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APR 30 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 Nos. 95-9115 and 95-9119

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: Avista Corp
Address: 1411 E Mission Ave
Spokane, WA 99202-3727

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: SEE BELOW

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: SEE BELOW

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):

Boxes 3, 8 and 10, remarks should be modified: The Director's Recommendation includes remarks under Quantity and Period of Use which include the statement: "when the elevation of Coeur d Alene Lake stabilizes at or near 2128 feet above MSL [mean sea level] following spring runoff." These remarks should be modified to clarify that when the elevation of Coeur d Alene Lake is considered "stabilized" is a determination to be made by the Director of the Department of Water Resources.

(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 29, 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:

AVISTA CORP
1411 E MISSION AVE
SPOKANE, WA 99202-3727

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

CHRIS M. BROMLEY
MCHUGH BROMLEY PLLC
380 S. 4TH ST., STE 103
BOISE, ID 83702

WILLIAM J. SHROEDER
PAINE HAMBLIN LLP
717 W SPRAGUE AVE, STE 1200
SPOKANE WA 99201-3505



Signature of Objector or attorney mailing on
Objector's behalf