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JUN 28 2021

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** 95-8599
) (Insert water right number)
)
Case No. 49576)
) **STANDARD FORM 1**
) **OBJECTION**
_____)

Please **print or type** the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: R&P LLC
Address: P.O Box 3599, Post Falls ID 83877

Daytime Phone: 208-660-7060

Name & Address of Attorney, if any:

Norman M. Semanko
800 West Main Street, Suite 1300
Boise, Idaho 83702

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

Name: Tonys Supper Club
Address: E 4695 I-90, Coeur D'Alene, ID 83814

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: R&P LLC
2. ☒ **Source**
Should be: Ground Water
3. ☒ **Quantity**
Should be: 0.04 CFS, 1.7 AFA
4. ☒ **Priority Date**
Should be: 07/18/1988
5. ☒ **Point of Diversion**
Should be: NESE Lt 4, Sec. 29, Township 50N, Range 03W, Kootenai County
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☒ **Purpose(s) of Use**
Should be: Commercial use is for a restaurant and lounge.
8. ☒ **Period of Year**
Should be: 1/01 - 12/31
9. ☒ **Place of Use**
Should be: NESE Lt 4, Sec. 29, Township 50N, Range 03W, Kootenai County
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.

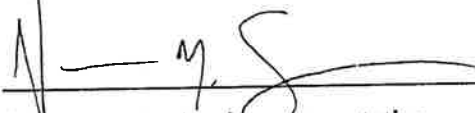
12. ☒ **I object because:**
☐ This water right should not exist.

☒ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): _____

Water Right No. 95-8599 has been previously licensed by IDWR and is a valid, existing water right. A completed Change of Ownership form has been filed with IDWR and a motion to file a late claim for this water right is pending as well.

(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.

F. CERTIFICATE OF MAILING

I certify that on June 25, 2021, 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
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: R&P LLC
Address: P.O. Box 3599
Post Falls, ID 83877

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
State of Idaho
PO Box 83720
Boise, ID 83720-0010



Signature of Objector or attorney
mailing on Objector's behalf