

#### DISCUSSION ITEMS

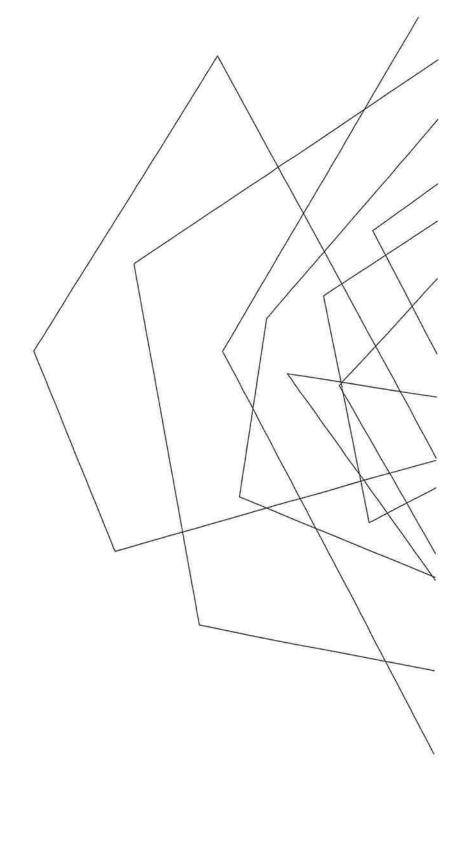
- Snake River Basin Adjudication
- Coeur d'Alene Spokane River Basin Adjudication
- Palouse River Basin Adjudication

Clark Fork — Pend Oreille River Basins Adjudication

Bear River Basin Adjudication

Kootenai River Basin Adjudication

Other General Matters



SRBA

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

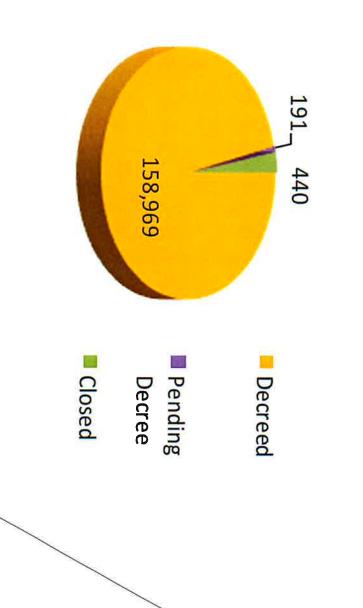
Pursuant to Judge Wildman's January 22, 2024 Stay Order, this subcase is stayed pending resolution of U.S. v. Idaho in the Federal Courts.

4

#### UNITED STATES OF AMERICA V. STATE OF IDAHO ET AL., US COURT OF APPEALS FOR THE NINTH CIRCUIT

- following the Idaho Supreme Court's decision in Joyce Livestock Co. v. US, 156 P.3d 508 (2007). The United States challenged the constitutionality of several statutes enacted by the Idaho Legislature
- 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.
- statutes violate the Supremacy Clause of the US Constitution. The Court also granted permanent and 42-504. The Court concluded that the US is entitled to a declaratory judgment that these three The Court granted summary judgment to the US on the following statutes: §§ 42-113(2)(b), 42-502, injunction with respect to these three statutes
- The US District Court issued the Amended Judgment on December 16, 2024 in response to Rule 60(a) Motion.
- Ninth Circuit Appellate briefing schedule has been extended with the following new filing deadlines:
- US' consolidated first brief on cross appeal is due May 30, 2025
- Idaho's consolidated second brief on cross appeal is due June 30, 2025
- Intervenor's brief also due June 30, 2025
- US' consolidated third brief on cross appeal is due July 30, 2025
- Idaho's optional reply brief is due August 20, 2025
- Intervenor's reply also due August 20, 2025

## SRBA SUMMARY AS OF MAY 8, 2025



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
1	Blaser	65-24319	8/26/2024	Waiting on Claimant to file Affidavit.
1	Bieker	86-12178	9/9/2024	Waiting on Claimant to file Affidavit
53	Casa Del Norte, LP	37-23482 et al.; 61-12441, et al.	1/28/2025	IDWR needs to publish notice.
12	T-Bone Ranch	25-14565 thru 25-14576	2/10/2025	In advertising
1	Johnson	86-12185	2/18/2025	Waiting on Claimant to file Affidavit.
ь	Lyke	63-35673	3/17/2025	Waiting on Claimant to file Affidavit.

# WAITING FOR IDWR TO SUBMIT NOTICE OF EXAMINATION

## AWAITING DIRECTOR'S REPORT BY IDWR

Count	Claimant	Subcase #(s)	Director's Report Due	Next Step
ω	Bingham	25-14553, 25-14554, 25-14555	1/9/2026	IDWR to Submit DR
2	Normandie LLC	65-24159, 65-24308	1/16/2026	IDWR to Submit DR
ω	Forever Ranch II, LLC	65-24332, 65-24333, 65-24334	1/23/2026	IDWR to Submit DR
Н	Lanman	85-15876	1/26/2026	IDWR to Submit DR
ъ	DeBonis	67-15483	1/30/2026	IDWR to Submit DR
6	Indian Meadows Ranch	55-14052 thru 55-14057	3/16/2026	IDWR to Submit DR
7	Casa Del Norte	61-12361 thru 61-12364, 61-12367, 61-12340	3/16/2026	IDWR to Submit DR.
1	Animals Trust	63-35660	4/23/2026	IDWR to Submit DR

### AWAITING PARTIAL DECREE

1 6	Count C
Gallant	Claimant
67-15210	Subcase #(s)
6/8/2022	DR Filed
Referred to Special Master Booth	Hearing on Uncontested

9

# DIRECTOR'S REPORT ISSUED WITH OUTSTANDING OBJECTIONS

7/25/2023*	5/22/2023	29-14388 thru 29-14397, 61-12467 thru 61-12470	Williams	14
8/8/2022	6/8/2022	67-15208, 67-15209	Gallant	2
5/24/2019*	6/8/2022	67-15211, 67-15212	Gallant	2
3/14/2022	1/14/2022	55-14030 et al.	Pioneer Power LLC	47
11/23/2021	9/21/2021	67-15263 et al.	Hood	27
Objection Filed	DR Filed	Subcase #(s)	Claimant	Count

## DIRECTOR'S REPORTS WITH EXECUTED SF5S

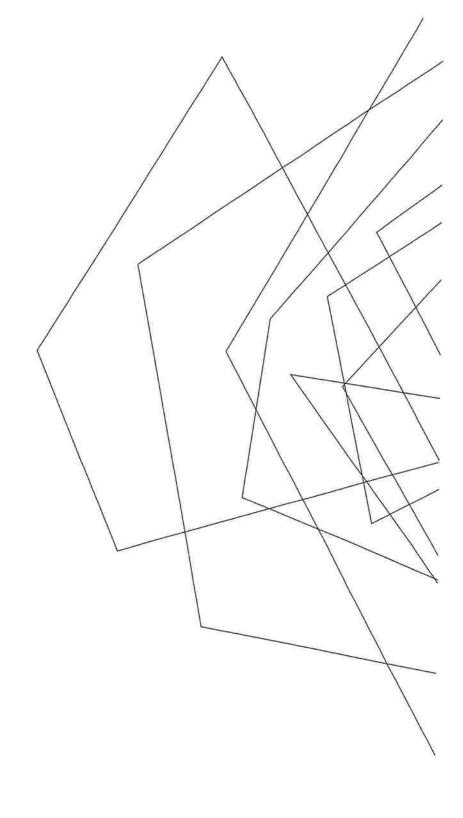
	SF5 Filed Date
ויטן	F5 Filed Date

#### PARTIAL DECREE ISSUED

63-35519       4/15/2025         63-35068       4/16/2025         86-12177       4/16/2025			
		Watson	1
	63-35068	Rose	Ь
	63-35519	Love	h
Subcase #(s) Partially Decreed		Count Claimant	Coun

#### DISMISSED

Count
Claimant
Subcase #(s)
Date Dismissed



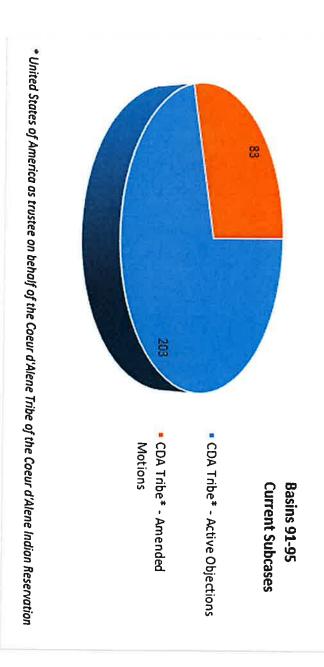
**CSRBA** 

#### 13893 379 Active Subcases **CSRBA Summary** 83 203 All Subcases 83 0 9 Subcases Pending Decree At Issue (State Based Claims) Late Claims & Motions (Unreported) ■ CDA Tribe\* - Amended Motions ■ CDA Tribe\* - Active Objections Decreed CDA Tribe\* - Decreed Disallowed

Last Updated 5/1/2025

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

#### **CSRBA FEDERAL RESERVED CLAIMS**



#### SUBCASES FOR WHICH OBJECTIONS ARE UNRESOLVED BASIN 95 PART 1



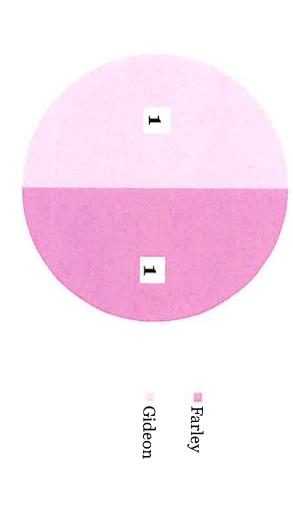
Settlement negotiations are ongoing.

Deadline to file SF5s in the Avista and Governor's water rights set for July 30, 2025.

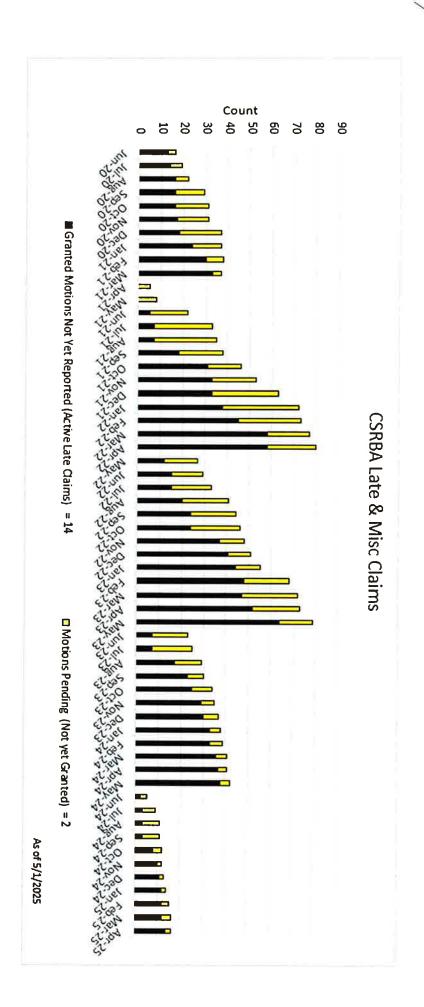
Next status conference for the state-based lake claims is scheduled for July 23, 2025.

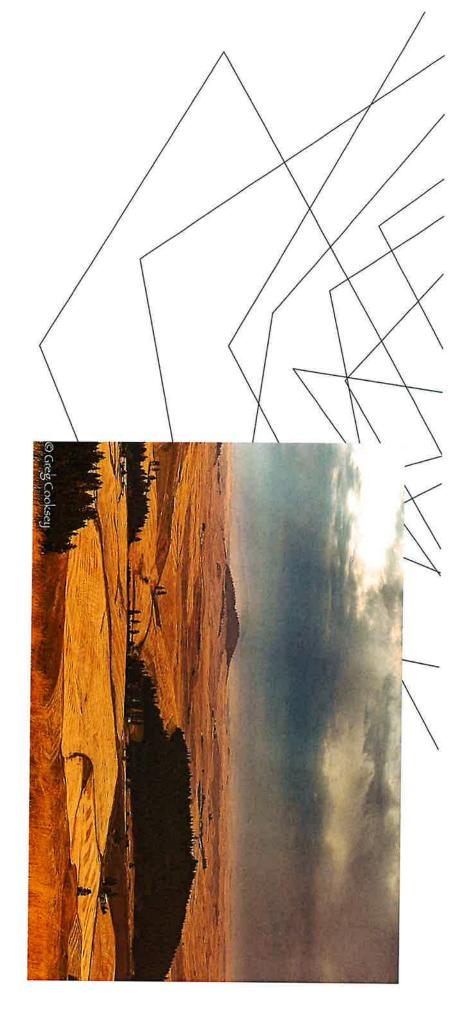
Coeur d'Alene River
Photo courtesy of Adam Frederick (former IDWR employee)

#### SUBCASES FOR WHICH OBJECTIONS ARE UNRESOLVED 3 OBJECTIONS TO 2 CONTESTED SUBCASES BASIN 95 PART 2



Special Master Booth 2,566 State Based Rights (2,379 Active –187 Disallowed) Director's Report filed February 26, 2019, Response August 20, 2019.

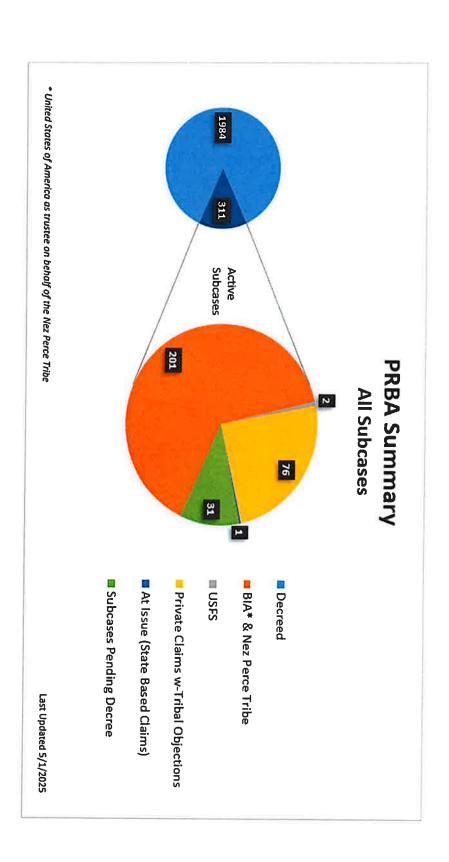


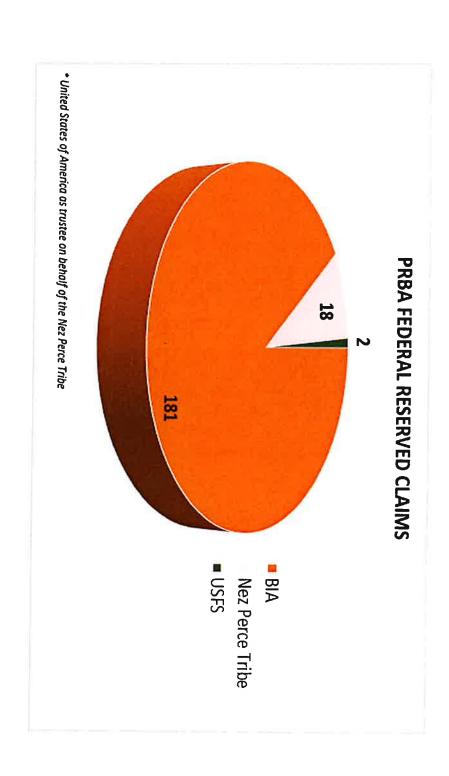


PRBA

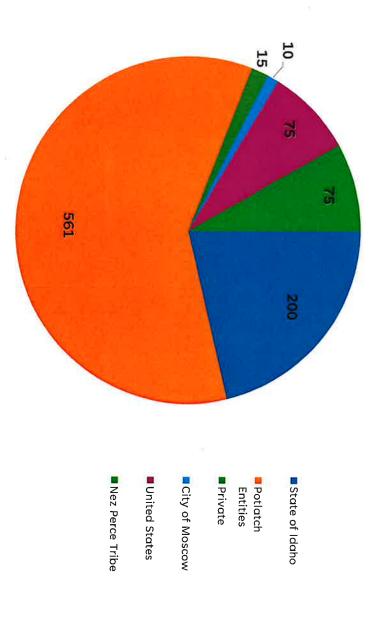
"Palouse Storm"

Photo Credit: Greg Cooksey, former IDWR employee

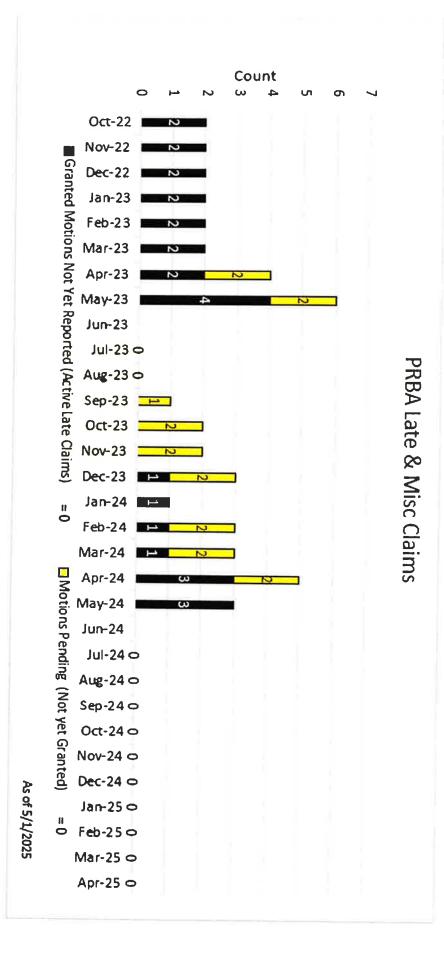




### PRBA OUTSTANDING OBJECTIONS



or to the corresponding federal reserved claims. All the remaining outstanding objections are to claims filed by private parties with a spring source,



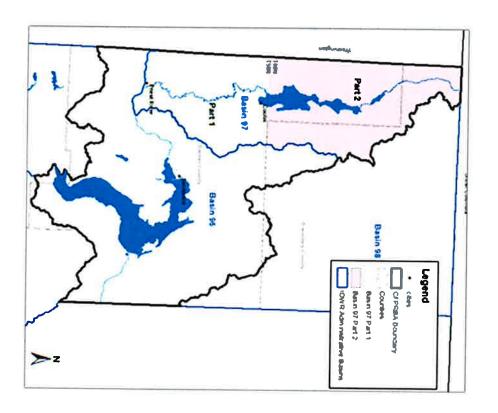


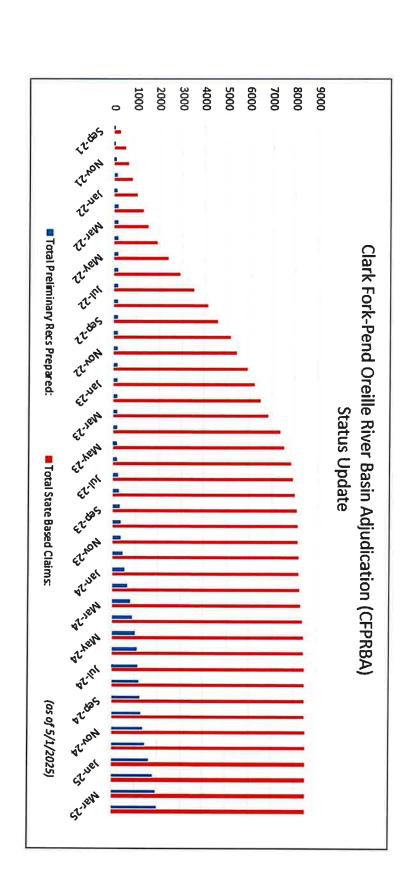
CFPRBA

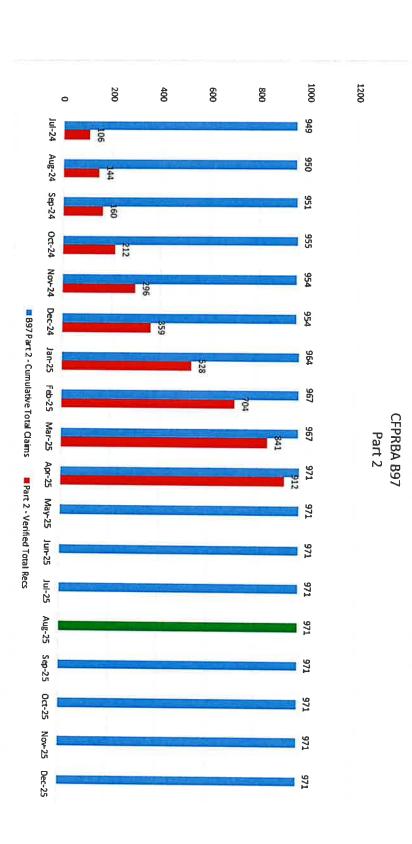
USFS Tree Plot -- Grouse Creek, Bonner County Photo courtesy of Luke Bates, Northern Region

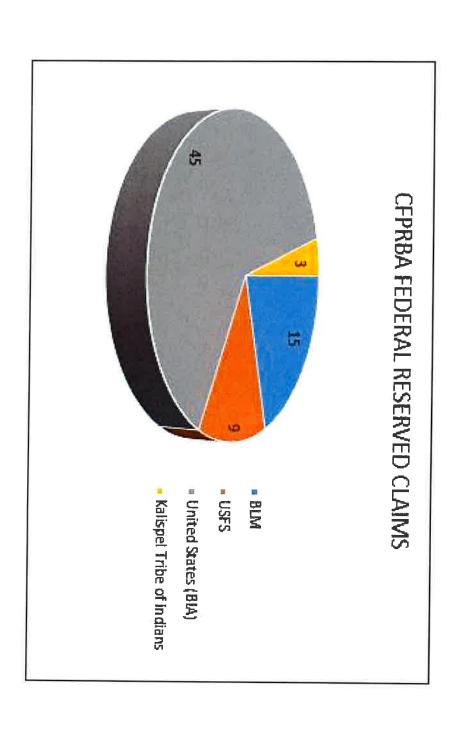


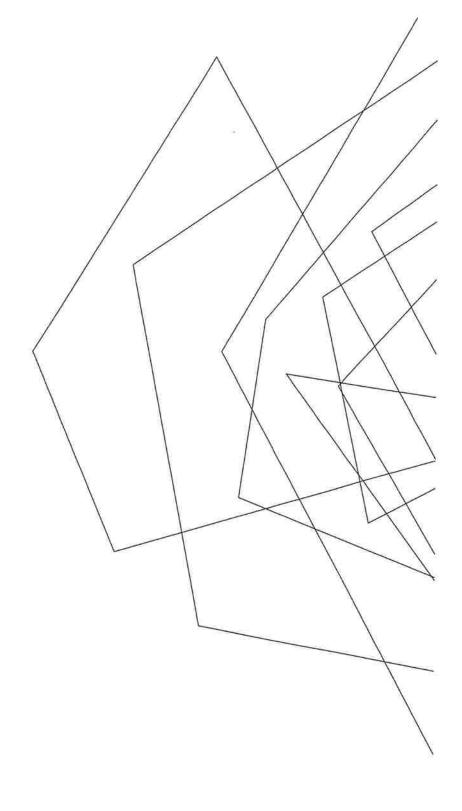
- The Director's Report for Basin 97 Part 1 was mailed on December 17 2024
- December 17, 2024.Deadline for objections = Ran on May 12, 2025
- Deadline for responses = July 28, 2025
- Hearing on Uncontested Motions = January 20, 2026
- There are 1,087 claims pending in the CFPRBA
- Adjudication staff are working on recommendations for the Basin 97 Part 2 Preliminary Director's Report.



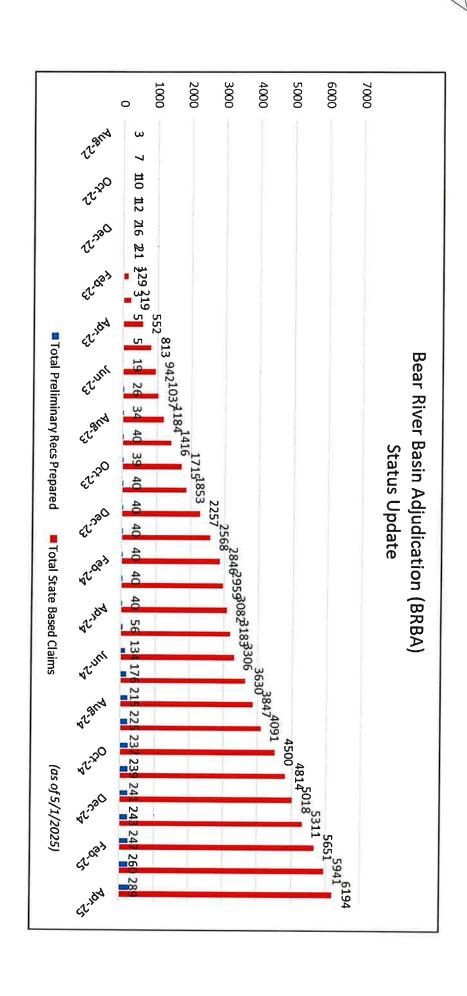


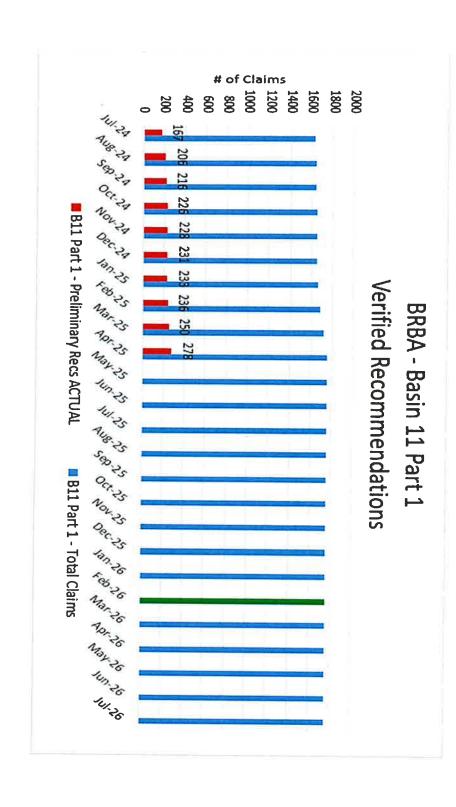




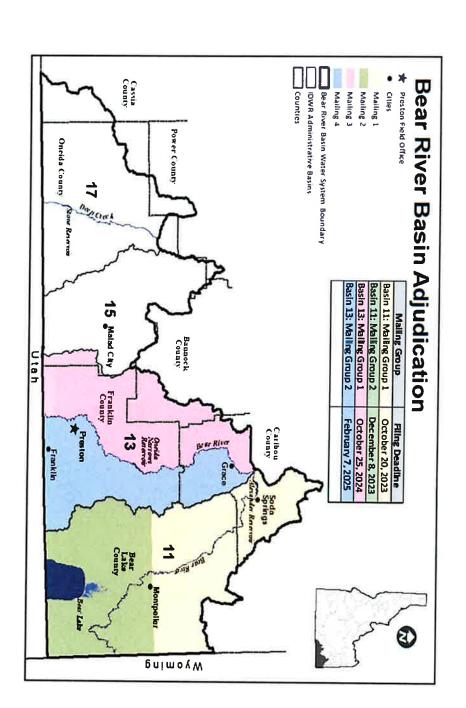


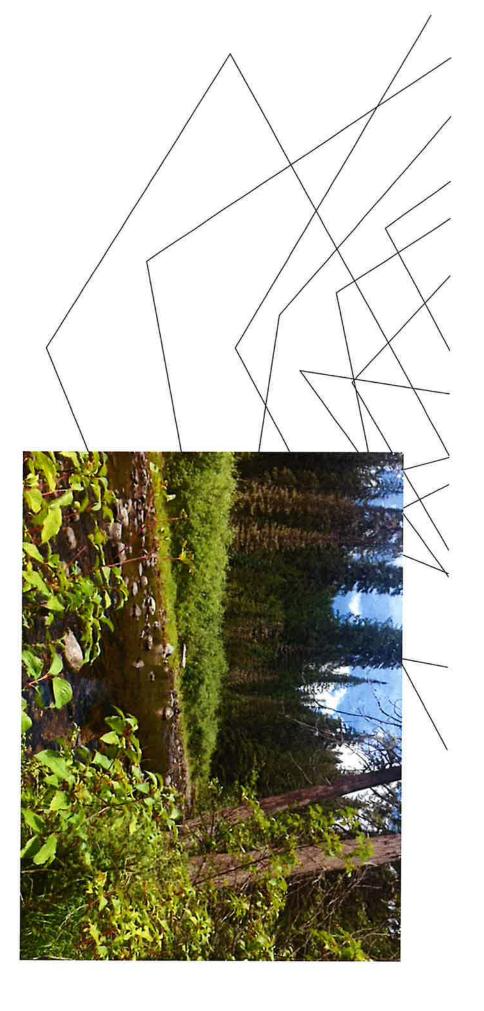
BRBA





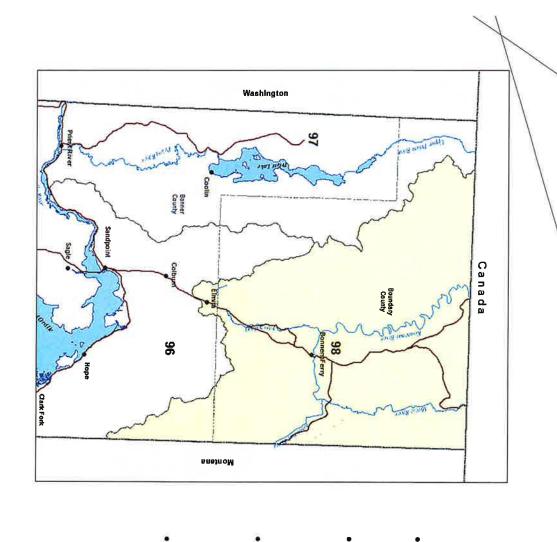
## COMMENCEMENT NOTICE MAILINGS





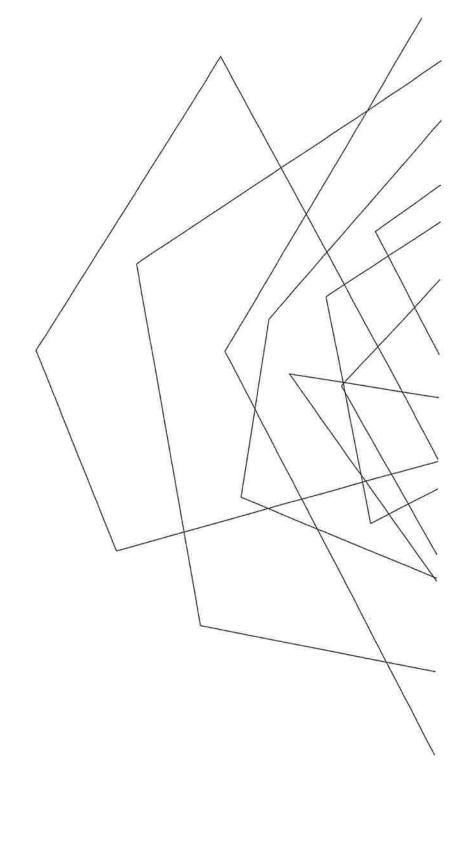
KRBA

Stream near Nordman, ID Photo courtesy of Adam Frederick, former IDWR employee



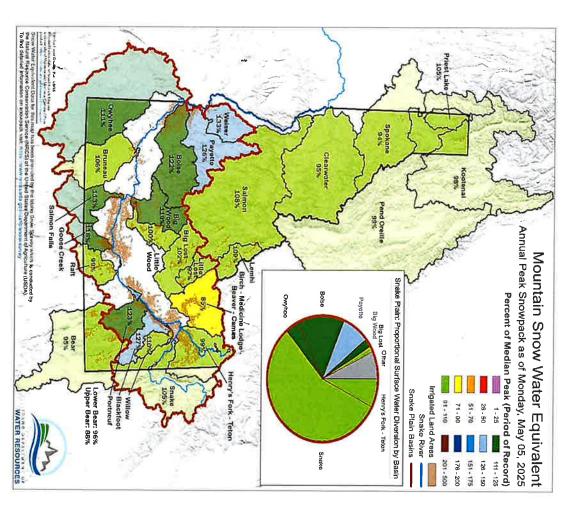
#### **BASIN 98 UPDATES**

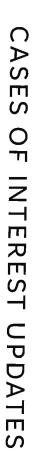
- Petition to Commence Kootenai River Basin Adjudication filed on January 3, 2025.
- Hearing on *Petition to Commence Kootenai*River Basin Adjudication is scheduled for July 15,
  2025.
- IDWR will be republishing the notice of filing pursuant to its obligations under Idaho Code § 42-1407.
- IDWR Senior Water Resource Agent Luke Bates continues to hold office hours at the Boundary County Annex Building in Bonners Ferry. These have typically been on the third Wednesday of each month to assist walk-ins with questions about the adjudication, water use, water rights, and more.



OTHER GENERAL MATTERS







- City of Idaho Falls, et al. v. Idaho Department of Water Resources
- CM-DC-2010-001; Ada County Case CV01-23-13238; ISC Case 52102-2024
- Notice of Appeal filed July 12, 2024.
- Clerk's Record has been finalized.
- Opening briefs have been filed.
- Briefing completed; Idaho Supreme Court to set oral argument.

Welcome aboard JUSTIN EDGEL, new Water Resource Agent in the Preston Field Office!

Congratulations to SCOTT LUVAAS on starting in his new role as Principal Agent in the Compliance Section of the State Office!

Congratulations to DEAN GARWOOD, who has accepted a contracting position in the Hydrogeology Section of IDWR's Northern Regional Office!



#### QUESTIONS?



Meet Carlos, who followed Senior Water Resource Agent, Luke Bates on a field exam. Carlos likes short & slow walks, doesn't mind the mud, but is terrified of cast iron pans & fireplaces. He is a little short and gets high centered easily, but his tail wags furiously if you scratch behind his ears!!

Photo courtesy of Luke Bates, Northern Region