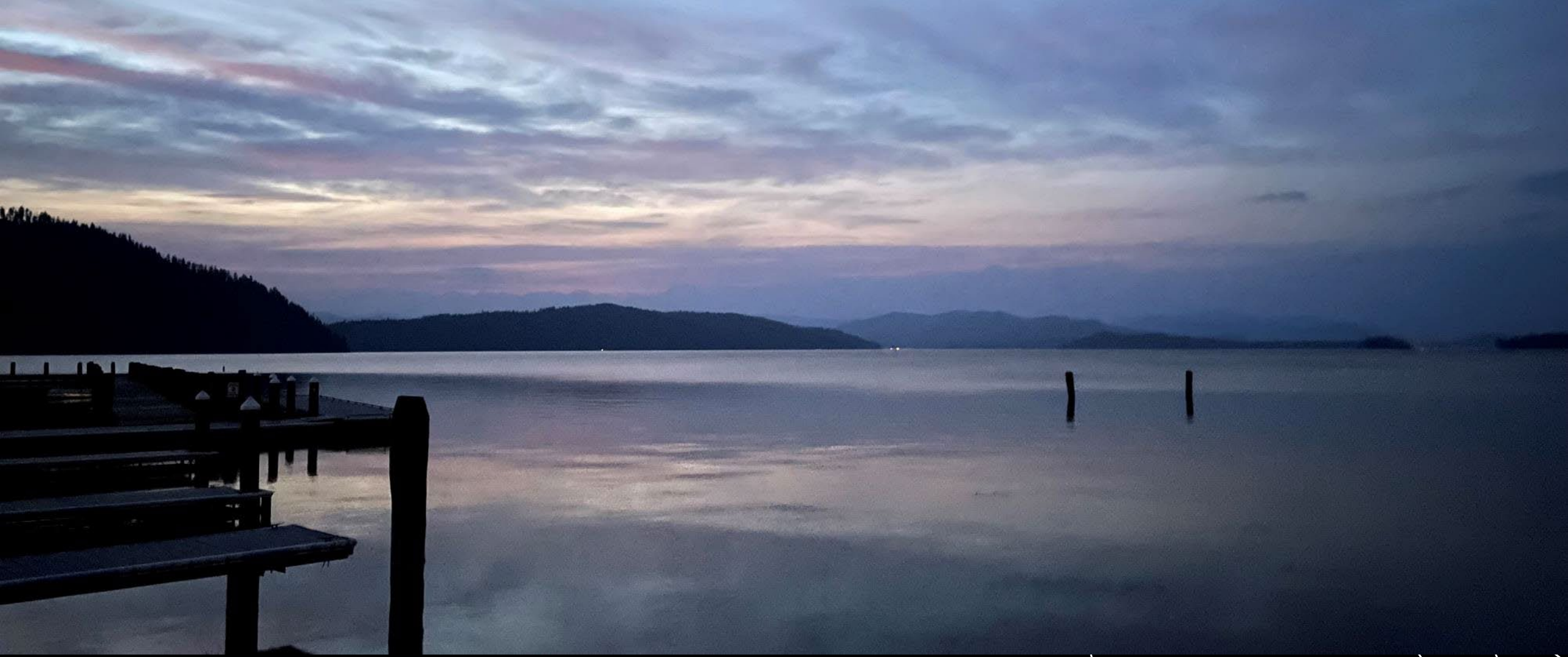


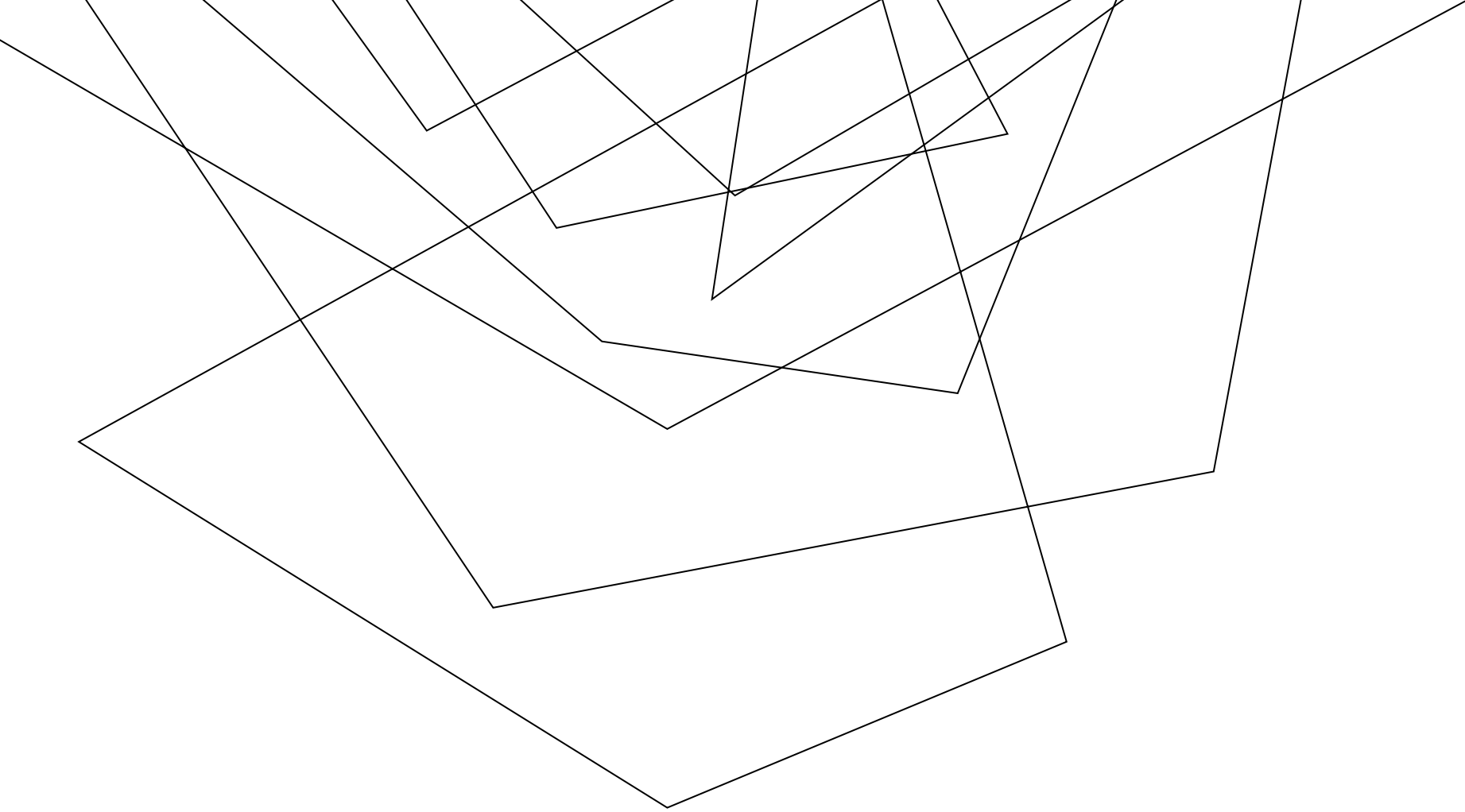
**Lacey Rammell-O'Brien & Craig Saxton
for the Idaho Department of Water Resources
December 17, 2024**





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



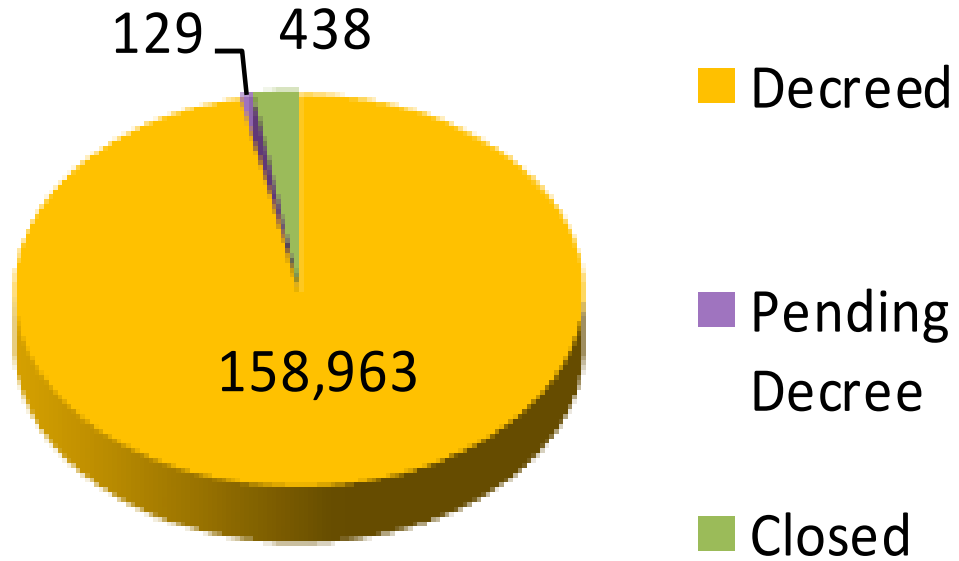
SRBA

SUBCASE 00-92095

ADJUDICATION OF DEFERRED DE MINIMIS DOMESTIC AND STOCKWATER CLAIMS

- The United States challenged the constitutionality of several statutes 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.
- Court issued the Amended Judgment on December 16, 2024 in response to Rule 60(a) Motion.

SRBA SUMMARY AS OF DECEMBER 9, 2024



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	Lanman	85-15876	5/1/2023	Currently in Publication Process
6	Indian Meadows Ranch LLC	55-14052 through 55-14057	8/22/2024	IDWR to Publish Notice
1	Blaser	65-24319	8/26/2024	Waiting on Claimant to file Affidavit.
5	Casa Del Norte, LP	37-23474, 61-12361, 61-12363, 61-12364, 61-12367	9/5/2024	IDWR to Publish Notice
1	Bieker	86-12178	9/9/2024	Waiting on Claimant to file Affidavit
2	Casa Del Norte, LP	61-12362, 61-12440	10/21/2024	IDWR to Publish Notice
2	Normandie LLC	65-24159, 65-24308	11/27/2024	Waiting on Claimant to file Affidavit

WAITING FOR IDWR TO SUBMIT NOTICE OF EXAMINATION

Count	Claimant	Subcase #(s)	Affidavit Filed	Next Step
3	Forever Ranch II, LLC	65-24332, 65-24333, 65-24664	12/13/2024	IDWR to send Notice of Exam
1	Bingham	25-14555	8/21/2024	IDWR to send Notice of Exam
2	Bingham	25-14553, 25-14554	8/21/2024	IDWR to send notice of exam.

AWAITING DIRECTOR'S REPORT BY IDWR

Count	Claimant	Subcase #(s)	Director's Report Due	Next Step

AWAITING PARTIAL DECREE

Count	Claimant	Subcase #(s)	DR Filed	Hearing on Uncontested
1	Gallant	67-15210	6/8/2022	Referred to Special Master Booth
1	Huff	85-15853	9/23/2024	2/18/2025
1	Nuismer	86-12169	9/23/2024	2/18/2025
1	Love	63-35519	10/21/2024	3/18/2025
1	Rose	63-35068	10/21/2024	3/18/2025
1	Watson	86-12177	10/21/2024	3/18/2025

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
47	Pioneer Power LLC (<i>formerly Collett</i>)	55-14030 et al.	1/14/2022	3/14/2022
2	Gallant	67-15211, 67-15212	6/8/2022	5/24/2019*
2	Gallant	67-15208, 67-15209	6/8/2022	8/8/2022
14	Williams	29-14388 thru 29-14397, 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

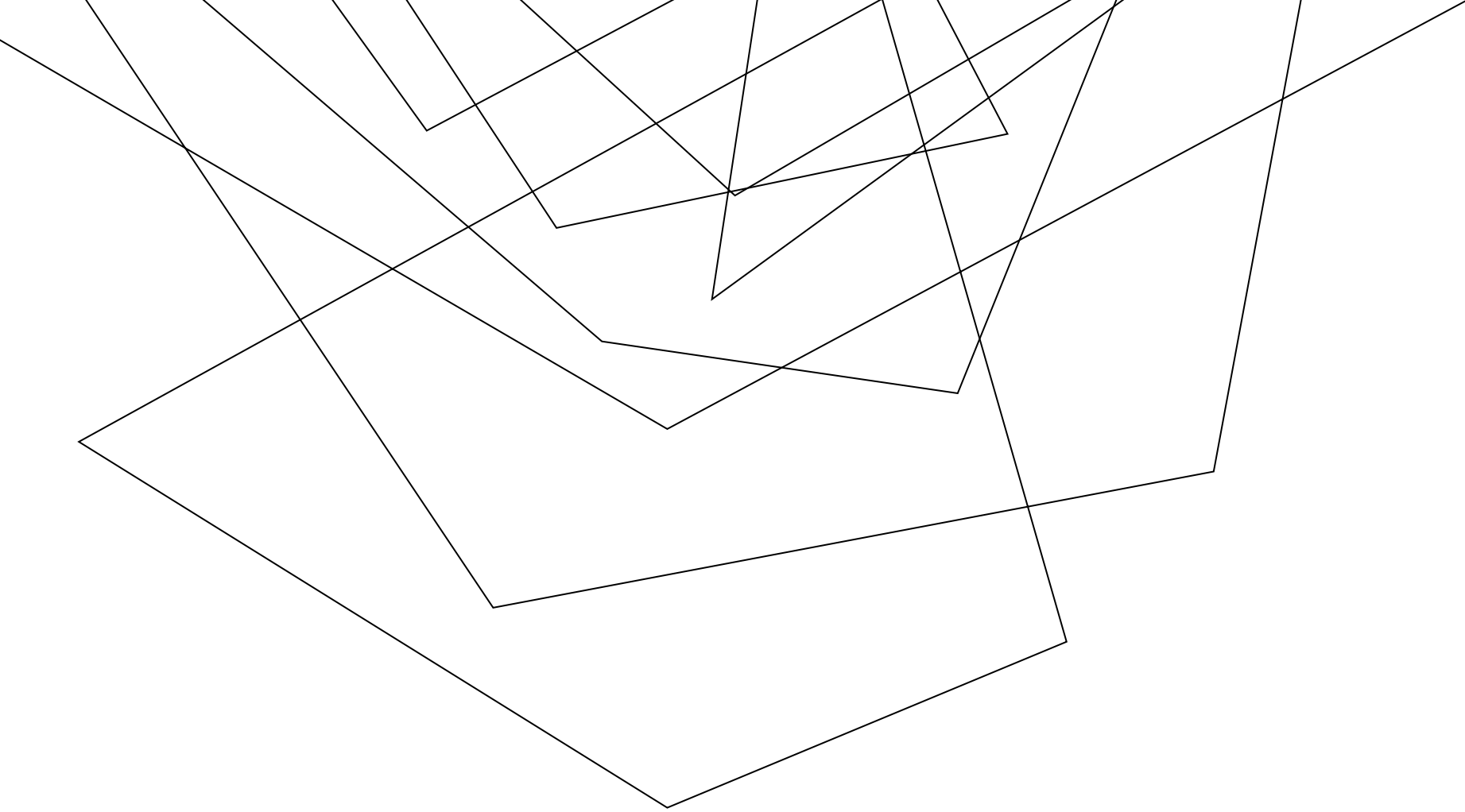
Count	Claimant	Subcase #(s)	DR Filed	SF5 Filed Date	SMRR Filed Date

PARTIAL DECREE ISSUED

Count	Claimant	Subcase #(s)	Partially Decreed
1	Bowen	85-15851	11/19/2024

DISMISSED

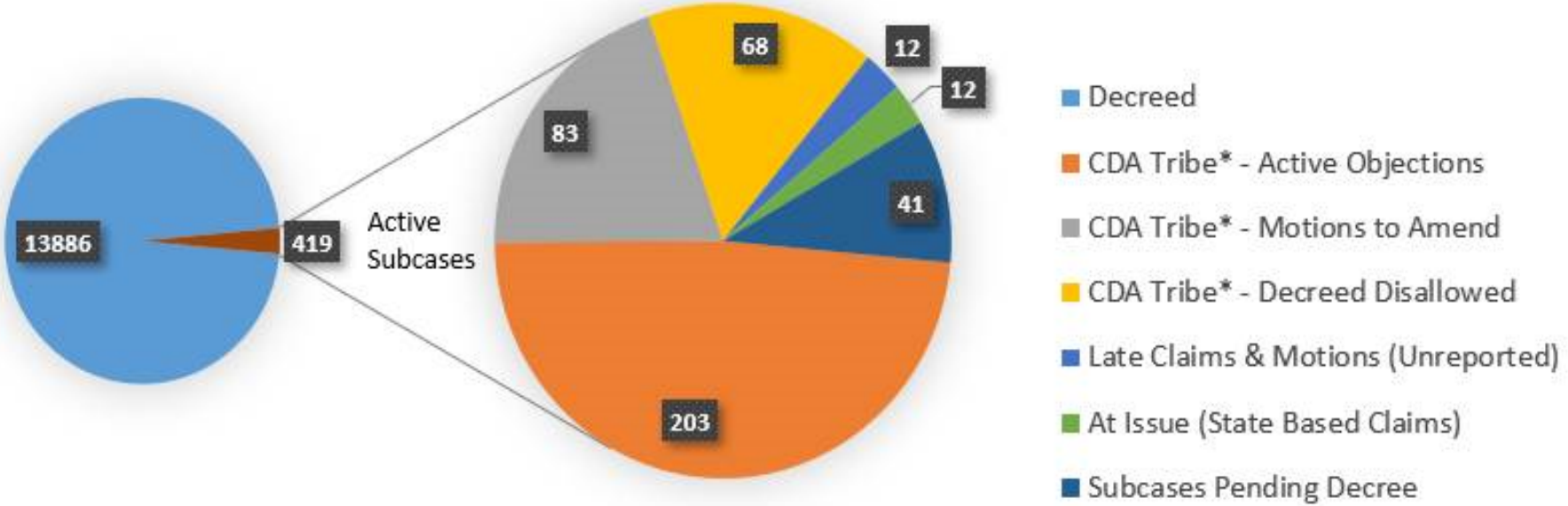
Count	Claimant	Subcase #(s)	Date Dismissed
1	Parke	43-13796	11/1/2024



CSRBA

CSRBA Summary

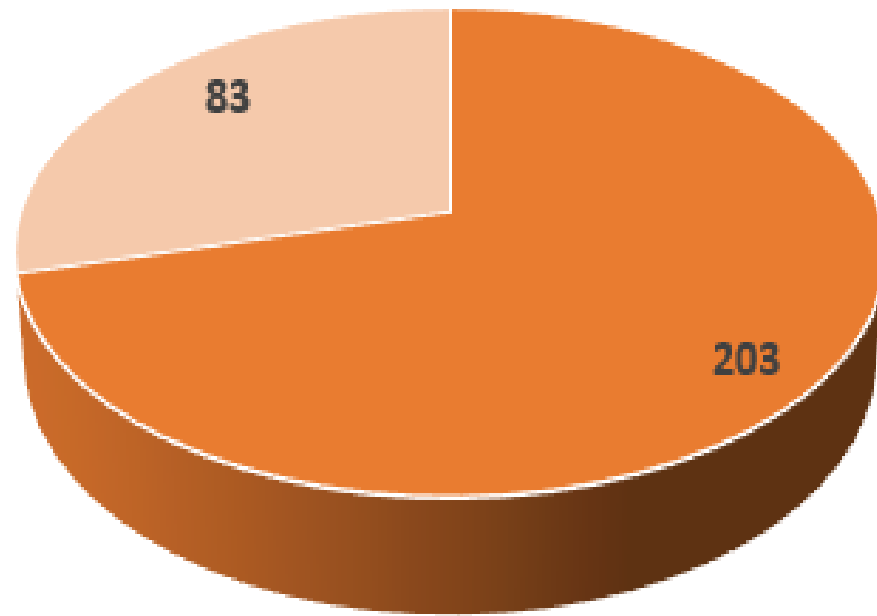
All Subcases



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

Last Updated 12/13/2024

CSRBA FEDERAL RESERVED CLAIMS



**Basins 91-95
Current Subcases**

- CDA Tribe* - Active Objections
- CDA Tribe* - Motions to Amend

** United State 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



Photo courtesy of Scott Potter, Northern Region

Settlement negotiations are ongoing.

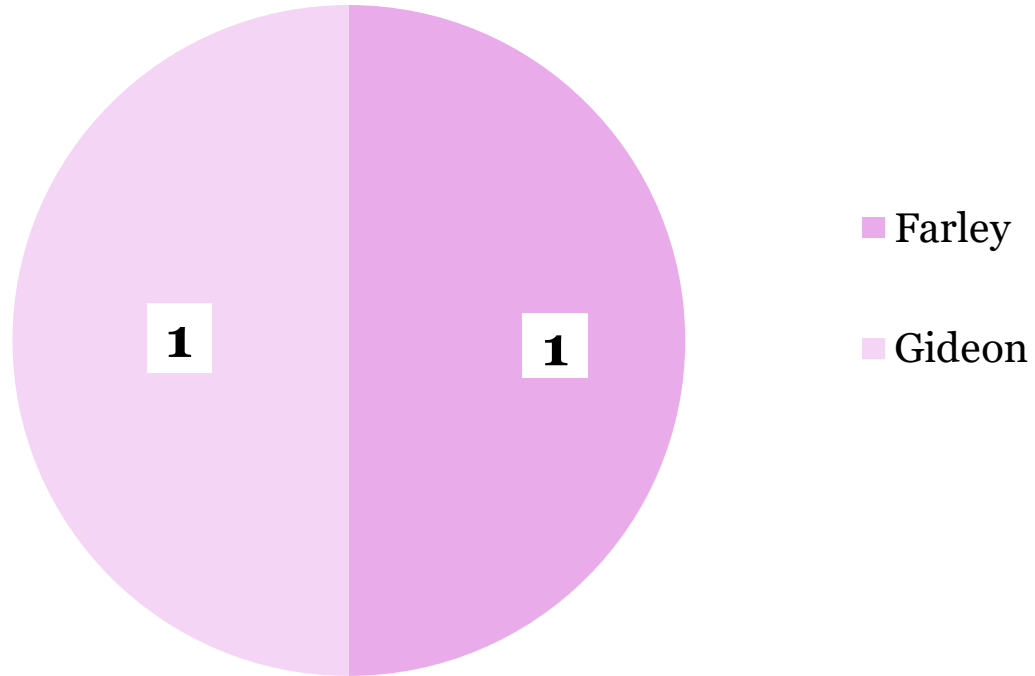
Deadline to file SF5s in the Avista and Governor's water rights set for April 29, 2025.

Status Conferences for the state-based lake claims are scheduled for February 12, 2025, and April 16, 2025.

BASIN 95 PART 2

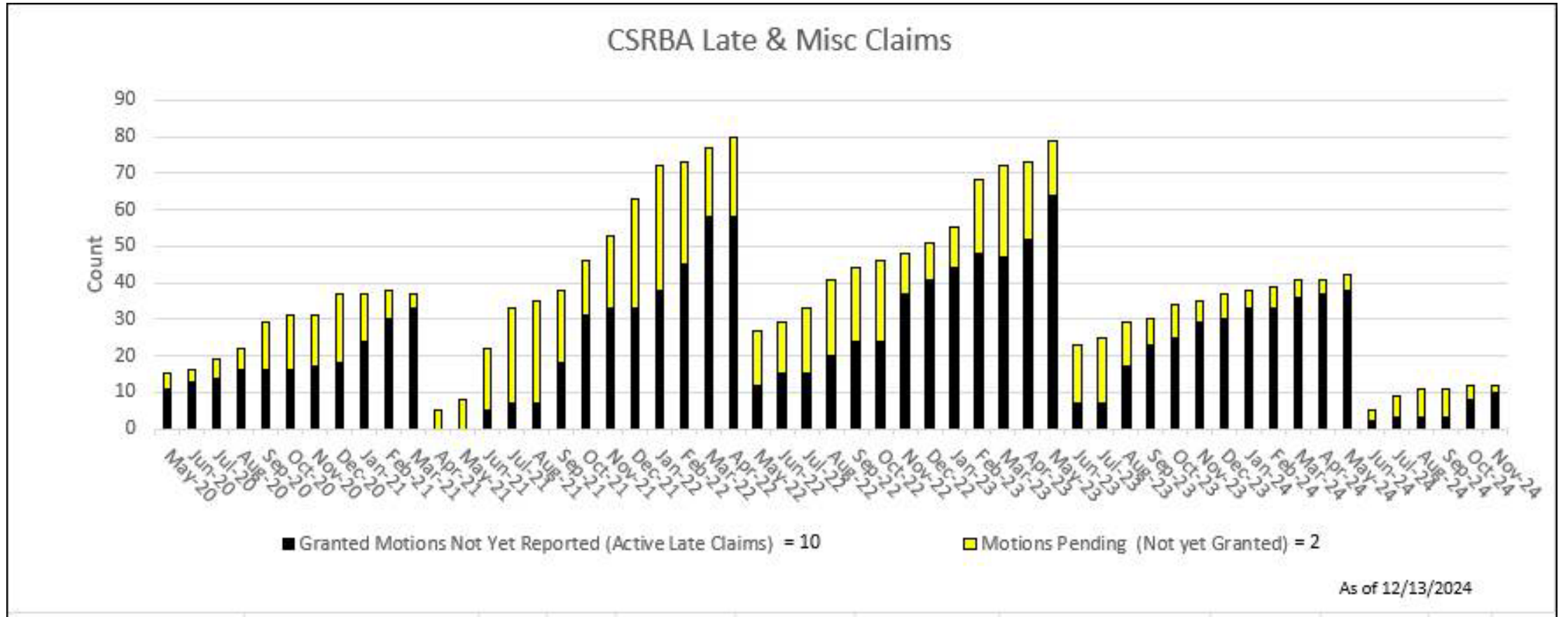
SUBCASES FOR WHICH OBJECTIONS ARE UNRESOLVED

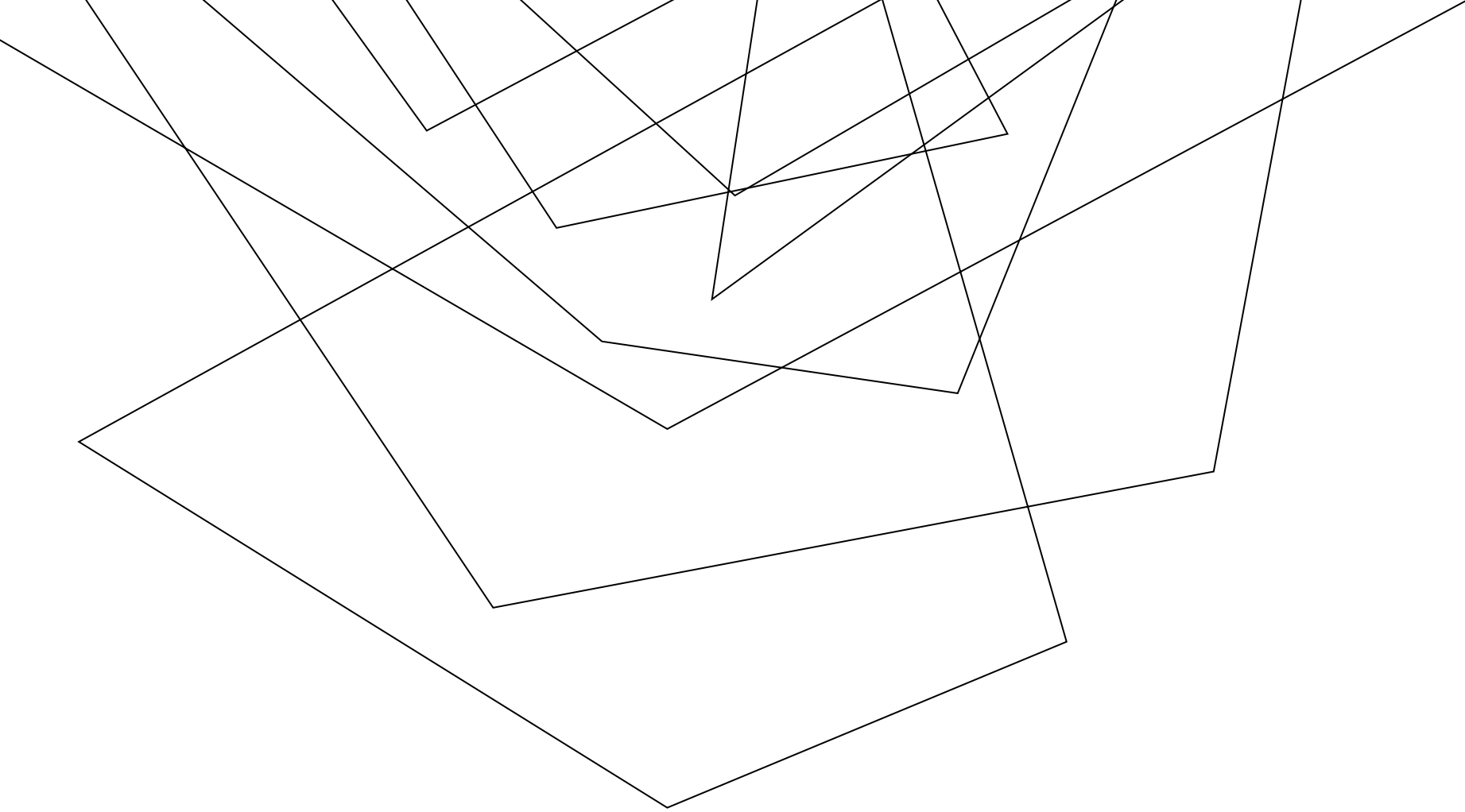
3 OBJECTIONS TO 2 CONTESTED SUBCASES



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

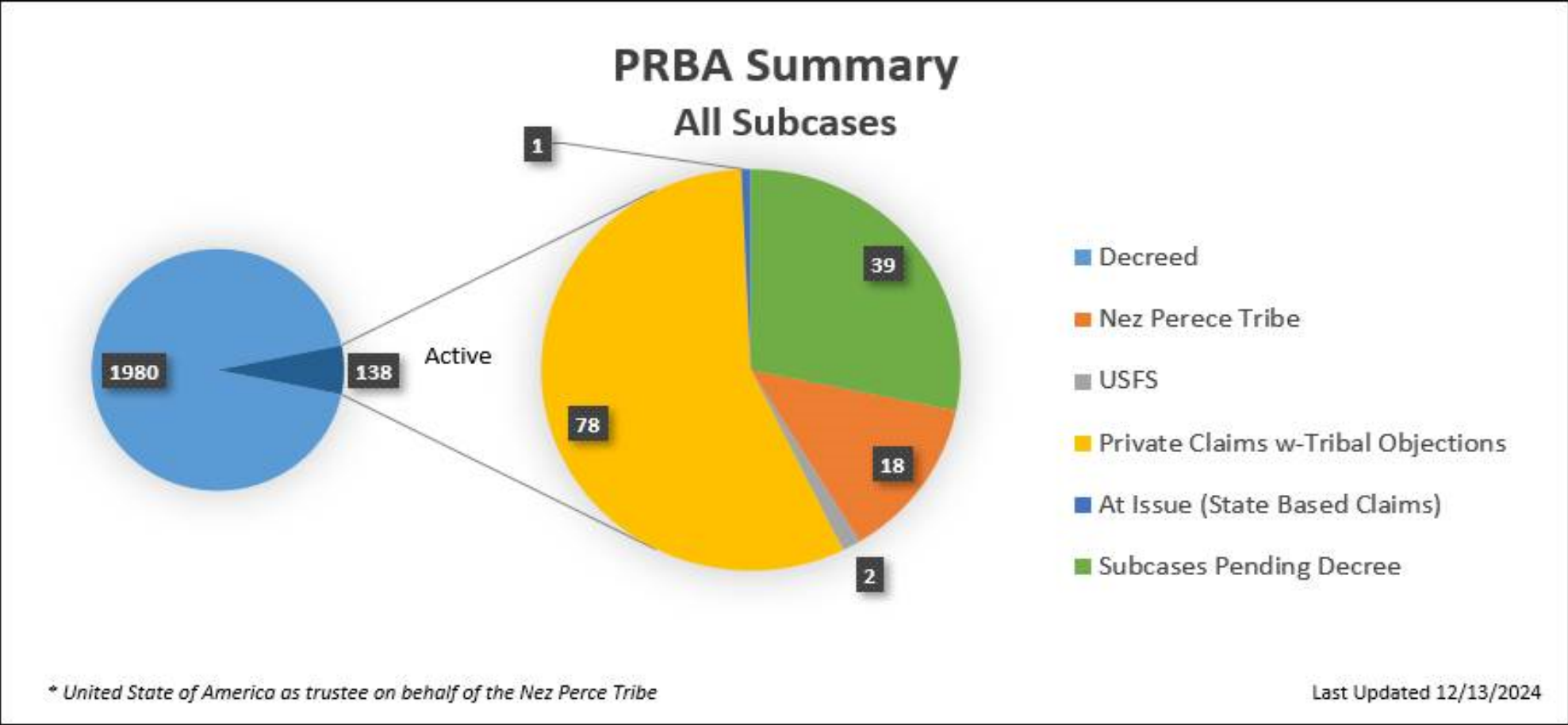
CSRBA – SUMMARY OF LATE CLAIMS



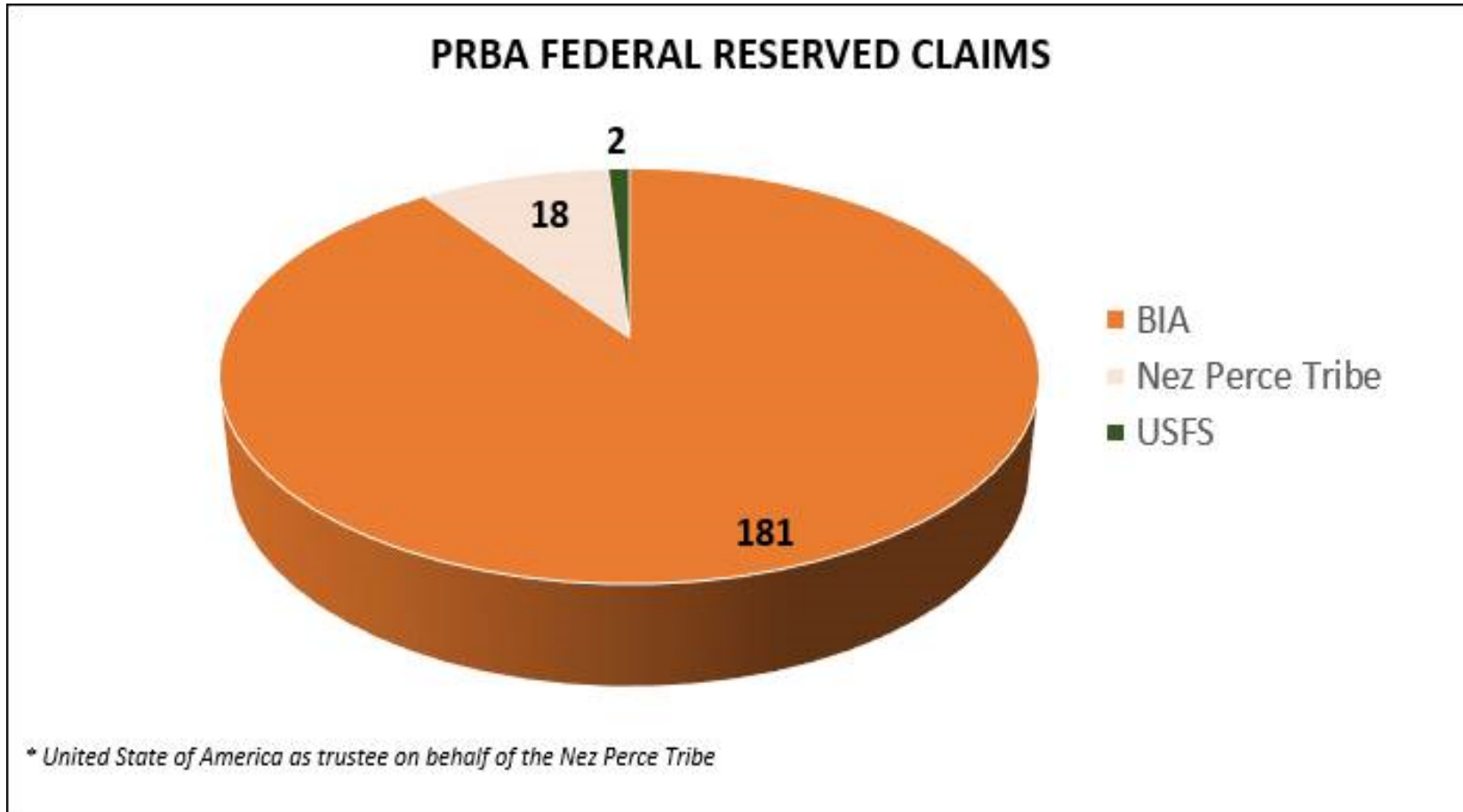


PRBA

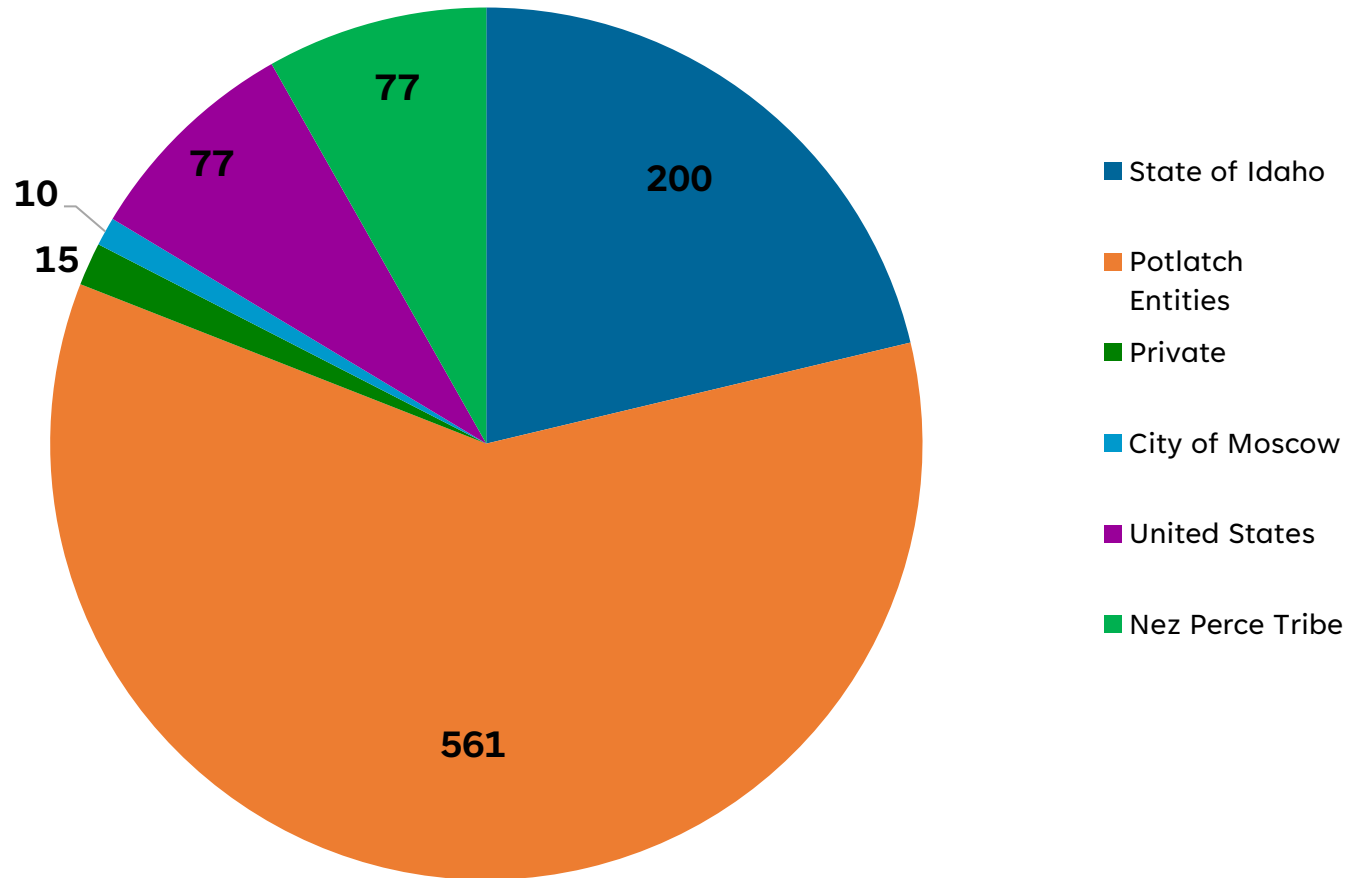
PRBA SUMMARY AS OF DECEMBER 9, 2024



PRBA FEDERAL RESERVED CLAIMS

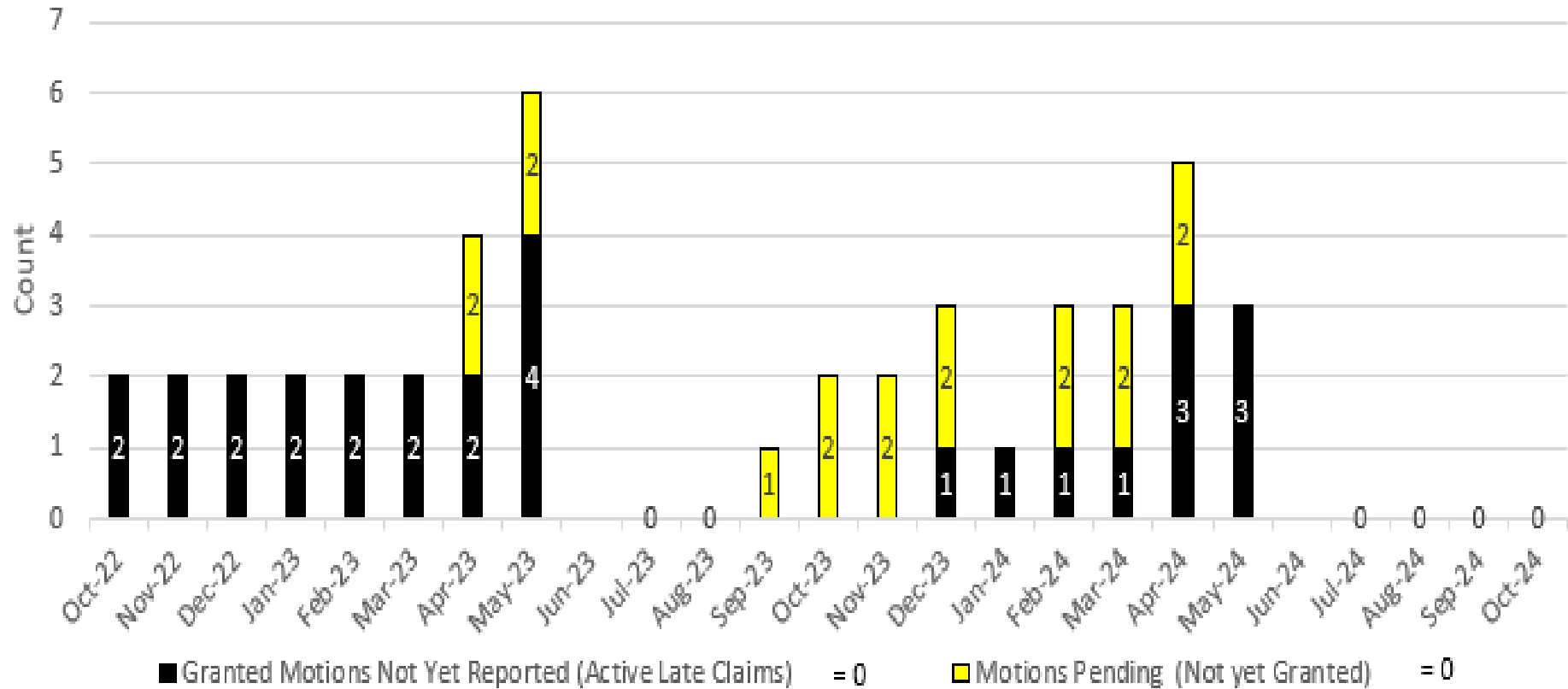


PRBA OUTSTANDING OBJECTIONS



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

PRBA Late & Misc Claims



As of 11/8/2024

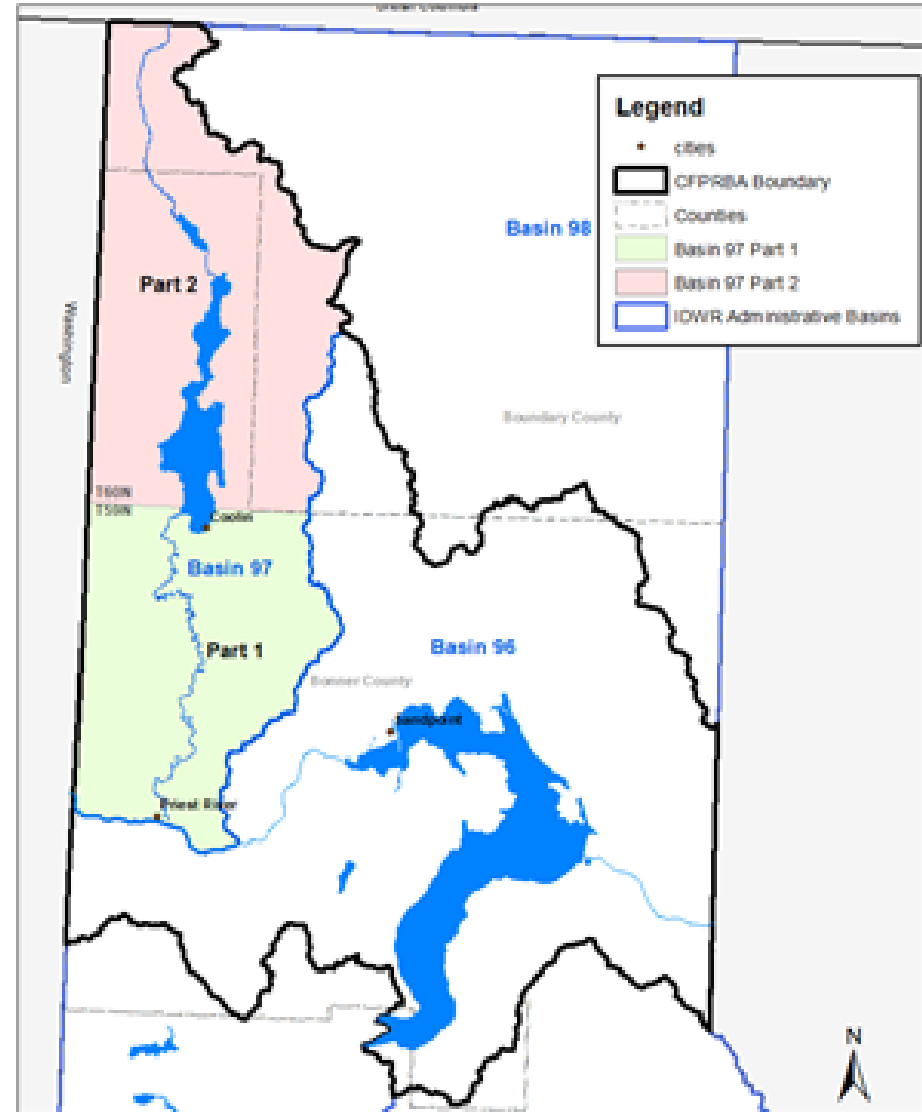


CFPRBA

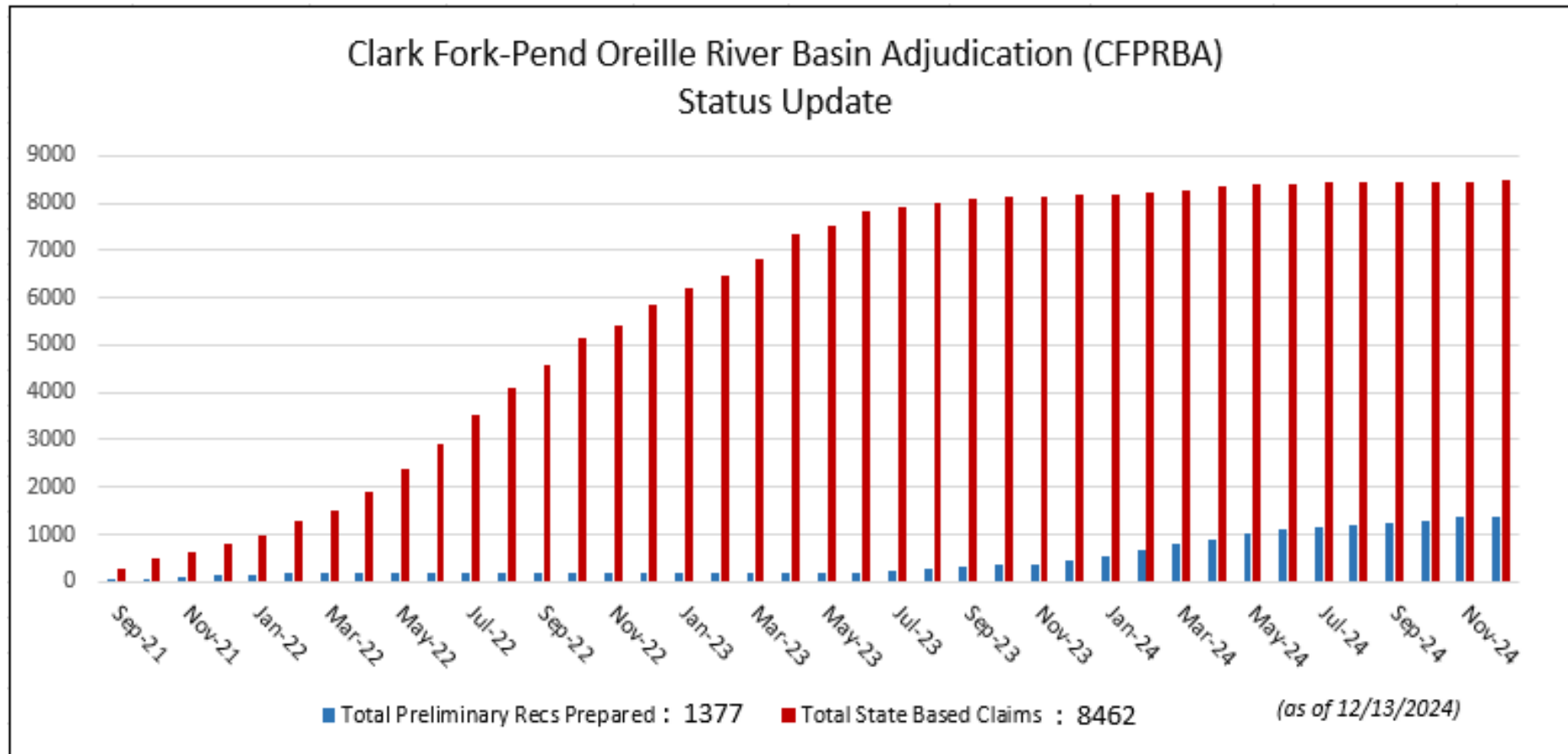
Photo courtesy of Scott Potter, Northern Region

CFPRBA UPDATES

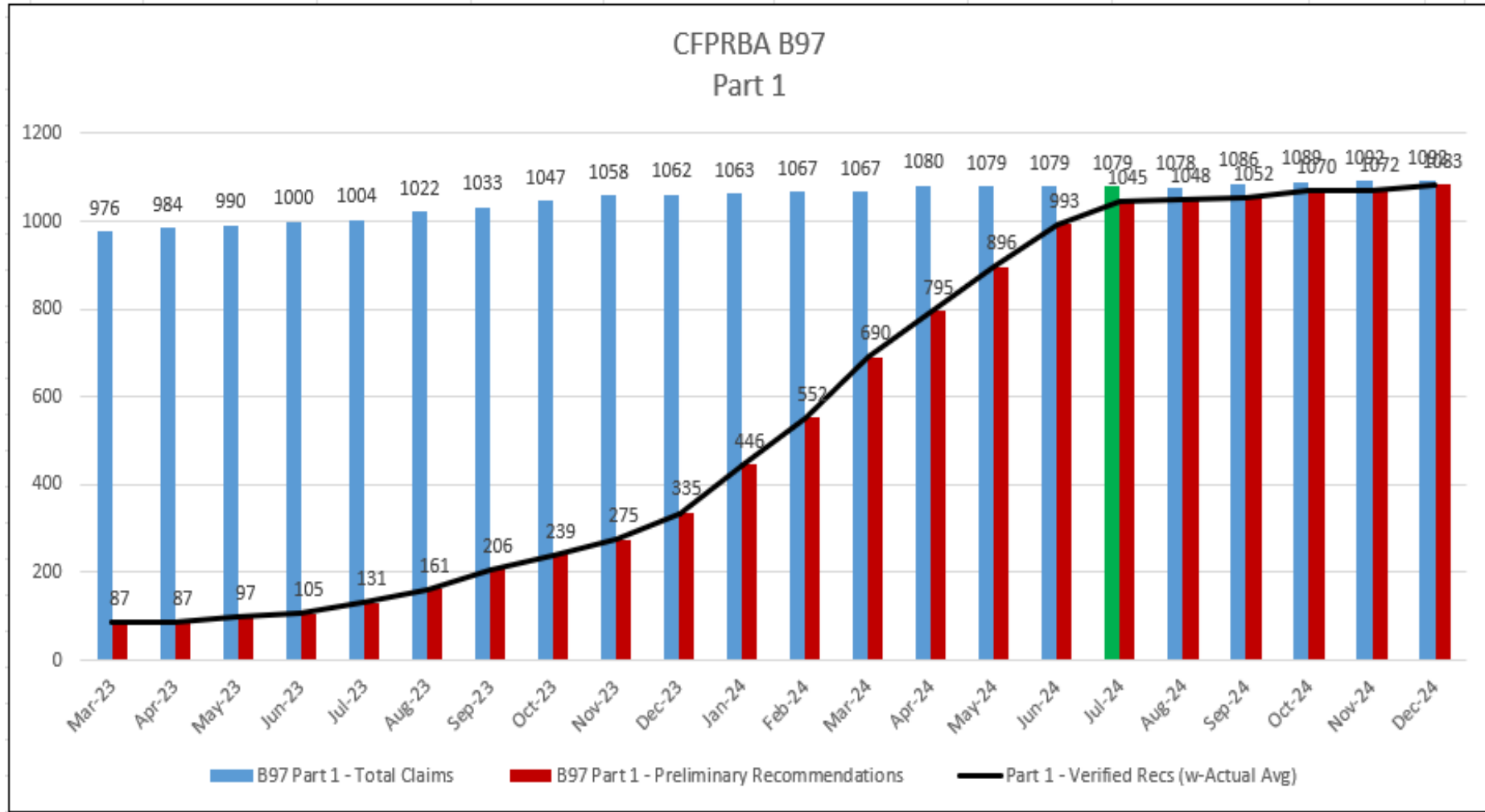
- The deadline to mail the notice of error form to IDWR was **October 4, 2024**.
- The Director's Report for Basin 97 Part 1 is being mailed today!
- Adjudication staff are working on recommendations for the Basin 97 Part 2 Preliminary Director's Report.



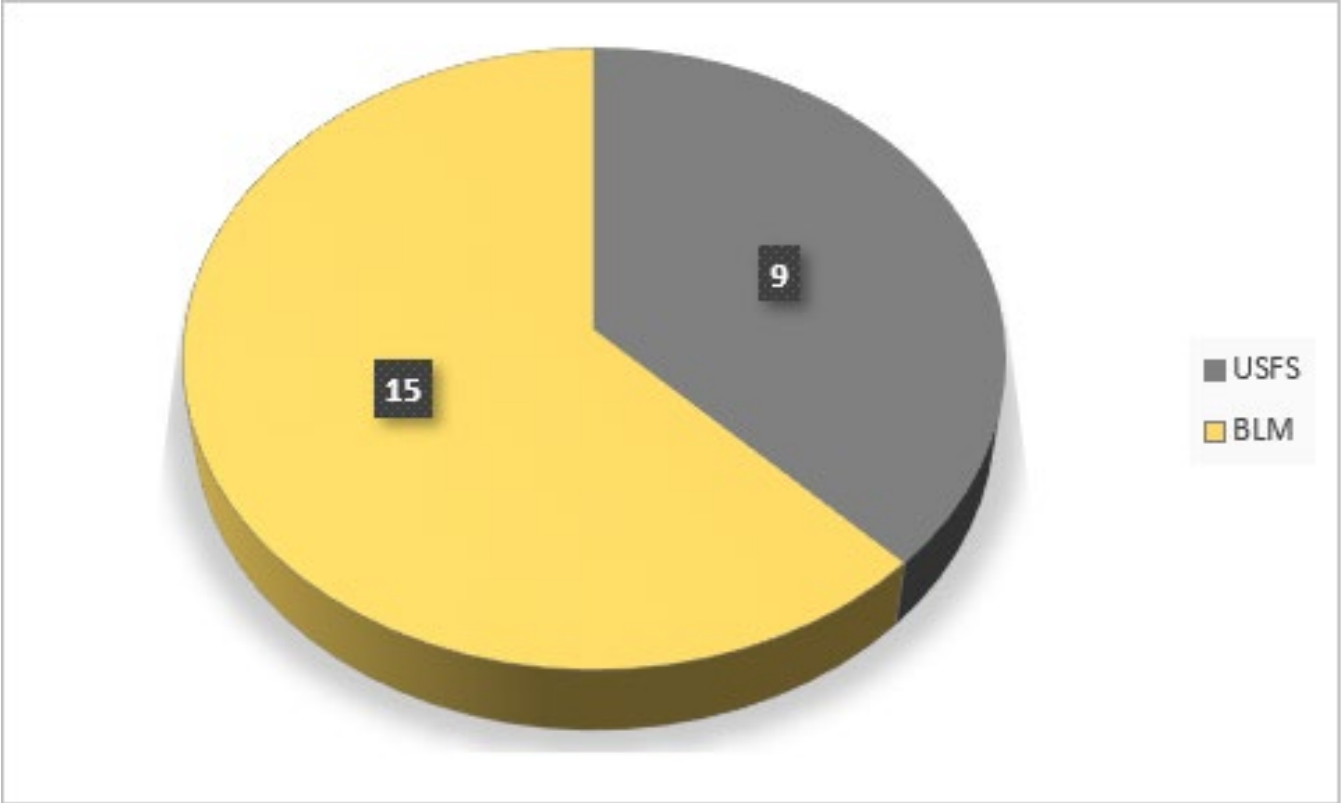
CFPRBA SUMMARY AS OF DECEMBER 13, 2024

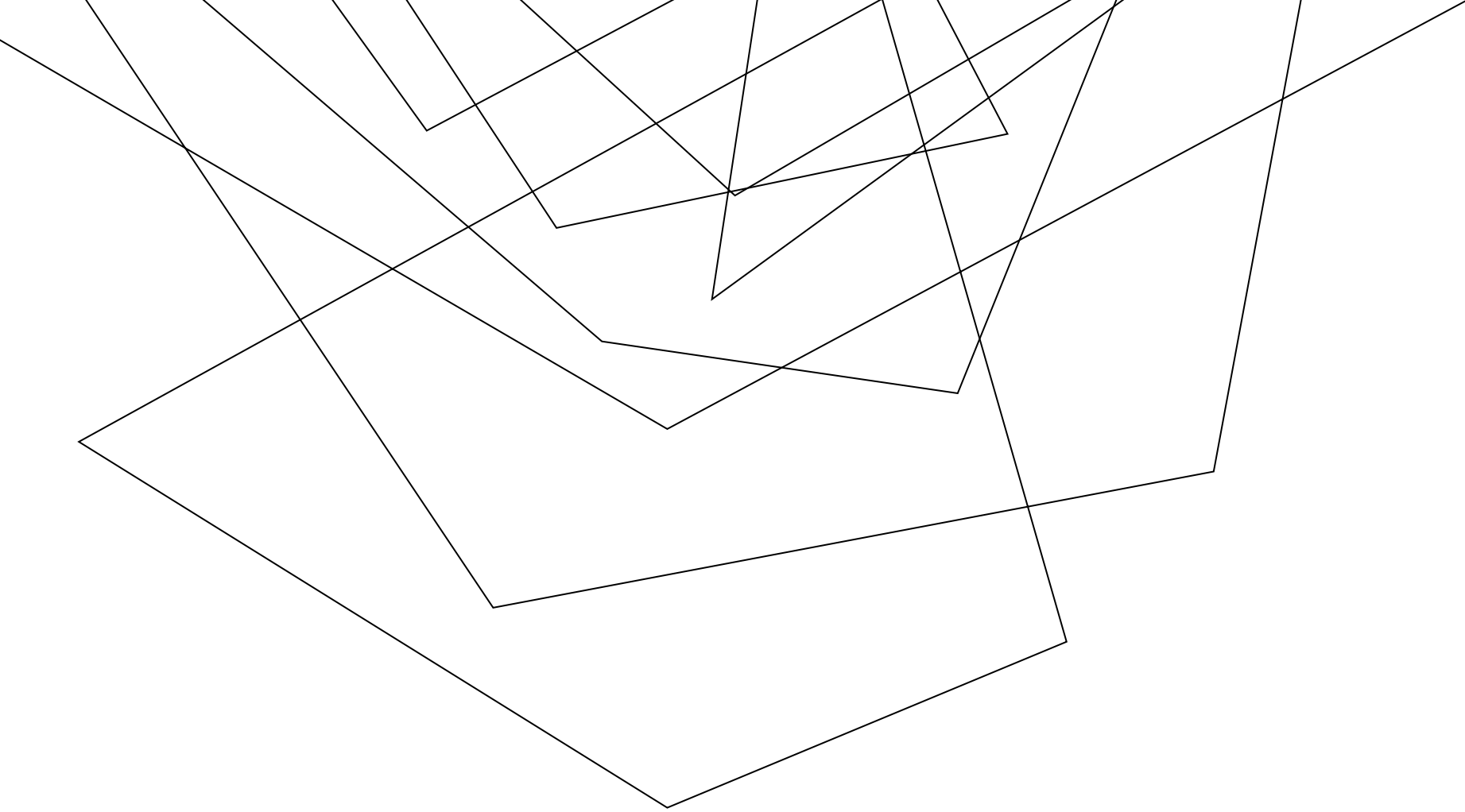


BASIN 97 – PART 1



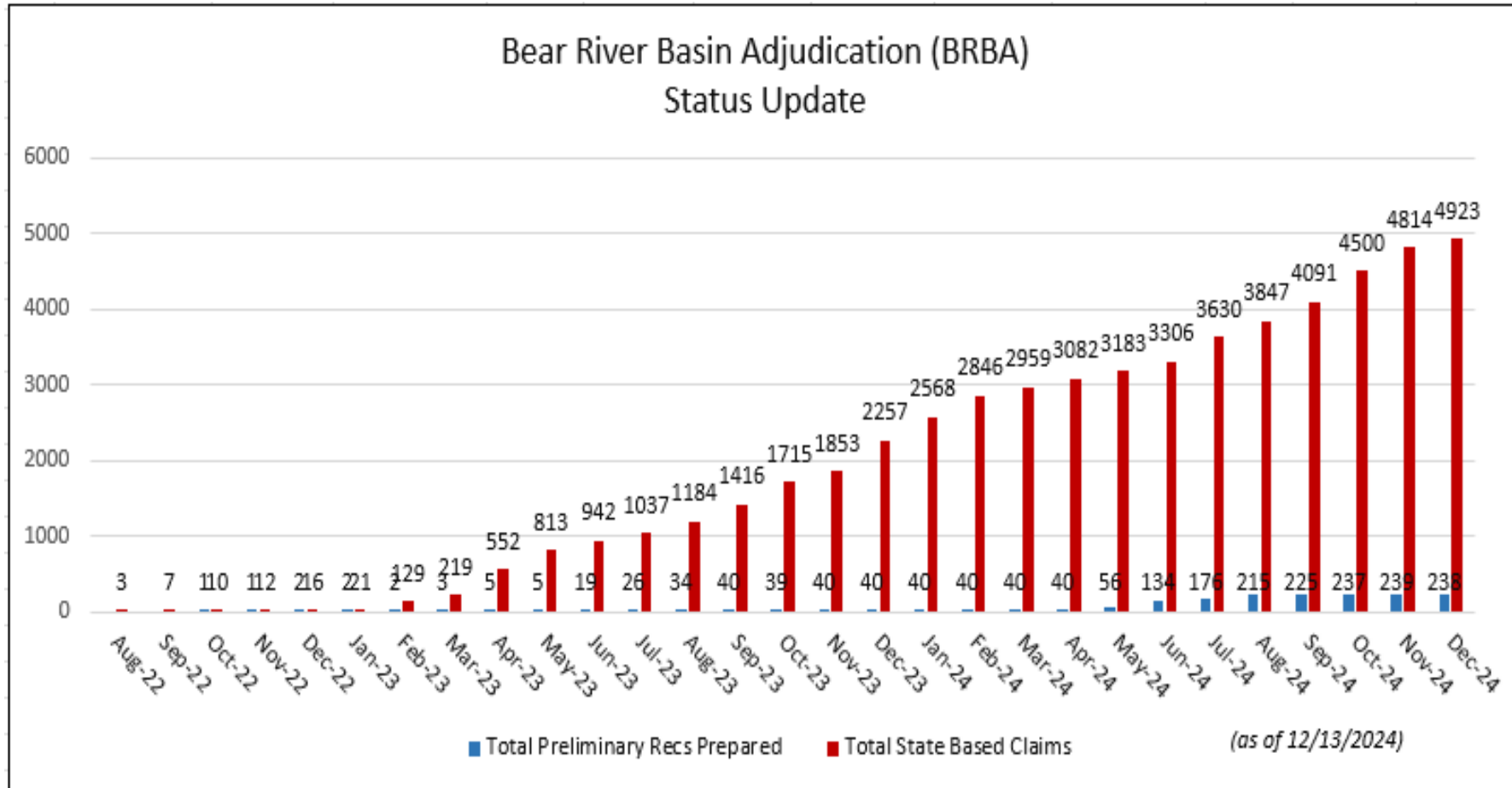
CFPRBA FEDERAL RESERVED CLAIMS



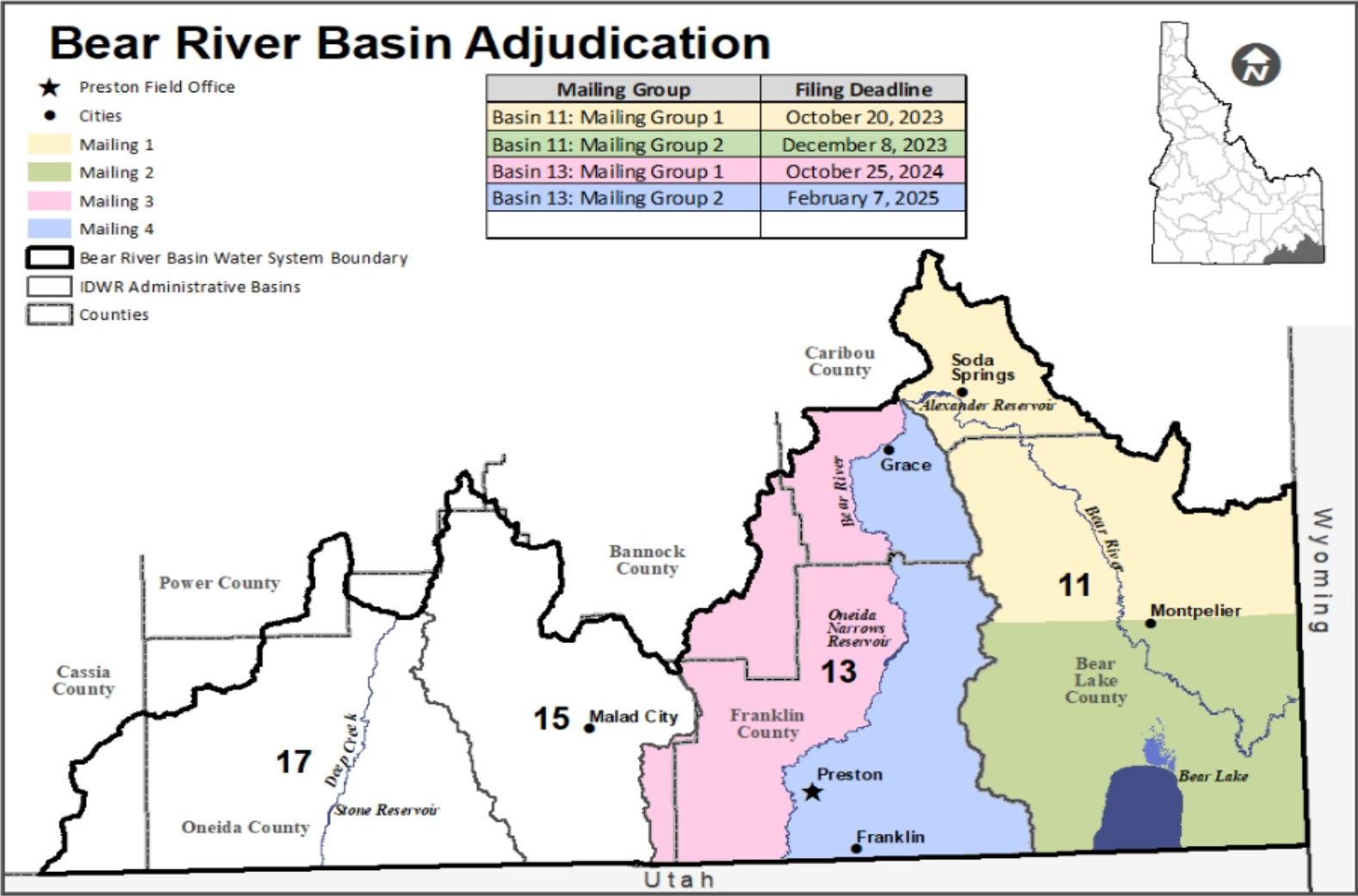


BRBA

BRBA SUMMARY AS OF DECEMBER 13, 2024



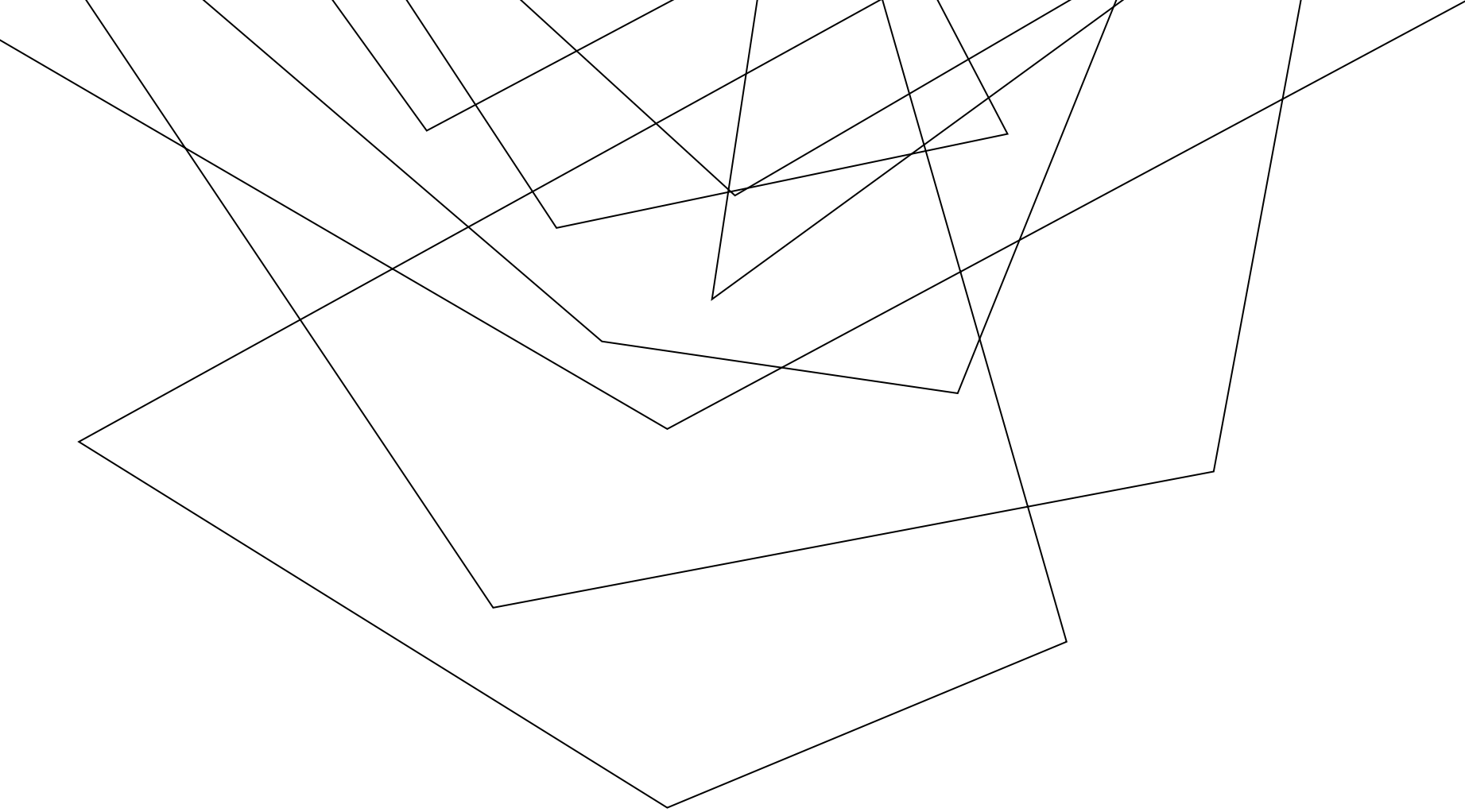
COMMENCEMENT NOTICE MAILINGS



BRBA UPDATES

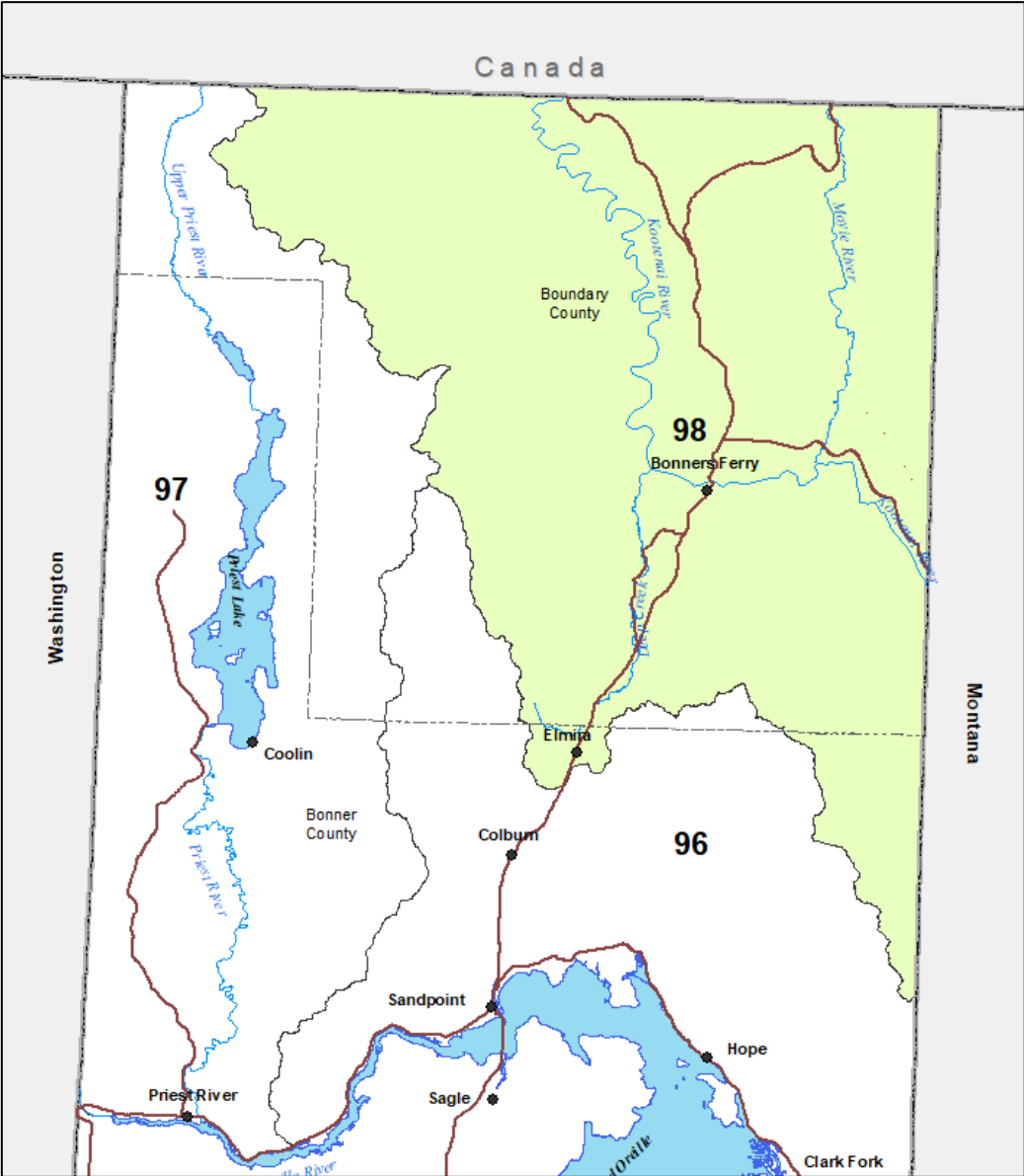


Photo courtesy of Chris Holmes, Preston Office.



**OTHER GENERAL
MATTERS**

BASIN 98 UPDATES



- The Kootenai River Basin, or Administrative Basin 98, is the only basin that has not yet been adjudicated.
- Idaho Code § 42-1406D, the statute authorizing the Department to petition the district court to commence the Kootenai River Basin Adjudication, went into effect July 1, 2024.

CASES OF INTEREST UPDATES

- City of Pocatello, et al. v. Idaho Department of Water Resources
 - CM-DC-2010-001; Ada County Case CV01-23-13238
 - Notice of Appeal filed July 12, 2024
 - Clerk's Record has been finalized
 - Opening briefs have been filed
 - Briefing anticipated to be complete by mid-April
- Idaho Ground Water Appropriators Inc. v. Idaho Department of Water Resources
 - CM-MP-2016-001; Ada County Case CV01-23-7893
 - Notice of Appeal filed April 5, 2024
 - Signed Agreement currently being advertised
 - Protest deadline: December 23, 2024



- Dean Garwood, Water Resource Agent, Northern

QUESTIONS?



Photo courtesy of Scott Potter, Northern Region