

**Lacey Rammell-O'Brien & Craig Saxton  
for the Idaho Department of Water Resources  
December 19, 2023**

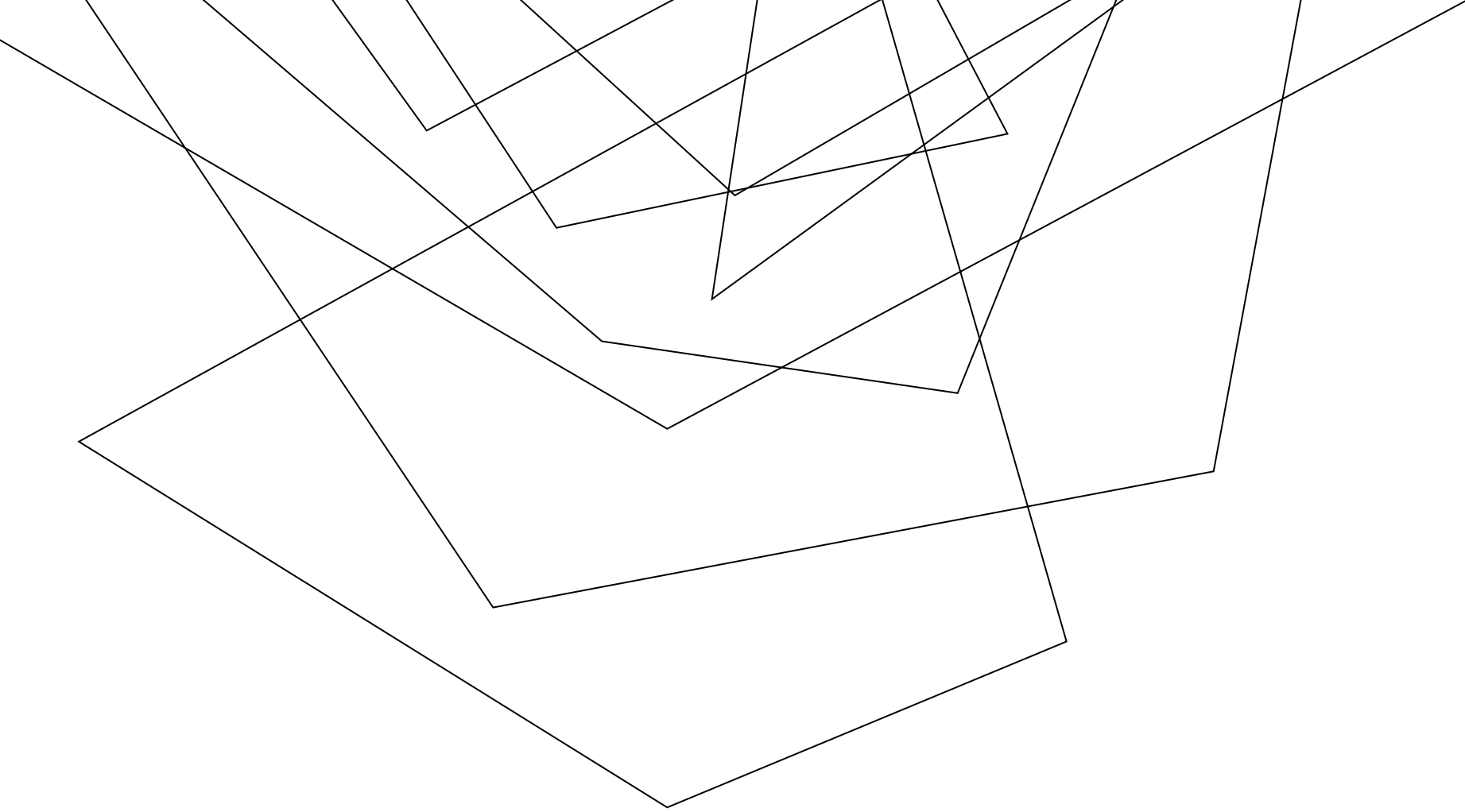


Photo Credit: Brigitte Bilyeu, Idaho Water Adjudications



## 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
- Other General Matters



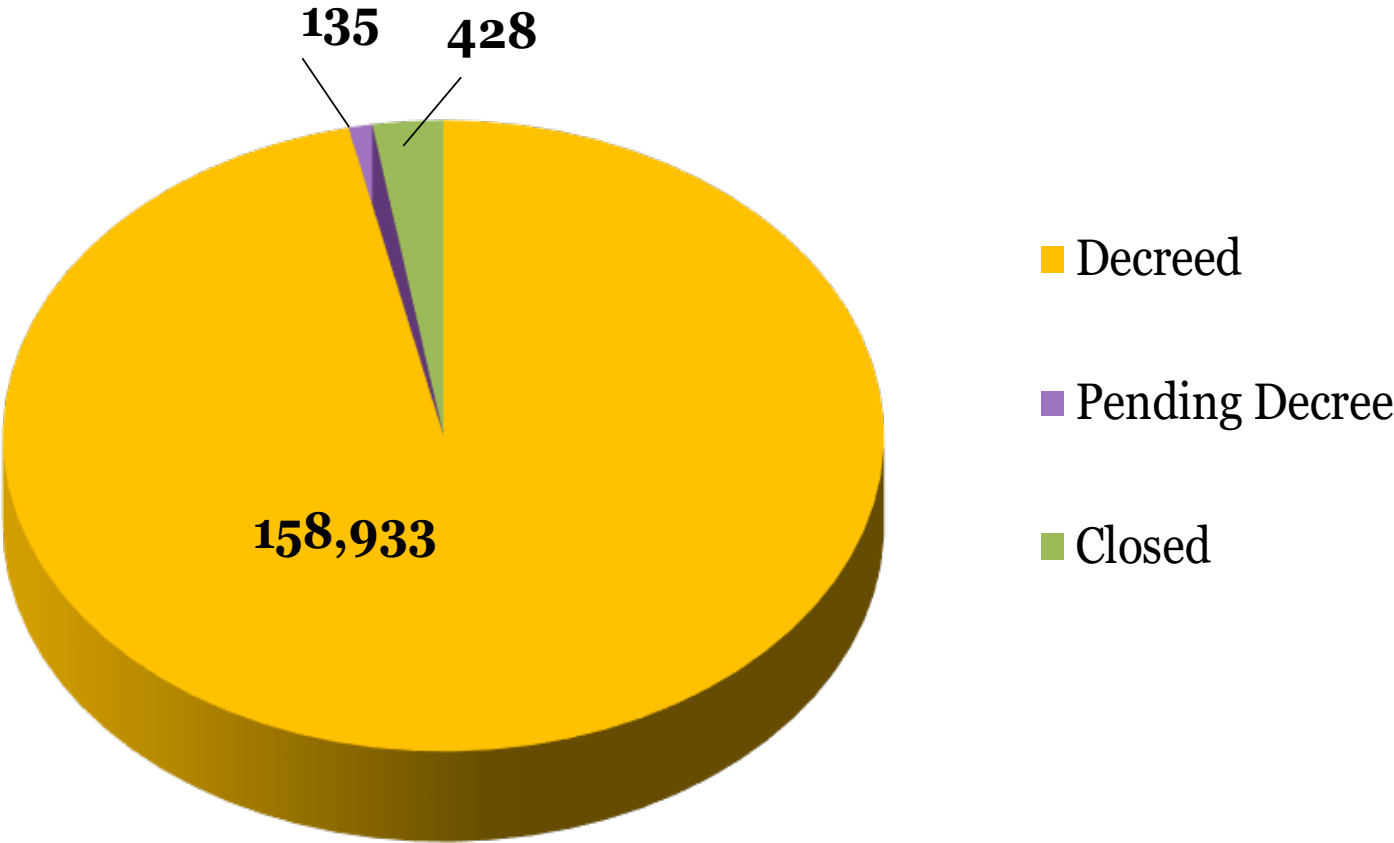
SRBA

## SUBCASE 00-92095

### ADJUDICATION OF DEFERRED DE MINIMIS DOMESTIC AND STOCKWATER CLAIMS

- On February 16, 2022, the Court issued an *Order* appointing Special Master Booth as a settlement moderator to preside over settlement negotiations.
- On October 24, 2022, Special Master Booth filed a *Settlement Moderator's Report*. The Special Master Booth agreed with the parties and recommended that the stay of litigation continued until December 31, 2023.
- The Court issued a *Stay Order/Order Setting Status Conference* on November 8, 2022, and in an exercise of its discretion continued the stay in this matter until December 31, 2023. A Status Conference is scheduled for January 16, 2024.

# SRBA SUMMARY AS OF DECEMBER 7, 2023



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	Thompson	65-24131	4/18/2022	Waiting on Claimant to file Affidavit

## WAITING FOR IDWR TO SUBMIT NOTICE OF EXAMINATION

Count	Claimant	Subcase #(s)	Affidavit Filed	Next Step
1	Bowen	85-15851	12/4/2023	IDWR to submit Notice of Examination



# AWAITING DIRECTOR'S REPORT BY IDWR

Count	Claimant	Subcase #(s)	Director's Report Due	Next Step
1	Drake	63-11858	1/19/2024	IDWR to submit DR
2	Nance	63-35326, 63-35327	4/15/2024	IDWR to submit DR
1	Kittrell	75-15065	5/24/2024	IDWR to submit DR
1	Downing	83-11998	7/1/2024	IDWR to submit DR
1	Wallace-Wilbur	78-12312	10/11/2024	IDWR to submit DR
1	Farley	86-12165	10/27/2024	IDWR to submit DR
1	Nuismer	86-12169	11/18/2024	IDWR to submit DR
1	Huff	85-15853	11/18/2024	IDWR to submit DR
1	Leroy & Jewel Steigers Revocable Trust	85-15844	11/18/2024	IDWR to submit DR
1	Schram	63-35487	11/18/2024	IDWR to submit DR

# AWAITING PARTIAL DECREE

Count	Claimant	Subcase #(s)	DR Filed	Hearing on Uncontested
1	Gallant	67-15210	6/8/2022	Referred to Special Master Booth
5	Hagenbarth – 1 <sup>st</sup> Group	31-12489, 31-12492, 31-12493, 31-12505, 31-12506	5/25/2023	Referred to Special Master Bilyeu
1	Wolff	86-12158	8/25/2023	1/16/2024
1	Miller	85-15834	8/10/2023	1/16/2024
7	Halvorson	86-12145 thru 86-12151	9/27/2023	3/19/2024
1	Barrett	75-15064	10/6/2023	3/19/2024
1	Willow Creek Vista LLC	65-24171	12/8/2023	5/21/2024
1	Frost	63-35332	12/11/2023	5/21/2024
1	Renfrow	86-12161	12/11/2023	5/21/2024



# DIRECTOR'S REPORT ISSUED WITH OUTSTANDING OBJECTIONS

Count	Claimant	Subcase #(s)	DR Filed	Objection Filed
27	Hood	67-15263 et al	9/21/2021	11/23/2021
48	Collett	55-14030 et al	1/14/2022	3/14/2022
1	Parke	43-13796	9/13/2021	9/23/2021
2	Gallant	67-15211, 67-15212	6/8/2022	5/24/2019*
6	Hagenbarth – 1 <sup>st</sup> Group	31-12488 et al.	6/1/2022	7/26/2022
2	Gallant	67-15208, 67-15209	6/8/2022	8/8/2022
14	Williams	29-14388 thru 29-04397, 61-12467 thru 61-12470	5/22/2023	7/25/2023*

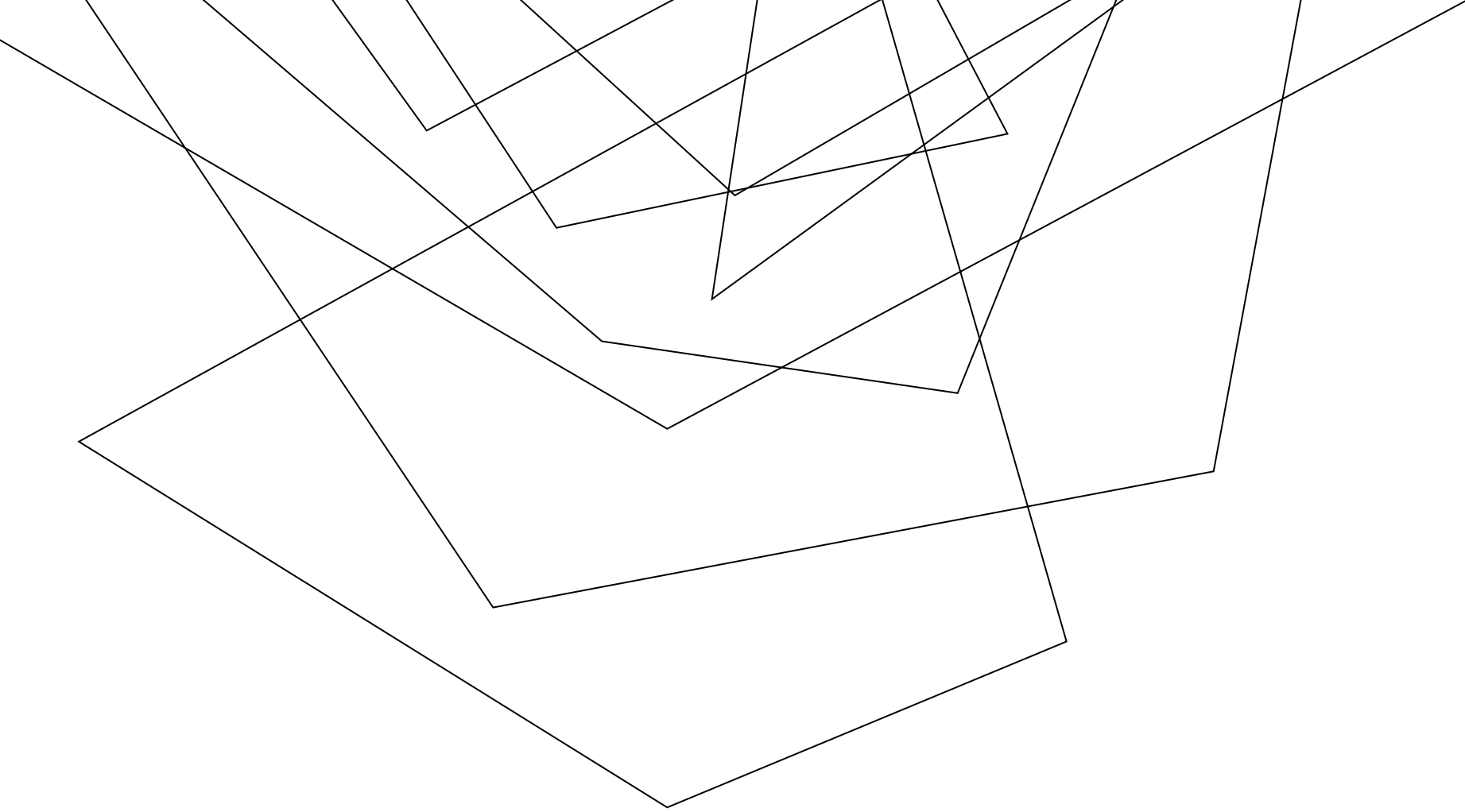
\*Objection to the claim filed before Director's Report

## DIRECTOR'S REPORTS WITH EXECUTED SF5S

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

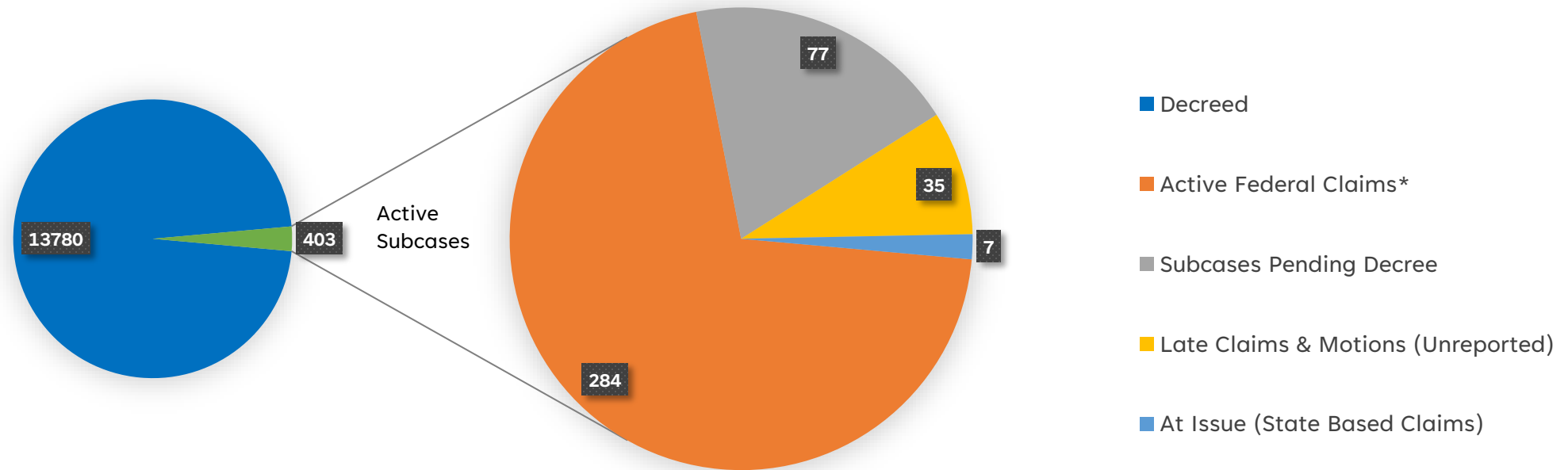
## PARTIAL DECREE ISSUED

Count	Claimant	Subcase #(s)	Final Order
1	Rosler	63-35200	11/24/2023
2	Butters-Ogle	86-12135, 86-12136	11/24/2023
1	Greer	86-12160	11/24/2023
1	Konen LLC	85-15821	11/24/2023



CSRBA

## CSRBA Summary All Subcases

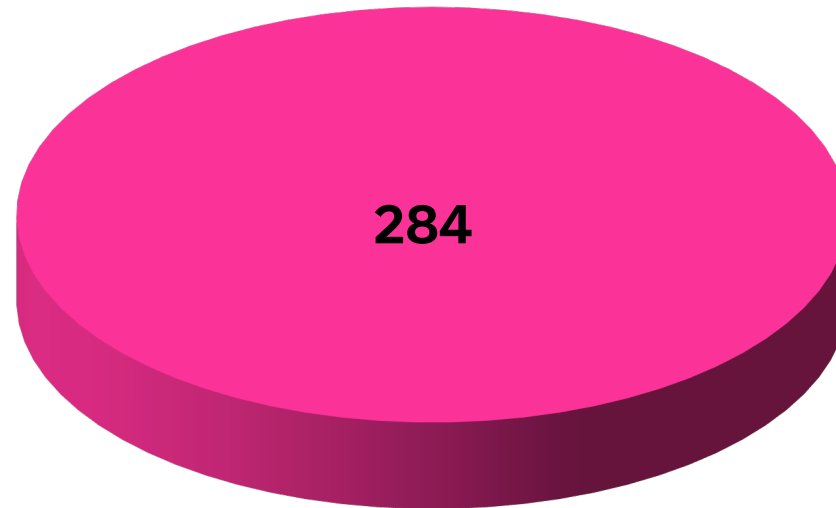


*\*United State of America as trustee on behalf of the Coeur d'Alene Tribe of the Coeur d'Alene Indian Reservation*

Last Updated 12/8/2023

# CSRBA FEDERAL RESERVED CLAIMS

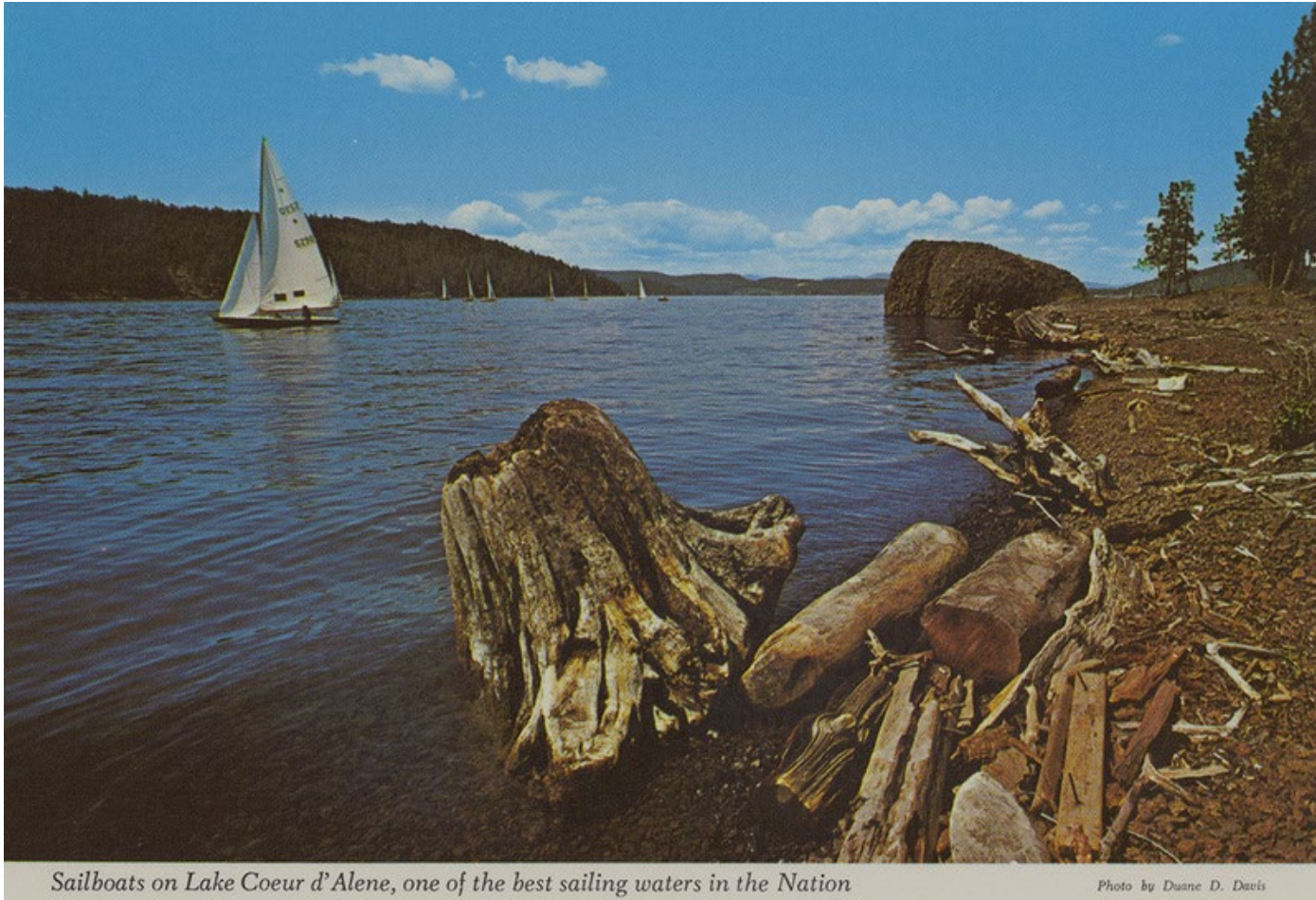
## Basins 91-95 Current Subcases



■ 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



Avista and the Governor's Office filed their SF5s with the Court on September 1, 2023. The related Hagadone SF5s were filed on September 8, 2023.

The United States and Coeur d'Alene Tribe filed a *Joint Motion to Participate and for an Order Construing SF5s as Amended Claims/Director's Report* on September 7, 2023.

Director's Report filed August 2, 2018, Response July 1, 2019.

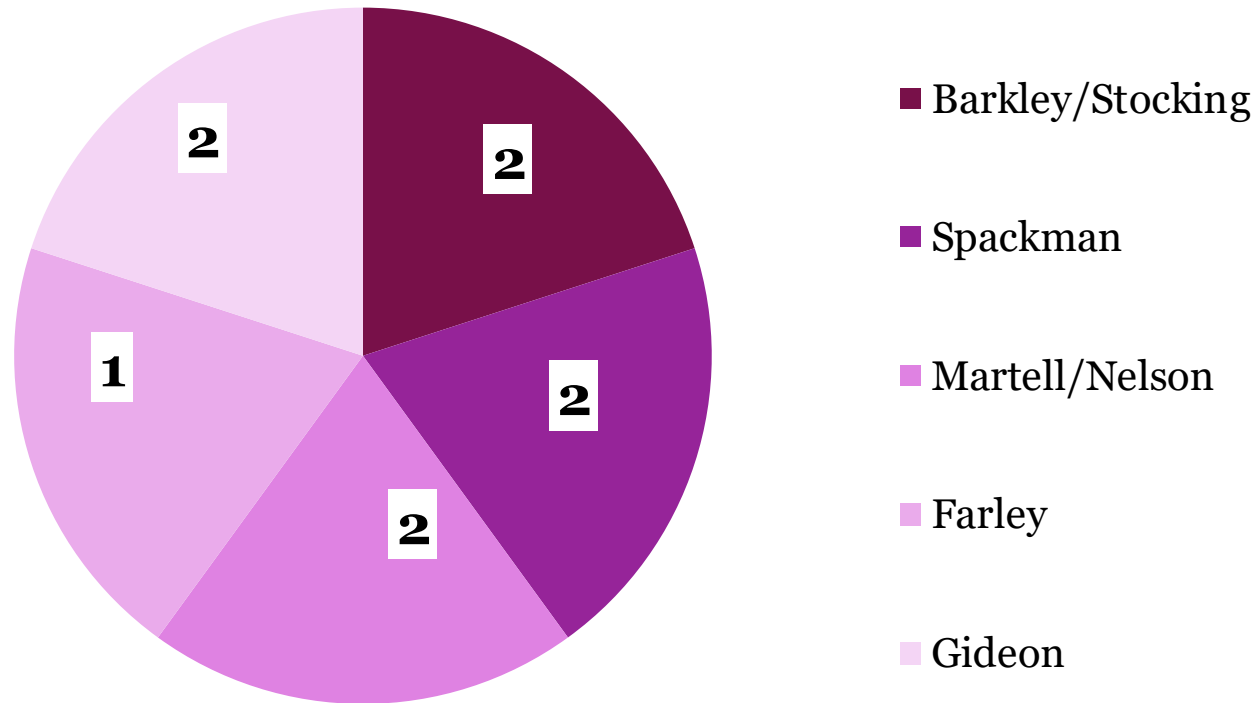
**5,313 State Based Rights (5,028 Active –285 Disallowed)**

Special Master Bilyeu

# BASIN 95 PART 2

## SUBCASES FOR WHICH OBJECTIONS ARE UNRESOLVED

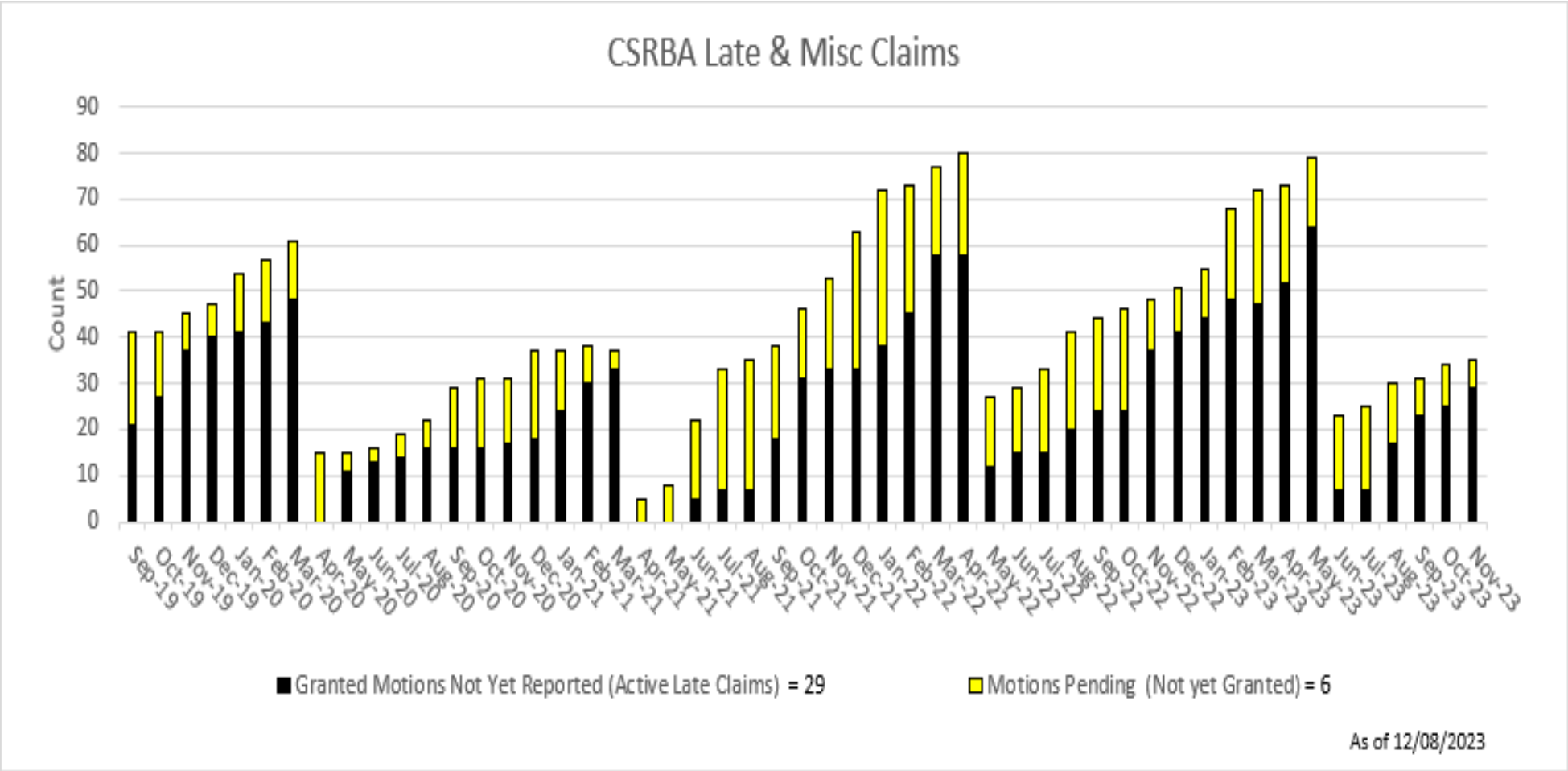
### 9 OBJECTIONS TO 6 CONTESTED SUBCASES

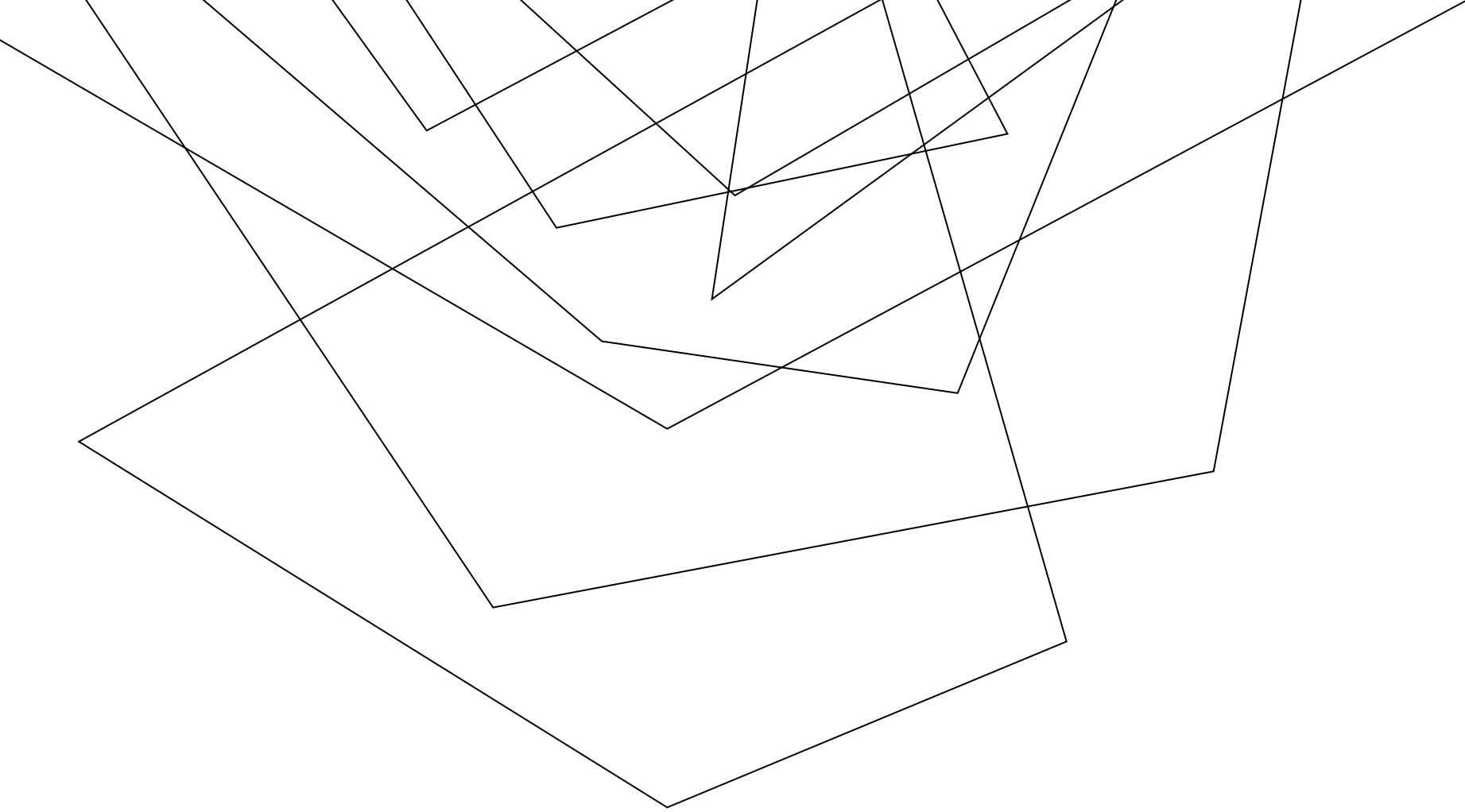


Director's Report filed February 26, 2019, Response August 20, 2019.  
**2,566 State Based Rights (2,379 Active –187 Disallowed)**  
Special Master Booth



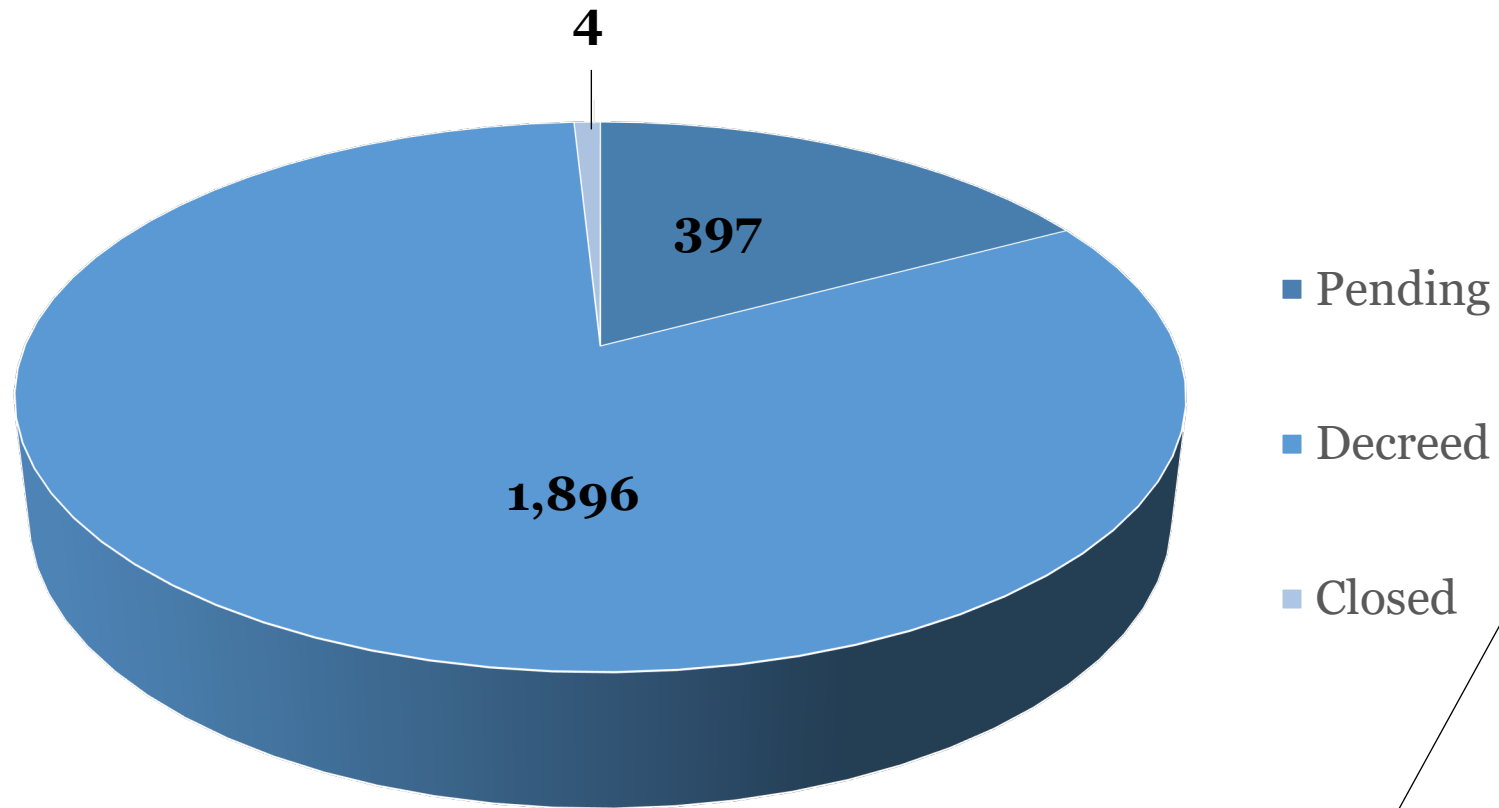
# CSRBA – SUMMARY OF LATE CLAIMS



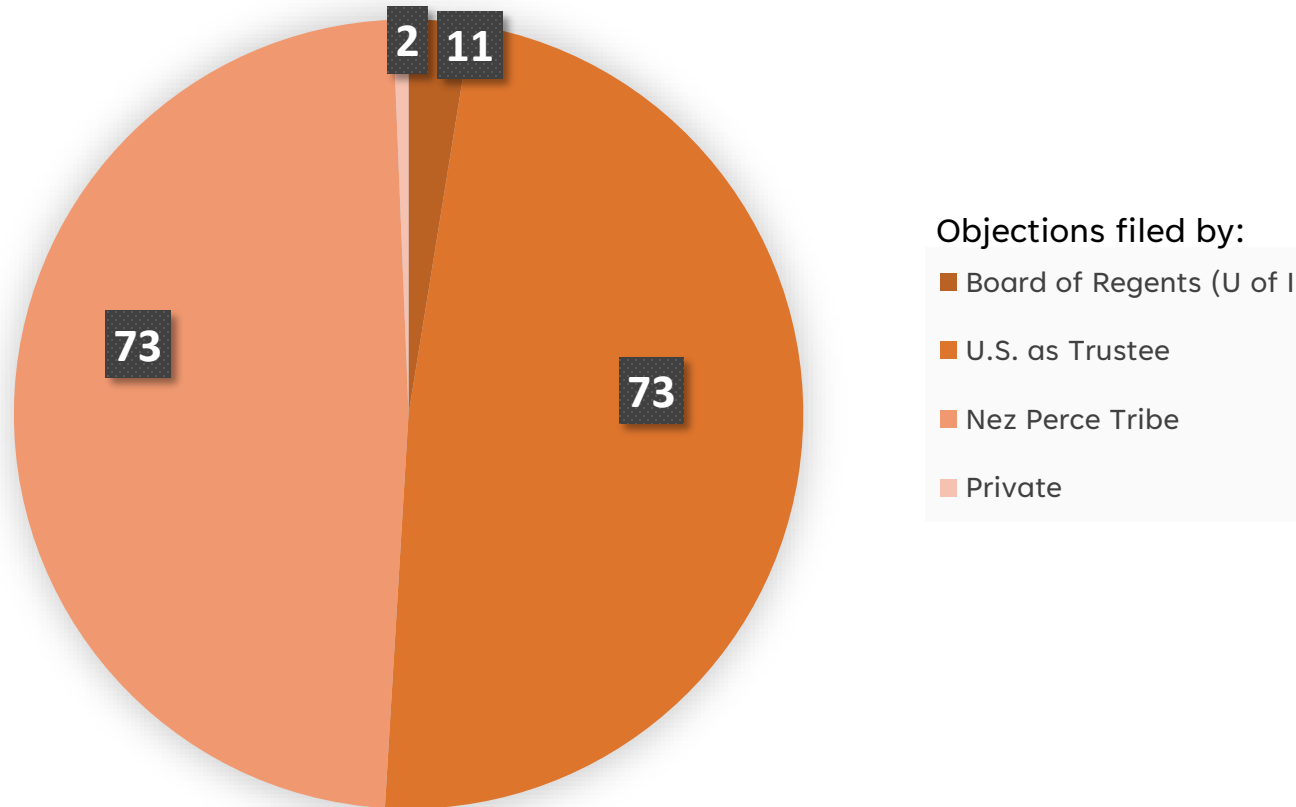


PRBA

## PRBA SUMMARY AS OF DECEMBER 7, 2023

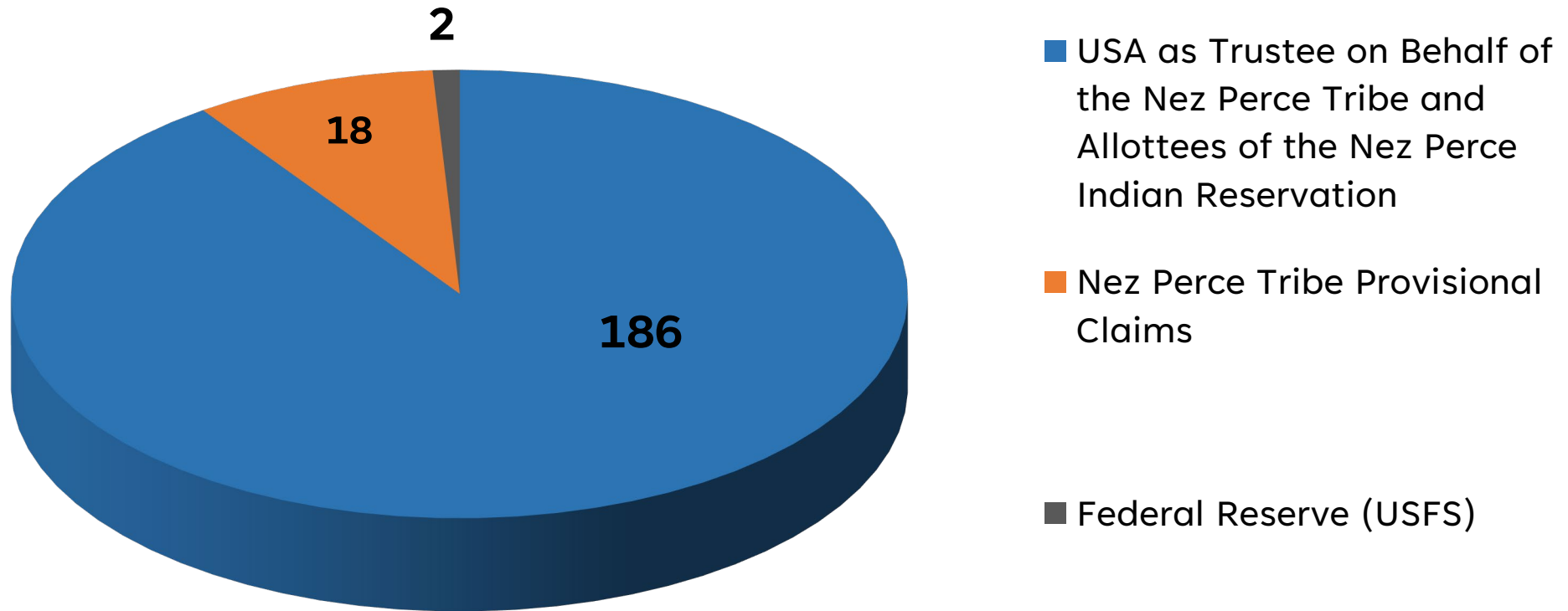


PRBA-- BASIN 87  
UNRESOLVED OBJECTIONS  
159 OBJECTIONS TO 81 CONTESTED SUBCASES

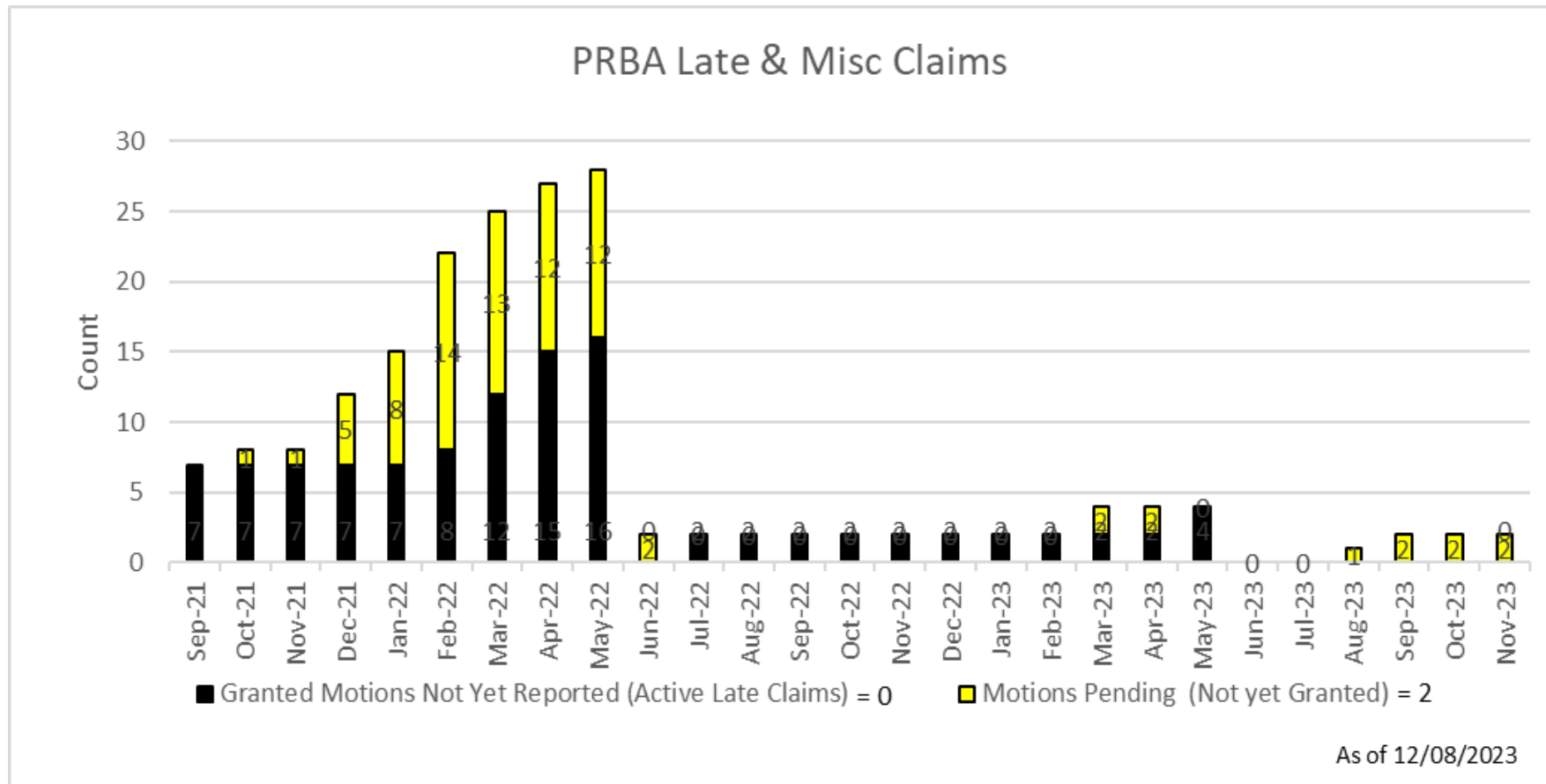


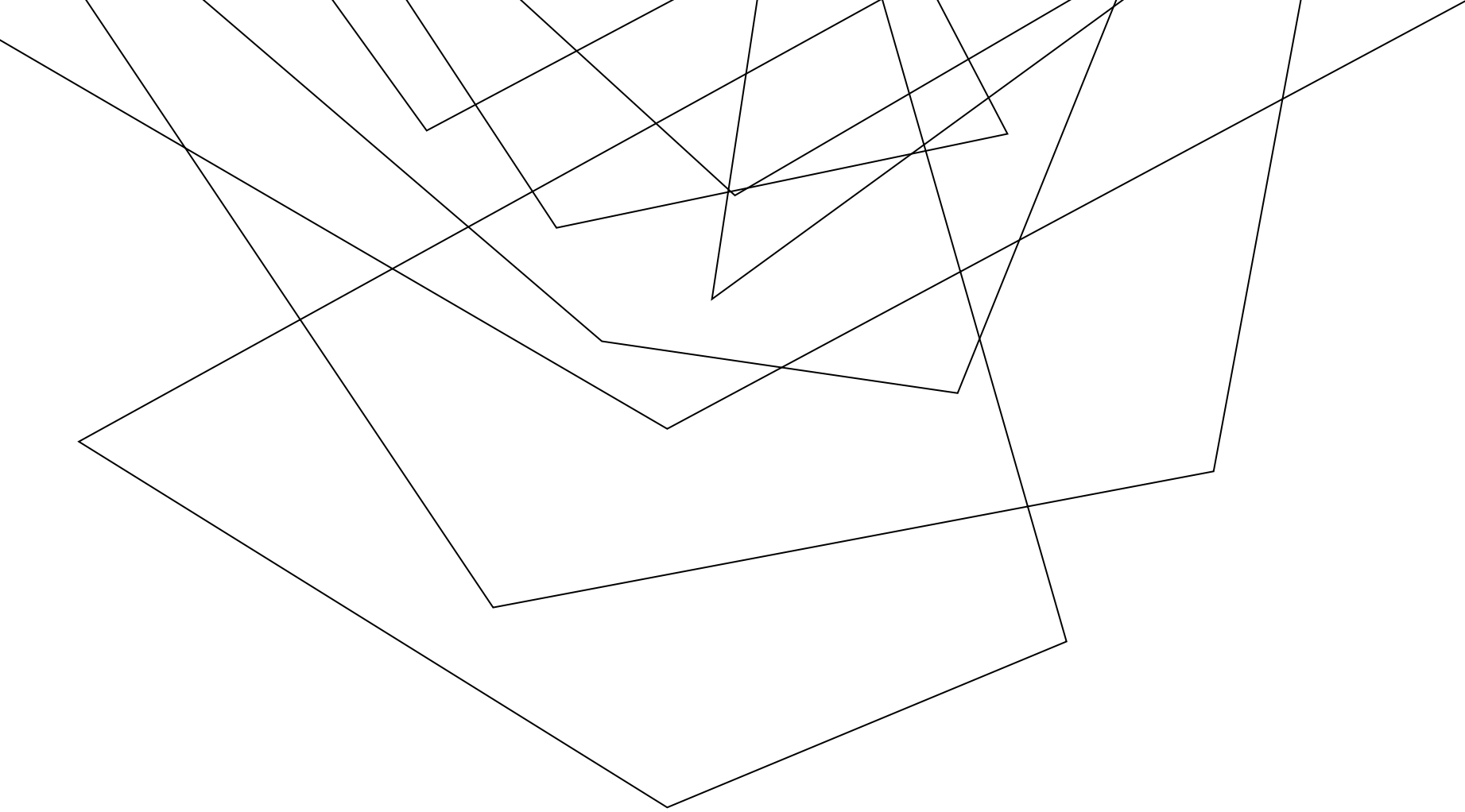
Director's Report filed August 2, 2021, Response April 8, 2022.  
**1,987 State Based Rights (1,894 Active –93 Disallowed)**  
Special Master Bilyeu

## PRBA FEDERAL RESERVED CLAIMS



# PRBA – POST DIRECTOR’S REPORT CLAIM COUNT (LATE AND MISCELLANEOUS CLAIMS)





CFPRBA



# CFPRBA UPDATES

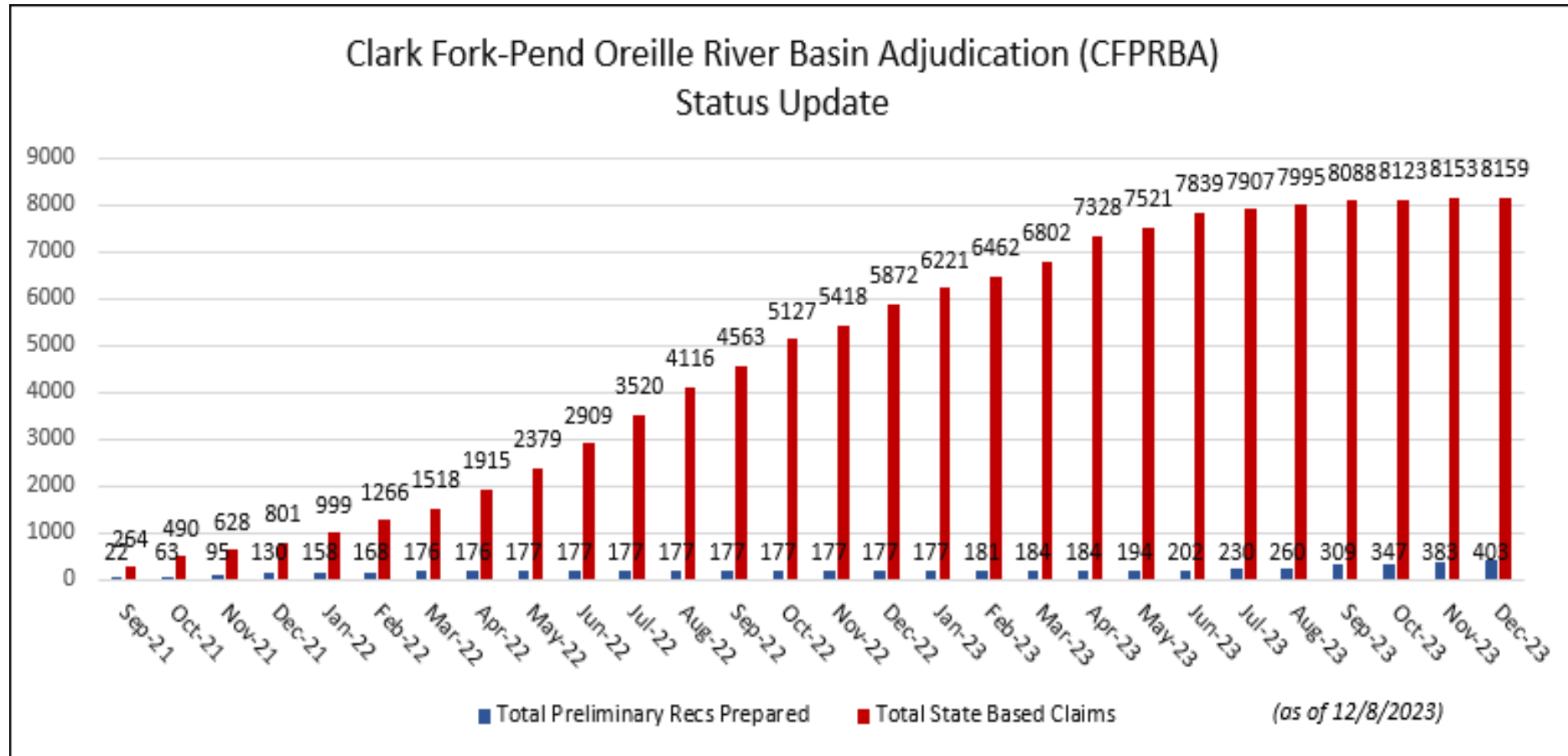
- Second Round Service in Basin 97 was mailed on August 11, 2023
- Claim filing deadline was November 17, 2023



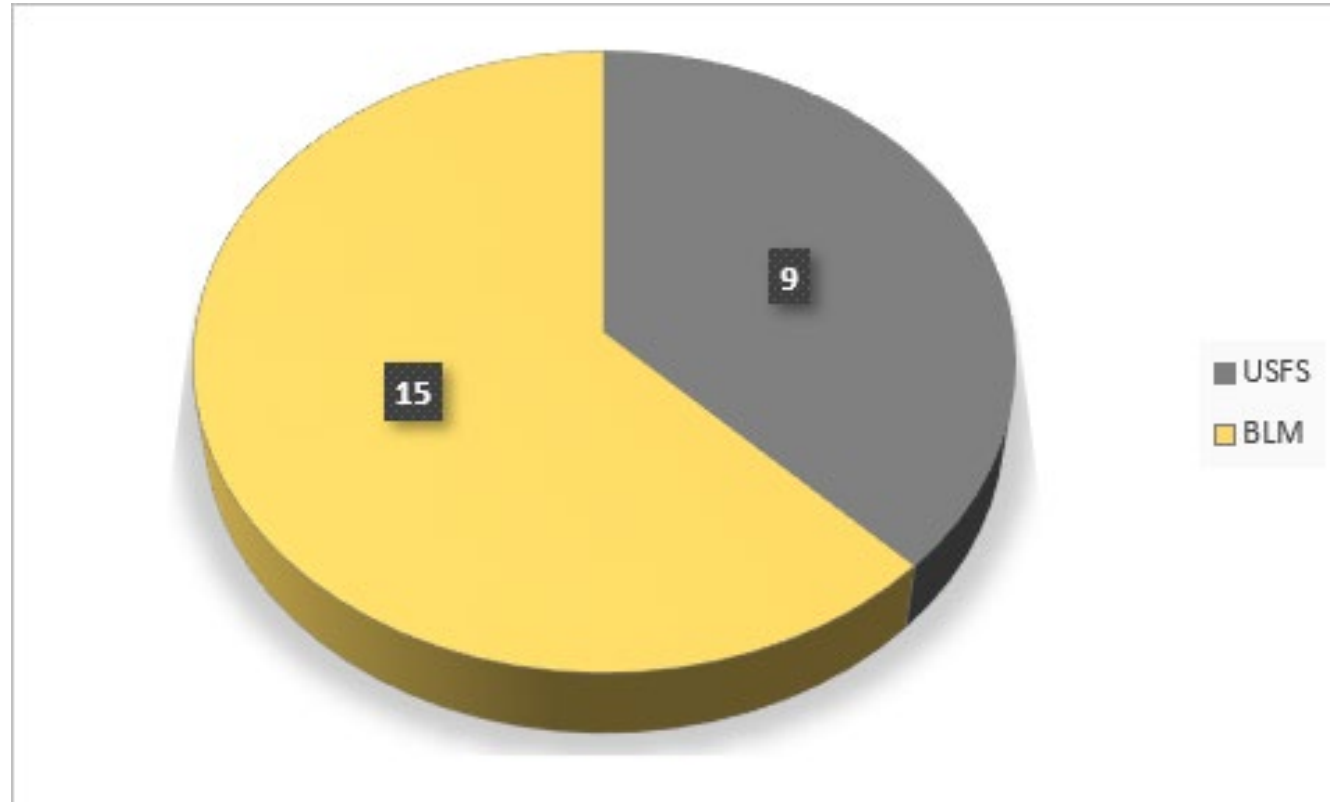
Clark Fork River

*Photo courtesy of Greg Cooksey, Northern Region*

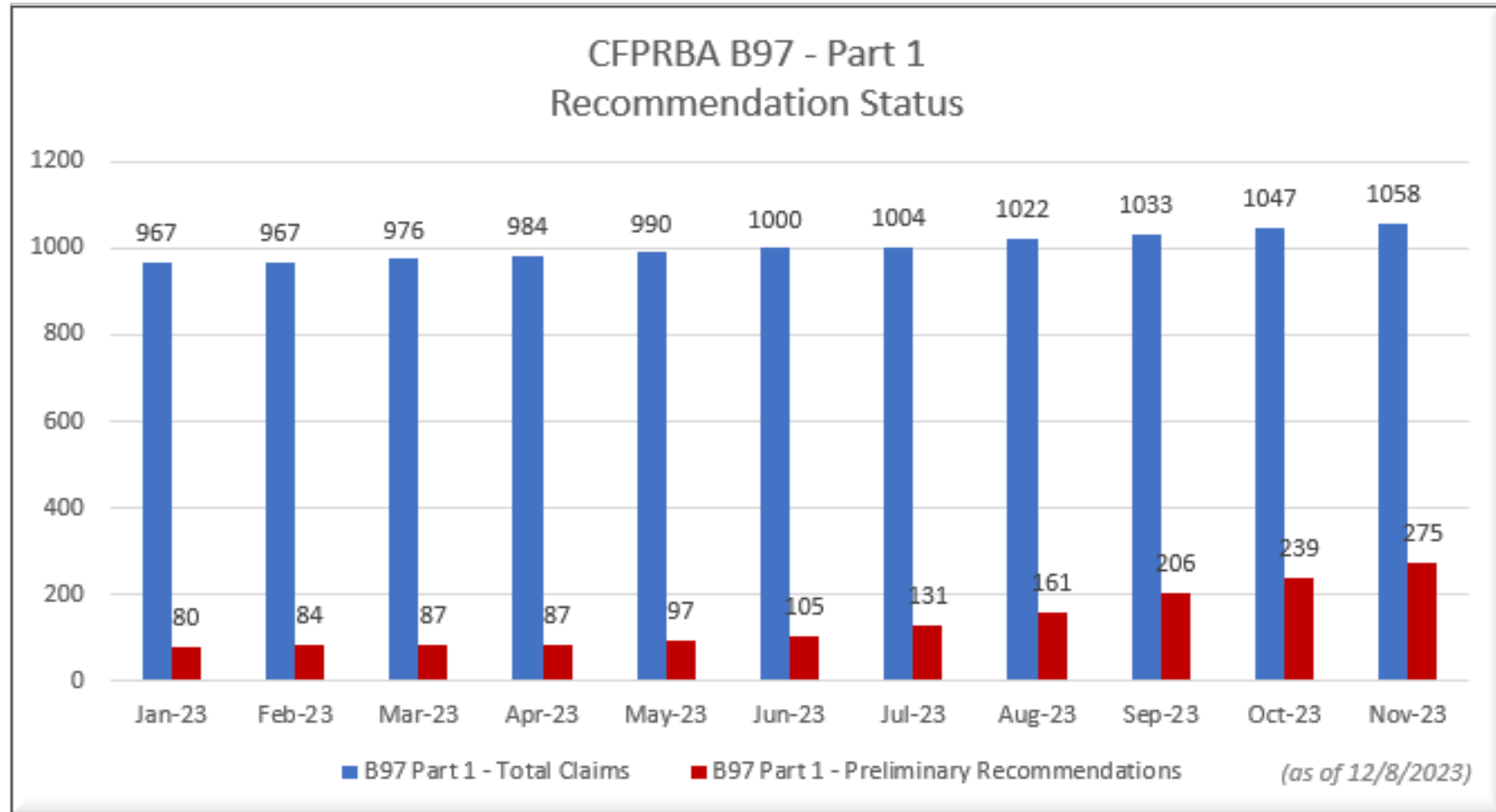
# CFPRBA SUMMARY AS OF DECEMBER 8, 2023

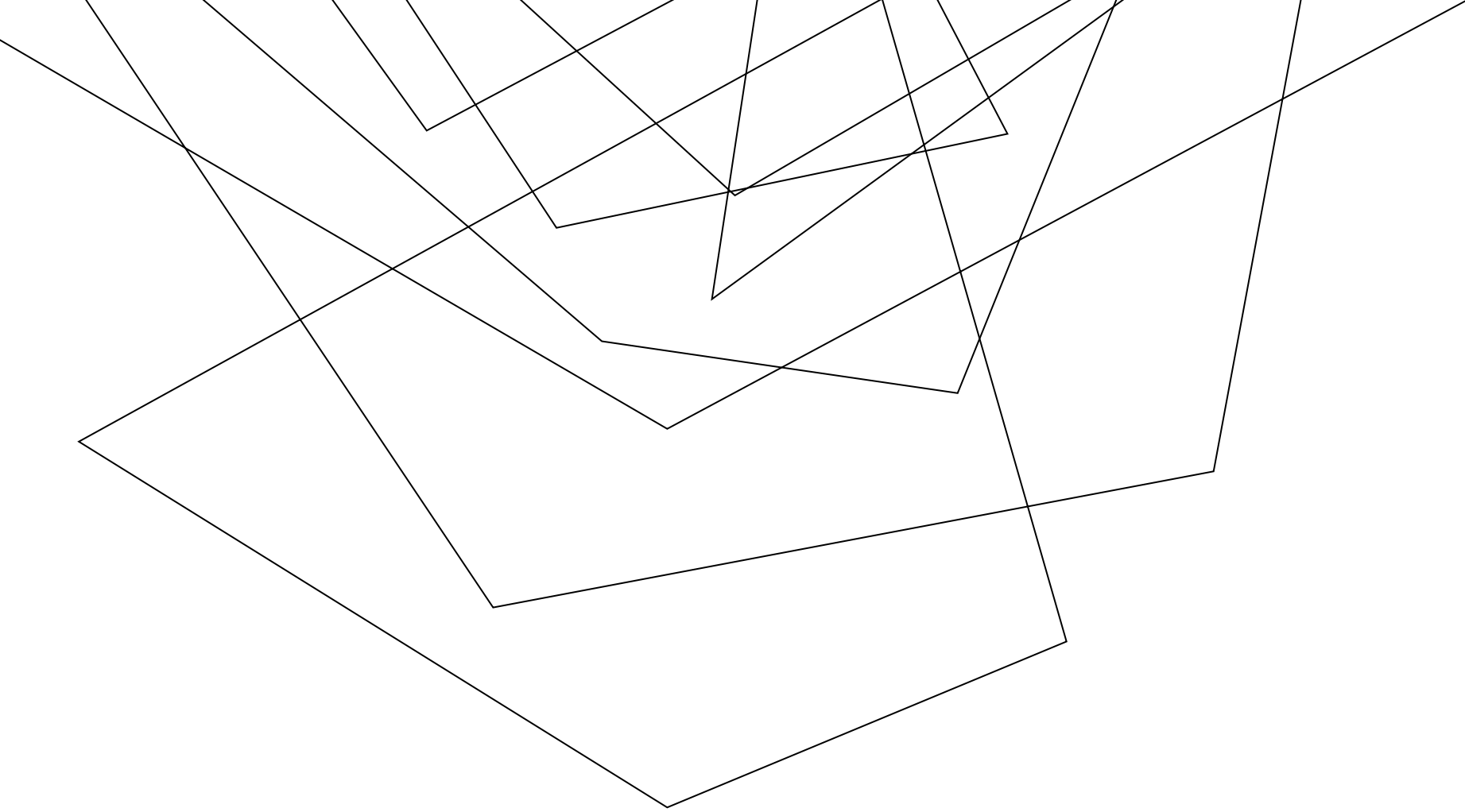


## CFPRBA FEDERAL RESERVED CLAIMS



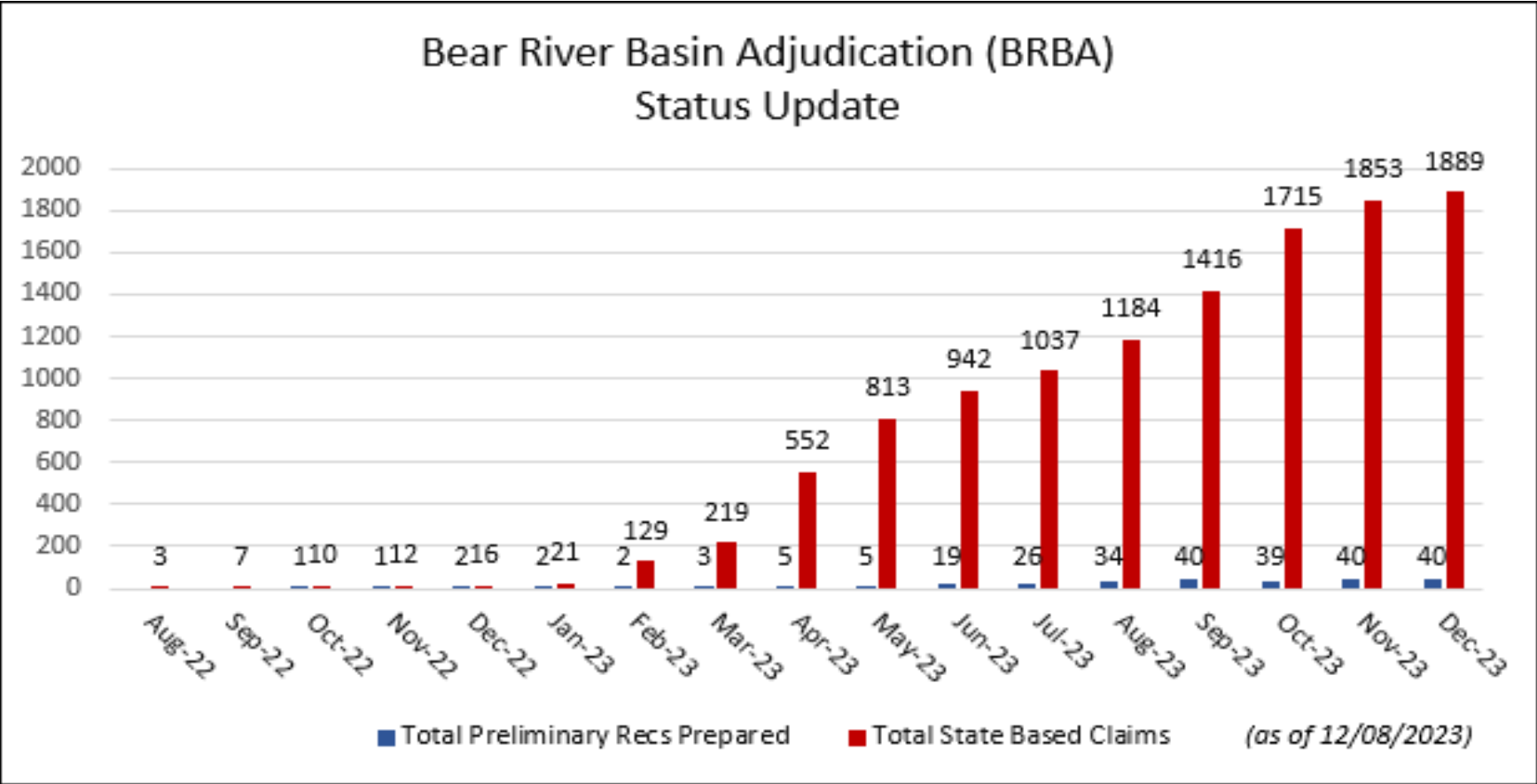
# BASIN 97 – PART 1

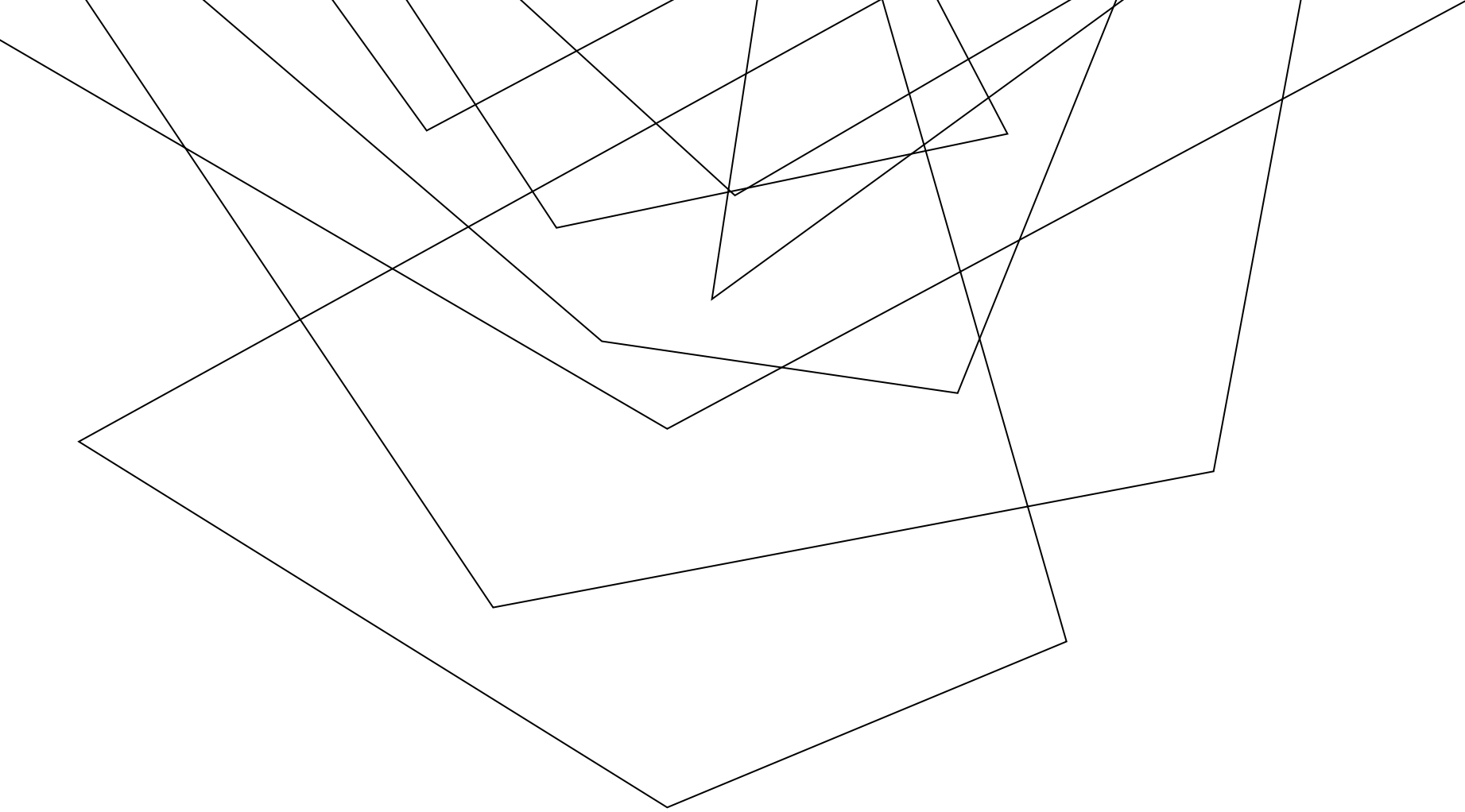




**BRBA**

# BRBA SUMMARY AS OF DECEMBER 8, 2023





OTHER GENERAL  
MATTERS





# CASES OF INTEREST UPDATES

- Whittaker v. McConnell (transfer application no. 84441 in the name of Bruce and Glenda McConnell), Docket No. 50000-2022
  - Oral Argument was held before the Idaho Supreme Court for August 23, 2023
- South Valley Ground Water District v. IDWR (Basin 37), Docket No. 49632-2022
  - Oral Argument was held before the Idaho Supreme Court on August 25, 2023

# QUESTIONS?

Winter in CDA  
*Photo courtesy of Greg  
Cooksey, Northern Region*

