



**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 Water Right No. 95-16272
(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Foster Manning
Address: 608 Northwest Blvd., Ste. 300
Coeur d'Alene, ID 83814
Daytime Phone: (208) 667-4000

Name & Address of Attorney, if any:
M. Gregory Embrey, Witherspoon Kelley
608 Northwest Blvd., Ste. 300
Coeur d'Alene, ID 83814

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

Name: Cougar Crest Lodge LLC
Address: 608 Northwest Blvd., Ste. 300
Coeur d'Alene, ID 83814

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: 13,000 gallons per day
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: _____
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.

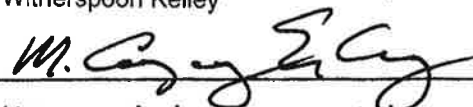
☐ This general provision was not recommended but should be recommended as described below.
Should be: _____

☐ 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): The commercial business located on the real property associated with Water Right No. 95-16272 closed in September of 2012. Since September of 2012, the property has operated as a home. The property is currently marketed for sale as a home and potential purchasers have expressed interest in the subject property as a home and not as a commercial business.


By: Foster Manning
(Signature of person filing objection)
Witherspoon Kelley


(Attorney signing in representative capacity)

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 JANUARY 2019 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: Cougar Crest Lodge LLC
Address: 608 Northwest Blvd., Ste. 300
Coeur d'Alene, ID 83814

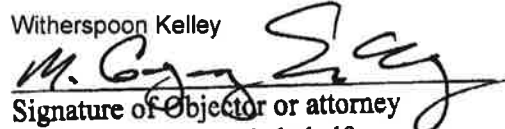
3. Copies to:

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

Witherspoon Kelley


Signature of Objector or attorney
mailing on Objector's behalf