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JUL 15 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** 95-15778
(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: Jack Forest
Address: 601 E. Front Ave., Ste. 1801
Coeur d'Alene, ID 83814-5483

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.

7/12/19

(Signature of person filing objection) Date

7/12/19

(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 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: Jack Forest
Address: 601 E. Front Ave., Ste. 1801
Coeur d'Alene, ID 83814-5483

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 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.

RIGHT NUMBER: 95-15778

NAME AND ADDRESS:
JACK FOREST
601 E FRONT AVE STE 1801
COEUR D ALENE ID 83814-5483

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under Right Nos. 95-15778, 95-15780, and 95-15781 for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 07/30/1985

POINT OF DIVERSION: T50N R03W S35 SENW Within KOOTENAI County

The point of diversion does not include federal land.

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC	01/01 12/31	0.040 CFS

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC in KOOTENAI County

T50N R03W S35	SWNW	T50N R03W S35	SENW
T50N R03W S35	NWSW	T50N, R03W, S35	NESW

The place of use does not include federal land.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

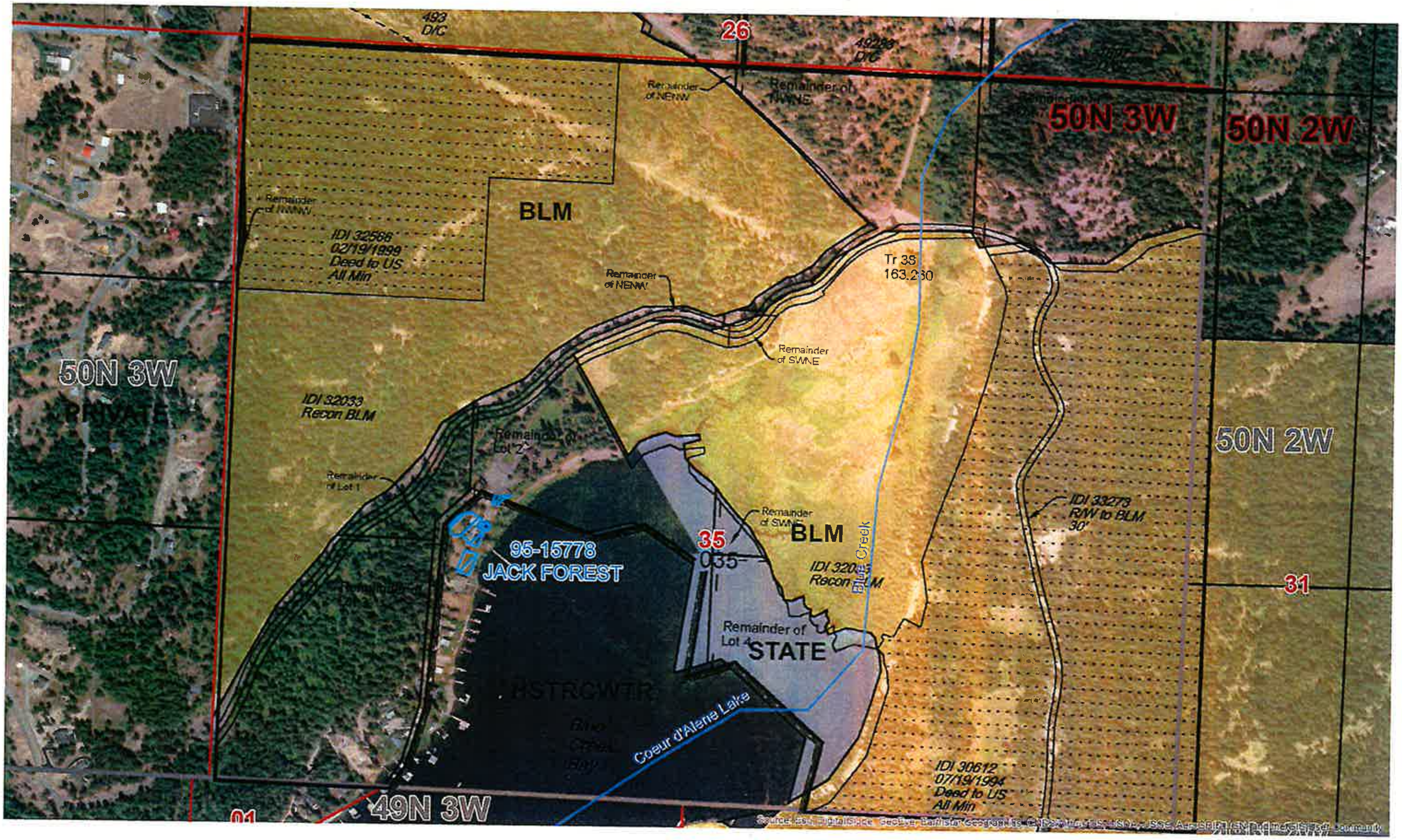
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

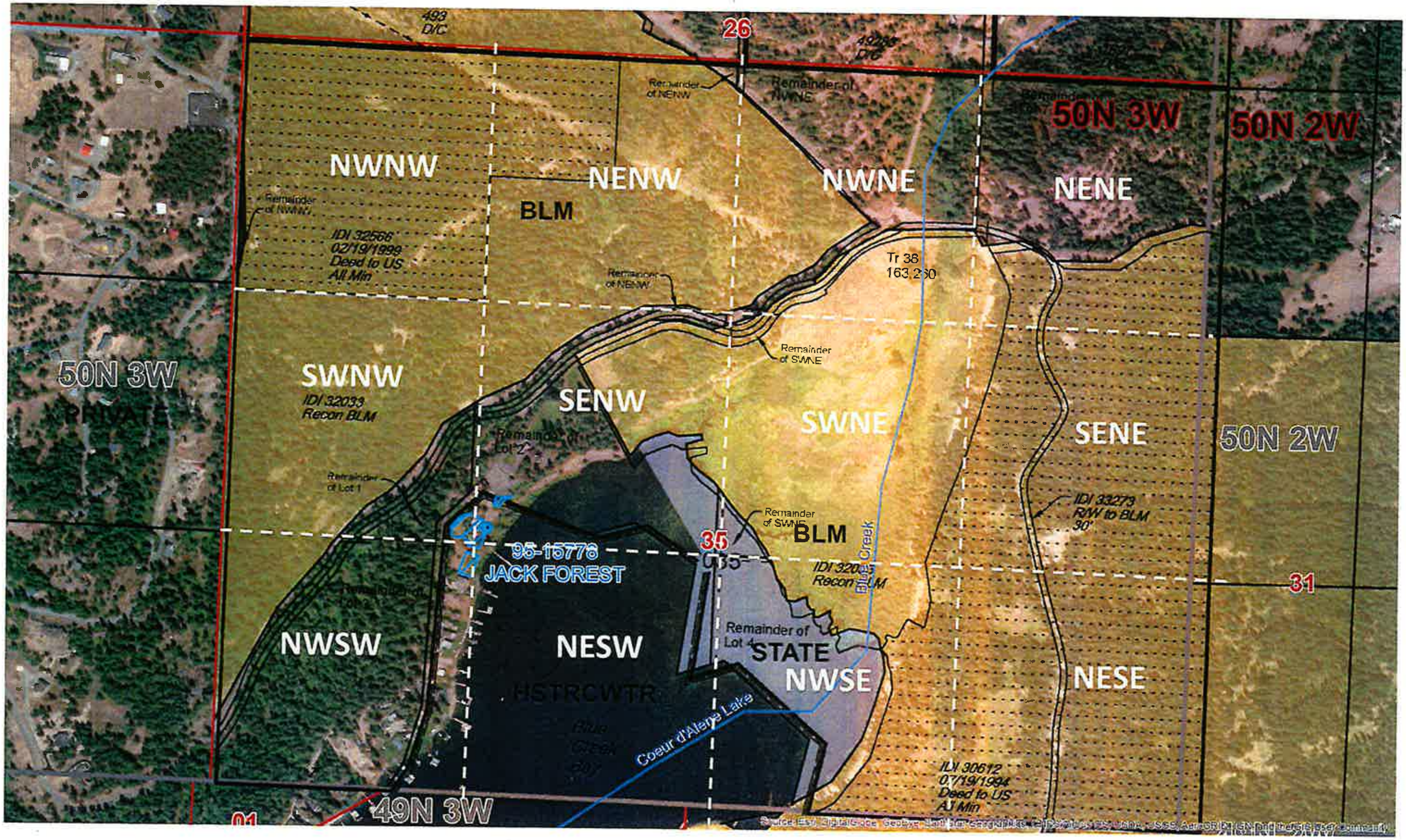
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Place of Use Parcel Nos. 50N03W355750 & 05380000001A; Point of Diversion Parcel No. 50N03W355750.

Parcel No. 05380000001A is also known as Lots 1,2 and 3, Molsteads Beach Lots Subdivision.



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



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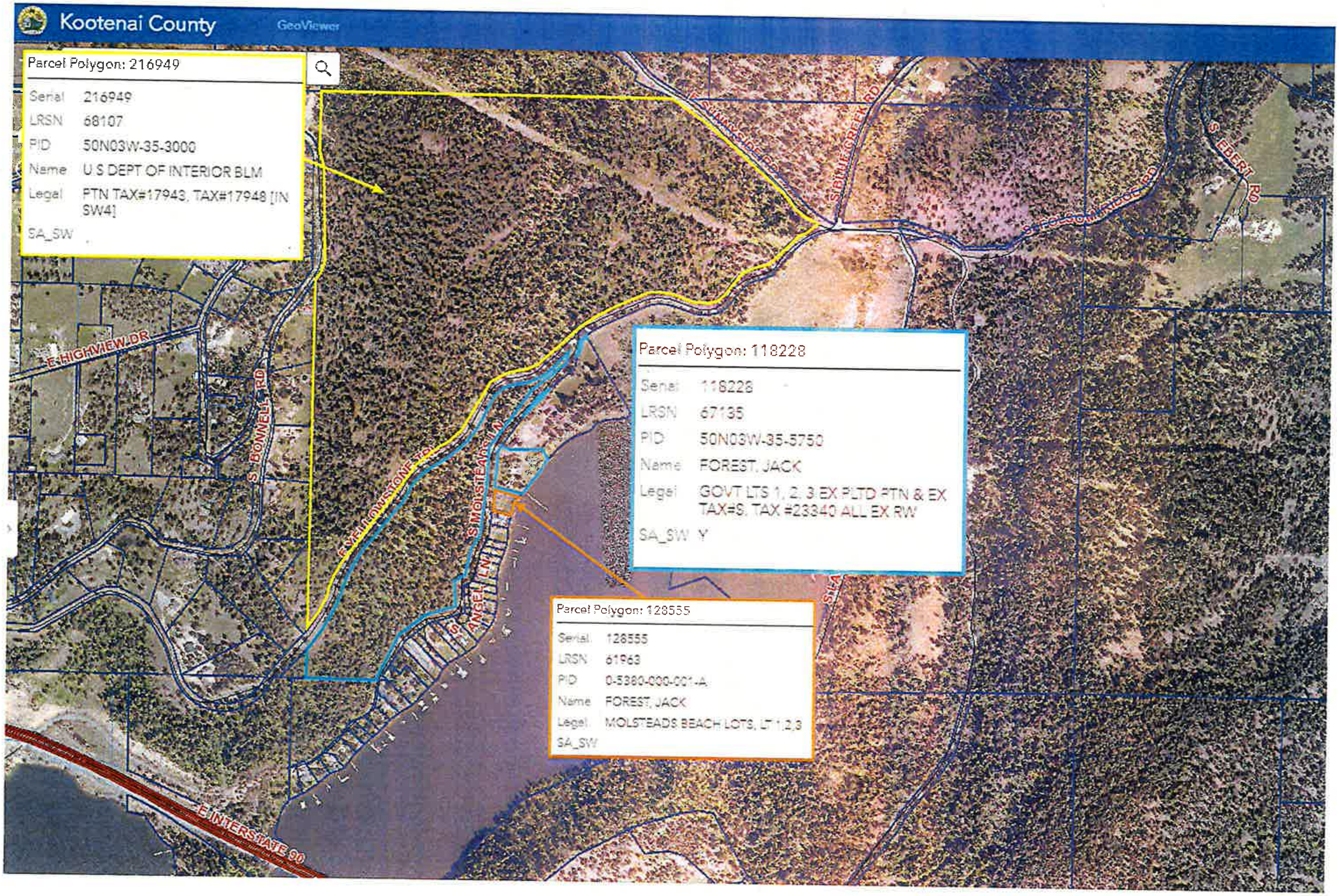


Parcel Polygon: 216949

Serial	216949
LRSN	68107
PID	50N03W-35-3000
Name	U S DEPT OF INTERIOR BLM
Legal	PTN TAX#17943, TAX#17948 [IN SW4]
SA_SW	

Parcel Polygon: 118228

Serial	118228
LRSN	67135
PID	50N03W-35-5750
Name	FOREST, JACK
Legal	GOVT LTS 1, 2, 3 EX PLTD PTN & EX TAX#S, TAX #23340 ALL EX RW
SA_SW	Y

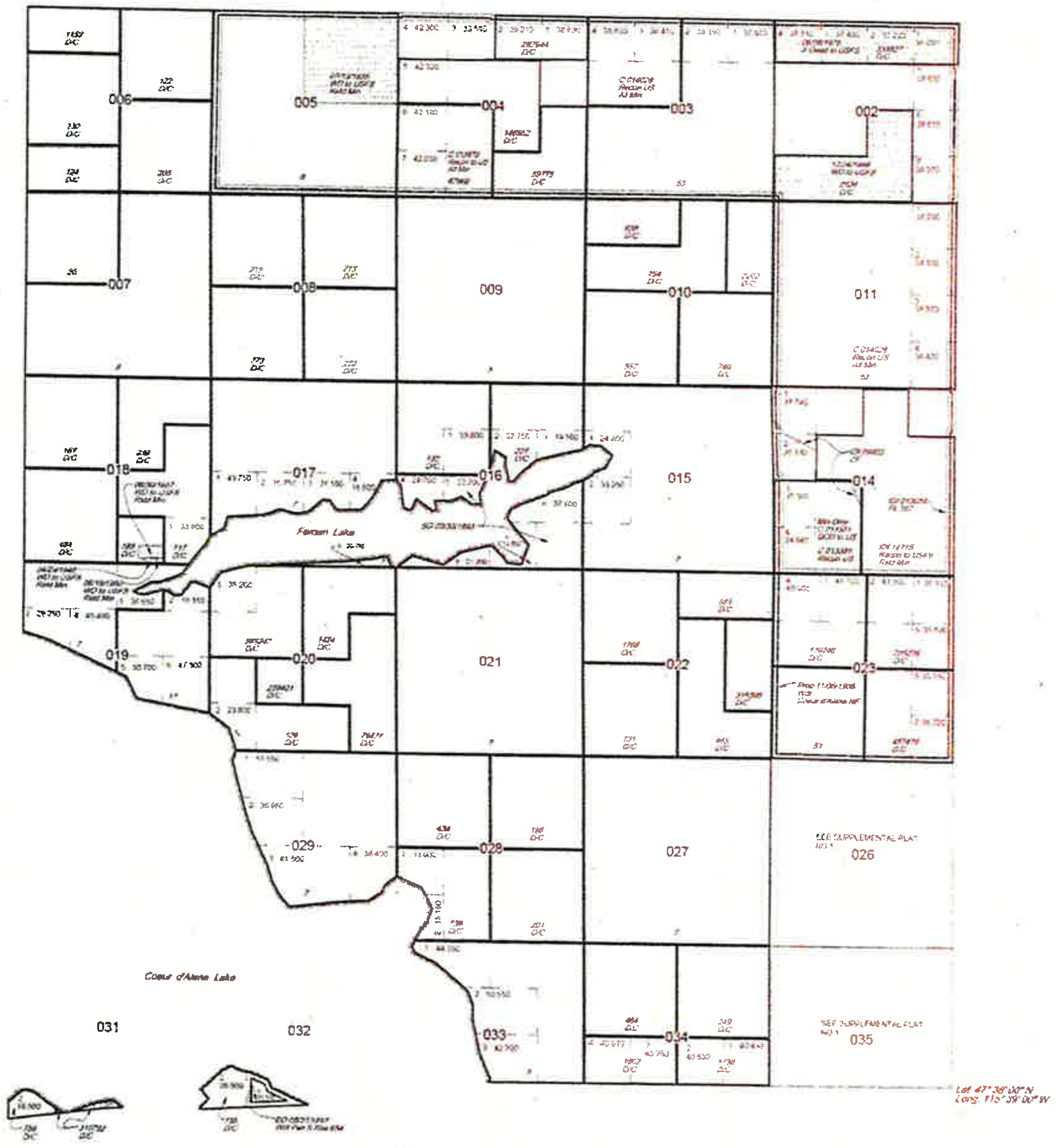
Parcel Polygon: 128555

Serial	128555
LRSN	61963
PID	0-5380-030-001-A
Name	FOREST, JACK
Legal	MOLSTEADS BEACH LOTS, LT 1,2,3
SA_SW	

TOWNSHIP 50 NORTH RANGE 3 WEST OF THE BOISE MERIDIAN, IDAHO

KOOTENAI COUNTY 055

COEUR D'ALENE DISTRICT



Lat. 47° 38' 30" N
Long. 116° 39' 00" W

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES AND ACQUIRED LANDS

MT PLAT

INDEX TO SEGREGATED TRACTS

RESURVEY				ORIGINAL SURVEY
TRACT NO.	T	R	SEC	SUBDIVISION

IDI 010074 Det PL 167 (Act of Cong 07/23/1955) completed 04/19/1962 All NF surface Mgmt by USFS

IDI 32033 PX WD to BLM OE on 09/17/1999
Sec 26: M&B
Sec 35: M&B

IDI 32409 Reconveyed 3rd Party Rd R/W
Sec 35: Portion of Lots 5,6,7

IDI 32411 Reconveyed 3rd Party Powerline R/W
Sec 35: Portion of Lots 2,5,6,7
Portion N2NWSWNE, S2NWNE

IDI 32412 Reconveyed 3rd Party Powerline R/W
Sec 35: Portion of Lots 4,6,7

IDI 32414 Reconveyed 3rd Party Powerline R/W
Sec 35: Portion of Lot 7,
Portion of NWNE, N2NW

IDI 32415 Reconveyed 3rd Party Telephone Line R/W
Sec 35: Portion of Lot 7
Portion of NWNE, N2NW

IDI 32520 Reconveyed 3rd Party R/W
Sec 35: Portion of Lots 6, 7

IDI 32521 Reconveyed 3rd Party Rd R/W
Sec 35: Portion of Lot 7

IDI 32522 Reconveyed 3rd Party Rd R/W
Sec 35: Portion of Lots 4,6,7

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

FILE REF.	[illegible]		
CONVERTED TPF:	[illegible]	BY	[illegible]
LAST UPDATED:	[illegible]	BY	[illegible]
LAST VERIFIED:	[illegible] DCM	BY	
POSTED TO PUBLIC RECORDS	[illegible]		
PUBLIC LAND SURVEY SYSTEM (PLSS):			
BLM GCDB ACQUIRED	[illegible]		
USFS CFF ACQUIRED	N/A		
PROJECTED COORDINATE SYSTEM	UTM ZONE 11N NAD 1983		
NOTES:			

O/E PLATS:

Boise Mer
T. 50 N
R. 3 W

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

SCALE in miles

SCALE in feet

SCALE in meters

NORTH

DISCLAIMER

This plat is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and cadastral survey data. [illegible]

[illegible]

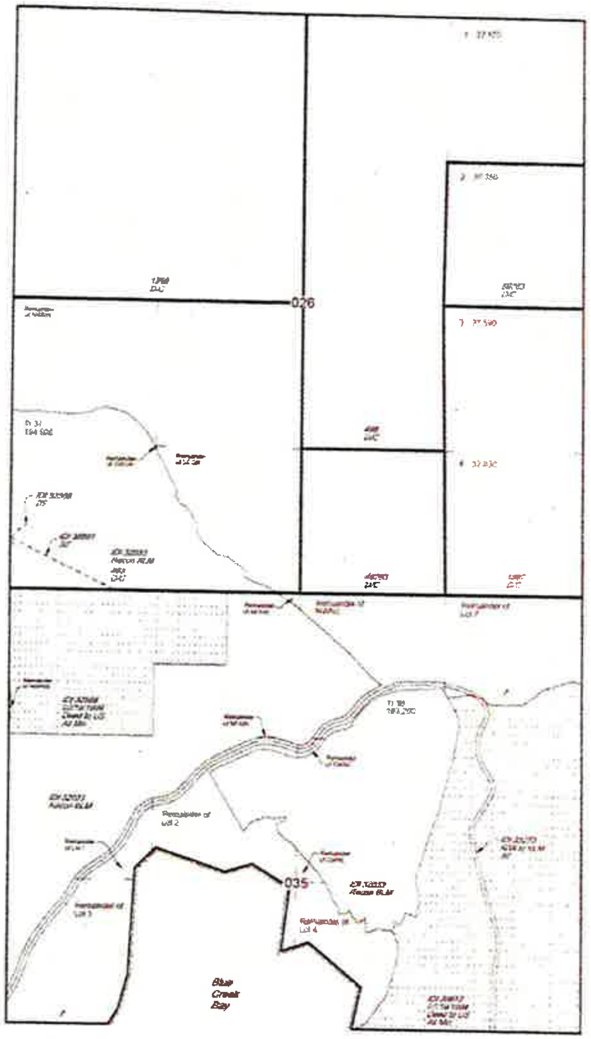
No warranty is made by the Bureau of Land Management. [illegible]

TOWNSHIP 50 NORTH RANGE 3 WEST OF THE BOISE MERIDIAN, IDAHO

KOOTENAI COUNTY 055
COEUR D'ALENE DISTRICT

No. 1
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT
SUPPL Secs 26, 35



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FILE REF [illegible]
CONVERTED TIFF [illegible] BY [illegible]
LAST UPDATED [illegible] BY CD
QA/QC #1 [illegible] QA/QC #2
POSTED TO PUBLIC RECORDS February [illegible]
BY
PUBLIC LAND SURVEY SYSTEM (PLSS):
BLM GCDB ACQUIRED: [illegible]
OTHER: N/A
PROJECTED COORDINATE SYSTEM UTM ZONE 11N, NAD 1983
NOTES:

USE PLATS:

Boise Mer.
T 50 N
R 3 W
No 1

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

DISCLAIMER

[illegible]

[illegible]

No warranty is made by the Bureau of Land Management. [illegible]