

RECEIVED

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 95-08716
(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)).

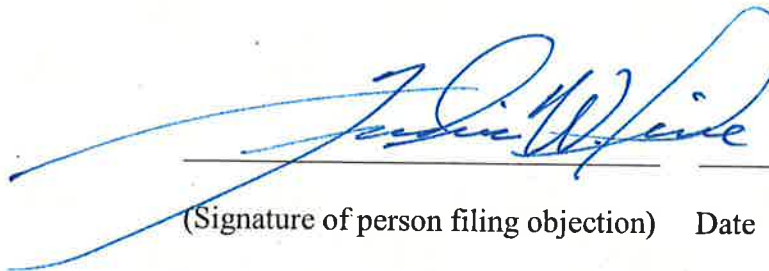
1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Beginning and Ending Point**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
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.

 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, Waste Water Dept.
Address: 710 E. Mullan Ave.; Coeur d'Alene, ID 83814

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

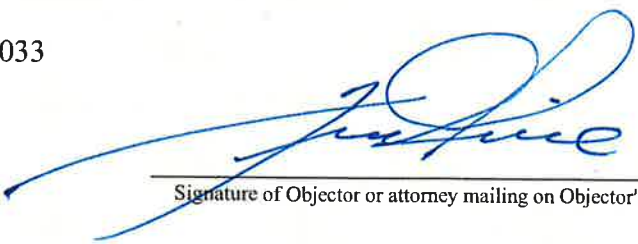
Name: Jennifer Tinkey-Voorhees, Attorney
Coeur d'Alene City Attorney's Office
Address: 710 E. Mullan Ave.; Coeur d'Alene, ID 83814

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

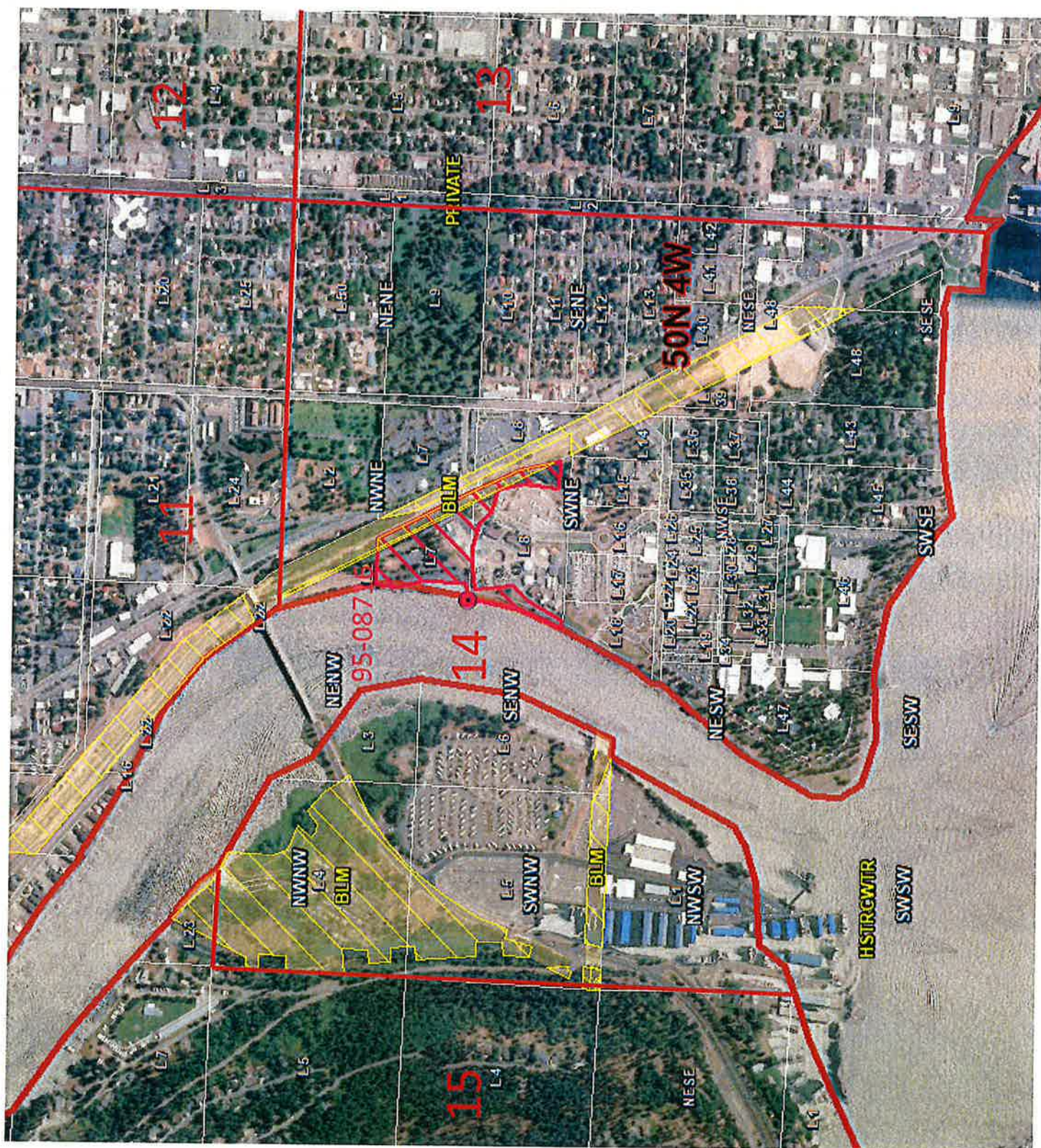
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0010

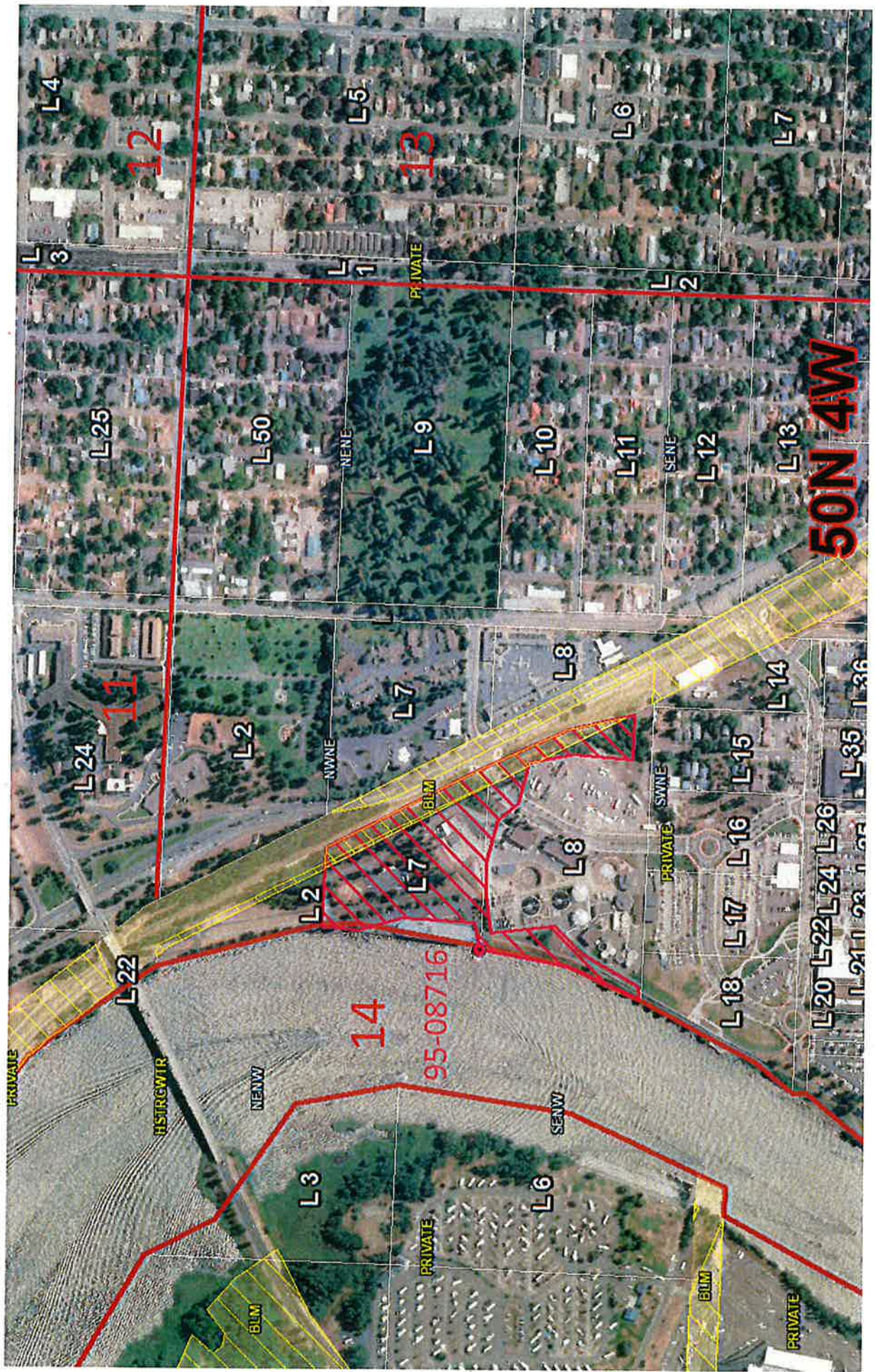
United States Department of Justice
Environment and Natural Resources Division
Natural Resources Section
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney mailing on Objector's behalf









Kootenai County

CosViewer

Owner

Additional

AIN: 110599 LRSN: 71181 GEO: 106

Parcel Number: **C-3735-000-007-A**

Appr Dist: C TCA: 001015

Incorporation: COEUR D ALENE

Owner Information:

COEUR D ALENE, CITY OF
710 E MULLAN AVE
COEUR D ALENE, ID 83814

Site Address:

1031 N ACADEMIC WAY
COEUR D ALENE

Legal Description: FORT SHERMAN ABAND MIL RES,
LT 2 RIPARIAN RIGHTS, LT 7 W OF
BNRR EX UPRR RW & TX#14000
URD LAKE DISTRICT 1997

BKPG: B153A

Acres: 4.9090 **TRS:** 504W14NE.PDF

AIN: 139851 LRSN: 70049 GEO: 106

Parcel Number: **C-3735-000-008-F**

Appr Dist: C TCA: 001012

Incorporation: COEUR D ALENE

Owner Information:

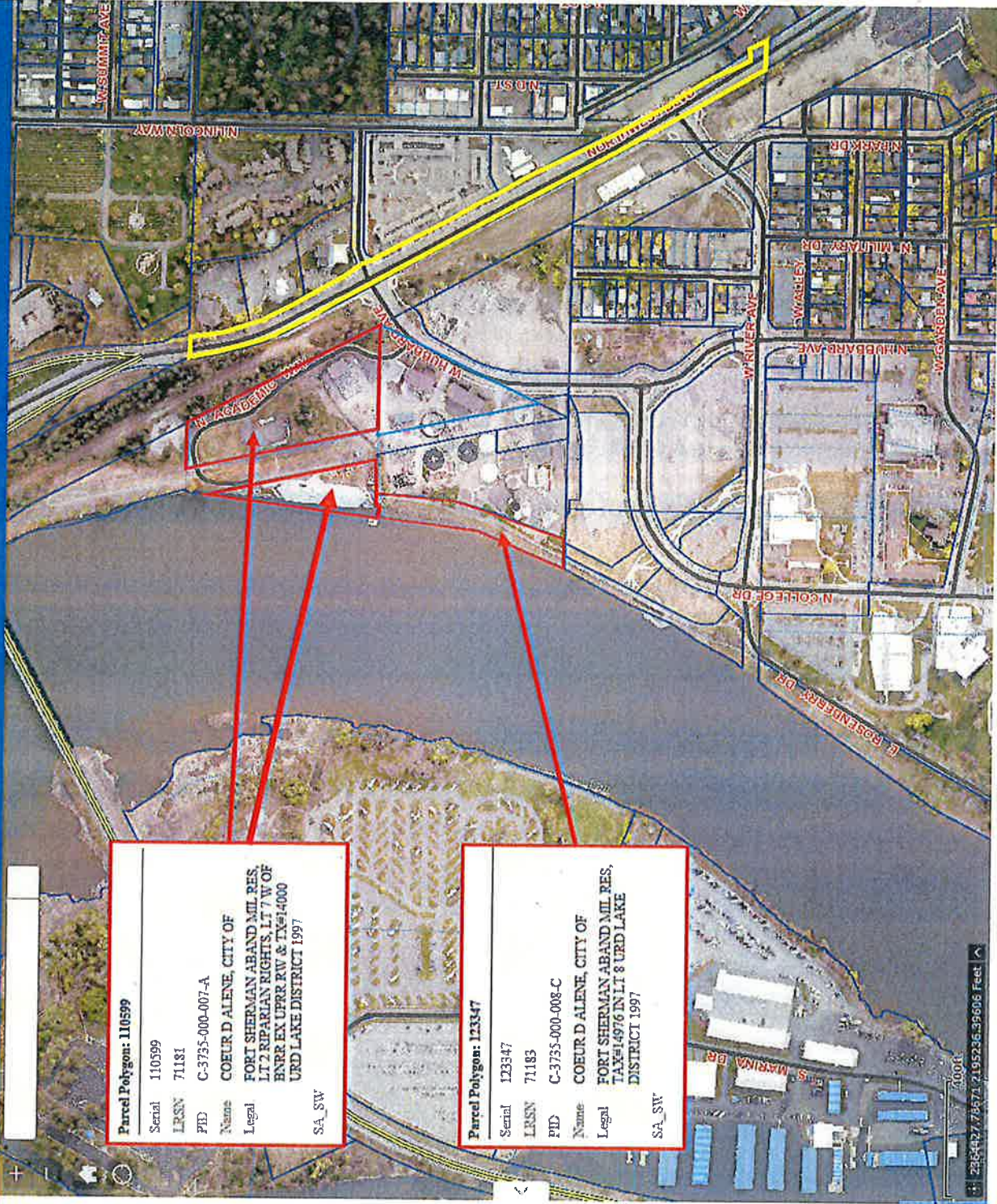
COEUR D ALENE, CITY OF
710 E MULLAN AVE
COEUR D ALENE, ID 83814

Site Address:

Legal Description: FORT SHERMAN ABAND MIL RES,
LT 8 W OF SI RR RW EX TAX #5
URD LAKE DISTRICT 1997

BKPG: B153A

Acres: 1.5310 **TRS:** 504W14NW.PDF





Kootenai County

GeoViewer

Owner

Additional

AIN: 175865 LRSN: 42174 GEO: 7

Parcel Number: **C-3735-000-008-E**

Appr Dist: C TCA: 001015

Incorporation: COEUR D ALENE

Owner Information:

COEUR D ALENE, CITY OF

710 E MULLAN AVE

COEUR D ALENE, ID 83814

Site Address:

781 W HUBBARD AVE

COEUR D ALENE

Legal Description:

FORT SHERMAN ARABD MIL RES,
LT 8 W OF INLAND EMPIRE RR RW
& E OF SI RR RW EX BN
OPERATING PROPERTY LAKE
DISTRICT URD 1997

BKPG:

Acres: 2.4240

TRS: 504W14NE.PDF

AIN: 330861 LRSN: 550303 GEO: 7

Parcel Number: **C-K462-005-001-A**

Appr Dist: C TCA: 001012

Incorporation: COEUR D ALENE

Owner Information:

NORTH IDAHO COLLEGE

1000 W GARDEN AVE

COEUR D ALENE, ID 83814

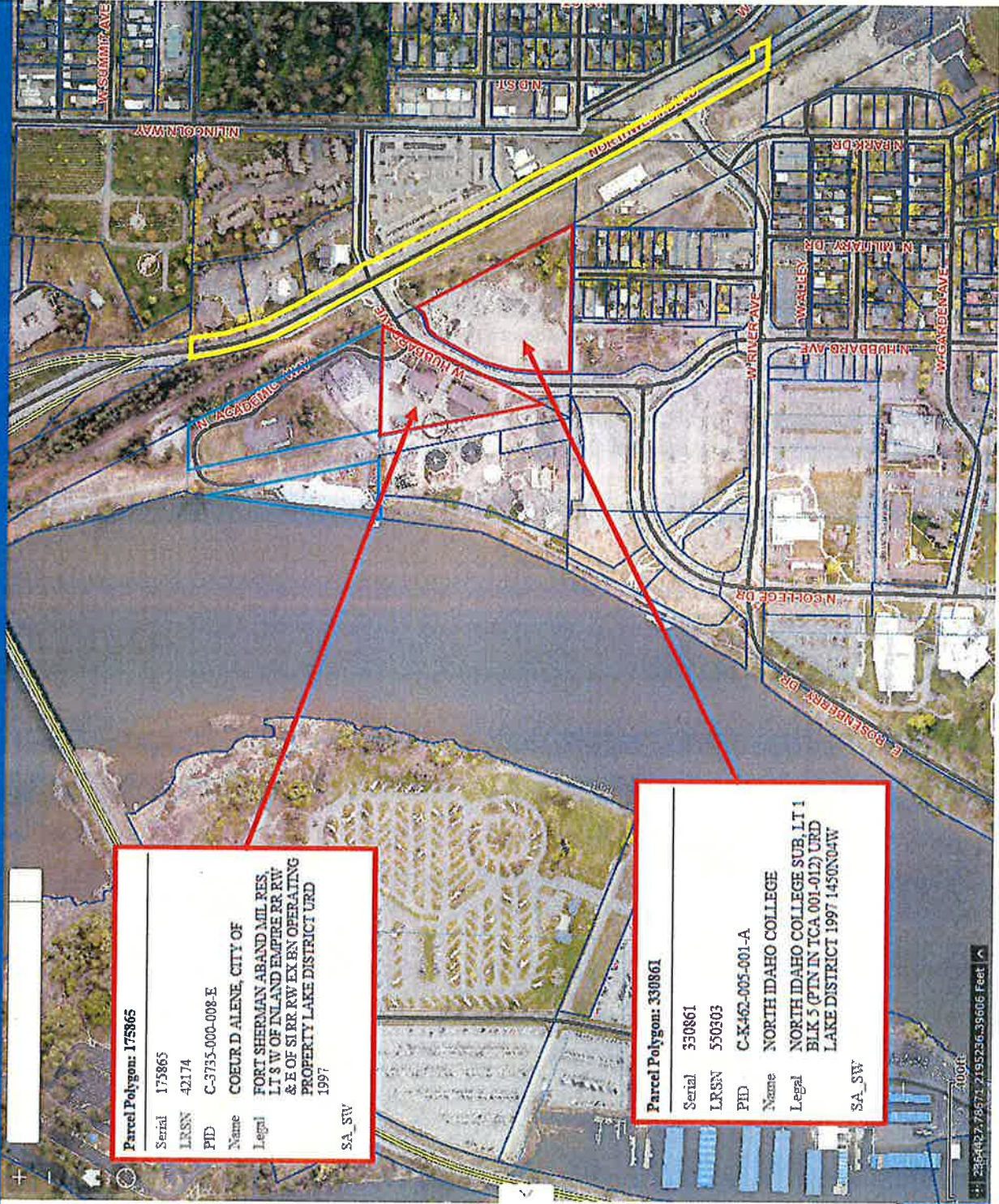
Site Address:

Legal Description: NORTH IDAHO COLLEGE SUB, LT 1
BLK 5 (PTN IN TCA 001-012) URD
LAKE DISTRICT 1997 1450N04W

BKPG: K462

Acres: 4.0869

TRS: 504W14NE.PDF



Parcel Polygon: 175865

Serial 175865

LRSN 42174

PID C-3735-000-008-E

Name COEUR D ALENE, CITY OF

Legal FORT SHERMAN ARABD MIL RES,
LT 8 W OF INLAND EMPIRE RR RW
& E OF SI RR RW EX BN OPERATING
PROPERTY LAKE DISTRICT URD
1997

SA_SW

Parcel Polygon: 330861

Serial 330861

LRSN 550303

PID C-K462-005-001-A

Name NORTH IDAHO COLLEGE

Legal NORTH IDAHO COLLEGE SUB, LT 1
BLK 5 (PTN IN TCA 001-012) URD
LAKE DISTRICT 1997 1450N04W

SA_SW

07/27/2018

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

POU Shapefile:

- The Point of diversion (POD) and places of use (POUs) identified below entirely describe private land.
- The POU shapefile contains both federal and private lands.
- Trim shapefile to exclude federal land.

RIGHT NUMBER: 95-8716

NAME AND ADDRESS: CITY OF COEUR D ALENE
WASTEWATER DEPT
710 E MULLAN AVE
COEUR D ALENE ID 83814

SOURCE: SPOKANE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.030 CFS
7.50 AFY

PRIORITY DATE: 09/11/1991

POINT OF
DIVERSION: T50N R04W S14 SWNE Lot 8 Within KOOTENAI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

0.030 CFS
7.50 AFY

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in KOOTENAI County

T50N R04W S14 Lot 7 NWNE 2.30 T50N R04W S14 Lot 8 SWNE 0.20
2.5 ACRES TOTAL

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Parcel No. C3735000007A, C3735000008F, C3735000008E, 02660000008B, CK462005001A

KOOTENAI COUNTY 055
COEUR D'ALENE DISTRICT

MT PLAT

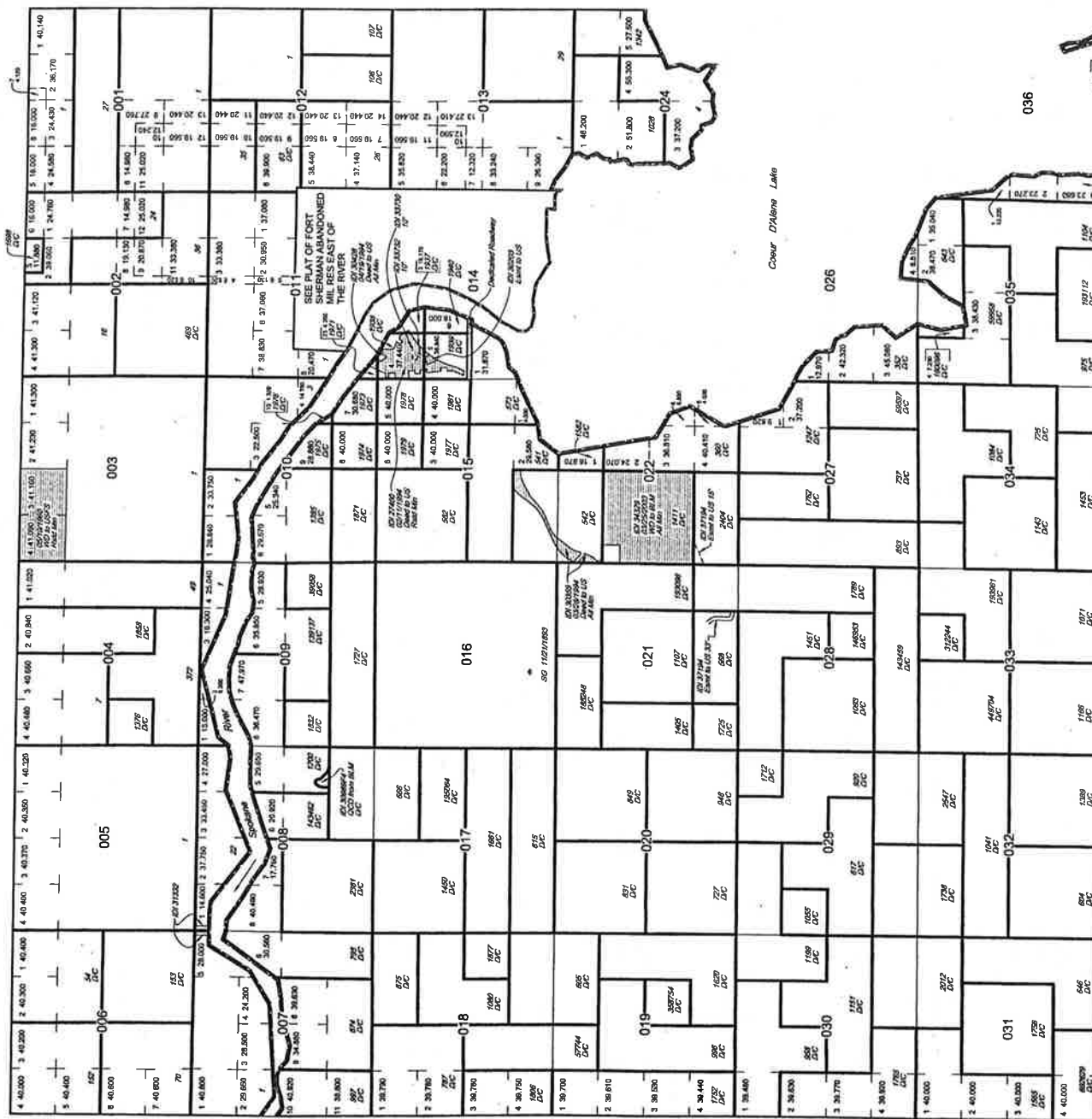
[illegible]

05/24/1905 ROW Northern Pacific Ry			
Spec 10: 14			
03/17/1915 Act WD to BOR			
Spec 7: E 150' Lot 5			
06/01/1915 Act QCD to BOR			
Spec 2: W 100' Lot 1			
UD 31332 Tr. Lots BLM			
Spec 7: M&B			
UD 31332 Tr. Lots BLM			
Spec 7: M&B			
UD 32524 ROW Rd			
Spec 7: Portion of Lot 5			
Spec 8: Portion of Lot 1	0.17 acre		
UD 33771 Act Exmt to US			
Spec 14: M&B	0.02 acre		
UD 30515 Recommended 3rd Party Power Line ROW			
Spec 14: Portion of Lot 4			
UD 30515 Recommended 3rd Party Rd ROW			
Spec 14: Portion of Lots 1,3,4,5			
UD 30515 Recommended 3rd Party Rd ROW			
Spec 14: Portion of Lots 1,3,4,5			
UD 30517 Recommended 3rd Party ROW			
Spec 14: Portion of Lot 3			
UD 30518 Recommended 3rd Party Water Flow ROW			
Spec 14: Portion of Lot 4			
UD 30567 Recommended 3rd Party ROW			
Spec 14: That part of lots 1,4,5 lying N of existing HWY 8 & E of the W side of the Blackwell Canal			
UD 30572 ROW to buict and front water			
Spec 11: Portion of Lot 23			
Spec 22: M & B			
UD 30572 ROW to buict and front water			
Spec 11: Portion of Lot 23			
Spec 22: M & B			
See Supplemental Remarks Page No. 1			

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

FILE REF:	D06N00064945MM100000.dwg
CONVENTED TITF:	07/26/2008
LAST UPDATED:	BRT JOB
DATE RE-ISSUED:	04/25/2013
POSTED TO PUBLIC RECORDS:	APR 25, 2013
PUBLIC LAND SURVEY SYSTEM (PLSS)	BRT
SUB COB ACQUIRED:	N/A
OTHER:	N/A
PROJECTED COORDINATE SYSTEM:	UTM ZONE 11N, UTM 11AD
NOTES:	
USE PLATS:	

Bolton Mar.
T. 50 N
R. 4 W

[illegible]

DISCLAIMER:
This plot is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and Township survey data. Records herein do not reflect title changes which may have been affected by lateral movements of river or other bodies of water. Refer to cadastral surveys for details.

The notation shown on withdrawal represent the last action taken, but may not be the effective date. See the Historical Index for the date the withdrawal was actually made.

No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual uses or for aggregate review is not warranted.



U.S. Bureau of Land Management - Idaho State Office
1307 S. Vinnell Way Boise, Idaho 83709
(208) 373-4000



NORTH

