

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 95-13899
(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: Marina Yacht Club, LLC; c/o Hagadone Hospitality Co

Address: P.O. Box 6200
Coeur d'Alene, ID 83816
(208) 667-3431, cbroseene@hagdonemarine.com

Name: Norman M. Semanko, Attorney

Parsons, Behle & Latimer
Address: 800 W. Main St., Ste. 1300
Boise, ID 83702
(208) 562-4900, nsemanko@parsonsbehle.com

D. I object to the following elements or general provision as recommended in the Director's Report. (Please check the appropriate box(es)).

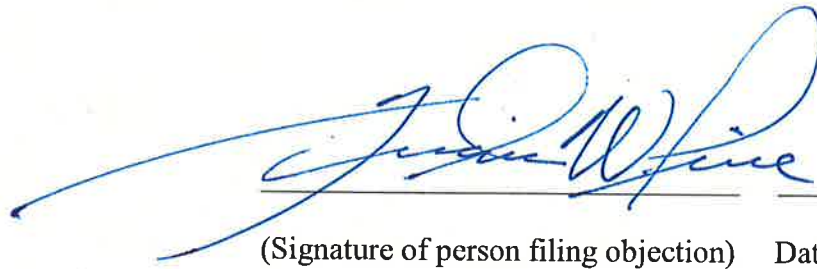
1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☒ **Point(s) of Diversion**
Should be: See attached.
6. ☐ **Instream Flow Beginning and Ending Point**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**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

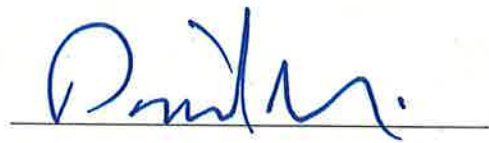
12. **I object because:**

- ☐ 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 five and nine (POD & 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: Marina Yacht Club, LLC; c/o Hagadone Hospitality Co
Address: P.O. Box 6200
Coeur d'Alene, ID 83816

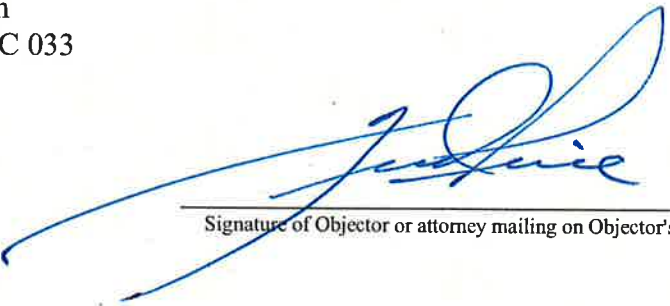
Name: Norman M. Semanko, Attorney
Parsons, Behle & Latimer
Address: 800 W. Main St., Ste. 1300
Boise, ID 83702

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

Mixed POD:

- The point of diversion (POD) identified above contains both private and public lands.
- Clarify the POD such that it is clear that only private land is intended.

Mixed POU:

- The places of use (POUs) 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: 95-13899

NAME AND ADDRESS: MARINA YACHT CLUB LLC
C/O HAGADONE HOSPITALITY CO PO BOX 6200
COEUR D ALENE ID 83816

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.100 CFS

PRIORITY DATE: 07/31/1951

POINT OF
DIVERSION:

T50N R04W S14 SWNW Within KOOTENAI County pvt, BLM

The point of diversion does not include federal land.PURPOSE AND
PERIOD OF USE:PURPOSE OF USEPERIOD OF USEQUANTITY

COMMERCIAL

01/01 12/31

0.100 CFS

Commercial use is for the operation of the Marina Yacht Club LLC.

PLACE OF USE:

COMMERCIAL in KOOTENAI County

T50N R04W S14 SWNW pvt, BLM

T50N R04W S14 SENW pvt, BLM

T50N R04W S14 Lot 1 NESW

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.

This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of the management plan approved by the director for the RPGWMA.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Failure of the right holder to comply with the conditions of Transfer No. 80086 is cause for the Director to rescind approval of the transfer.

When notified by the Department, the right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code, and/or the management plan for the Rathdrum Prairie Ground Water Management Area.

The right holder shall accomplish the change authorized by Transfer No. 80086 by May 22, 2016.

KOOTENAI COUNTY 055
COEUR D'ALENE DISTRICT

MT PLAT[illegible]

05/24/1905 RMY Northern Pacific Ry

03/14/1945 Acq WD to BOR

06/01/1945 Acq QCD to BOR

IDI 31332 Trf Juris BLM

IN 33504 5/25/87

Sac 8: Portion of Lot 1	0.17 acres
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Soc 14; MAB	0.03 acre
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Sec 14: Portion of Lot 4

Sec 14: Portion of Lots 1,3,4,5

Sec 14: Portion of Lots 1,3,4,5

Site 14: Portion of Lot 3

500 1% FOLDOUT OF LOT 4

existing HWY RMW & E of the W side

ID1 30572 RW to back and hold water

TABLE 1 *Mean and standard deviation of the variables of the study*

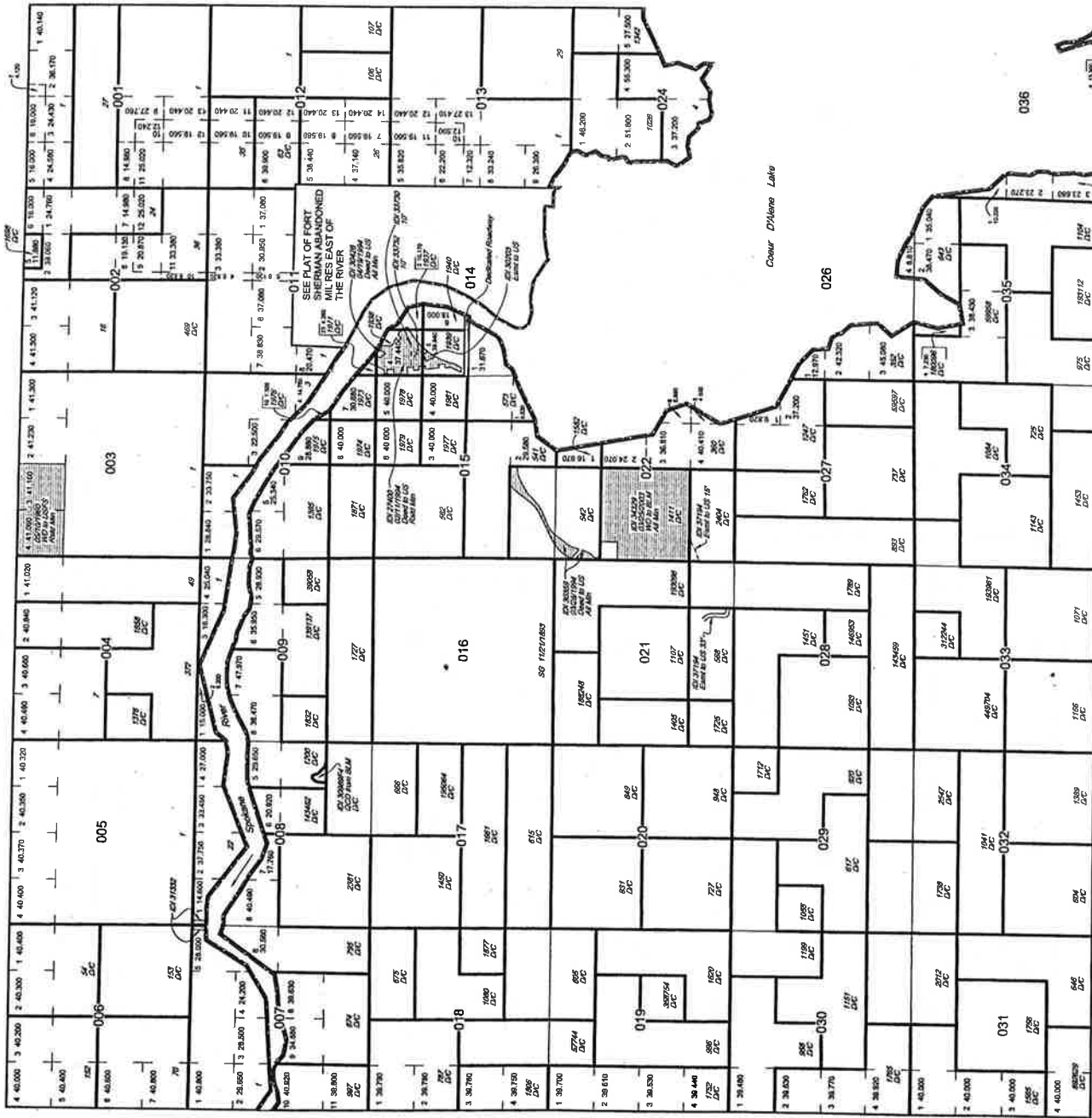
UNIDENTIFIED LANDS REFER TO INDEX OF

LAST UPDATED:	04/23/2013	BY: JCB
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BY: _____

OTHER	N/A
PROJECTED COMBINATION OF:	

1156 INAYAT



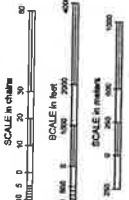
DISCLAIMER:

This is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and Landmark survey data. Records have been prepared using computerized techniques which may have been affected by lateral movements of these or other bodies of water. Refer to associated survey maps for critical information.

The colors shown on worksheets represent the "last action taken, but may not be the effective date. See the Historical Index for the date of original wilderness or other designations.

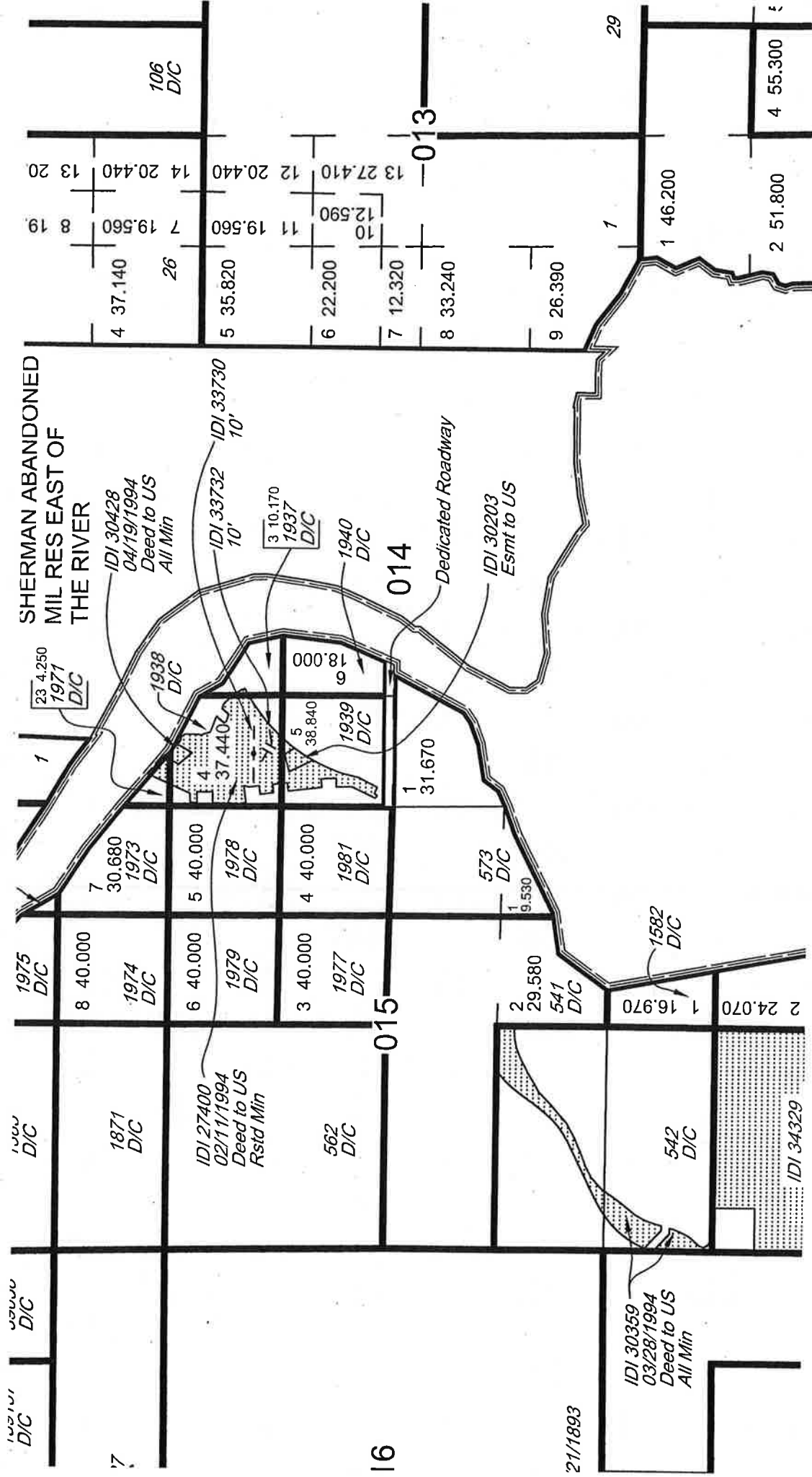
No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual uses or aggregate use with other data is not guaranteed.

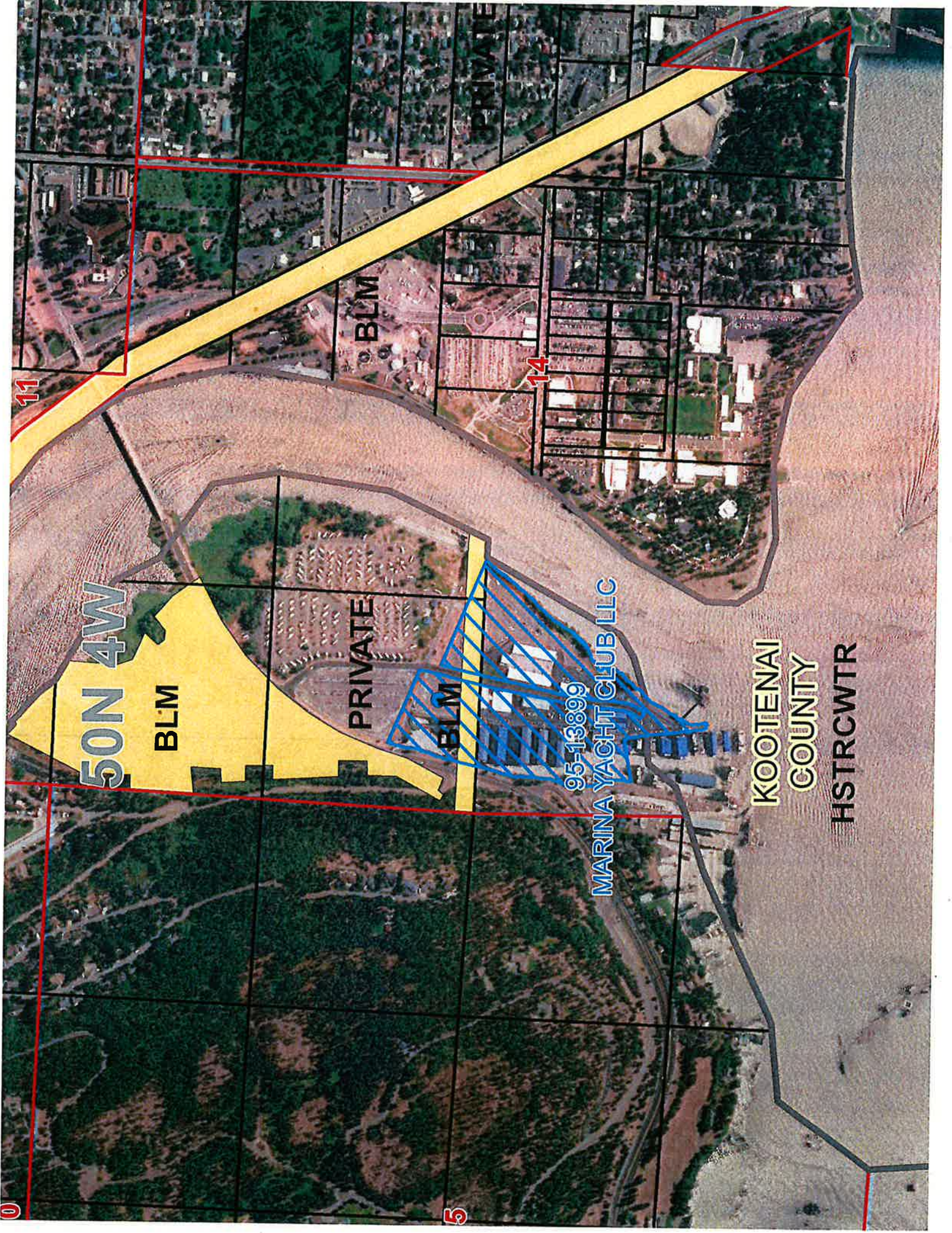
BLM
Cat. 47-105a-1
Case: 161-4614



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







50N 4W

BLM

PRIVATE

BLM

BLM

PRIVATE

95-13899

MARINA YACHT CLUB LLC

KOOTENAI

COUNTY

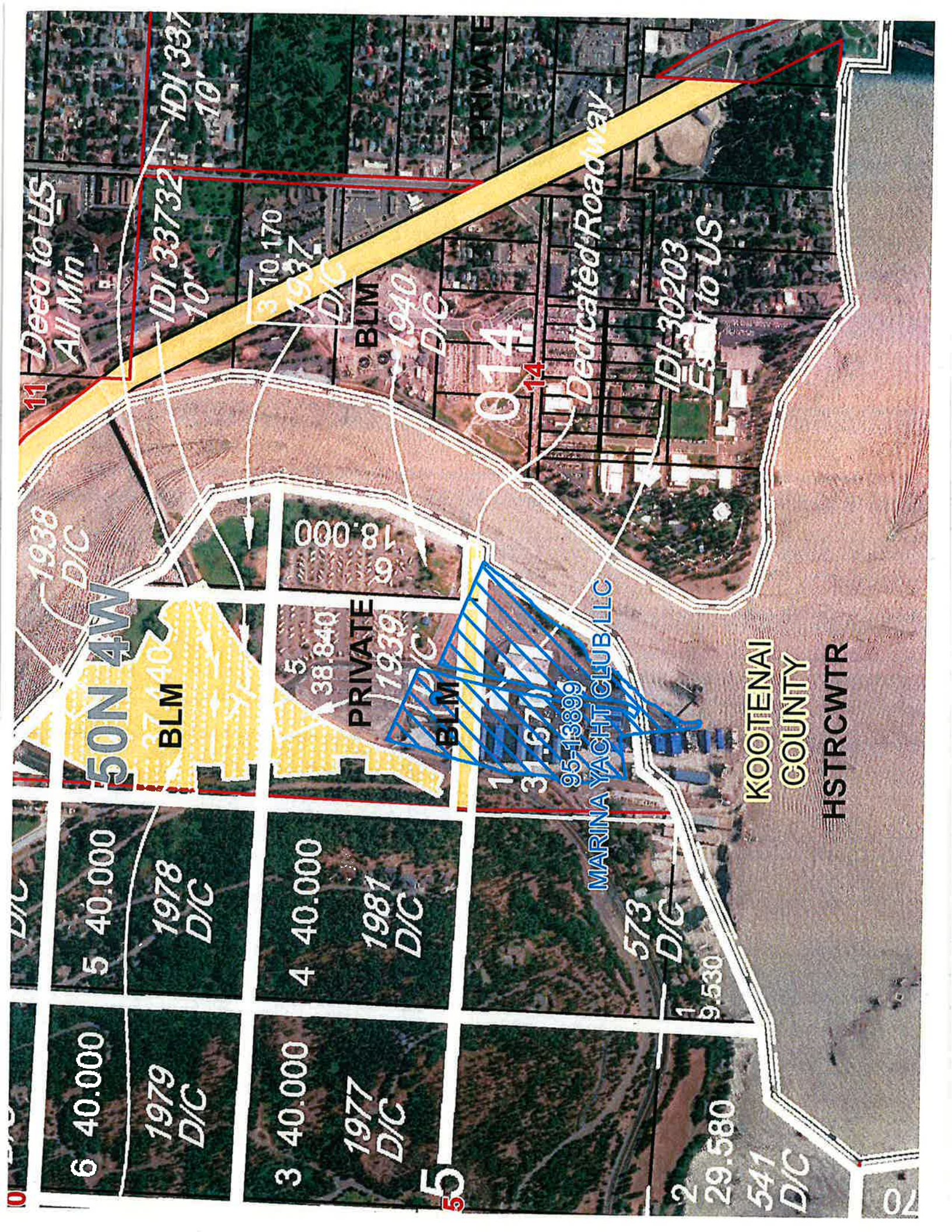
HSTRCWTR

11

14

0

5



Deed to US
All Min

IDI 33732
10'

IDI 33732
10'

10.170
1937
D/C

BLM

1940
D/C

014

14

Dedicated Roadway

IDI 30203
Es to US

1938
D/C

50N 4W

BLM

000'81

38.840
5

PRIVATE
1939
D/C

BLM

31.87
1

95-13899

MARINA YACHT CLUB/LLC

KOOTENAI

COUNTY

HSTRCWTR

5 40.000

1978
D/C

4 40.000

1981
D/C

573
D/C

1 9.530

6 40.000

1979
D/C

3 40.000

1977
D/C

2 29.580

541
D/C

5

70

Owner

Additional

ATN: 246137 LRSN: 81912 GEO: 27

Parcel Number: **C-0000-014-3725**

Appr Dist: C TCA: 001000

Incorporation: COEUR D'ALENE

Owner Information:

MARINA YACHT CLUB LLC

PO BOX 6200

COEUR D'ALENE, ID 83816

Site Address:

1000 S MARINA DR

COEUR D'ALENE

Legal Description:

TAX#24645 EX RW & EX PTN LYING
W OF SLOUGH & S OF BLACKWELL
MILL RD RW, PTN ABAND OLD
HIGHWAY 95 RW [IN LTS 1,5,6]
1450N04W

BKPG:

Acres: 31.2130 TRS: 504W14SW, PDF



Parcel Polygon: 246137

Serial	246137
LRSN	81912
PID	C-0000-014-3725
Name	MARINA YACHT CLUB LLC
Legal	TAX#24645 EX RW & EX PTN LYING W OF SLOUGH & S OF BLACKWELL MILL RD RW, PTN ABAND OLD HIGHWAY 95 RW [IN LTS 1,5,6] 1450N04W
SA	SW

2362479.75968 2194108.46150 Feet