

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 95-07216
(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: City of Coeur d'Alene, Parks Dept. (208) 769-2300
Address: 710 E. Mullan Ave.; Coeur d'Alene, ID 83814

Name: Christopher M. Bromley, Attorney (208) 287-0991
McHugh Bromley, PLLC cbromley@mchughbromley.com
Address: 380 S. 4th St., Ste. 103; Boise, ID 83702

Name: Jennifer Tinkey-Voorhees, Attorney (208) 769-2323
Coeur d'Alene City Attorney's Office jtinkey@cdaid.org
Address: 710 E. Mullan Ave.; 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:
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.**

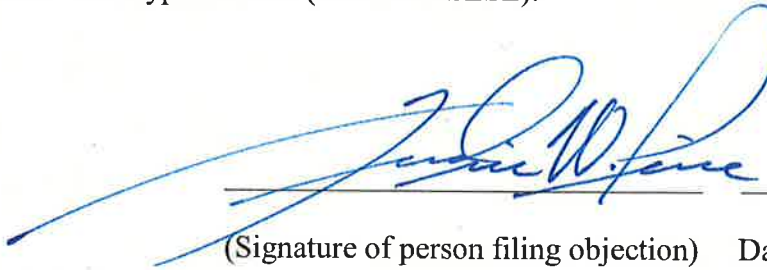
12. **I object because:**

- ☐ 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.

There appears to be a typo in POD (should be SESE).

 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: City of Coeur d'Alene, Parks Dept.
Address: 710 E. Mullan Ave.; Coeur d'Alene, ID 83814

Name: Christopher M. Bromley, Attorney
McHugh Bromley, PLLC
Address: 380 S. 4th St., Ste. 103; Boise, ID 83702

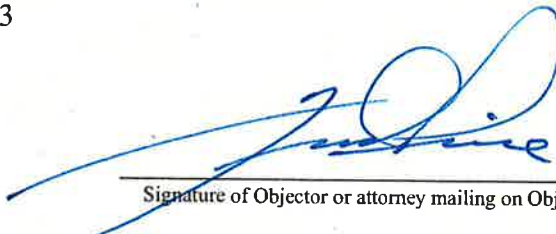
Name: Jennifer Tinkey-Voorhees, Attorney
Coeur d'Alene City Attorney's Office
Address: 710 E. Mullan Ave.; Coeur d'Alene, ID 83814

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

POD TYPO:

- Correct the point of diversion legal land description to match the POD shapefile.

RIGHT NUMBER: 95-7216
NAME AND ADDRESS: CITY OF COEUR D ALENE
PARKS DEPT
710 E MULLAN AVE
COEUR D ALENE ID 83814

SOURCE: COEUR D ALENE LAKE

TRIBUTARY: SPOKANE RIVER

QUANTITY: 0.400 CFS
70.00 AFY

PRIORITY DATE: 10/19/1972

POINT OF DIVERSION: SESE
T50N R04W S14 ~~SWSW~~ Within KOOTENAI County

The point of diversion does not include federal land.

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
0.400 CFS
70.00 AFY

PLACE OF USE: IRRIGATION in KOOTENAI County

T50N R04W S14	SWNE	0.20	T50N R04W S14	SWSW	3.30
T50N R04W S14 Lot 43	NESE	0.30	T50N R04W S14 Lot 48	NESE	14.40
T50N R04W S14	SESE	1.80			

20 ACRES TOTAL

The place of use does not include federal land.

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 - License

Property is also known as Sherman Park, Lots 48 and 72, Fort Sherman Abandoned Military Reservation and Tract 41 of City Park Tracts.

Parcel Nos. C8235000072A and C3735048999D

POD: -typo

T50N, R04W, S14, SWSW –should be SESE

POU: -typo

T50N, R04W, S14, SWSW –should be SESE

T50N, R04W, S14, SWNE –should be NESE

- The above legal land descriptions appear to be a typographical error, if the POD and POU shapefiles are correct; then the legal land description described in the SWSW should be T50N, R04W, S14, SESE.
- The POU shapefile does not appear to include the NE1/4, T50N, R04W, S14, SWNE should be removed.
- Should the 3.30 acres in the SWSW be added to the SESE and the 0.20 acres be added to the NESE?

KOOTENAI COUNTY 055
COEUR D'ALENE DISTRICT

MT PLAT[illegible]

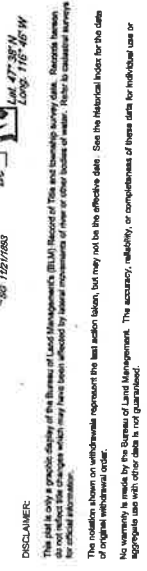
02/04/1985 ROW Northern Pacific Ry	Sec 10, 14
03/11/1945 Act WD to BOR	
Sec 7: M&B	
Sec 7: E 150' Lot 5	
06/01/1945 Act OGD to BOR	
Sec 8: W 100' Lot 1	
ID1 31332 T/T Juns BLM	
Sec 7: M&B	
Sec 8: M&B	
ID1 35524 ROW Rd	
Sec 7: Portion of Lot 5	
Sec 8: Portion of Lot 1	0.17 acre
ID1 33721 Act Enfil to US	
Sec 14: M&B	0.03 acre
ID1 30514 Recommended 3rd Party Power Line ROW	
Sec 14: Portion of Lot 4	
ID1 30515 Recommended 3rd Party Rd ROW	
Sec 14: Portion of Lots 1,3,4,5	
ID1 30516 Recommended 3rd Party Rd ROW	
Sec 14: Portion of Lots 1,3,4,5	
ID1 30517 Recommended 3rd Party ROW	
Sec 14: Portion of Lot 3	
ID1 30518 Recommended 3rd Party Waller F&C ROW	
Sec 14: Portion of Lot 4	
ID1 30567 Recommended 3rd Party ROW	
Sec 14: That part of lots 3,4,5 lying N of existing HWY ROW & E of the W side of the Blackfoot Canal	
ID1 30572 ROW to back and hold water	
Sec 11: Portion of Lot 23	
Sec 22: N & B	

See Supplemental Remarks Plat No. 1

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

FILE REF:	UD06900600000000000000000000000000
CONVERTED FROM:	0000000000
BY:	NCP
DATE:	00000000
LAST UPDATED:	00000000
STATUS:	ISSB
PROJECTED TO PUBLIC RECORDS:	APR 22 2073
BY:	
PUBLIC LAND SURVEY SYSTEM (PLSS)	
BELI CROSS ACQUIRED:	04/20/2006
OTHER:	N/A
PROJECTED COORDINATE SYSTEM:	UTM ZONE 18N MAG 1983
NOTES:	
USE PLATS:	

Endless Mer.
T. 50 N
R. 4 W



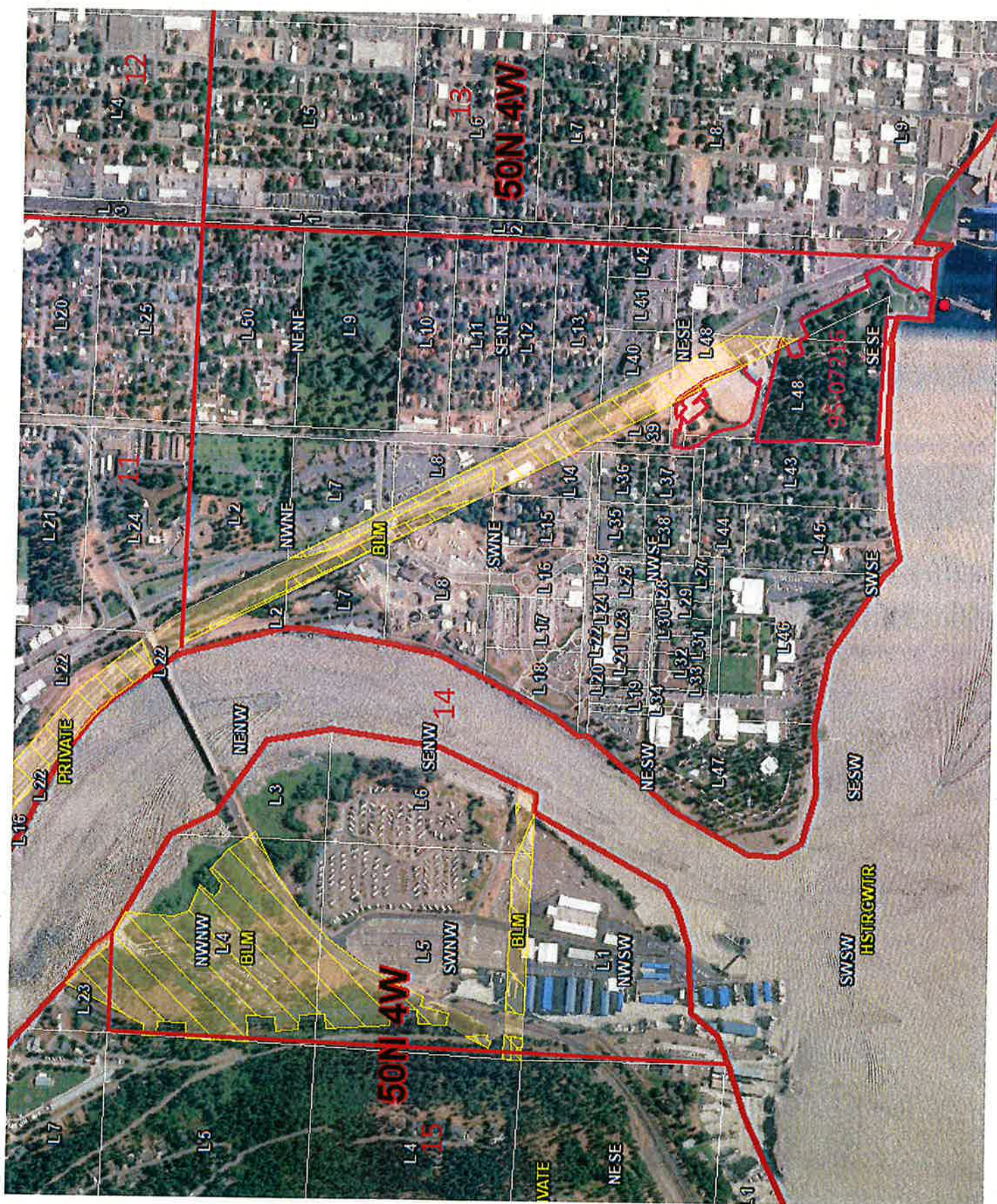
DISCLAIMER:



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









Journal of Management Education 36(1)

GEO: 7

48-999-D

TCA: 001000

COEUR D'ALENE

Owner Information:

COEUR D'ALENE, CITY OF

710 E MULLAN AVE

COEUR D ALENE, ID 83814

Site Address:

416 W FORT GROUNDS DR

COEUR D'ALENE

Legal

Legal
FORT SHERMAN ARAND MIT RES

Description: PTN LT 48 S OF MULLAN RD, CITY

PARK TR, TR 41 IN SUB OF LT 49

EX VAC KK RW, EX RW & EX PJN
INSIDE URD BNDRY 1450N04W

B153A

Acres: 18.3675 TRS: 504W14SE.PDF

GEO: 7

00-072-A

CR-001015

COULDER, J. 1983. *Journal of Fish Biology* 23:1-10.

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

Owner Information:

ROEUR D ALENE, CI

10 W MULLAN RD

COEUR D'ALENE, ID 83814

Site Address:

01 W FORT GROUNDS DR

OEUR D ALENE

egal

Legal
SHERMAN PARK, LT 72 EX

Description: TAX#25034 & EX RW, FORT

SHERMAN ABAND MIL RES,
TAX#25035 [IT 39] IT 48 SW OF

VAC RR RW & N & E OF RW EX

TAX#25034, PTN VAC RW, PTN VAC

1450N04W
RR HW LAKE

KPG: 8071

ccres: 7.0361 TRS: 504W14SE.PDF

