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DEPARTMENT 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)

A. Subcase 94-7973

(Insert water right number
From the Objection Form)

Case No. 49576)

STANDARD FORM 2
RESPONSE TO OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: North Idaho Water Rights Alliance on behalf of the respondents identified in Attachment A

Address: 391 Bella Rose Road
St. Maries, Idaho 83861

Daytime Phone: (208) 245-0275

Name & Address of Attorney, if any:

Norman M. Semanko

P.O. Box 829, Boise, Idaho 83701-0829

(208) 385-5448

C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDING

Name: Coeur d'Alene Tribe of the Coeur d'Alene Indian Reservation

Address: 850 A Street, P.O. Box 408
Plummer, Idaho 83851

SCANNED

SEP 28 2016

D. I am responding to the Objections to the following elements or general provision. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
2. ☒ **Source**
3. ☐ **Quantity**
4. ☐ **Priority Date**
5. ☒ **Point of Diversion**
6. ☐ **Instream Flow Beginning and Ending Point**
7. ☐ **Purpose(s) of Use**
8. ☐ **Period of Year**
9. ☐ **Place of Use**
10. ☐ **General Provision**
11. ☒ **Recommendation:**

☒ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E: Respondents Recommendation:

This water right should be decreed as recommended by the IDWR Director on the following grounds: In 1891 the Coeur d'Alene reservation was created by Congress, reserving the beds and the banks of submerged lands within the reservation. In 1906, Congress opened up the reservation under the Allotment and Homestead Acts and provided that the land, once patented, would be thereafter subject to the law of the State in which it was located. The U.S. reserved certain mineral and hydropower rights in regard to the subject lands. In 1907 the Post Falls Dam was completed which raised the level of the lake up to 8 feet higher than the original lake that existed at the time of reservation inundating lands that had been sold and patented to settlers. The U.S. did not reserve any other littoral or riparian rights in regard to the subject lands which are ordinarily attendant to waterfront property, including the right to access water, to wharfage, or to use the adjacent water. These rights are therefore appurtenant to and including with those waterfront lands sold by the U.S and are subject to State law regulation as provided by the Acts of Congress enabling the alienation of those lands.

INSTRUCTIONS FOR MAILING

You must mail the Response, including all attachments, 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.

E. CERTIFICATE OF MAILING

I certify that on September 27, 2016, I mailed the original and copies of this response, 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
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Orrin and Mary Kambitsch

Address: P.O. Box 658

Plummer, ID 83851

3. One copy to the party who filed the Objection at the following address:

Name: Coeur d'Alene Tribe c/o Howard Funke & Associates, P.C.

Address: P.O. Box 969

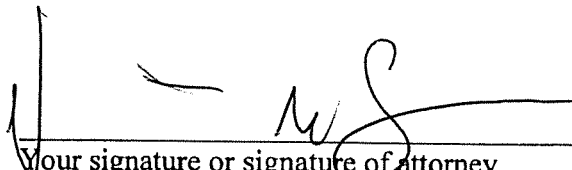
Coeur d'Alene, ID 83816-0969

4. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
State of Idaho
PO Box 83720
Boise, ID 83720-0010


Your signature or signature of attorney
mailing on your behalf

Attachment 'A'

The below identified are Respondents as Members of the North Idaho Water Rights Alliance

Jeffrey	Baker	715 N. Chisholm Court	Post Falls	ID	83854
Mary Lou	Baker	715 N. Chisholm Court	Post Falls	ID	83854
David	Banderob	8250 IHells Gulch Road	St. Maries	ID	83861
Merrilee	Becker	558 Placer Creek	Wallace	ID	83873
Angelo	Bissell	5305 E. O'Gara Road	Harrison	ID	83833
Joyce	Bissell	5305 E. O'Gara Road	Harrison	ID	83833
William	Brandt	44 Ferguson Street	St. Maries	ID	83861
Vic	Brodie	P. O. Box 82	Santa	ID	83866
Rita	Brodie	P. O. Box 82	Santa	ID	83866
Nona	Bruns	P. O. Box 105	St. Maries	ID	83861
Jack	Buell	402 Shepherd Road	St. Maries	ID	83861
Eleanor	Buell	402 Shepherd Road	St. Maries	ID	83861
Terry	Burger	689 Hume Creek Road	St. Maries	ID	83861
Patricia	Burger	689 Hume Creek Road	St. Maries	ID	83861
Thomas	Carver	2301 Cromwell Drive	St. Maries	ID	83861
Mary	Carver	2301 Cromwell Drive	St. Maries	ID	83861
Robert	Coppa	P. O. Box #183	Santa	ID	83866
Connie	Coppa	P. O. Box #183	Santa	ID	83866
Crows Nest Co-Operative		P. O. Box 311	Harrison	ID	83833
Brian	Davis	16604 Hwy 5	St. Maries	ID	83861
Megan	Davis	16604 Hwy 5	St. Maries	ID	83861
Yvonne	Devries	333 Lost Trail	St. Maries	ID	83861
Mary E.	Dickson	P. O. Box #1138	Spirit Lake	ID	83869
Dale	Dimico	99 Bulter Drive	St. Maries	ID	83861
Pete	Dirlam	P. O. Box #155	Santa	ID	83866
Jean	Dohrman	59510 S. Hwy 97	St. Maries	ID	83861
Larry	Domingo	P. O. Box #963	Pinehurst	ID	83850
Joan	Dorsett	3007 Woodland Drive	Pinehurst	ID	83850
Tom	DuHamel	4300 E. Sunset Drive	Harrison	ID	83833
Eileen	DuHamel	4300 E. Sunset Drive	Harrison	ID	83833
Don	Eckman	15459-B St. Joe River Road	St. Maries	ID	83861
Barbara	Eckman	15459-B St. Joe River Road	St. Maries	ID	83861
F & H Mine Supply, Inc.		P. O. Box #747	Wallace	ID	83873
Fernwood Water & Sewer District		P. O. Box #215	Fernwood	ID	83830
Harold	Fee	1756 Shepherd Road	St. Maries	ID	83861
Carol	Fee	1756 Shepherd Road	St. Maries	ID	83861
Edmond	Ferrell	P. O. Box #125	Santa	ID	83866
Janet	Ferrell	P. O. Box #125	Santa	ID	83866
John	Ferris	7569 Windfall	St. Maries	ID	83861
Shirley	Ferris	7569 Windfall	St. Maries	ID	83861
Nick	Ferris	1967 Alder Creek Loop	St. Maries	ID	83861
Sabrina	Ferris	1967 Alder Creek Loop	St. Maries	ID	83861
Ray	Fink	P. O. Box #63	Santa	ID	83866
Janis	Fink	P. O. Box #63	Santa	ID	83866

Attachment 'A'

The below identified are Respondents as Members of the North Idaho Water Rights Alliance

Archie	Glisson	P. O. Box #82	Smelterville	ID	83868
Francis	Glisson	P. O. Box #82	Smelterville	ID	83868
Jon	Gravestock	1688 Shepherd Road	St. Maries	ID	83861
Bill	Gray	5767 Alder Creek Road	St. Maries	ID	83861
Angela	Gray	5767 Alder Creek Road	St. Maries	ID	83861
Martha	Green	1090 Ellis Lane	Plummer	ID	83851
Wendy	Green	1090 Ellis Lane	Plummer	ID	83851
Harry	Grubham	345 S. 15th Street	St. Maries	ID	83861
Pam	Grubham	345 S. 15th Street	St. Maries	ID	83861
Roderick	Halvorsen	P. O. Box 44	Santa	ID	83866
Beth	Halvorsen	P. O. Box 44	Santa	ID	83866
Patrice	Hartel	2213 Hawthorn Lane	St. Maries	ID	83861
Dick	Harwood	81527 Hwy 3 South	St. Maries	ID	83861
Carol	Harwood	81527 Hwy 3 South	St. Maries	ID	83861
Dan E.	Hay	P. O. Box #1086	Tekoa	WA	99033
Rudy	Heicksen	P. O. Box #193	Santa	ID	83866
Brian	Higdem	360 Lahde Hill Road	Pinehurst	ID	83850
Jann	Higdem	360 Lahde Hill Road	Pinehurst	ID	83850
Clifford	Hinsz	P. O. Box #810	Wallace	ID	83873
Kathy Jo	Hinsz	P. O. Box #810	Wallace	ID	83873
Randy	Holte	479 S. Newell Road	Coeur d' Alen	ID	83814
Jane	Holte	479 S. Newell Road	Coeur d' Alen	ID	83814
Edward	Howe	10373 W. Riverview	Coeur d' Alen	ID	83814
Claudia	Howe	10373 W. Riverview	Coeur d' Alen	ID	83814
Grace	Huff	20609 50th Avenue, East	Spanaway	WA	98387
Harvey	Hughett	2003 Ilene Drive	Moscow	ID	83843
Cheryl	Hughett	2003 Ilene Drive	Moscow	ID	83843
Dean	Johnson	140 Arrhenius Lane	St. Maries	ID	83861
Marjean	Johnson	140 Arrhenius Lane	St. Maries	ID	83861
Fred	Johnson	4889 Alder Creek Road	St. Maries	ID	83861
John	Katovich	P. O. Box #385	St. Maries	ID	83861
Beverly	Katovich	P. O. Box #385	St. Maries	ID	83861
Kevin	Kilwein	3236 E. Hwy 8	Moscow	ID	83843
Mary Lou	Kilwein	3236 E. Hwy 8	Moscow	ID	83843
Ronald	Kinyon	606 Airway Drive	Lewiston	ID	83501
Donna	Kinyon	606 Airway Drive	Lewiston	ID	83501
Joseph	Kren	1204 Shepherd Road	St. Maries	ID	83861
Mary E.	Kren	1204 Shepherd Road	St. Maries	ID	83861
Bob	Anderson	P. O. Box 2674	Everett	WA	98213
Patty	Anderson	P. O. Box 2674	Everett	WA	98213
Carolyn	Clark	1513 E. 56th Lane	Spokane	WA	99223
Elizabeth	Roberts	10015 W. Royal Oak #327	Sun City	AZ	85351
Marvin	Wheeler	33716 S. Benewah Road	Harrison	ID	83833
Maryanne	Wheeler	33716 S. Benewah Road	Harrison	ID	83833

Attachment 'A'

The below identified are Respondents as Members of the North Idaho Water Rights Alliance

William	Latshaw	P. O. Box #187	St. Maries	ID	83861
Therese	Latshaw	P. O. Box #187	St. Maries	ID	83861
Rodney	Lindberg	16323 Hwy 5	St. Maries	ID	83861
Carol	Lindberg	16323 Hwy 5	St. Maries	ID	83861
David	Lindsay	252 Garnet Drive	St. Maries	ID	83861
Joan	Lindsay	252 Garnet Drive	St. Maries	ID	83861
Allen	Linscott	5112-A Coeur d' Alene River Rd	Kingston	ID	83839
Judy	Linscott	5112-A Coeur d' Alene River Rd	Kingston	ID	83839
Ivan	Linscott	7150 Burke Road	Wallace	ID	83873
Margo	Linscott	7150 Burke Road	Wallace	ID	83873
Robert	Lowry	640 Renlow Road	Plummer	ID	83851
Bennie	Lowry	640 Renlow Road	Plummer	ID	83851
Fredric	Manthey	P. O. Box #619	Mullan	ID	83846
Lorraine	Manthey	P. O. Box #619	Mullan	ID	83846
William	McAninch	205 Santa Marie Woods Drive	St. Maries	ID	83861
Nancy	McAninch	205 Santa Marie Woods Drive	St. Maries	ID	83861
Lance	McDaniel	P. Box 606	St. Maries	ID	83861
Jeanne Michele	McDaniel	P. Box 606	St. Maries	ID	83861
Mary	McDonald	18729 S. River Road	Cataldo	ID	83810
John	McFaddin	20189 S. Eagle Peak Road	Cataldo	ID	83810
Agnes	McFaddin	20189 S. Eagle Peak Road	Cataldo	ID	83810
John	McMahon	P. O. Box 872	Victorville	CA	92393
Michelle	McMahon	P. O. Box 872	Victorville	CA	92393
Dennis	McPoland	P. O. Box #517	St. Maries	ID	83861
Levene	McPoland	P. O. Box #517	St. Maries	ID	83861
Terry	Murray	P. O. Box 263	Santa	ID	83866
Wilma	Murray	P. O. Box 263	Santa	ID	83866
Larry	Naccarato	1970 Benewah Road	St. Maries	ID	83861
Leslie	Naccarato	1970 Benewah Road	St. Maries	ID	83861
Steve,	Nelson	51 McCanse Road	Thornton	WA	99176
Scott	Nelson	51 McCanse Road	Thornton	WA	99176
Paula	Nelson	51 McCanse Road	Thornton	WA	99176
Kim	Nelson	51 McCanse Road	Thornton	WA	99176
Joel	Newsom	260 S. River Hideaway	St. Maries	ID	83861
Cindy	Newsom	260 S. River Hideaway	St. Maries	ID	83861
Pamela	Secord	391 Bella Rose Road	St. Maries	ID	83861
Kenny	Osier	P. O. Box #554	St. Maries	ID	83861
Jennifer	Osier	P. O. Box #554	St. Maries	ID	83861
Patrick	Petrie	349 Kathy Drive	St. Maries	ID	83861
Annette	Petrie	349 Kathy Drive	St. Maries	ID	83861
Julie	Pollard	P. O. Box #577	St. Maries	ID	83861
John	Pollard	P. O. Box #577	St. Maries	ID	83861
Rick L.	Powell	396 Powell Road	St. Maries	ID	83861
Gordon	Rathbun	P. O. Box #727	St. Maries	ID	83861

Attachment 'A'

The below identified are Respondents as Members of the North Idaho Water Rights Alliance

Ruth Rathbun	P. O. Box #727	St. Maries	ID 83861
Reimann & Son Farm LLC	P. O. Box #481	St. Maries	ID 83861
Marzetta Reimann	P. O. Box #481	St. Maries	ID 83861
Mark Reimann	P. O. Box #481	St. Maries	ID 83861
John Sherman	P. O. Box #458	Fernwood	ID 83830
Dean Shick	P. O. Box #64	Santa	ID 83866
Claudia Shick	P. O. Box #64	Santa	ID 83866
William Shields	4889 Alder Creek Road	St. Maries	ID 83861
Dorothy Shields	4889 Alder Creek Road	St. Maries	ID 83861
Jeff Shippy	95 Ferguson Street	St. Maries	ID 83861
Dede Shippy	95 Ferguson Street	St. Maries	ID 83861
Bob Short	31054 Highway 6	St. Maries	ID 83861
Gail Short	31054 Highway 6	St. Maries	ID 83861
Bill Stanley	51 A Placer Creek Road	Wallace	ID 83873
Eileen Stanley	51 A Placer Creek Road	Wallace	ID 83873
Doug Stanley	1818 135th Street, East	Tacoma	WA 98445
Linda Stanley	1818 135th Street, East	Tacoma	WA 98445
Robin Stanley	P. O. Box 268	Silverton	ID 83867
Leslee Stanley	P. O. Box 268	Silverton	ID 83867
Stanton Turner	740 Happy Creek Lane	St. Maries	ID 83861
Sally Turner	740 Happy Creek Lane	St. Maries	ID 83861
Weber Farms	60553 Hwy 3 South	Fernwood	ID 83830
Bernard Weber	60553 Hwy 3 South	Fernwood	ID 83830
Dawn M. Weber	60553 Hwy 3 South	Fernwood	ID 83830
Jerry Wernhoff	P. O. Box #446	St. Maries	ID 83861
Wanda Wernhoff	P. O. Box #446	St. Maries	ID 83861
Neta White (Titus)	16684 Hwy 5	St. Maries	ID 83861
John Whitehead	P. O. Box #93	St. Maries	ID 83861
Linda Whitehead	P. O. Box #93	St. Maries	ID 83861
Carl Witten	4750 Alder Creek Road	St. Maries	ID 83861
Milinda Witten	4750 Alder Creek Road	St. Maries	ID 83861
Verland Woempner	6351 S. Army's Road	Harrison	ID 83833
Carla Woempner	6351 S. Army's Road	Harrison	ID 83833
Don Yearout	300 Ragan Drive	St. Maries	ID 83861
Jeff Yearout	300 Ragan Drive	St. Maries	ID 83861
Cheryl Yearout	223 S. 11th Street	St. Maries	ID 83861
Joe Yearout	223 S. 11th Street	St. Maries	ID 83861