

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 95-09525
(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) 334-9375 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: John W. Ho & Thanhdanae N. Vu
Address: 3842 Duthie Blvd.
Lewiston, ID 83501-7045

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.

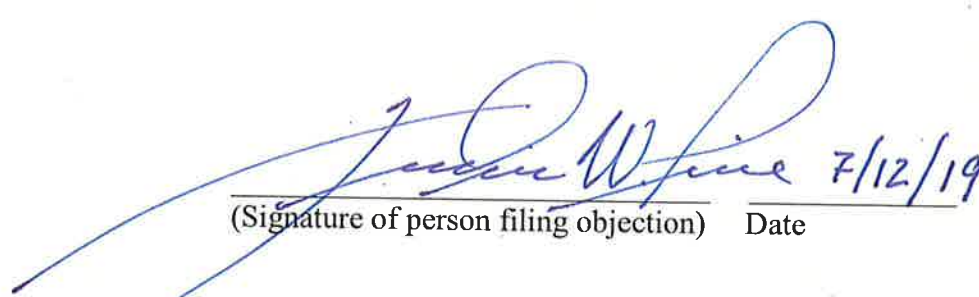
12. **I object because:**

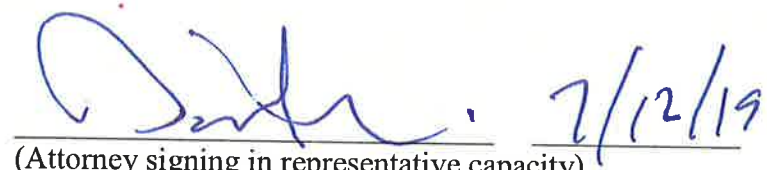
☐ This water right should not exist.

☐ 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.


(Signature of person filing objection) Date


(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 12 July, 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: John W. Ho & Thanhdanae N. Vu
Address: 3842 Duthie Blvd.
Lewiston, ID 83501-7045

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

02/25/2019

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

RIGHT NUMBER: 95-9525
NAME AND ADDRESS: JOHN W HO
3842 DUTHIE BLVD
LEWISTON ID 83501-7045
THANHDANAE N VU
3842 DUTHIE BLVD
LEWISTON ID 83501-7045

SOURCE: COEUR D ALENE LAKE

QUANTITY: 0.030 CFS
1.50 AFY

PRIORITY DATE: 09/03/2008

POINT OF
DIVERSION: T49N R04W S26 NESW Lot 3 Within KOOTENAI County

This right does not grant any right-of-way or easement across the land of another.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
0.030 CFS
1.50 AFY

PLACE OF USE: IRRIGATION in KOOTENAI County

T49N R04W S26 Lot 3 NESW 0.20 T49N R04W S26 Lot 4 SWSW 0.30
0.5 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

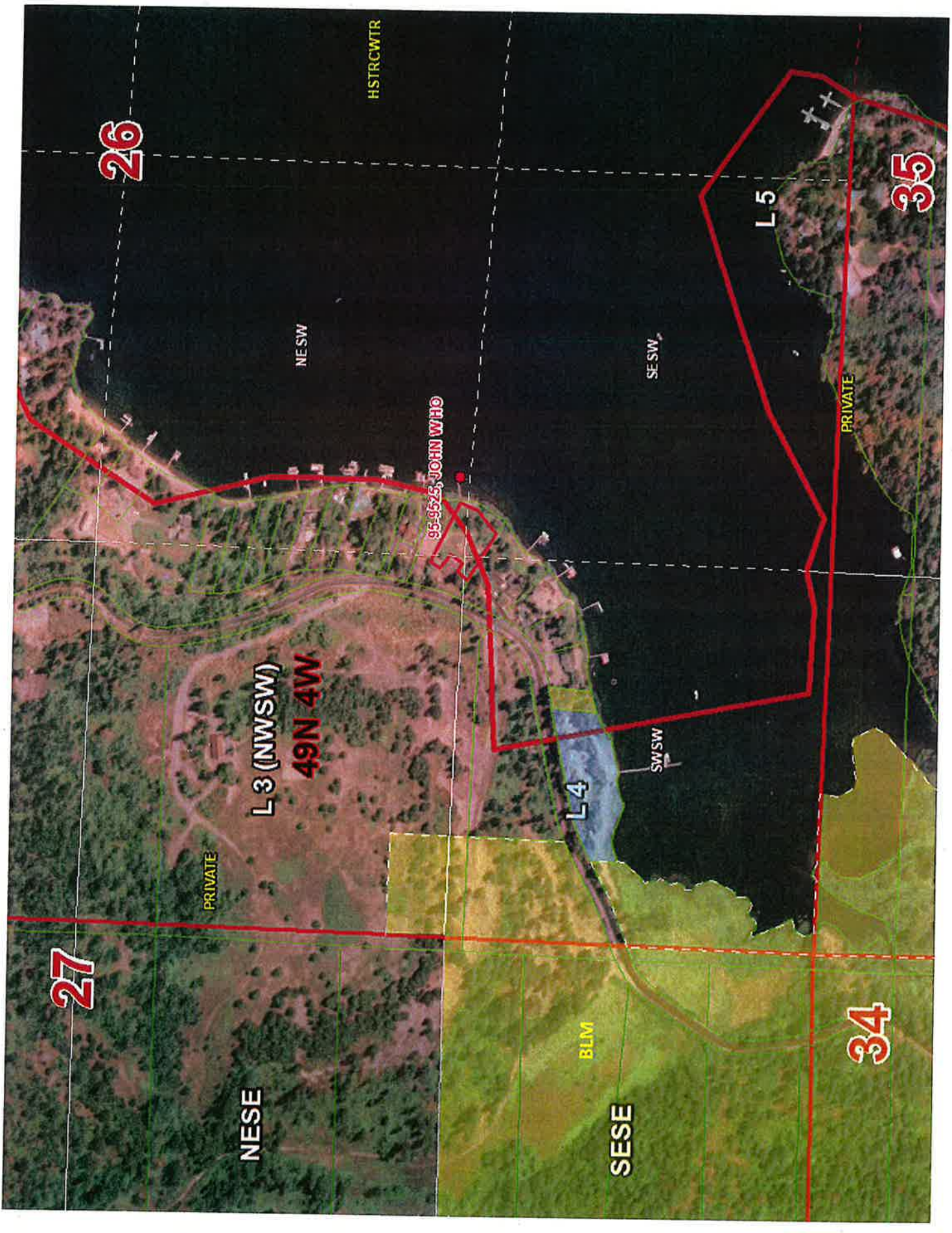
Parcel No. 49N04W265200

Mixed POD and POU:

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

TRIBUTARY: SPOKANE RIVER





26

35

L5

NESW

SESW

95-9525, JOHN WHO

L3 (NWSW)
49N 4W

PRIVATE

SWSW

L4

PRIVATE

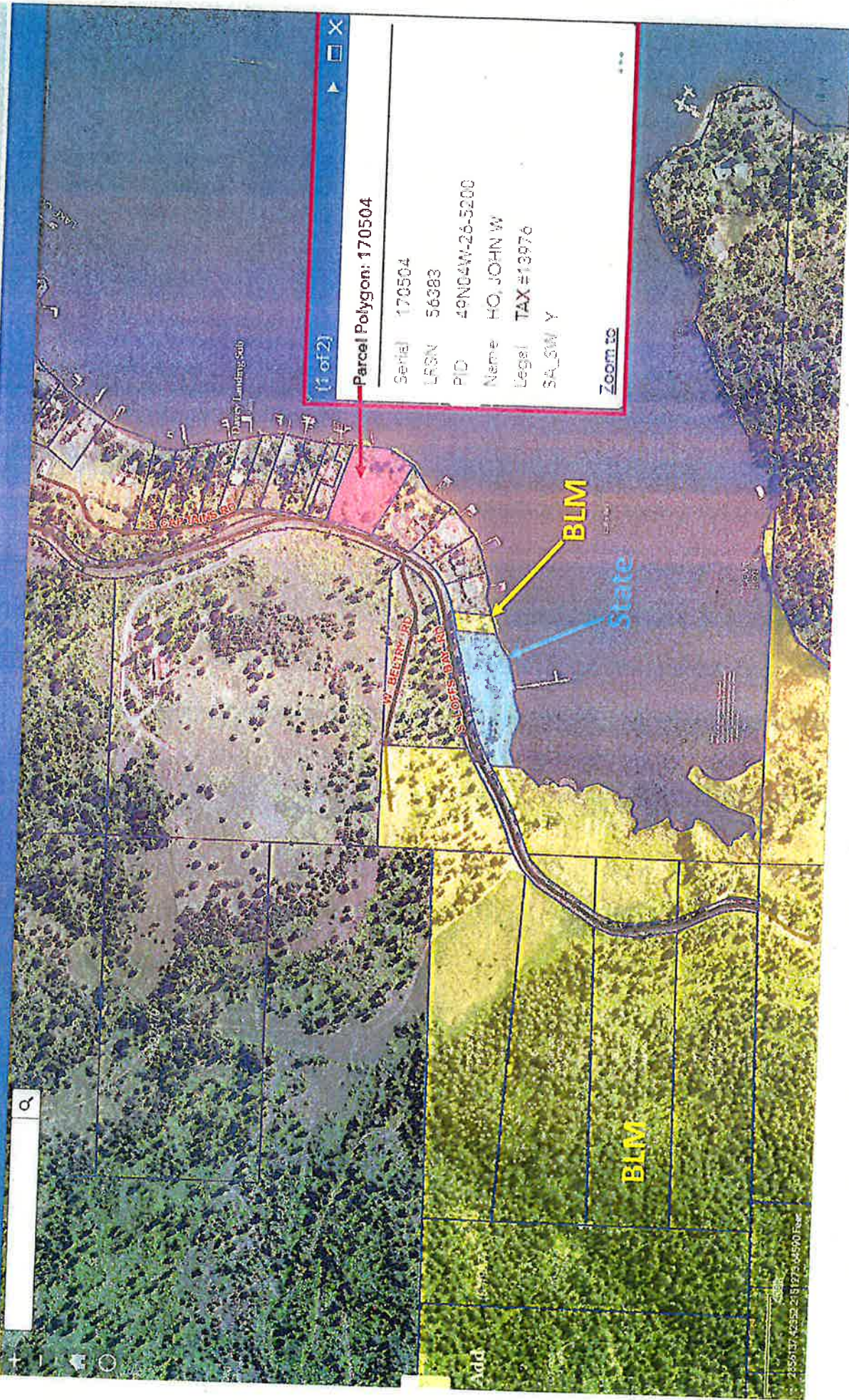
27

NESE

BLM

SESE

34



(1 of 2)

Parcel Polygon: 170504

Serial	170504
LRSN	56383
PID	49N04W-26-5200
Name	HO, JOHN W
Legal	TAX #13976
SA_SW	Y

Zoom to

(1 of 2)

Parcel Polygon: 10504

Serial	170504
LRGN	56383
PID	49N04W-26-5200
Name	HO, JOHN W
Legal	TAX #13076
SA_SW	Y

Zoom to

Parcel Polygon: 216567

Serial	216567
LRSN	58969
PID	0-4969-001-001-0
Name	US DEPT OF INTERIOR BLM
Legal	LOFFE BAY 2ND ADD, LT 1 BLK 1
	SA_SW

Parcel Polygon: 216569

Serial	216569
LRSN	58971
PID	0-4969-002-001-0
Name	U S DEPT OF INTERIOR BLM
Legal	LOFFS BAY 2ND ADD, LT 1 BLK 2
SA_SW	

Serial 170504
LRM 5638
PID 49N04W-26-5200
Name HO, JOHN W
Legal TAX #13976
SA_SW V

01 May 07

#24350

#15827

9 LOFTS BAY RD

W BELTRY RD

2359183.65357 2149813.57953 Export

