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AUG 20 2018

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 95-4092

(Insert water right number)

Case No. 49576)

STANDARD FORM 1
OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Theron De Smet, President of Silver Beach 31 41 Water Association, Inc.

Address: 2641 Silver Beach Loop

Coeur d'alene, ID 83814

Daytime Phone: 208 661 5200

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Silver Beach No 31 41 Water Association, Inc.

Address: 2551 Silver Beach Loop Coeur
d'Alene, ID

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: 2641 S Silver Beach Loop Coeur d'Alene, ID 83814
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☒ **Purpose(s) of Use**
Should be: Serves 5 homes not 1
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
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): _____

This diversion from Lake Coeur d'Alene has been in existence since 1946 and has continuously served 5 homes over the duration. Reason for lack of recommendation by IDWR is not clear.
Mailing address for the adjudication claim was sent to an incorrect address.

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 August 15, 2018, 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
PO Box 2707
Twin Falls, ID 83303-2707

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

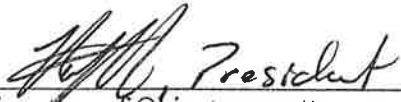
Name: Silver Beach No 31 41 Water Association, Inc.
Address: 2641 S Silver Beach Loop
Coeur d'alene, ID 83814

3. 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



Signature of Objector or attorney
mailing on Objector's behalf

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DEPARTMENT OF
WATER RESOURCES

Silver Beach No. 31 41 Water Association, Inc.
2641 S. Silver Beach Loop Road
Coeur d'Alene, ID 83814
208.661.4520

August 16, 2018

Clerk of the District Court
Coeur d'Alene-Spokane River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2727

Re: Water Right No. 95-4092
Standard Form 1 Objection

Dear Clerk:

Enclosed is a Standard Form 1 Objection regarding the water right for the Silver Beach 31 41 Water Association, Inc. Thank you for your attention in this matter.

Sincerely,



Theron J. De Smet
President

TJD/jj
Enclosure

cc: IDWR Document Depository
United States Department of Justice
Environmental & Nat'l Resources Div.
Chief, Natural Resources Division (Office of AG)