Idaho Water Adjudications – Monthly Informational Meeting

Lacey Rammell-O'Brien, Scott Luvaas, & Suzy Cooley
for the Idaho Department of Water Resources
November 17, 2026



Photo Credit: Snake River, Special Master Brigette Bilyeu
Idaho Water Adjudications

DISCUSSION ITEMS

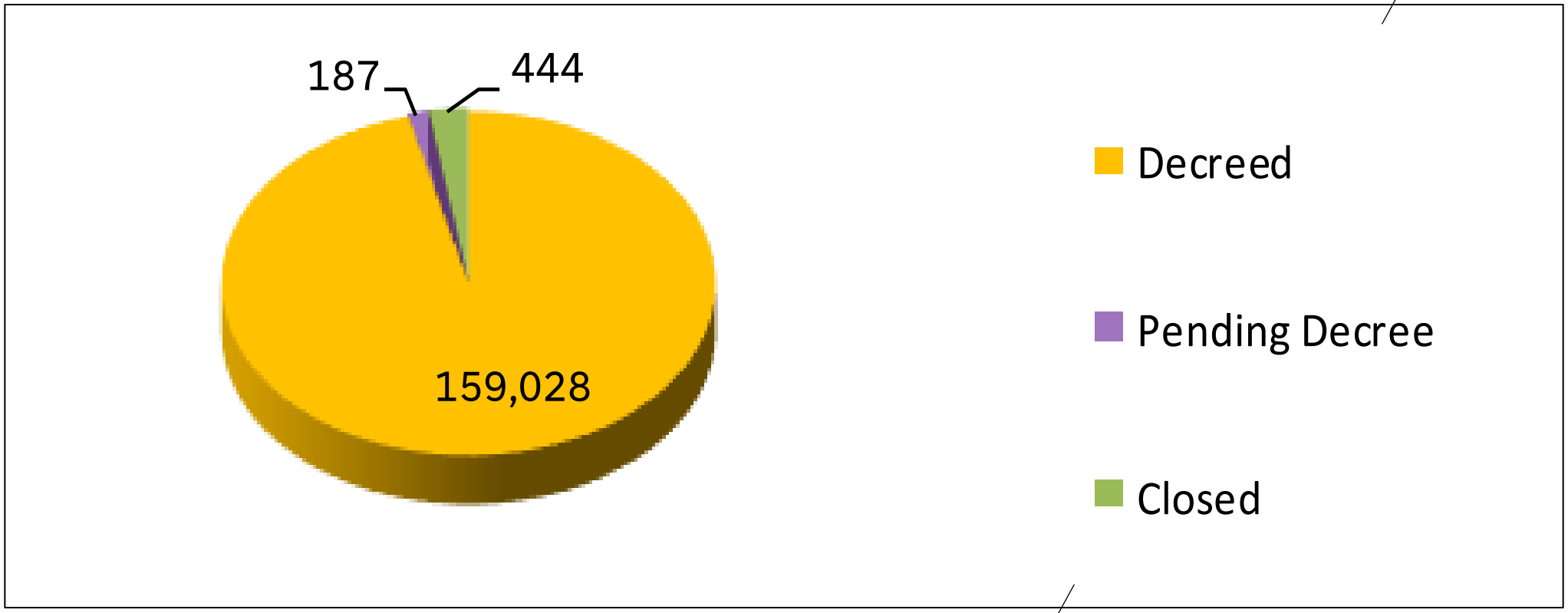
- Snake River Basin Adjudication
- Coeur d'Alene – Spokane River Basin Adjudication
- Palouse River Basin Adjudication
- Clark Fork – Pend Oreille River Basins Adjudication
- Bear River Basin Adjudication
- Kootenai River Basin Adjudication
- Other General Matters



Brook Trout in Johnson Creek – East Fork South Fork Salmon River in Valley County
Photo Credit: Tami Warner, Idaho Through the Lens

SRBA

SRBA SUMMARY AS OF NOVEMBER 9, 2026



Note: If slides are printed in greyscale, all graphs should be read in clockwise order in relation to their legends.

MOTION FOR DETERMINATION OF DE MINIMIS D&S RIGHT FILED BUT AWAITING AFFIDAVIT OF PUBLICATION

Count	Claimant	Subcase #(s)	Motion Filed	Next Step

WAITING FOR IDWR TO SUBMIT NOTICE OF EXAMINATION

Count	Claimant	Subcase #(s)	Affidavit Filed	Next Step
1	Williamson	47-17793	9/15/2026	IDWR to submit Notice of Examination
1	Casa Del Norte – 5**	63-35008	7/18/2025	Waiting on Claimant to file Affidavit
2	Richins	43-13946, 43-13947	4/27/2028	Waiting on Claimant to file Affidavit

AWAITING DIRECTOR'S REPORT BY IDWR

Count	Claimant	Subcase #(s)	Director's Report Due	Next Step
1	Albano	29-14557	12/15/2026	IDWR to submit DR
1	Johnson	86-12185	12/15/2026	IDWR to submit DR
1	Bieker	86-12178	12/21/2026	IDWR to submit DR
1	Lyke	63-35673	01/12/2027	IDWR to submit DR
1	Fischer	84-12331	02/1/2027	IDWR to submit DR
3	Conner	57-12120, 57-12132 , 57-12133	04/27/2027	IDWR to submit DR
23	Casa Del Norte, LP – 2	37-23270, et al.; 61-12366, et al.; 63-35004, et al.	05/04/2027	IDWR to submit DR
5	Casa Del Norte, LP – 3	37-23274, 37-23275, 37-23276, 61-12377, 61-12406	05/04/2027	IDWR to submit DR
17	Casa Del Norte, LP – 4	61-12368-71, 61-12375-76, 61-12380, 61-12382-83, 61-12387-89, 61-12396, 61-12398, 61-12400-403, 61-12489 - 12492	05/04/2027	IDWR to submit DR
1	Tracy	63-35797	07/12/2027	IDWR to submit DR
1	Kinney	65-24445	08/23/2027	IDWR to submit DR
1	Ard	85-15901	08/23/2027	IDWR to submit DR

DIRECTOR'S REPORT ISSUED

Count	Claimant	Subcase #(s)	DR Filed	Hearing on Uncontested
1	Blaser	65-24319	06/22/2026	Objection deadline 08/17/2026 Response deadline 10/16/2026 Hearing on Uncontested 11/17/2026
31	Casa Del Norte, LP	37-23475 thru 37-23482, 37-23484 thru 37-23501; 61-12396, 61-12398,61-12400, 61-12401, and 61-12490	09/22/2026	Objection deadline 01/04/2027 Response deadline 04/12/2027 Hearing on Uncontested 05/18/2027

DIRECTOR'S REPORT ISSUED WITH OBJECTIONS

Count	Claimant	Subcase #(s)	DR Filed	Objection Filed
47	Pioneer Power LLC	55-14030 et al.	1/14/2022	3/14/2022
14	Williams	29-14388 thru 29-14397, 61-12467 thru 61-12470	5/22/2023	7/25/2023*
1	Normandie LLC	65-24159	11/24/2025	1/20/2026
1	Normandie, LLC	65-24308	11/24/2025	unobjected, tracking with 65-24159
5	Casa Del Norte - 1	37-23474, 61-12361, 61-12362, 61-12363, 61-12440	03/03/2026	05/04/2026

SPECIAL MASTER'S REPORT AND RECOMMENDATION

Count	Claimant	Subcase #(s)	DR Filed	Hearing on Uncontested

*Objection to the claim filed before Director's Report

DIRECTOR'S REPORTS WITH EXECUTED SF5S

Count	Claimant	Subcase #(s)	DR Filed	SF5 Filed Date	SMRR Filed Date

PARTIAL DECREE ISSUED

Count	Claimant	Subcase #(s)	Partially Decreed
12	T-Bone Ranch, LLC	25-14565, 25-14566, 25-14567, 25-14568, 25-14569, 25-14570, 25-14571, 25-14572, 25-14573, 25-14574, 25-14575 and 25-14576	09/15/2026
1	The Animals Trust	63-35660	09/15/2026

DISMISSED

Count	Claimant	Subcase #(s)	Date Dismissed

SUBCASE 00-92095
ADJUDICATION OF DEFERRED DE MINIMIS DOMESTIC AND STOCKWATER CLAIMS

- Pursuant to Judge Wildman's January 22, 2024 Stay Order, this subcase is stayed pending resolution of *U.S. v. Idaho* in the Federal Courts.

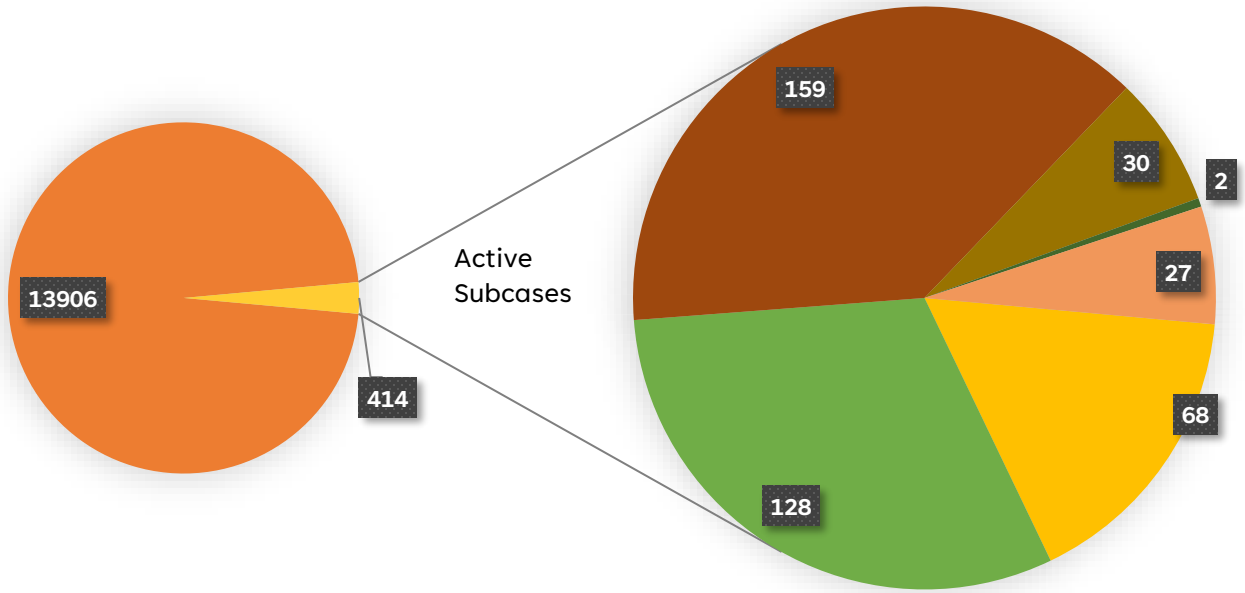
CSRBA



Medimont, ID
Photo Credit: Scott Potter, Northern Region

CSRBA Summary

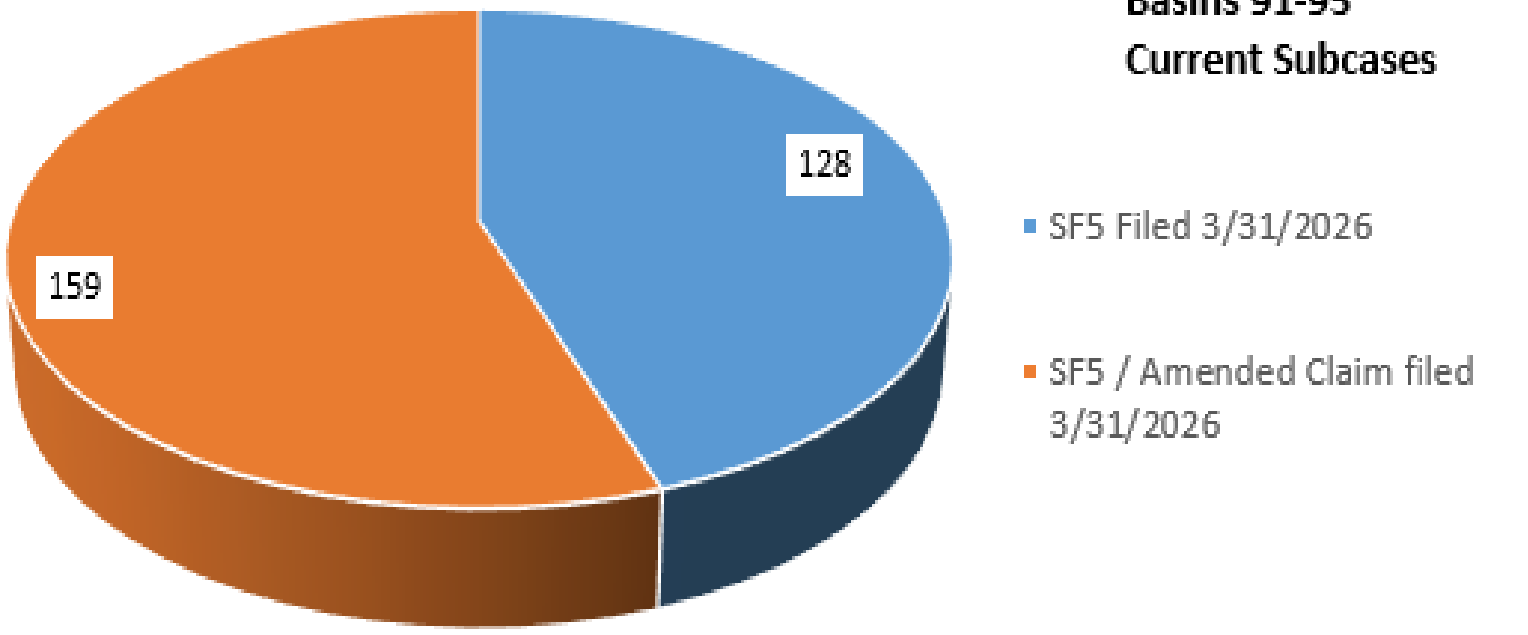
All Subcases



**United States of America as trustee on behalf of the Coeur d'Alene Tribe of the Coeur d'Alene Indian Reservation*

As of 11/07/2026

CSRBA FEDERAL RESERVED CLAIMS



** United States of America as trustee on behalf of the Coeur d'Alene Tribe of the Coeur d'Alene Indian Reservation*

BASIN 95 PART 1
SUBCASES FOR WHICH OBJECTIONS ARE UNRESOLVED



Harrison, Idaho
Photo Credit: Scott Potter, Northern Region

State-based claims in Coeur d'Alene Lake

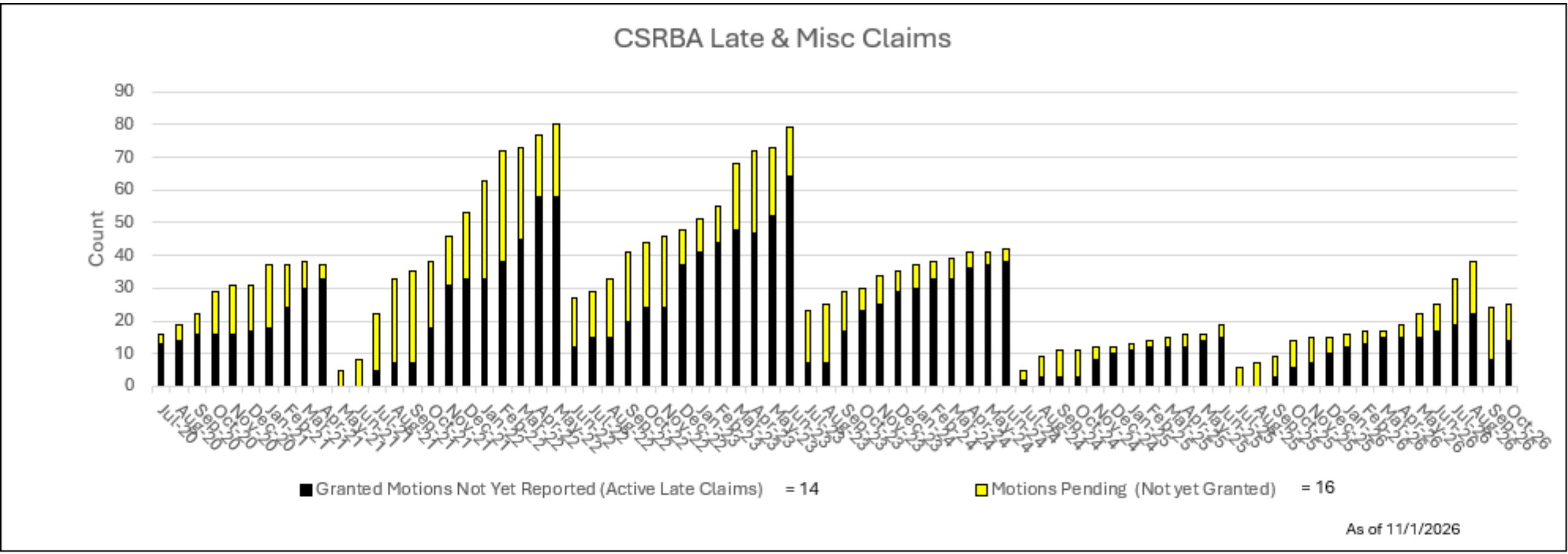
- SMRRs issued June 25, 2026. Decrees anticipated to issue with the larger Federal Package (91-7755 et al).

ACTIVE LATE CLAIM SUBCASES

Count	Claimant	Subcase #(s)	DR Filed	Status
1	“Chilco Lake Users” – lead claimant name: Curtis Carney	95-18274	06/15/23	SF5 filed 09/04/2026 - disallowed

OTHER ACTIVE SUBCASES

Count	Claimant	Subcase #(s)	DR Filed	Status
2	Michael & Kelley Woodard	95-11453, 95-12515	02/26/2019	Decreed 12/01/2020; set aside 07/22/2026 Claimants Filed Motion to Amend Claim 09/28/2026 Amended Notice of Claim still needed Objection Deadline: tbd


CSRBA Late & Misc Claims
Count
90
80
70
60
50
40
30
20
10
0
Granted Motions Not Yet Reported (Active Late Claims) = 14
Motions Pending (Not yet Granted) = 16
As of 11/1/2026

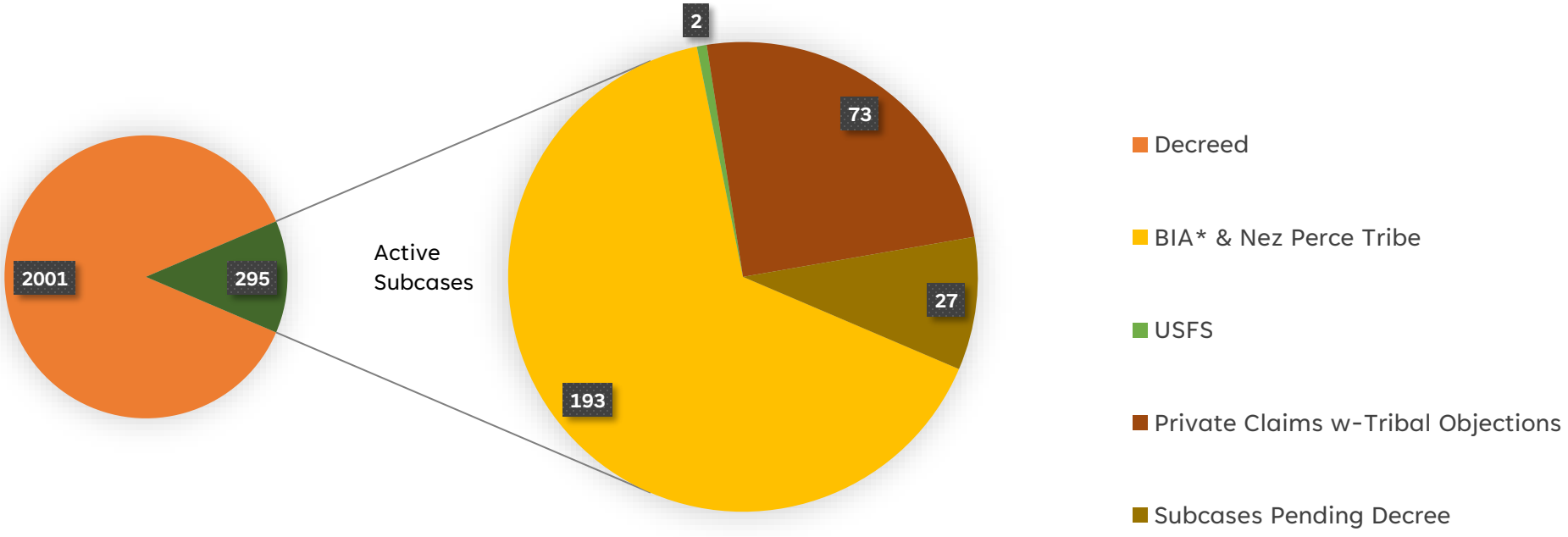


PRBA

Deary, ID
Photo Credit: Scott Potter, Northern Region

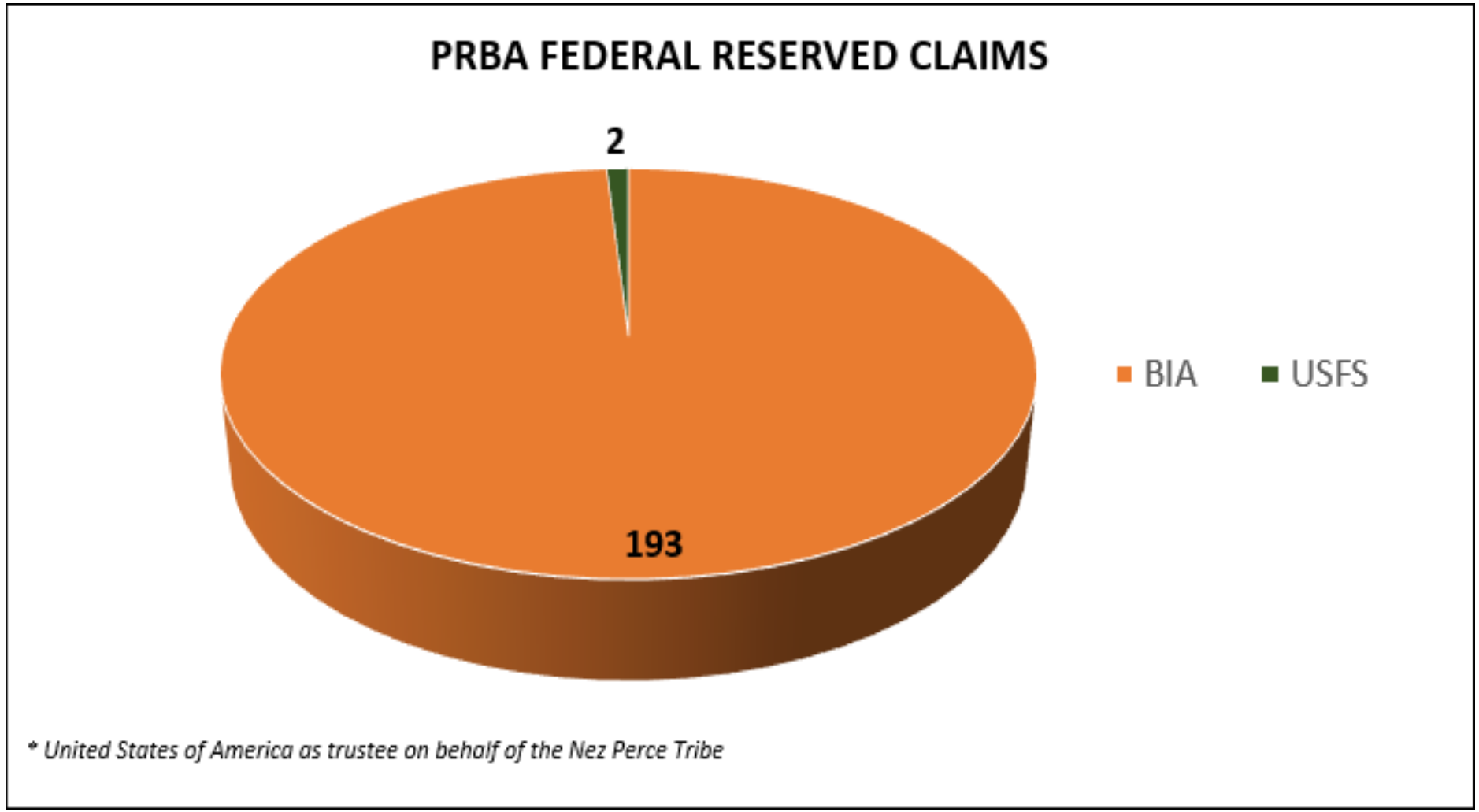
PRBA Summary

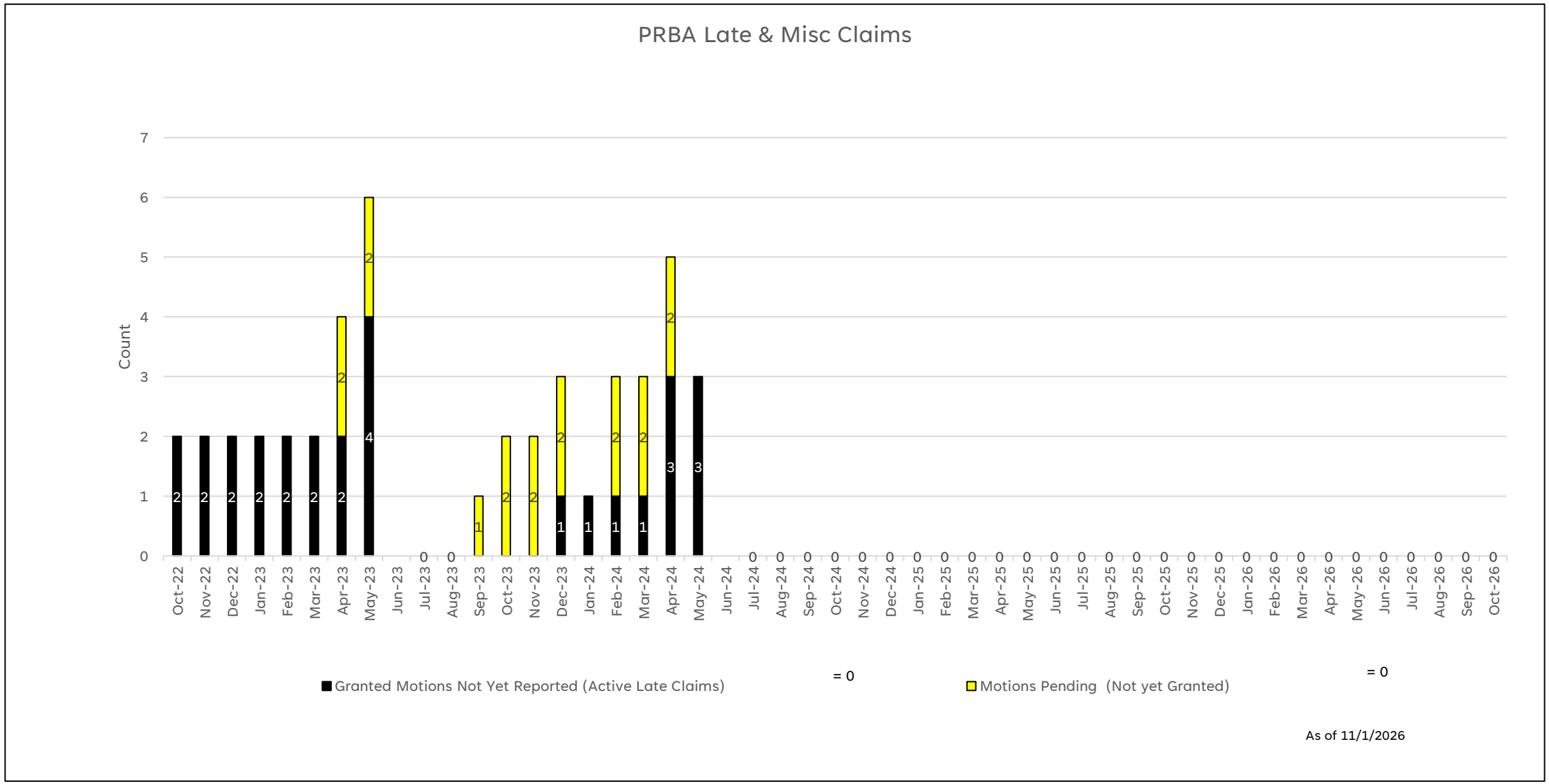
All Subcases



** United States of America as trustee on behalf of the Nez Perce Tribe*

As of 11/1/2026

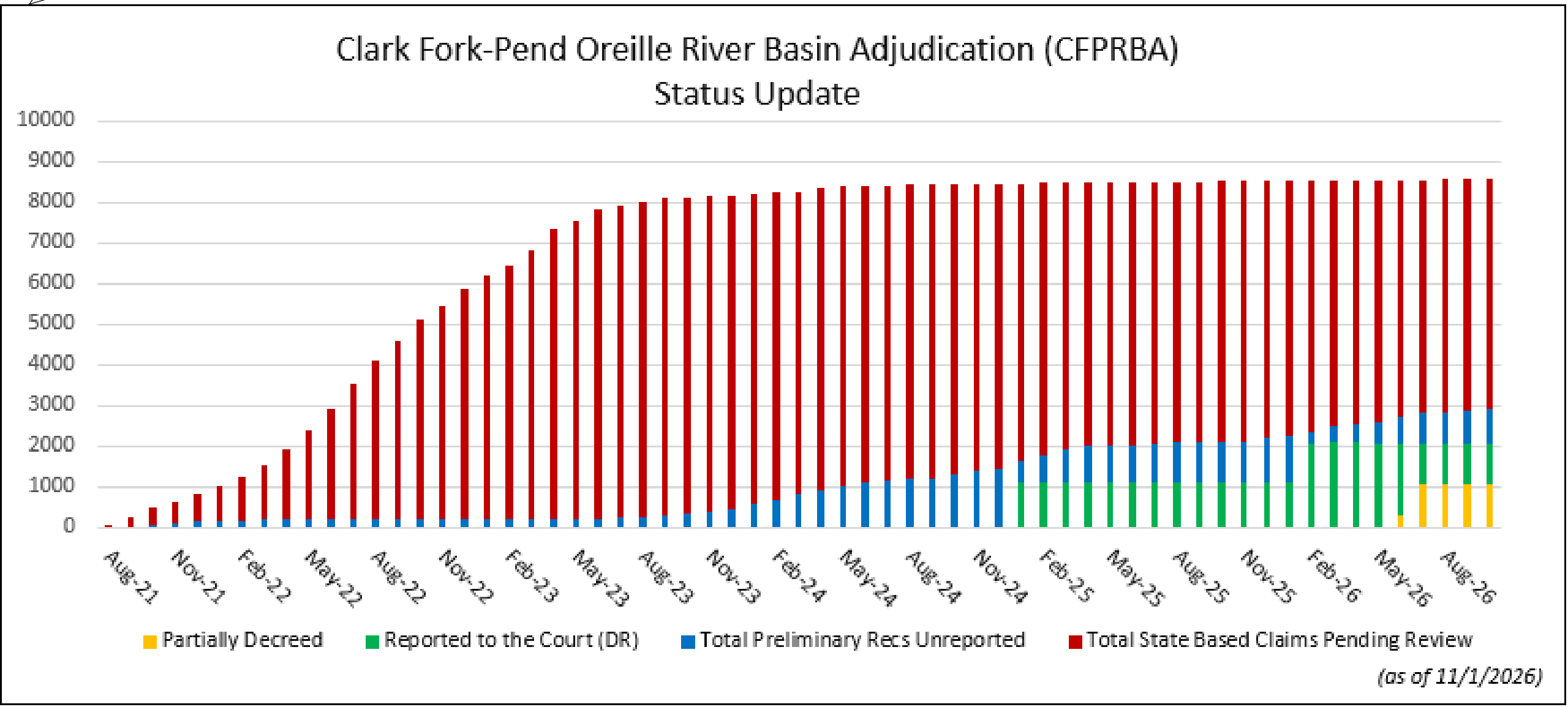

PRBA FEDERAL RESERVED CLAIMS
2
193
BIA
USFS
* United States of America as trustee on behalf of the Nez Perce Tribe


PRBA Late & Misc Claims
Count
0
1
2
3
4
5
6
7
Oct-22 Nov-22 Dec-22 Jan-23 Feb-23 Mar-23 Apr-23 May-23 Jun-23 Jul-23 Aug-23 Sep-23 Oct-23 Nov-23 Dec-23 Jan-24 Feb-24 Mar-24 Apr-24 May-24 Jun-24 Jul-24 Aug-24 Sep-24 Oct-24 Nov-24 Dec-24 Jan-25 Feb-25 Mar-25 Apr-25 May-25 Jun-25 Jul-25 Aug-25 Sep-25 Oct-25 Nov-25 Dec-25 Jan-26 Feb-26 Mar-26 Apr-26 May-26 Jun-26 Jul-26 Aug-26 Sep-26 Oct-26
2 2 2 2 2 2 2 4
2 2 2 2 2 2 2 3 3
1 1 1 1
0 0 0



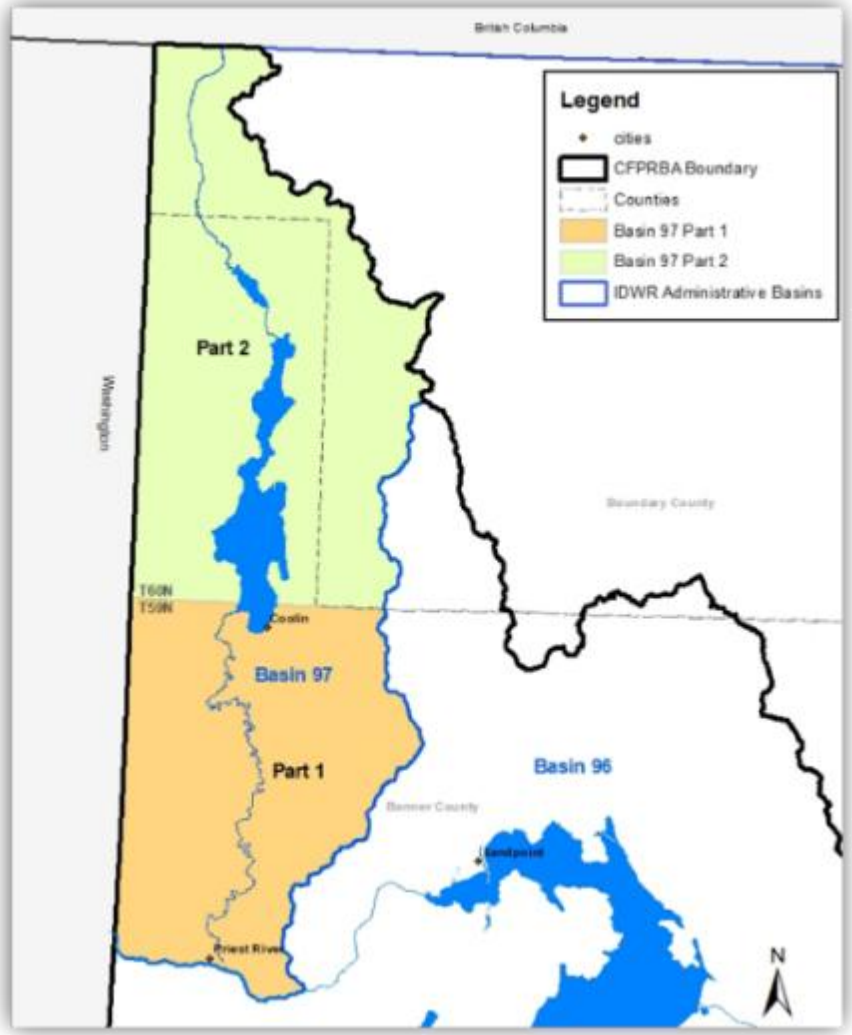
CFPRBA

Sandpoint, ID
Photo courtesy of Scott Potter, Northern Region


Clark Fork-Pend Oreille River Basin Adjudication (CFPRBA)
Status Update
10000
9000
8000
7000
6000
5000
4000
3000
2000
1000
0
Aug-21
Nov-21
Feb-22
May-22
Aug-22
Nov-22
Feb-23
May-23
Aug-23
Nov-23
Feb-24
May-24
Aug-24
Nov-24
Feb-25
May-25
Aug-25
Nov-25
Feb-26
May-26
Aug-26
Partially Decreed
Reported to the Court (DR)
Total Preliminary Recs Unreported
Total State Based Claims Pending Review
(as of 11/1/2026)

BASIN 97, PART 1

Contested Subcases			
Claimant	Subcase #(s)	Objector(s) / Respondent(s)	Status
John Hawley, Karen Hawley, & Ryan Hawley	97-7102, 97-9078, 97-9808, 97-9809, & 97-9810	John Hawley, Karen Hawley, & Ryan Hawley (Obj.)	Status Conference 12/01/26
K&P Big Rock Trust	97-9502	K&P Big Rock Trust (Obj.)	Status Conference 12/01/26
State of Idaho, Office of the Governor	97-2020	Kalispel Tribe of Indians (Obj.), United States as Trustee for Kalispel Tribe of Indians (Resp.), Avista Corp. (Resp.)	Status Conference 01/12/27
State of Idaho, Idaho Water Resource Board	97-7380, 97-9667, 97-9668, 97-9669, 97-9670, & 97-9671	IWRB (Obj.), Kalispel Tribe of Indians (Resp.), United States as Trustee for Kalispel Tribe of Indians (Resp.)	Status Conference 01/12/27



BASIN 97, PART 2

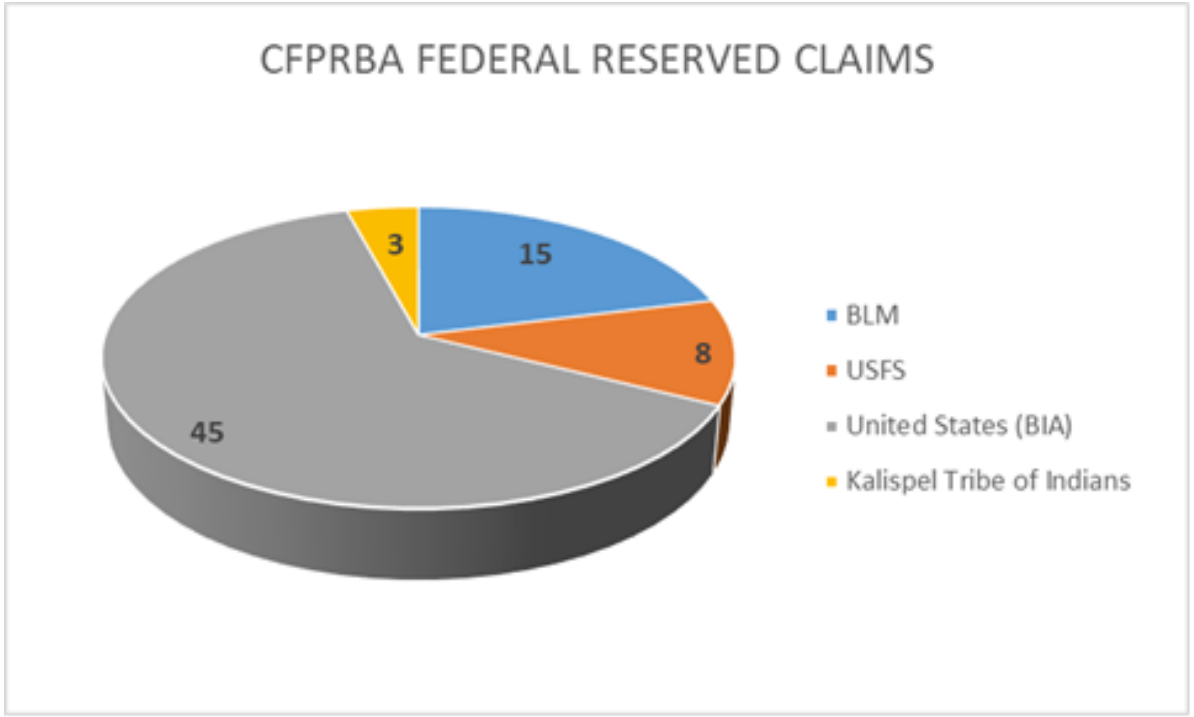
- The Director's Report State-based claims for Basin 97, Part 2 was mailed on January 16, 2026 (995 recommendations).
    - Hearing on Uncontested Claims is scheduled for **July 20, 2027.**
- There are 995 reported claims in the Part 2 Director's Report.
- Nine objections were filed to nine recommendations in the Director's Report.

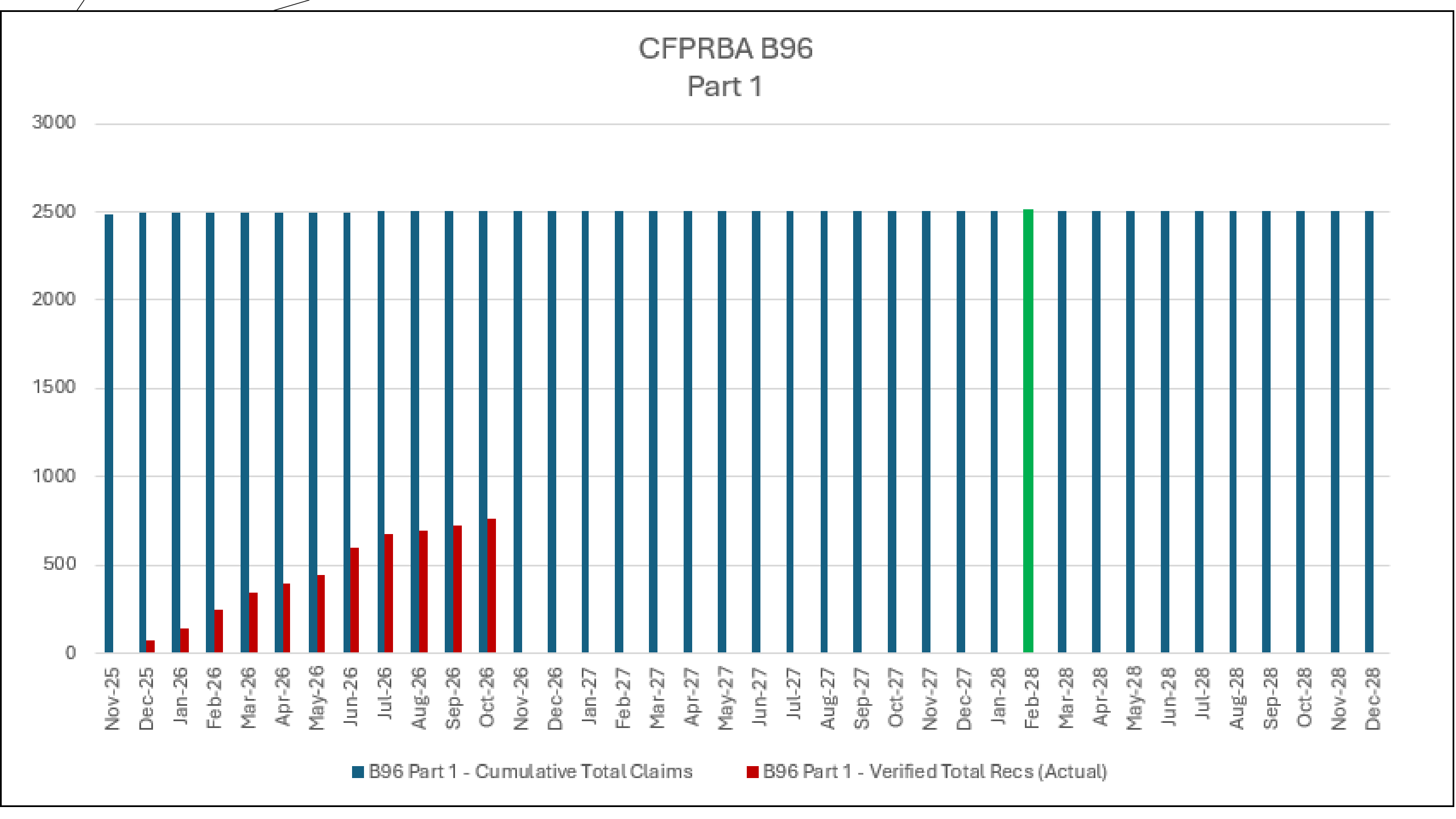


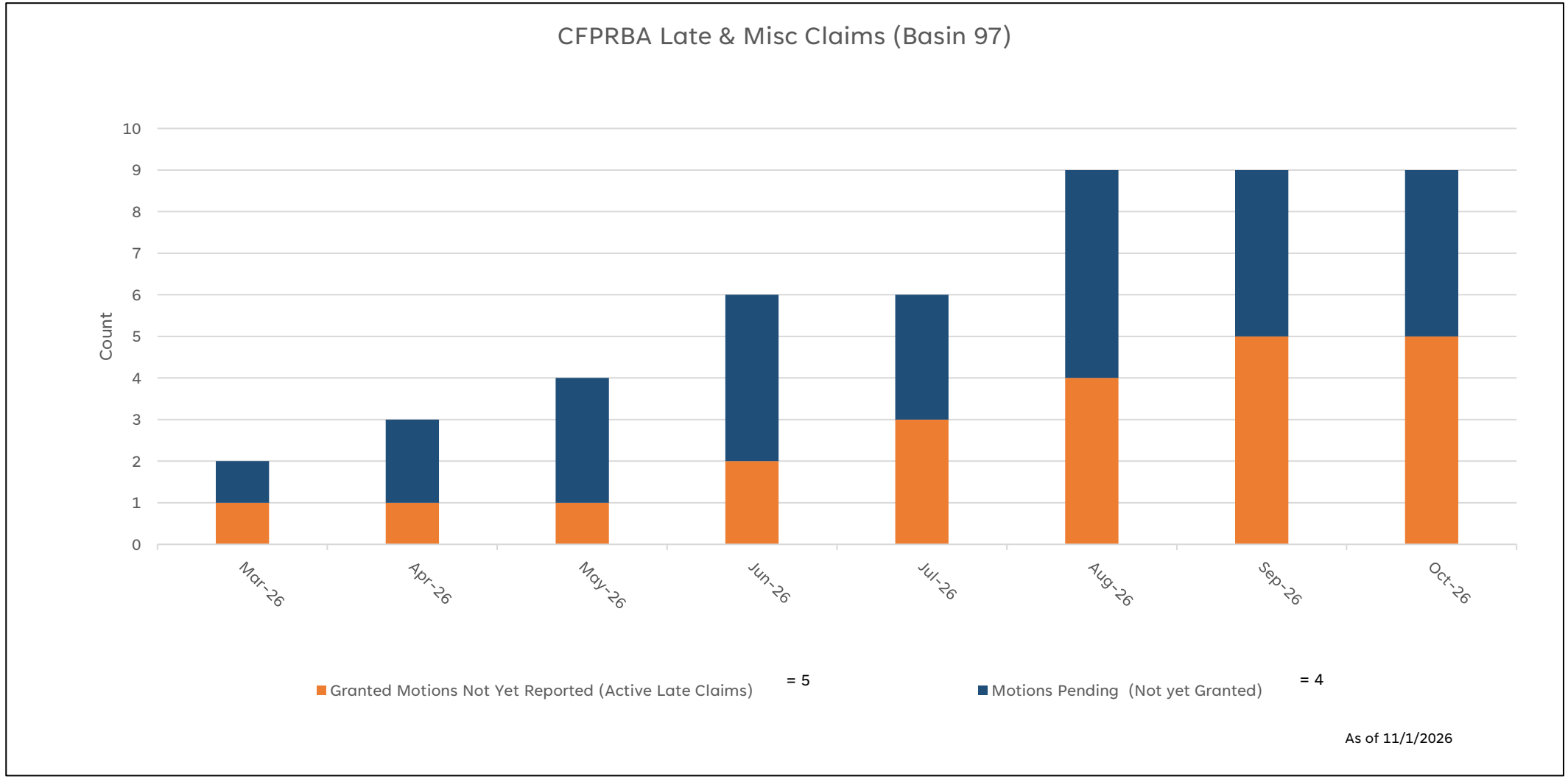
Round Lake State Park, Sagle, ID
Photo courtesy of Michael Thompson, Northern Region

DIRECTOR'S REPORT OF CFPRBA FEDERAL RESERVED WATER RIGHT CLAIMS

- The Director's Report of Federal Reserved Water Rights Claims was mailed on March 31, 2026.
  - Objection deadline was June 25, 2026.
  - Response deadline was August 24, 2026.
- There are 71 federal claims reported in the Federal Director's Report.



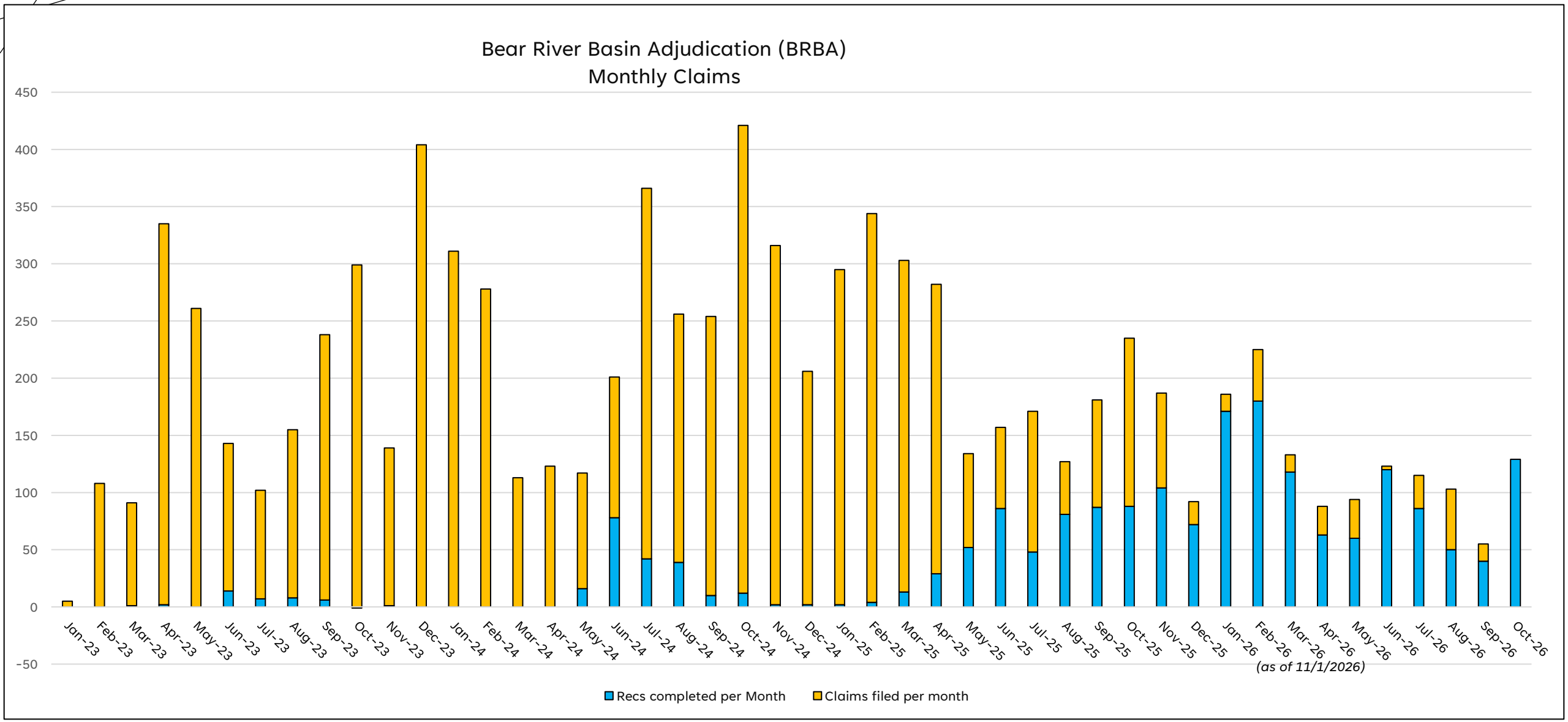

CFPRBA B96
Part 1
3000
2500
2000
1500
1000
500
0
Nov-25
Dec-25
Jan-26
Feb-26
Mar-26
Apr-26
May-26
Jun-26
Jul-26
Aug-26
Sep-26
Oct-26
Nov-26
Dec-26
Jan-27
Feb-27
Mar-27
Apr-27
May-27
Jun-27
Jul-27
Aug-27
Sep-27
Oct-27
Nov-27
Dec-27
Jan-28
Feb-28
Mar-28
Apr-28
May-28
Jun-28
Jul-28
Aug-28
Sep-28
Oct-28
Nov-28
Dec-28
B96 Part 1 - Cumulative Total Claims
B96 Part 1 - Verified Total Recs (Actual)


CFPRBA Late & Misc Claims (Basin 97)
Count
10
9
8
7
6
5
4
3
2
1
0
Mar-26
Apr-26
May-26
Jun-26
Jul-26
Aug-26
Sep-26
Oct-26
Granted Motions Not Yet Reported (Active Late Claims)
= 5
Motions Pending (Not yet Granted)
= 4
As of 11/1/2026

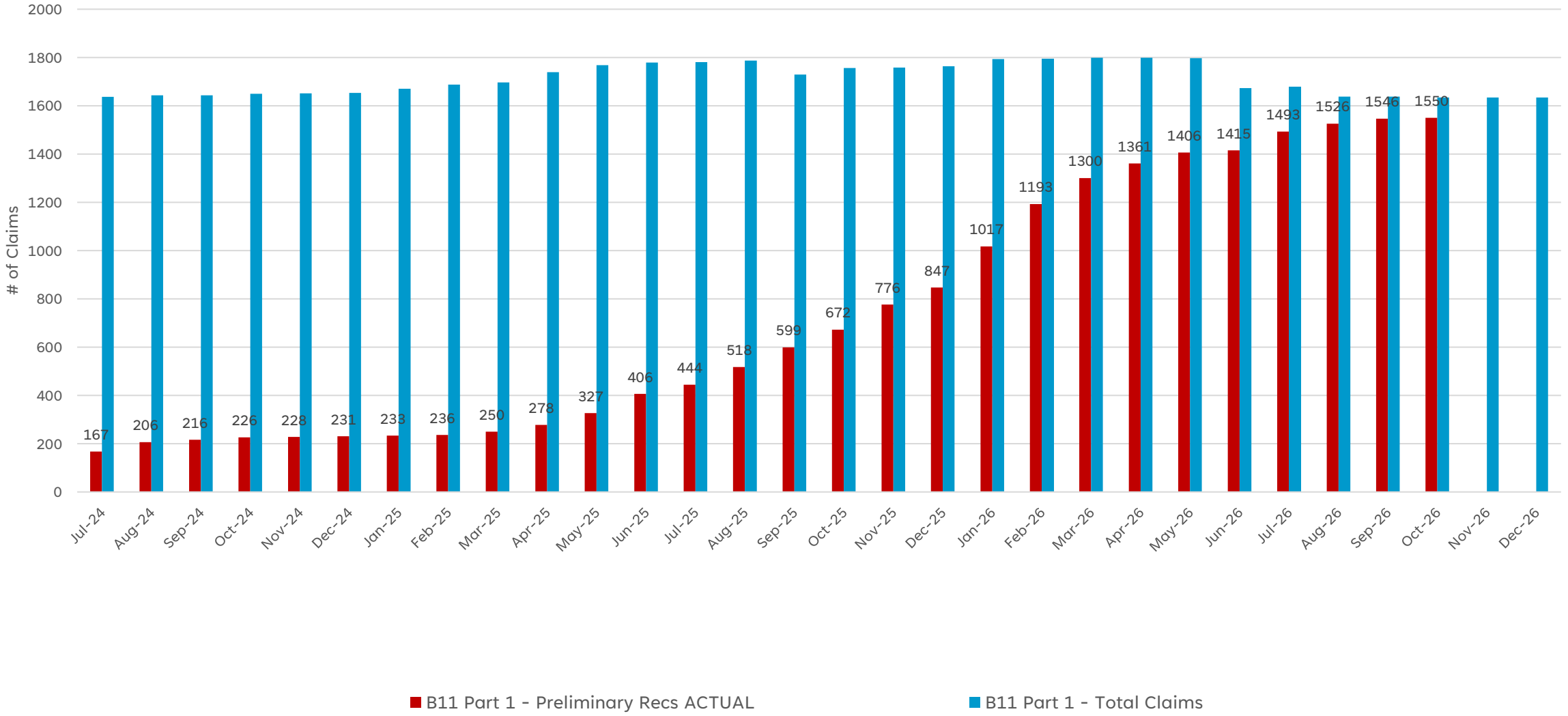
BRBA



Basin 11, Part 1 Beneficial Use Exams
Photo Credit: Jacob Morris, Preston Field Office


Bear River Basin Adjudication (BRBA)
Monthly Claims
450
400
350
300
250
200
150
100
50
0
-50
Jan-23
Feb-23
Mar-23
Apr-23
May-23
Jun-23
Jul-23
Aug-23
Sep-23
Oct-23
Nov-23
Dec-23
Jan-24
Feb-24
Mar-24
Apr-24
May-24
Jun-24
Jul-24
Aug-24
Sep-24
Oct-24
Nov-24
Dec-24
Jan-25
Feb-25
Mar-25
Apr-25
May-25
Jun-25
Jul-25
Aug-25
Sep-25
Oct-25
Nov-25
Dec-25
Jan-26
Feb-26
Mar-26
Apr-26
May-26
Jun-26
Jul-26
Aug-26
Sep-26
Oct-26
(as of 11/1/2026)
Recs completed per Month
Claims filed per month

BRBA - Basin 11 Part 1
Verified Recommendations

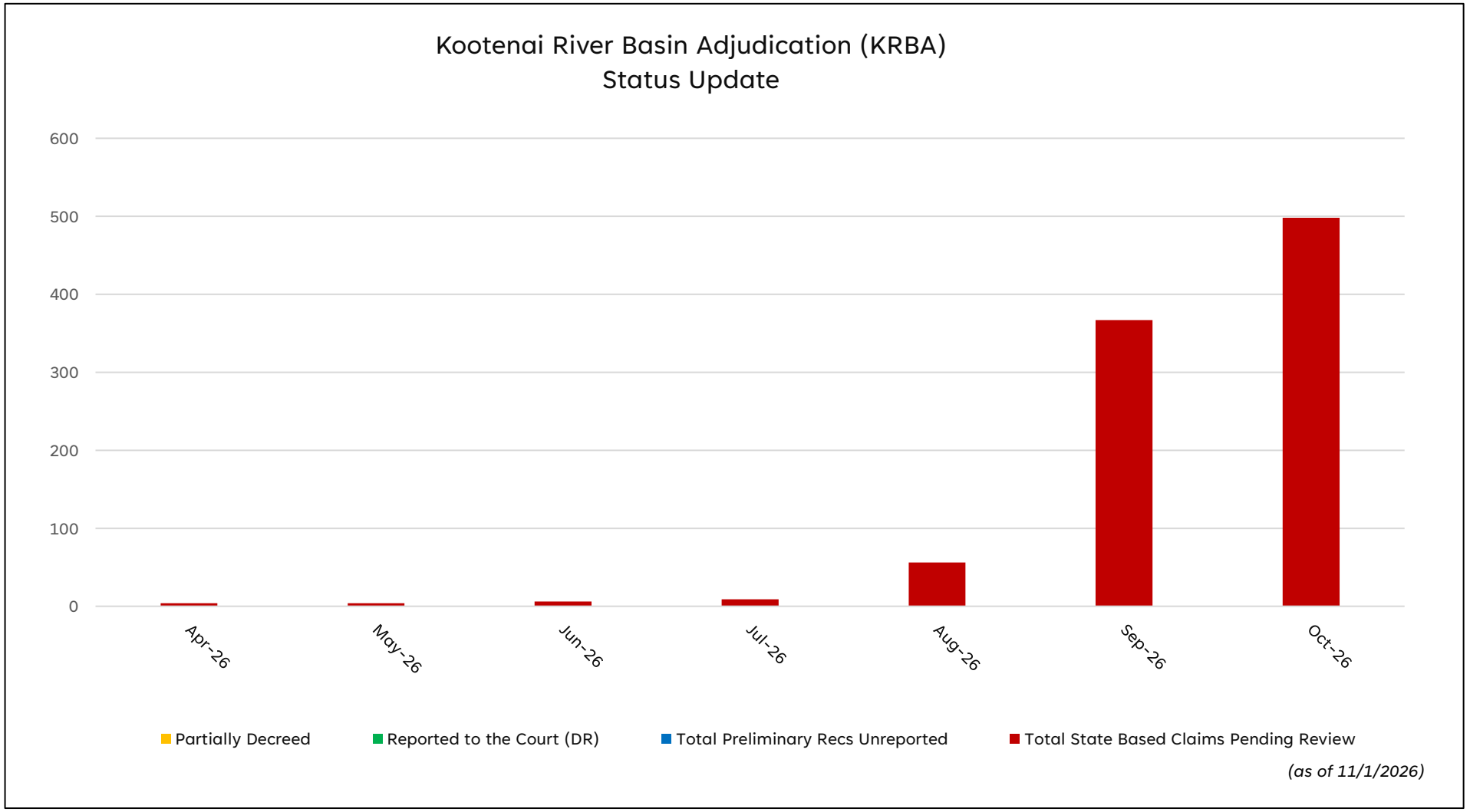


KRBA



Meadow Creek, Bonners Ferry, ID
Photo courtesy of Luke Bates, Northern Region

BASIN 98 UPDATES





Rose Lake – CDA River
Photo courtesy of Scott Potter, Northern Region

OTHER GENERAL MATTERS

UNITED STATES OF AMERICA V. STATE OF IDAHO ET AL. (STOCKWATER STATUTES)

- The United States challenged the constitutionality of I.C. §§ 42-113(2)(b), 42-224, 42-501, 42-502, and 42-504, enacted by the Idaho Legislature following the Idaho Supreme Court's decision in *Joyce Livestock Co. v. US*, 156 P.3d 508 (2007).
- *Memorandum Decision and Order* issued by Chief U.S. District Court Judge, David Nye, on August 28, 2024.
  - The Court concluded §§ 42-222 and 42-224 are constitutional as applied to the US and rejected the US' requests for permanent injunctions under those statutes.
  - The Court granted summary judgment to the US on the following statutes: §§ 42-113(2)(b), 42-502, and 42-504. The Court concluded that the US is entitled to a declaratory judgment that these three statutes violate the Supremacy Clause of the US Constitution. The Court also granted permanent injunction with respect to these three statutes.
- The US and State cross-appealed. Oral argument was held on April 14, 2026.
- The Ninth Circuit issued its Opinion on September 18, 2026, wherein it:
  - affirmed the district court's jurisdictional holdings,
  - reversed the district court's holding that I.C. § 42-224 is constitutional as applied to the US, and
  - affirmed the district court's holding that I.C. § 42-113(2)(b) is facially unconstitutional.

STATE OF IDAHO'S MOTION FOR DECLARATORY JUDGMENT RE: ADMINISTRATION OF WATER RIGHT 34-10901

- On July 24, 2026, the State of Idaho filed its Motion for and Memorandum of Support of Declaratory Judgment re Administration of Water Right 34-10901. The State filed in the Idaho Water Adjudication Court.
- On August 10, 2026, the Idaho Water Adjudication Court set the matter for hearing.
- On August 25, 2026, the United States filed its Notice of Removal of the matter to Federal District Court.
- On September 9, 2026, the Idaho Water Adjudication Court issued an Order Vacating Hearing and Briefing Schedule.

UNITED STATES OF AMERICA V. STATE OF IDAHO ET AL. (ADMINISTRATION OF FEDERAL WATER RIGHTS)

- On August 24, 2026, the United States filed a Notice of Removal of the action filed by the State of Idaho before Judge Wildman in the Idaho Water Adjudication Court.
- On September 23, 2026, the State of Idaho filed a Motion to Remand the matter back to the Idaho District Court. Briefing is complete and the parties are waiting to see if the US District Court requests oral argument.
  - Civil Docket 1:26-cv-00546-DCN
- On September 11, 2026, the United States filed a separate complaint in US District Court challenging the jurisdiction of the State of Idaho to administer all federal water rights decreed to the United States in the SRBA.
  - Civil Docket 1:26-cv-00592-DCN
- On November 13, 2026, a reassignment order was issued in Civil Docket 1:26-cv-00546-DCN. Both cases are now proceeding under 1:26-cv-00592-DCN and before US District Court Judge David Nye.



After 35+ years of dedicated service, Shelley Keen retired on November 6, 2026. Cheers to a new chapter and endless possibilities!!!

QUESTIONS?



Photo courtesy of Scott Potter, Northern Region