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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 95-4706

(Insert water right number)

STANDARD FORM 1  
OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Varela Family Trust

Address: 7919 S Hilby Rd.

Spokane, WA 99223

Daytime Phone: 509-990-0707

Name & Address of Attorney, if any:

Candice McHugh, McHugh Bromley

380 S 4th St., Ste 103

Boise, ID 83702

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

Name: Chris Varela

Address: 5803 W Riverview Dr.

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: Spring or run off not ground water.
3. ☒ **Quantity** Not sure the entire 3 acres was irrigated in 1961 and the  
Should be: quantity of 0.90 cfs is too high.
4. ☒ **Priority Date**  
Should be: The priority date does not attach to a ground water right as the historic  
use was from a spring.
5. ☐ **Point of Diversion**  
Should be: \_\_\_\_\_
6. ☐ **Instream Flow Beginning and Ending Point**  
Should be: \_\_\_\_\_
7. ☒ **Purpose(s) of Use**  
Should be: Unclear that non-domestic irrigation occurred and if any such  
irrigation did occur it was not from a ground water source.
8. ☐ **Period of Year**  
Should be: \_\_\_\_\_
9. ☒ **Place of Use**  
Should be: The amount and location of irrigation appears incorrect.
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. At least as to groundwater as recommended.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

**E. REASONS SUPPORTING OBJECTION(S):** \_\_\_\_\_

The statutory claim upon which this claim is based is for spring and run off not ground water.

The statutory claim is also clear that there was an unnamed stream and holding ponds that were used for irrigation. The historic use on the property was from spring or surface sources not ground water.

Ground water became a use for the property when a well was drilled in the late 1970s for domestic use only.

\_\_\_\_\_  
(Signature of person filing objection)

*Candice M. Syle*

\_\_\_\_\_  
(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 4-12, 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: TJ Budge, Racine Law Offices

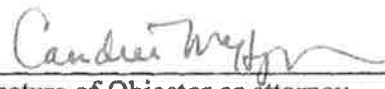
Address: PO Box 1391  
Pocatello, ID 83204

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