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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

Case No. 49576

A. Subcase 95-28

(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 USDA Forest Service

Address: 550 West Fort Street, MSC 033

Boise, Idaho 83724

Daytime Phone: 208-365-7055 or 406-329-3185

Name & Address of Attorney, if any:

David L. Negri

United States Department of Justice

Environment and Natural Resource Division

Natural Resources Section

550 West Fort Street, MSC 033

Boise, Idaho 83724

Telephone: 208-334-1936

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

Name: James E Gannon

Pamela A Gannon

Address: 524 S 6th E

Missoula, MT 59801

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 E below.

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 E below

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 point of diversion and place of use shown in the Directors Report recommendation is T51N R03W S3 Lot 1. United States records show that Lot 1 is the NENE, which is entirely National Forest System land. The Directors Report also shows the water right is on Parcel No. 0812000D0060 in Kootenai County on property known as Lot 6, Block D, Taylors Terrace 2nd Addition. Further research in the county records shows that the correct legal description of the POD and POU should be T51N R03W S3 Lot 4 (SWNW).

(Signature of person filing objection)



(Attorney signing in representative capacity)

F.

CERTIFICATE OF MAILING

I certify that on March 22, 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
P.O. Box 2707
Twin Falls, ID 83303-2707

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

James E Gannon
Pamela A Gannon
524 S 6th E
Missoula, MT 59801

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 Resource Division
Natural Resources Section
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or person
mailing on Objector's behalf

07/27/2018

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

RIGHT NUMBER: 95-28

NAME AND ADDRESS: JAMES E GANNON
524 S 6 TH E
MISSOULA MT 59801

PAMELA A GANNON
524 S 6 TH E
MISSOULA MT 59801

SOURCE: HAYDEN LAKE

TRIBUTARY: SINKS

QUANTITY: 0.020 CFS
0.44 AFY

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

PRIORITY DATE: 07/15/1961

POINT OF

DIVERSION: T51N R03W S3 Lot 1 Within KOOTENAI County
Lot 4 (SNNW)

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

3/01 10/31

0.020 CFS

0.44 AFY

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC in KOOTENAI County

T51N R03W S03 Lot 1
Lot 4 (SNNW)

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

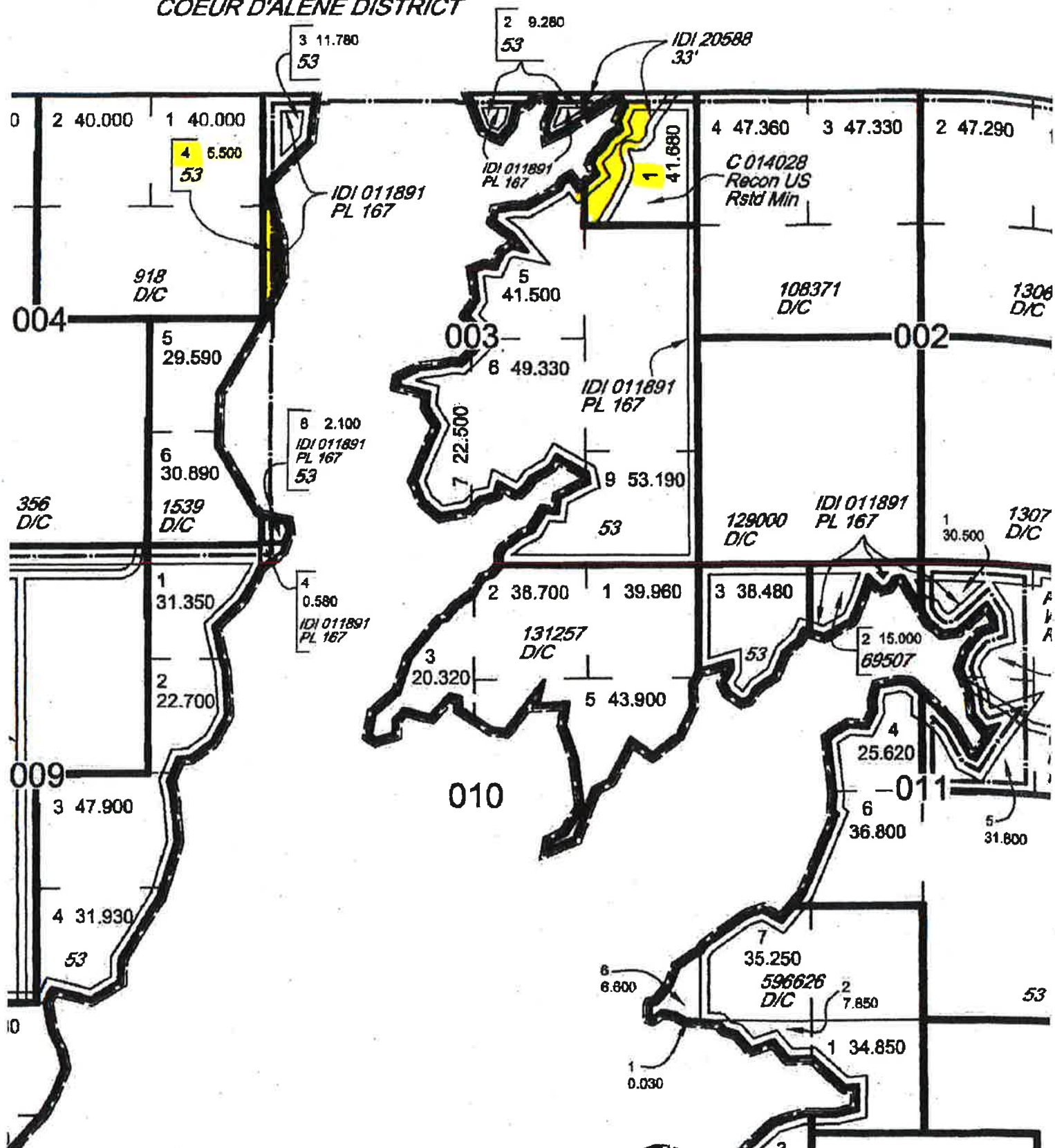
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Parcel No. 0812000D0060

Property is also known as Lot 6, Block D, Taylors Terrace 2nd Addition.

COEUR D'ALENE DISTRICT



T.52N., R.3W., 08 33

35

34

E. Boddy Rd

E. Hayden Lake Rd

N. Silvercreek Dr

Unpartitioned Riparian Interest

Hayden Sportsman Park

Lot 1
NENE
NFS Land

Non-FS, Excludes Disposals

4

Kootenai

Congressional District 1

Idaho

Idaho Panhandle s Coeur D Alene National Forest

Coeur d'Alene River Ranger District

T.51N., R.3W., 08

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