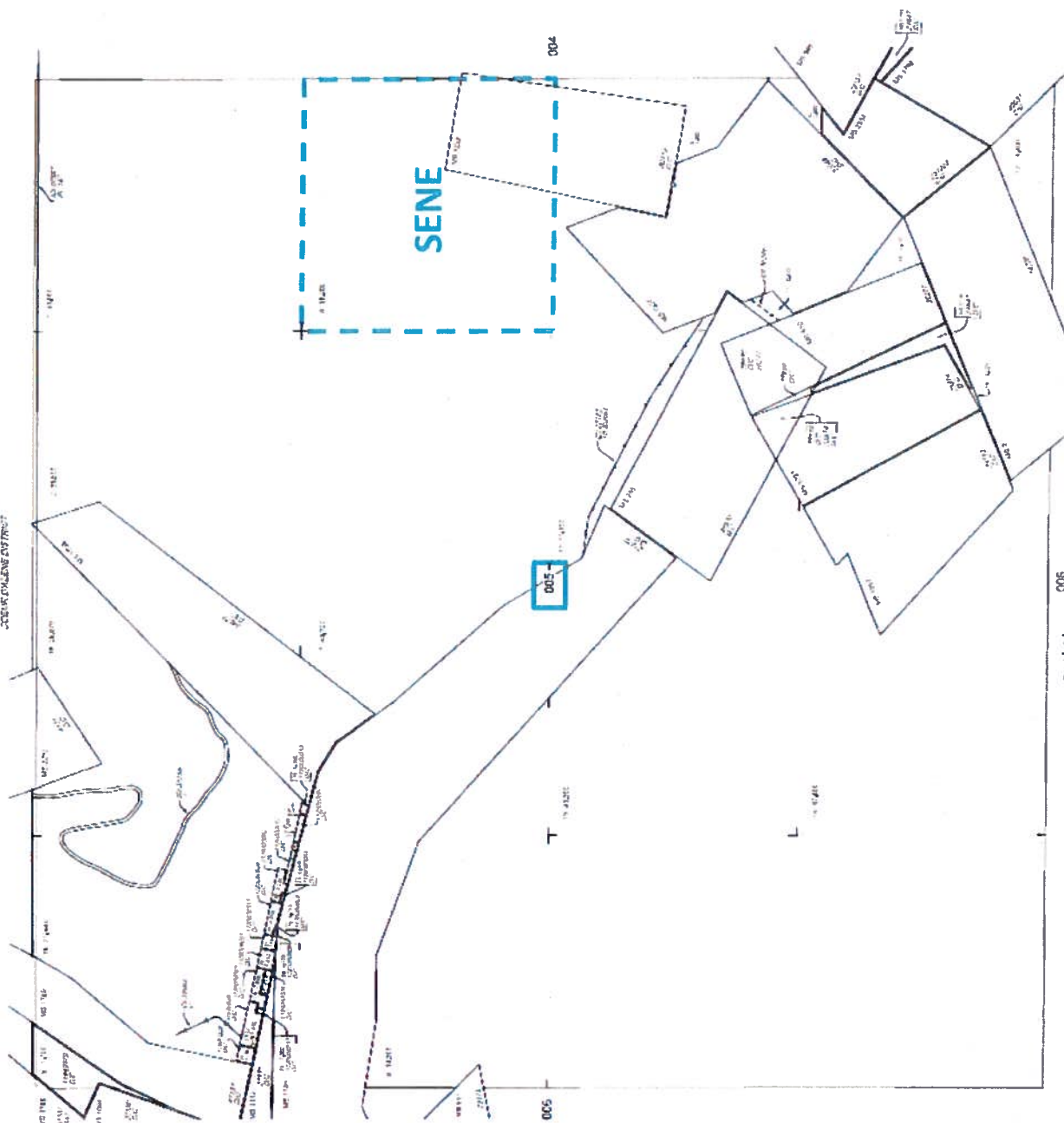
NO. 1 TO 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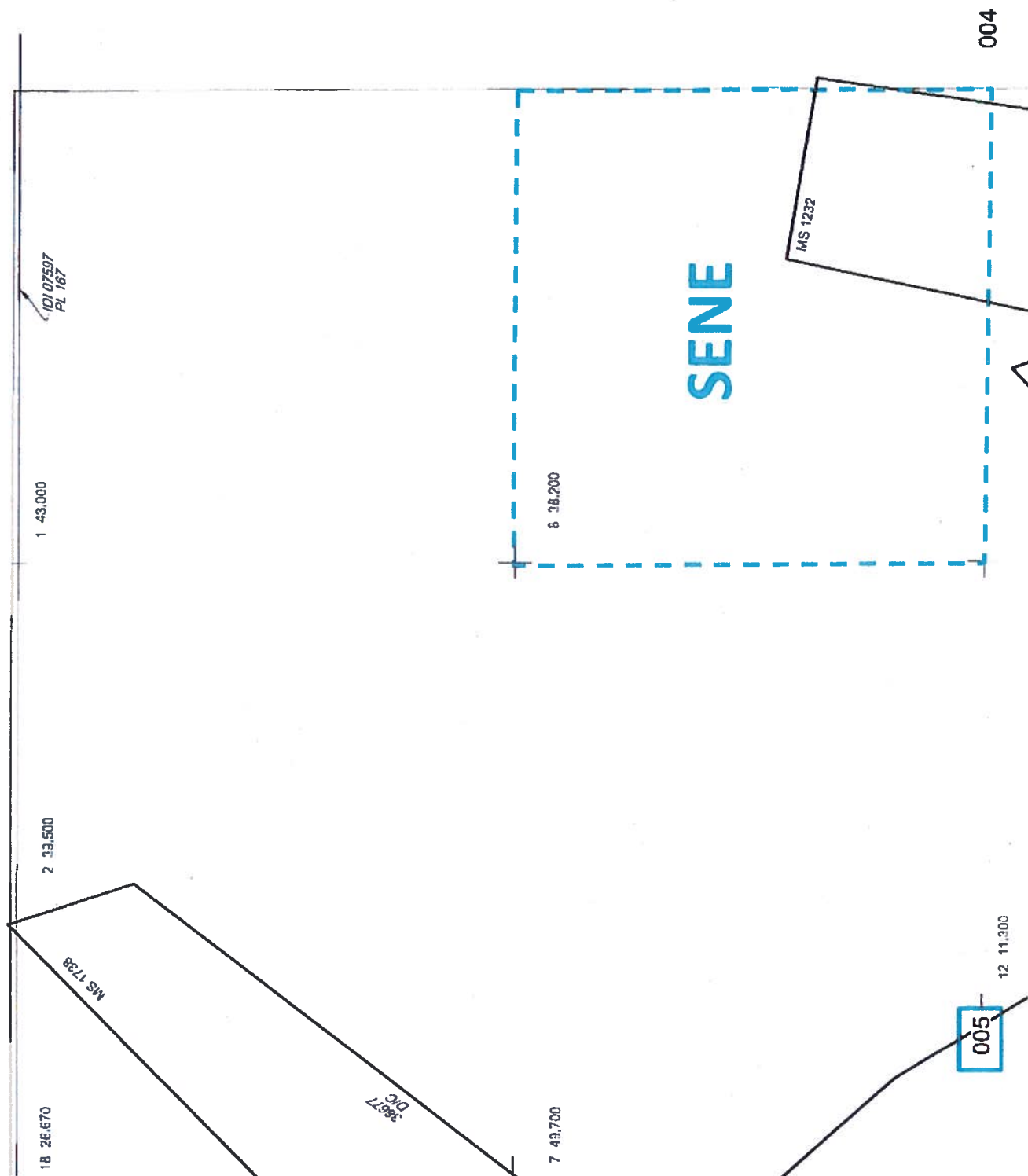
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MTP Blowup of T48N, R04E, Supl. Plat #2, NE quarter



94-08995 Mixed Ownership

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

