

**DISTRICT COURT - CFPRBA**  
**Fifth Judicial District**  
**County of Twin Falls - State of Idaho**

**JUN 22 2026**

By \_\_\_\_\_  
Clerk

---

Deputy Clerk

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

**In Re CFPRBA** )  
) **A. Subcase** 97-9649  
) (Insert water right number)  
) **Case No. 69576** )  
) )  
) )  
\_\_\_\_\_ )

**STANDARD FORM 1  
OBJECTION**

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

**B. NAME AND ADDRESS OF PERSON OBJECTING**

Name: James Ide  
Address: 105 Vermeer Dr., Ste. 2-318  
Ponderay, ID 83852  
Daytime Phone: 208-448-2758

Name & Address of Attorney, if any:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Name: United States of America Acting Through  
Address: USDA Forest Service USDOJ, Environment and Natural Resources Div.  
PO Box 7611, Ben Franklin Station  
Washington DC 20044-7611

**NOTE: SEE ATTACHED STATEMENT 1 -  
ABSENCE OF DIRECTOR'S REPORTS**

D. I object to the following elements or general provision as recommended in the Director's Report. (Please check the appropriate box(es)).

NOTE: SEE ATTACHED STATEMENT 1 - ABSENCE OF DIRECTOR'S REPORTS

1.  **Name and Address**  
Should be: \_\_\_\_\_
2.  **Source**  
Should be: Limited to specific identified sources supported by evidence, and not "All streams, springs . . . water bodies and existing wells on National Forest System land . . . ultimately tributary to the Priest River and South Salmo River . . .".
3.  **Quantity**  
Should be: Limited to the quantity necessary to fulfill any legally supported federal reserved purposes (not up to 1.0 CFS or 25% of the flow of any single location).
4.  **Priority Date**  
Should be: Limited to the priority date supported by applicable law for each claimed purpose of use.
5.  **Point of Diversion**  
Should be: Specific PODs identified by more precise legal description or coordinates per prevailing IDWR practices (claim only goes to Section level PODs).
6.  **Instream Flow Beginning and Ending Point**  
Should be: \_\_\_\_\_
7.  **Purpose(s) of Use**  
Should be: Limited to purposes recognized under United States v. New Mexico (1978): to preserve the timber or to secure favorable water flows for private and public use under state law.
8.  **Period of Year**  
Should be: Limited to periods supported by legally supported need. \_\_\_\_\_
9.  **Place of Use**  
Should be: Limited to specific places of use related to the claimed reserve purposes (not any National Forest System land in Idaho).
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: The "Conditions" element of the IDWR recommendation should be limited, and not used in lieu of identifying other recommended elements that the Director left blank (Water Source, Points of Diversion, and Places of Use).

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:**

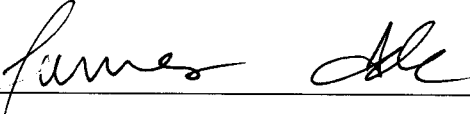
This water right should not exist.

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

The claimed elements are overbroad, unsupported, insufficiently specific, and should be narrowed.

**E. REASONS SUPPORTING OBJECTION(S):** \_\_\_\_\_

SEE ATTACHED STATEMENT 2 - PART E. REASONS SUPPORTING OBJECTION(S)

  
\_\_\_\_\_  
(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 15 June, 2026 I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to: Clerk of the District Court  
Clark Fork – Pend Oreille River Basins 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:

United States of America Acting Through  
Name: USDA Forest Service USDOJ, Environment and Natural Resources Div.  
Address: PO Box 7611, Ben Franklin Station  
Washington DC 20044-7611

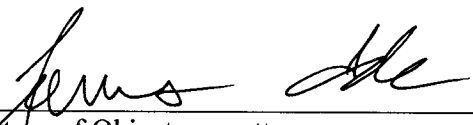
3. Copies to:

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

United States of America Acting Through  
USDA Forest Service  
550 W. Fort St. MSC 033  
Boise, ID 83724

United States Department of Justice (see above)  
Environment & Nat'l Resources Div  
P.O. Box 7611  
Ben Franklin Station  
Washington, D.C. 20044-7611

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

## CONTINUATION PAGE

In Re CFPRBA  
Case No. 69576

Subcase: 97-9649

### **Statement 1 – Absence of Director’s Reports:**

The Notice of Filing Director’s Report of Federal Reserved Water Right Claims in Basins 96 and 97 states: “*The complete [Director’s ] report can also be downloaded from the CFPRBA website . . .*”. However, the link provided only shows a single cover page for the Federal Reserved Claims. The Instructions for Filing Objections and the objection form itself also instruct respondents to refer to the Director’s Reports. During a phone inquiry, the IDWR indicated that Director’s Reports had not been issued for the Federal Reserved Claims.

Given the absence of Director’s Reports for the Federal Reserved Claims, the claim document itself and the IDWR water right search page claim recommendation data were referred to in preparing this objection.

### **Statement 2 – Part E. Reasons Supporting Objection(s):**

The claim asserts a priority date of 1898 together with claimed purposes of use including “*road construction, dust abatement . . . vegetation establishment, maintaining riding and pack stock, . . . future administrative sites, . . .*”. The claims are broader than those recognized by the United States Supreme Court for federal reserved rights in 438 U.S. 696, 718 (1978) which are specified in element §D.7 above.

The claimed source encompasses all streams, springs, lakes, water bodies, and existing wells on National Forest System lands in the nearly 1,000 square mile Priest River drainage as cited in element §D.2 above, with places of use throughout the State of Idaho and points of diversion that are identified only down to the Section level. The quantity claimed for surface water is stated at 1.0CFS (or 25% of flow), or approximately 449 gallons per minute, at any single location over the vast tributaries claimed, and for a year-round period. These elements, both individually and taken together, are extraordinarily broad and/or insufficiently tied to any specific reserved purpose; and would be impracticable to administer or provide notice to other water right holders.

The General Provisions "Conditions" portion of the IDWR claim/recommendation public database should also be narrowed and not used in lieu of separately identifying other recommended elements that the IDWR left blank (Source, Points of Diversion, and Places of Use). This will allow the claim to be recorded and administered by IDWR in a way that provides existing water right holders notice and information regarding a priority federal reserved claim.

The Director's Report, referred to repeatedly by IDWR, should be made available so that existing water rights holders or objectors may evaluate the impact to their rights from the federal reserved claim given its asserted 1898 priority date.