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MAY 21 2020

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. 95-17874

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
Steven W. Strack (ISB # 3906)
Shantel M. Chapple Knowlton
(ISB # 9759)
Deputy Attorneys 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: Chelsea Greilach
Steven Greilach
Address: 19565 N Goelzer Way
Rathdrum, ID 83858

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:

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:

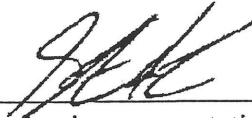
11. ☐ **I object** because the recommendation contains an accomplished transfer under Idaho Code § 42-1425 resulting in injury to my water right(s) and/or enlargement of the original right.

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 10, Remarks: This water right originated as part of a water right decreed in *In the Matter of the General Determination of the Rights to the Use of the Surface Waters of Twin Lakes, Including Tributaries and Outlets*, Case No. 32572 (1st Jud. Dist. Ct. April 20, 1989) [hereinafter "Twin Lakes Adjudication"]. The Director's Recommendation includes language from Conclusion of Law 14 incorporated into the Final Decree entered in the Twin Lakes Adjudication (See Attachment A). The State previously filed objections to all water rights included in the Director's Report for Basin 95 Parts 1 and 2 that were decreed in the Twin Lakes Adjudication and were sourced from Rathdrum Creek, asking that a remark be included on those rights depicting Conclusion of Law 14. A list of those subcases is attached hereto as Attachment B. Those subcases are pending and the issue of whether a remark depicting Conclusion of Law 14 should be included and the language for such a remark remain unresolved. It is important that any administrative remark regarding Conclusion of Law 14 should be consistent across all of the Rathdrum Creek water rights. The State does not disagree with the remark the Director recommended for this water right but filed this objection in case the remark needs to be modified to be consistent with the remarks on the other Rathdrum Creek water rights.

(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 May 20, 2020, 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:

CHELSEA GREILACH
STEVEN GREILACH
19565 N GOELZER WAY
RATHDRUM, ID 83858

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



Signature of Objector or attorney mailing on
Objector's behalf

ATTACHMENT A

Conclusion of Law No. 14, excerpted from the *Final Decree, In the Matter of the General Determination of the Rights to the Use of the Surface Waters of Twin Lakes, Including Tributaries and Outlets*, Civil Case No. 32572, 1st Jud. Dist. Idaho, Kootenai County (April 19, 1989). A copy of the full Final Decree and incorporated documents is available at https://idwr.idaho.gov/apps/ExtSearch/RelatedDocsWaterDistrictyearwithyear.asp?water_district_no=95C&wateryear=.

14. When seepage and evaporation losses from Twin Lakes exceed the total natural tributary inflow to Twin Lakes, no water will be released from the lakes to satisfy downstream water rights, with the exception of Water Right No. 95-0734. When this occurs, Water Right No. 95-0734 and water rights that divert from Twin Lakes and from the tributaries to Twin Lakes may divert the natural flow, but not the stored waters, on the basis of water right priority.

ATTACHMENT B

95-943

95-731

95-733

95-734

95-2096

95-7106

95-7604

95-7114

95-7269

95-7615

95-7630

95-7617

95-7727

95-10339