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APR 29 2019
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** 95-04636
(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 Department of Interior, Bureau of Land Management, Idaho State Office
Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657
Daytime Phone: (208) 373-3831, fwprice@blm.gov

Name & Address of Attorney, if any:
David L. Negri (208) 334-1936 phone, (208) 334-1414 fax
United States Department of Justice
Environment and Natural Resources Division
Natural Resources Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

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

Name: Theresa M. Cook
Address: P.O. Box 3137
Coeur d'Alene, ID 83816-2519
(208) 667-2916

**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:

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 attached.

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 legal description for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land.

4-26-2019

(Signature of person filing objection) Date

4/26/19

(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 4/26, 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 claimant of the water right at the following address:

Name: Theresa M. Cook
Address: P.O. Box 3137
Coeur d'Alene, ID 83816-2519

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

Signature of Objector or attorney mailing on Objector's behalf

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

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**Mixed POU:**

- The place of use (POU) identified below contains both private and public lands.
- Clarify the POU such that it is clear that only private land is intended.
- Trim shapefile to exclude federal land.

RIGHT NUMBER: 95-4636

NAME AND ADDRESS: THERESA COOK
PO BOX 3137
COEUR D ALENE ID 83816-2519

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 03/27/1969

POINT OF DIVERSION: T50N R04W S14 NWSW Lot 1 Within KOOTENAI County

PURPOSE AND PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|---|---|---|
| DOMESTIC | 01/01 12/31 | 0.040 CFS |

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC in KOOTENAI County

T50N R04W S14 Lot 5 SWNW pvt, BLM
T50N R04W S14 Lot 1 NWSW
T50N R04W S15 Lot 4 SENE
T50N R04W S15 NESE

The place of use does not include federal land.

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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 - Beneficial Use

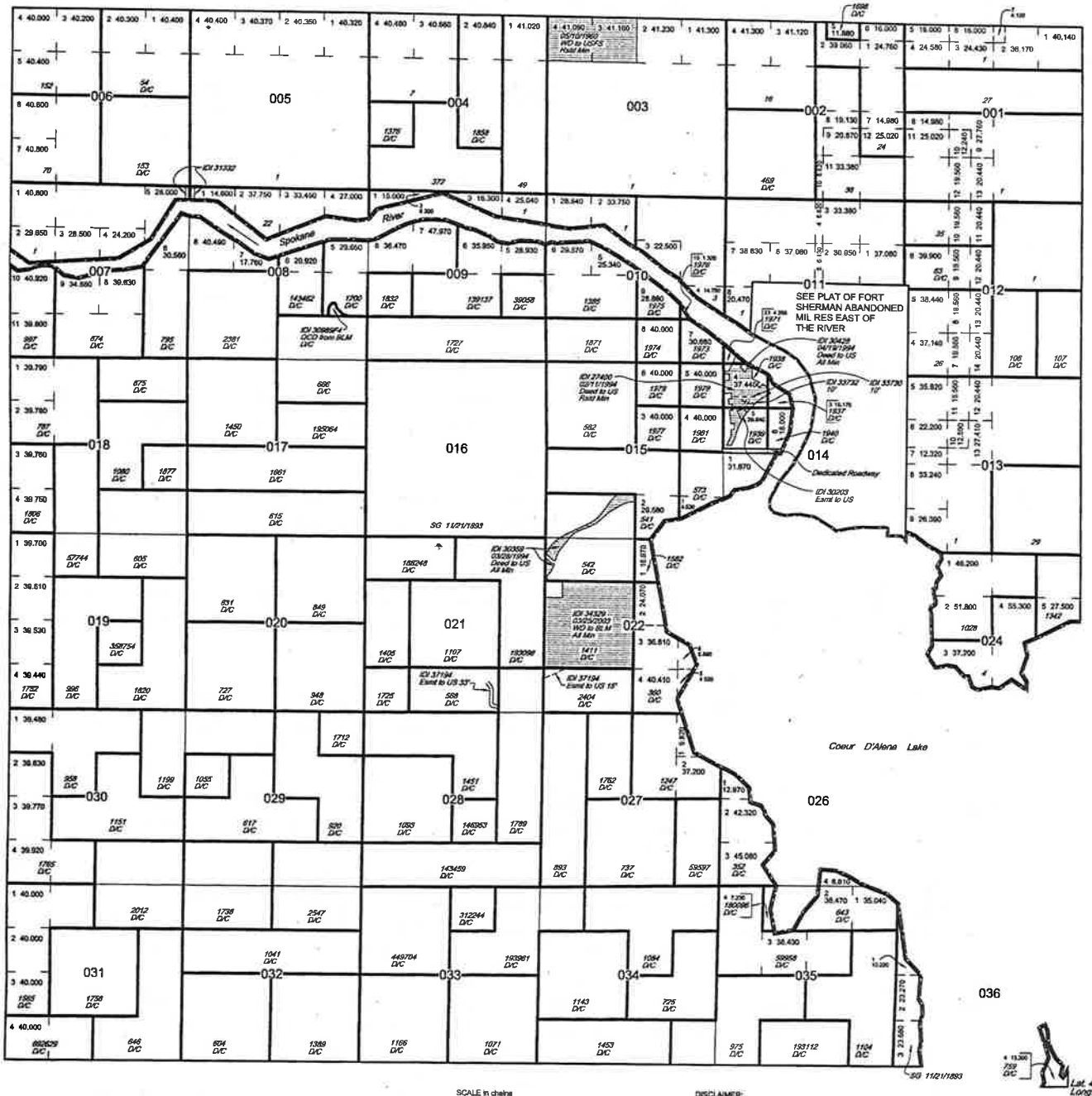
Parcel No. 04740000001A

Property is also known as Lots 1 & 2, Lakeview Heights subdivision.

# TOWNSHIP 50 NORTH RANGE 4 WEST OF THE BOISE MERIDIAN, IDAHO

KOOTENAI COUNTY 055

*COEUR D'ALENE DISTRICT*




STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES AND ACQUIRED LANDS

## MT PLAT

| INDEX TO SEGREGATED TRACTS | | | | |
|---|---|---|---|---|
| RESURVEY | | | ORIGINAL SURVEY | |
| TRACT NO | T. | R. | SEC. | SUBDIVISION |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

*05/24/1905 R/W Northern Pacific Ry*
*Secs: 10, 14*

*03/14/1945 Acq WD to BOR*
*Sec 7: E 150' Lot 5*

*06/01/1945 Acq QCD to BOR*
*Sec 8: W 100' Lot 1*

*IDI 31332 Trf Juris BLM*
*Sec 7: M&B*
*Sec 8: M&B*

*IDI 32524 R/W Rd*
*Sec 7: Portion of Lot 5*
*Sec 8: Portion of Lot 1 0.17 acre*

*IDI 33731 Acq Esmt to US*
*Sec 14: M&B 0.03 acre*

*IDI 30514 Reconveyed 3rd Party Power Line R/W*
*Sec 14: Portion of Lot 4*

*IDI 30515 Reconveyed 3rd Party Rd R/W*
*Sec 14: Portion of Lots 1,3,4,5*

*IDI 30516 Reconveyed 3rd Party Rd R/W*
*Sec 14: Portion of Lots 1,3,4,5*

*IDI 30517 Reconveyed 3rd Party R/W*
*Sec 14: Portion of Lot 3*

*IDI 30518 Reconveyed 3rd Party Water Fac R/W*
*Sec 14: Portion of Lot 4*

*IDI 30567 Reconveyed 3rd Party R/W*
*Sec 14: That part of lots 3,4,5 lying N of existing HWY R/W & E of the W side of the Blackwell Canal*

*IDI 30572 R/W to back and hold water*
*Sec 11: Portion of Lot 23*
*Sec 22: M & B*

*See Supplemental Remarks Plat No. 1*

*FOR ORDERS EFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS REFER TO INDEX OF MISCELLANEOUS DOCUMENTS*

| | | | |
|---|---|---|---|
| FILE REF: | ID080500N0040WaM100000.dwg | | |
| CONVERTED TIFF: | 02/26/2005 | BY: | MOP |
| LAST UPDATED: | 04/23/2013 | BY: | JCB |
| QA/QC #1: | SSB 04/26/2013 | QA/QC #2: | SSB |
| POSTED TO PUBLIC RECORDS: | April 25, 2013 | | |
| | BY: | | |
| PUBLIC LAND SURVEY SYSTEM (PLSS) | | | |
| BLM GCDB ACQUIRED: | 04/26/2005 | | |
| OTHER: | N/A | | |
| PROJECTED COORDINATE SYSTEM: | UTM ZONE 11N, NAD 1983 | | |
| NOTES: | | | |
| USE PLATS: | | | |


U.S. Bureau of Land Management - Idaho State Office
1387 S. Vinnell Way Boise, Idaho 83709
(208) 373-4000


SCALE in chains

SCALE in feet

SCALE in meters

NORTH

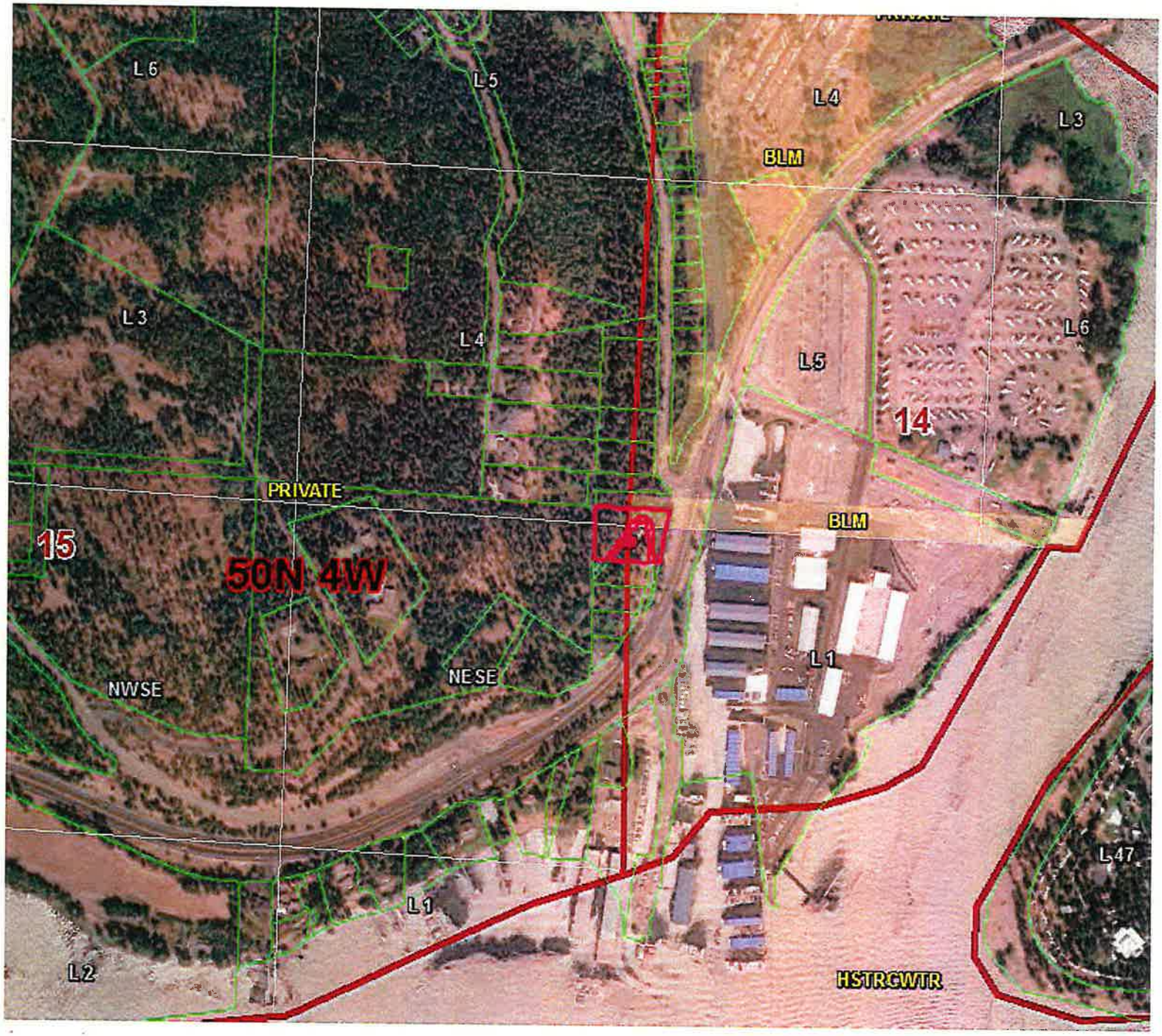

DISCLAIMER:

This plat is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and township survey data. Records hereon do not reflect title changes which may have been effected by lateral movements of river or other bodies of water. Refer to cadastral surveys for official information.

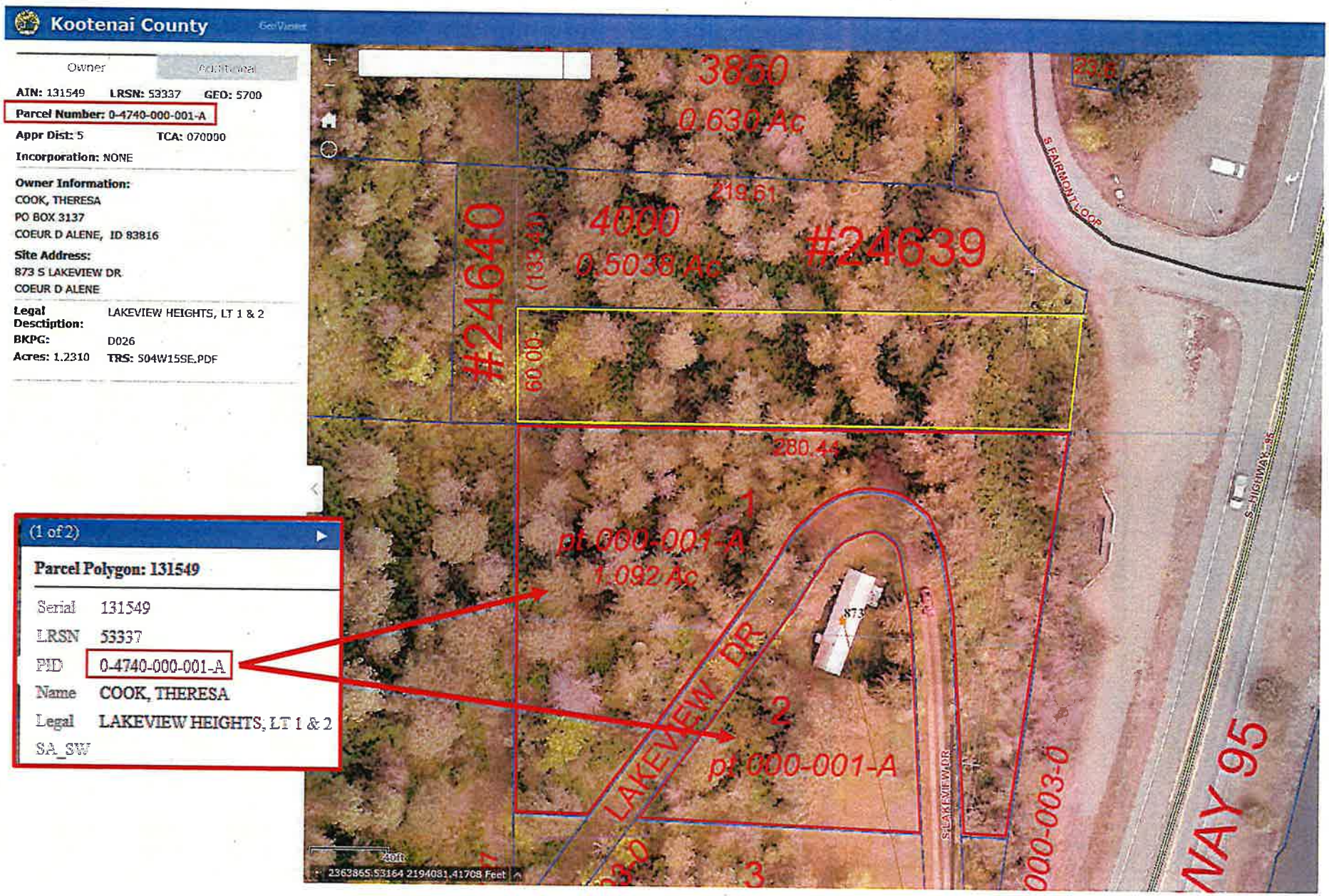
The notation shown on withdrawals represent the last action taken, but may not be the effective date. See the historical index for the date of original withdrawal order.

No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or aggregate use with other data is not guaranteed.


Boise Mer.
T. 50 N
R. 4 W


L6
L5
L4
L3
BLM
L3
L4
L5
L6
14
PRIVATE
BLM
15
50N 4W
NWSE
NESE
L1
L1
L2
L47
HSTRGWTR

L 4
L 5
BLM
14
50N 4W
15
PRIVATE
NE SE
L 1


Kootenai County
Owner
AIN: 131549 LRSN: 53337 GEO: 5700
Parcel Number: 0-4740-000-001-A
Appr Dist: 5 TCA: 070000
Incorporation: NONE
Owner Information:
COOK, THERESA
PO BOX 3137
COEUR D ALENE, ID 83816
Site Address:
873 S LAKEVIEW DR
COEUR D ALENE
Legal Desctiption: LAKEVIEW HEIGHTS, LT 1 & 2
BKPG: D026
Acres: 1.2310 TRS: S04W15SE.PDF
(1 of 2)
Parcel Polygon: 131549
Serial 131549
LRSN 53337
PID 0-4740-000-001-A
Name COOK, THERESA
Legal LAKEVIEW HEIGHTS, LT 1 & 2
SA_SW
3850
0.630 Ac
#24640
4000
0.5038 Ac
#24639
219.61
280.44
pt 000-001-A
1.092 Ac
pt 000-001-A
LAKEVIEW DR
S LAKEVIEW DR
S FAIRMONT LOOP
S HIGHWAY 95
873
1
2
3

Kootenai County

Owner | Additional

**AIN:** 131549 **LRSN:** 53337 **GEO:** 5700

**Parcel Number:** 0-4740-000-001-A

**Appr Dist:** 5 **TCA:** 070000

**Incorporation:** NONE

**Owner Information:**
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PO BOX 3137
COEUR D ALENE, ID 83816

**Site Address:**
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COEUR D ALENE

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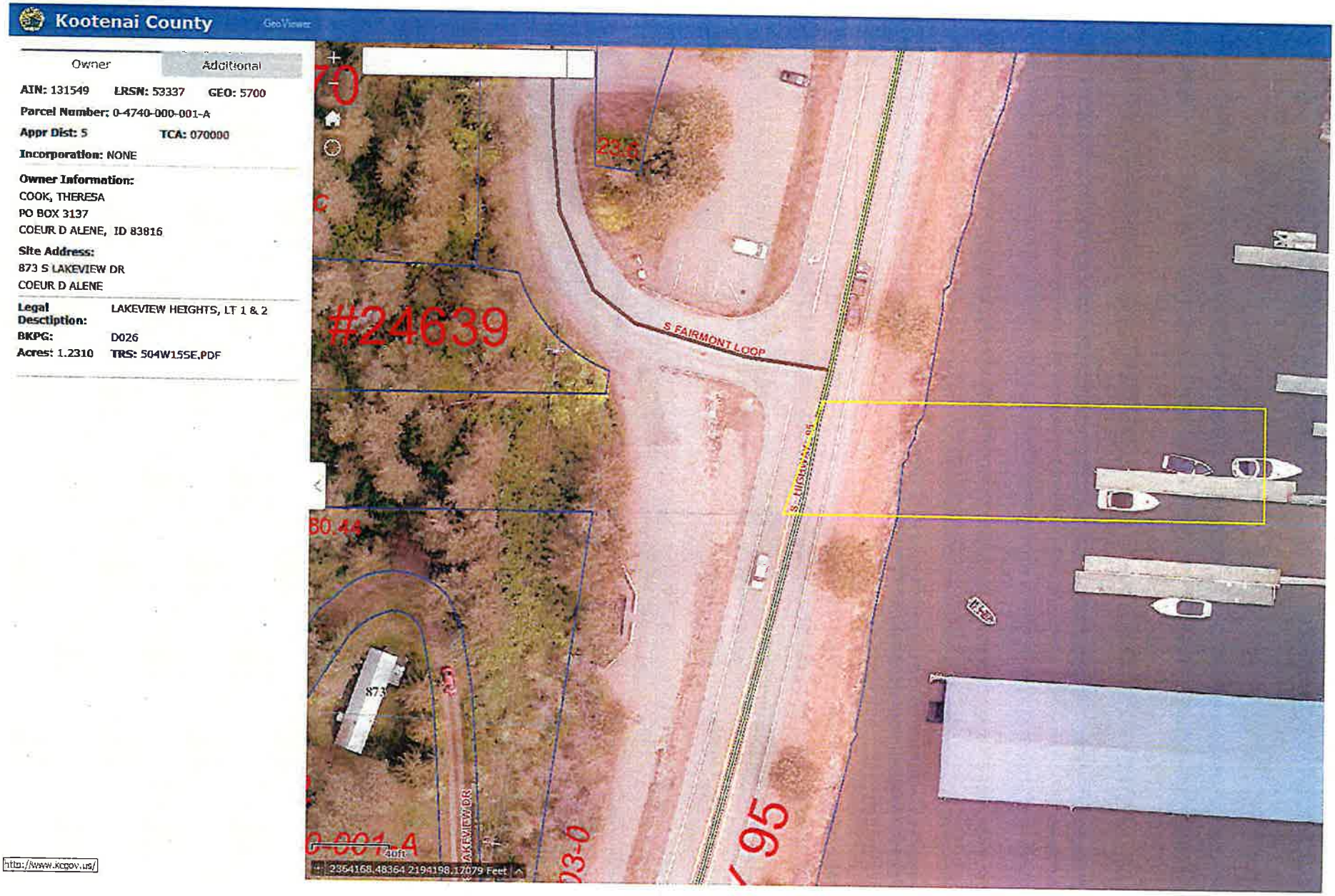
**BKPG:** D026

**Acres:** 1.2310 **TRS:** 50N4W15SE.PDF


Kootenai County
GeoViewer
Owner
Additional
AIN: 131549 LRSN: 53337 GEO: 5700
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LAKEVIEW DR
2364168.48364 2194198.17079 Feet
http://www.kcgov.us/