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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

A. Subcase No. 95-4394

Case No. 49576

STANDARD FORM 1
OBJECTION

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: State of Idaho
Address: P.O. Box 83720
Boise, ID 83720-0010
Phone: 208-334-2400

Attorney Name: LAWRENCE G. WASDEN
Attorney General
Darrell G. Early
Deputy Attorney General
Chief, Natural Resources Division
Shantel M. Chapple Knowlton
(ISB # 9759)
Deputy Attorney General
Attorney Address: P.O. Box 83720
Boise, Idaho 83720-0010
Attorney Phone No.: Telephone: (208) 334-4124

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

Name: Hagadone Hospitality Co
Address: PO Box 6200
Coeur d'Alene, ID 83816

D. I object to the following elements 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: SEE BELOW
4. ☐ **Priority Date**
Should be:
5. ☐ **Point 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:
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):

Box 3, Quantity: The water right should include a volume limit of 401 AFY and a combined use limit with water right no. 95-8593 limiting the two water rights to a total combined annual diversion volume of 401 AF.

Box 12, this water right should not exist: Claimant pursued and owns water right license no. 95-8593 for the same use claimed under this beneficial use water right. Water right no. 95-8593 was also claimed in the CSRBA. Claimant cannot hold a beneficial use water right for use that occurred pursuant to a licensed water right as this would give the Claimant two water rights for a single use of water.

(Signature of person filing objection)



(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.

CERTIFICATE OF MAILING

I certify that on April 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:

HAGADONE HOSPITALITY CO
PO BOX 6200
COEUR D'ALENE, ID 83816

3. Copies to

IDWR DOCUMENT DEPOSITORY
PO BOX 83720
BOISE, ID 83720-0098

UNITED STATES DEPT. OF JUSTICE
ENVIRONMENT & NATURAL
RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

NORMAN M SEMANKO
PARSON BEHLE & LATIMER
800 WEST MAIN ST., STE 1300
BOISE, ID 83702



Signature of Objector or attorney mailing on
Objector's behalf