

**Lacey Rammell-O'Brien & Evan Roda**  
**for the Idaho Department of Water Resources**  
**April 15, 2025**

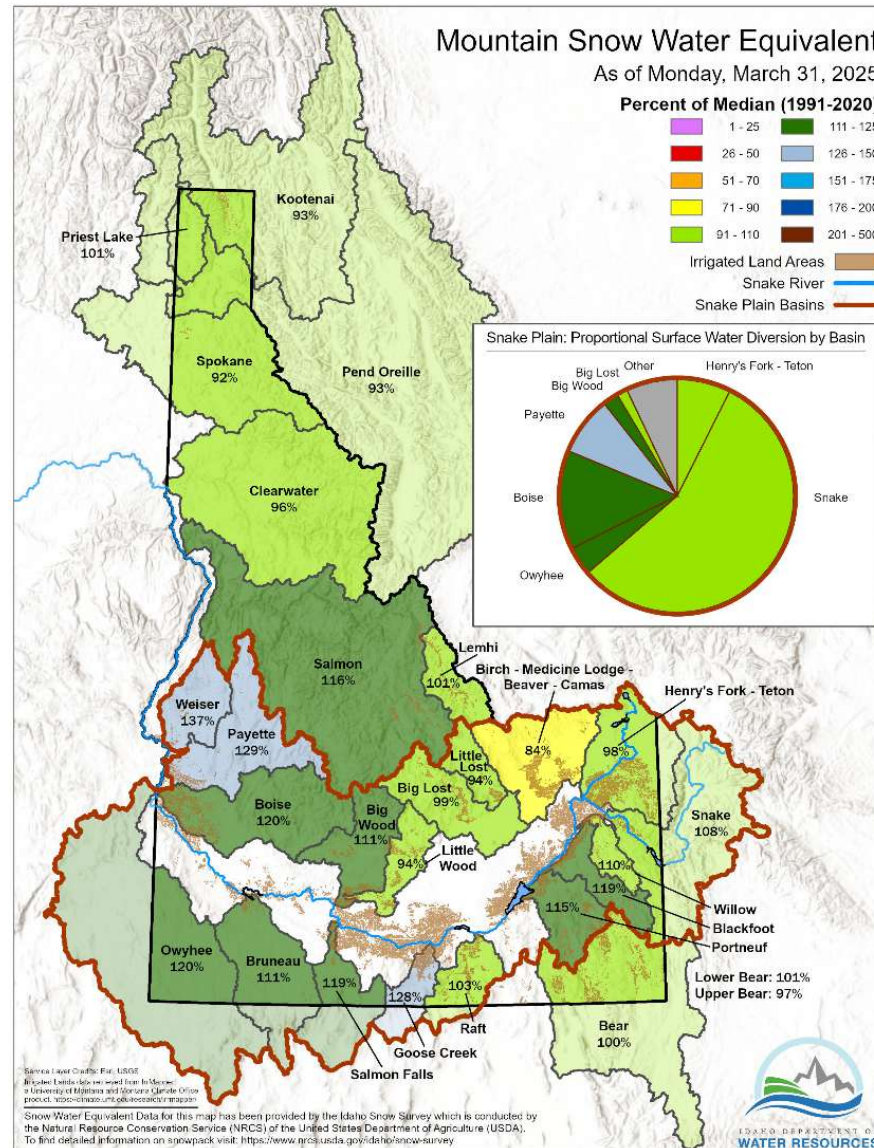


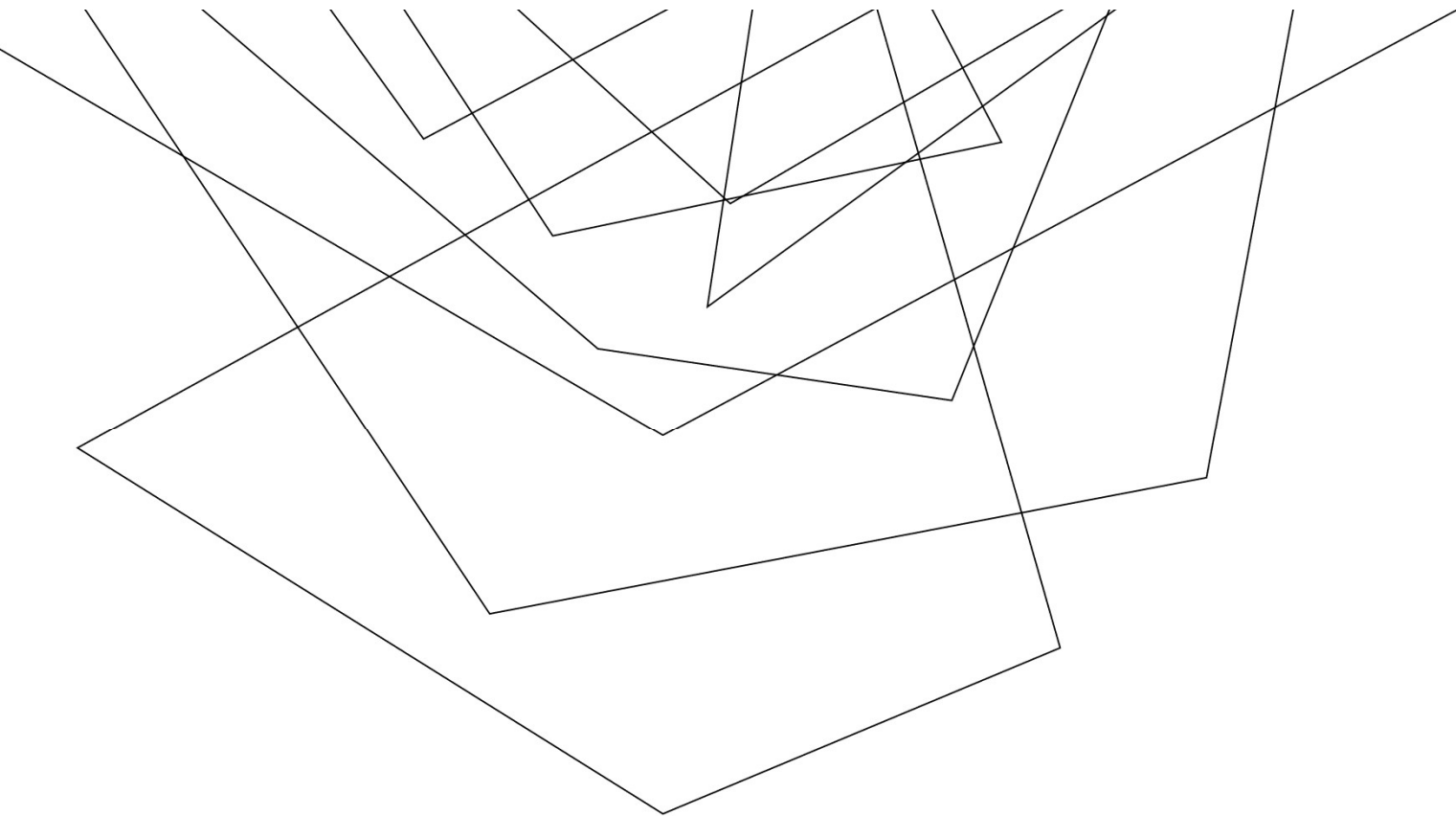
Photo Credit: Special Master Brigette Bilyeu, Idaho Water Adjudications<sup>1</sup>



## 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



## SUBCASE 00-92095

# ADJUDICATION OF DEFERRED DE MINIMIS DOMESTIC AND STOCKWATER CLAIMS

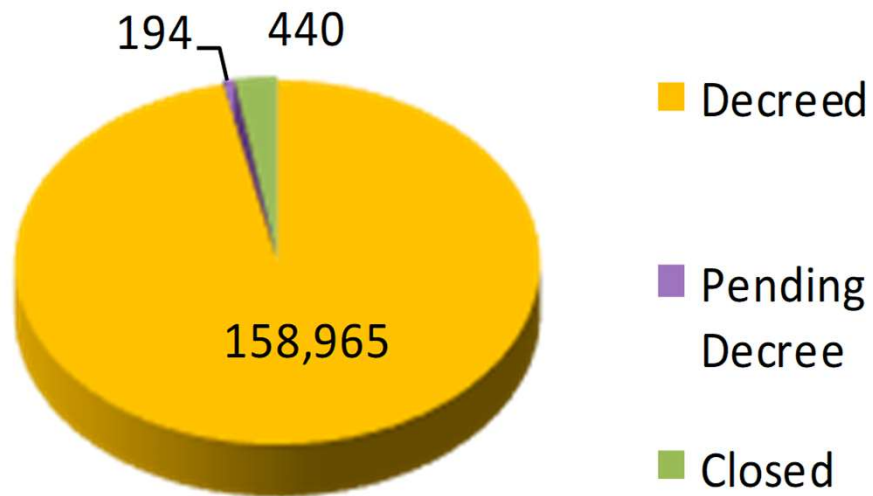
- Pursuant to Judge Wildman's January 22, 2024 Stay Order, this subcase is stayed pending resolution of *U.S. v. Idaho* in the Federal Courts.



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

- 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.
- 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 set:
  - US' consolidated first brief on cross appeal is due April 30, 2025
  - Idaho's consolidated second brief on cross appeal is due May 30, 2025
  - US' consolidated third brief on dross appeal is due June 30, 2025
  - Idaho's optional reply brief is due July 21, 2025

## SRBA SUMMARY AS OF APRIL 7, 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
1	Casa Del Norte, LP	37-23474	9/5/2024	Sent to newspaper for advertising on 1/10/2025.
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.
1	Lyke	63-35673	3/17/2025	Waiting on Claimant to file Affidavit.



## WAITING FOR IDWR TO SUBMIT NOTICE OF EXAMINATION

Count	Claimant	Subcase #(s)	Affidavit Filed	Next Step
1	The Animals Trust	63-35660	3/27/2025	IDWR to submit Notice of Exam

## AWAITING DIRECTOR'S REPORT BY IDWR

Count	Claimant	Subcase #(s)	Director's Report Due	Next Step
3	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
3	Forever Ranch II, LLC	65-24332, 65-24333, 65-24664	1/23/2026	IDWR to Submit DR
1	Lanman	85-15876	1/26/2026	IDWR to Submit DR
1	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.

## 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	Love	63-35519	10/21/2024	4/15/2025
1	Rose	63-35068	10/21/2024	4/15/2025
1	Watson	86-12177	10/21/2024	4/15/2025

## 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	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

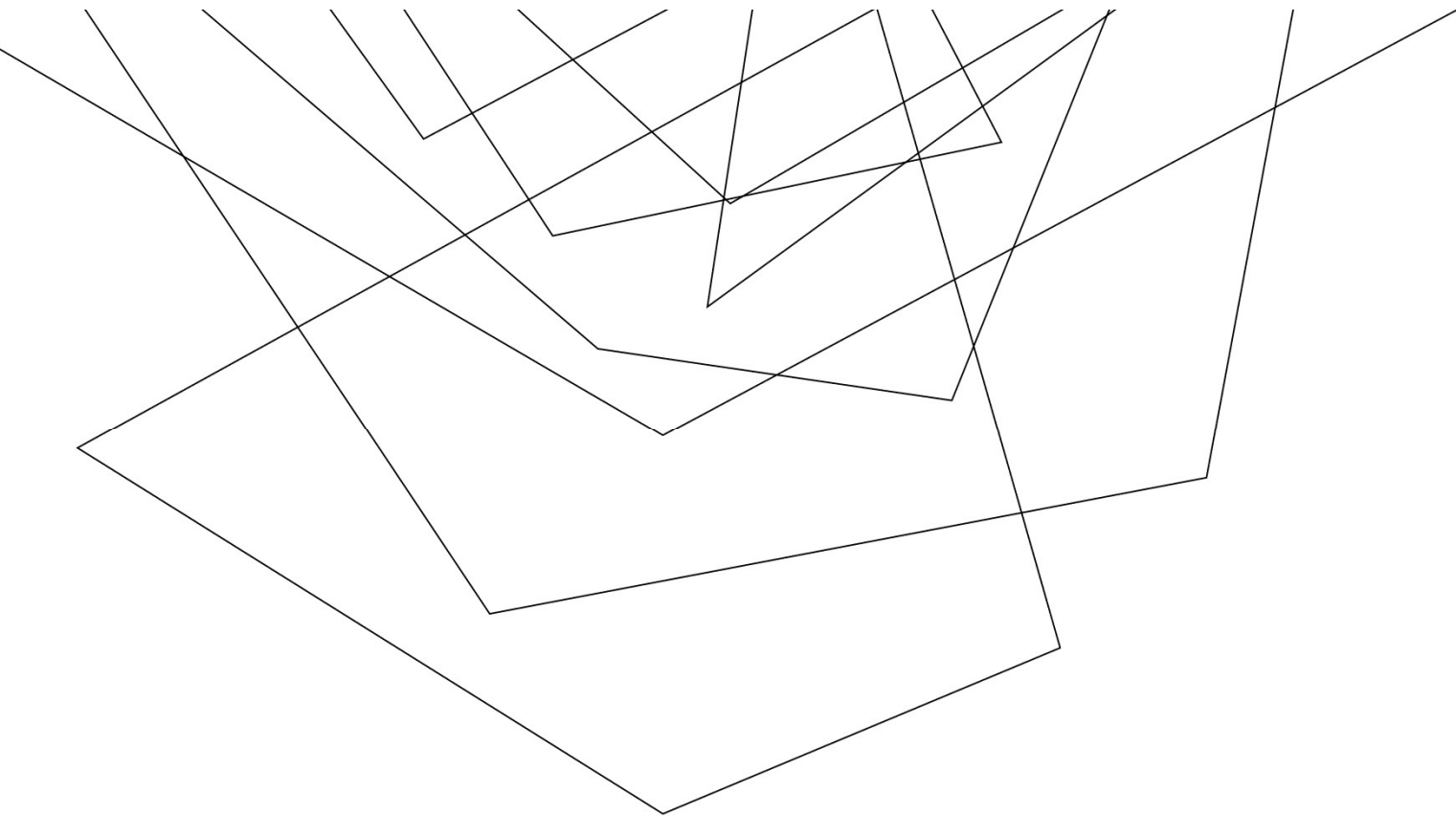
Count	Claimant	Subcase #(s)	DR Filed	SF5 Filed Date	SMRR Filed Date

## PARTIAL DECREE ISSUED

Count	Claimant	Subcase #(s)	Partially Decreed
1	Huff	85-15853	2/19/2025
1	Nuismer	86-12169	2/19/2025

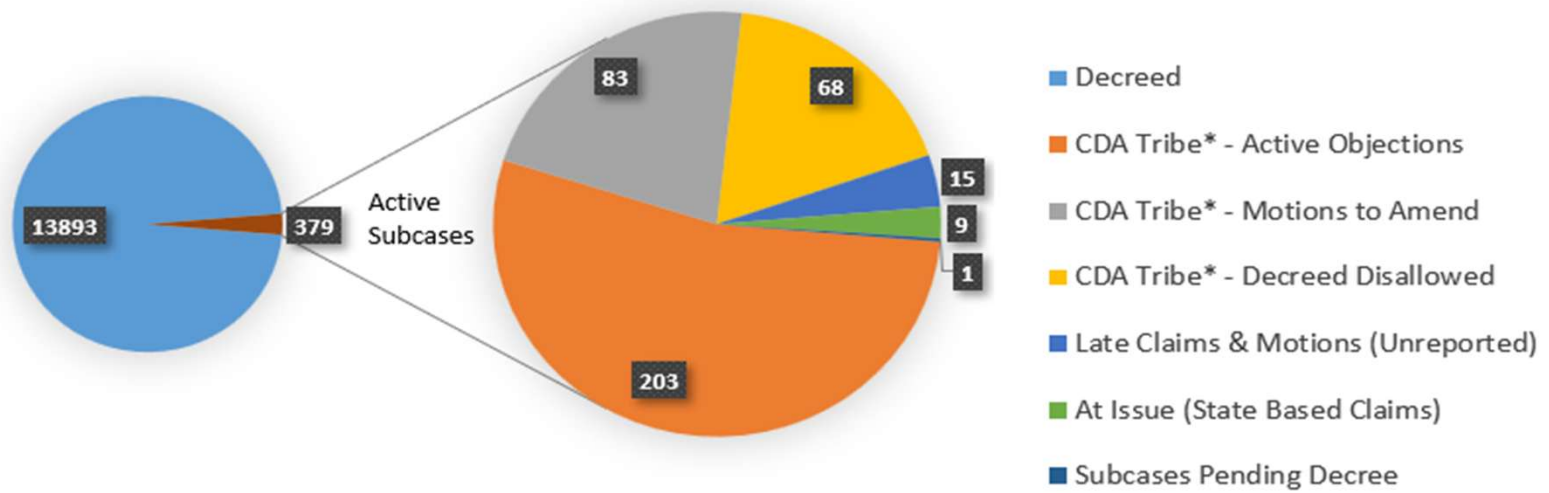
## DISMISSED

Count	Claimant	Subcase #(s)	Date Dismissed



CSRBA

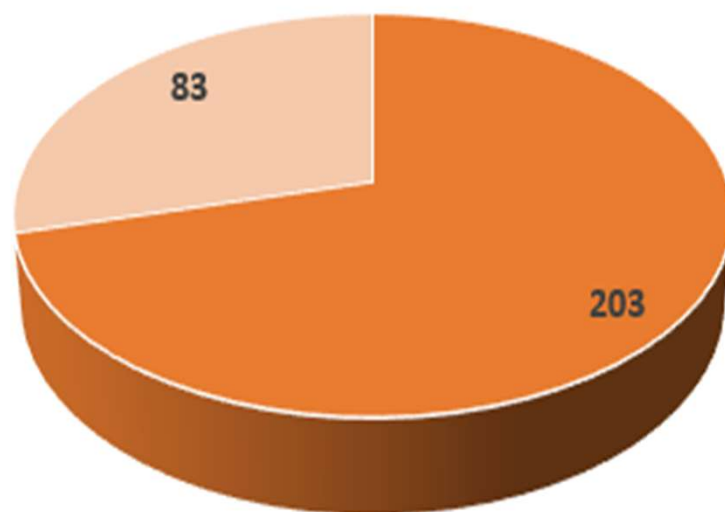
## CSRBA Summary All Subcases



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

Last Updated 4/8/2025

## CSRBA FEDERAL RESERVED CLAIMS



**Basins 91-95  
Current Subcases**

- CDA Tribe\* - Active Objections
- CDA Tribe\* - Amended Motions

*\* 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



*Coeur d'Alene Lake/Spokane River*  
*Photo courtesy of Dean Garwood, Northern Region*

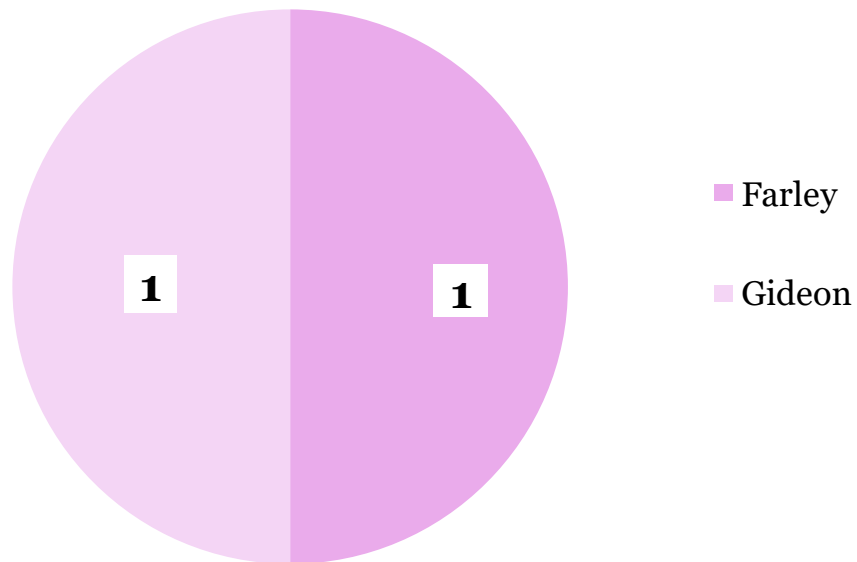
Settlement negotiations are ongoing.

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

Next status conference for the state-based lake claims is scheduled for April 16, 2025.

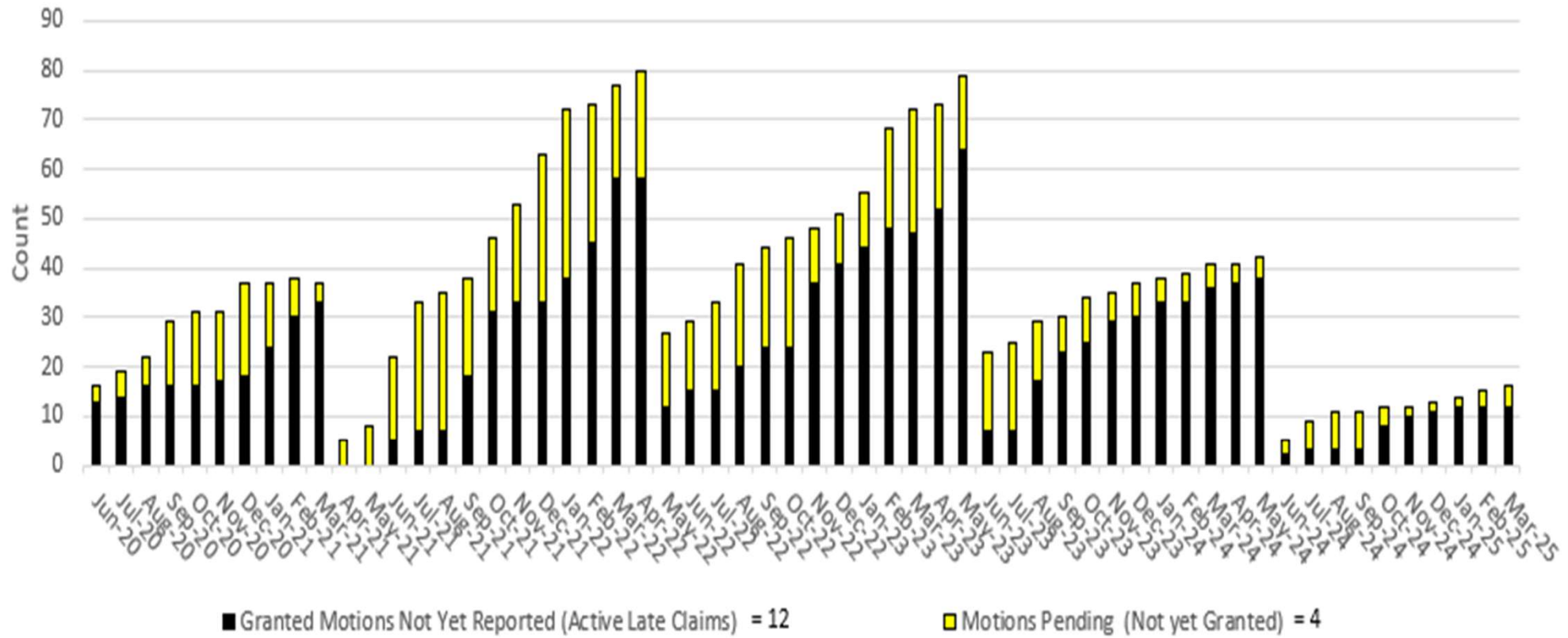


BASIN 95 PART 2  
SUBCASES FOR WHICH OBJECTIONS ARE UNRESOLVED  
3 OBJECTIONS TO 2 CONTESTED SUBCASES



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 Late & Misc Claims



As of 4/8/2025

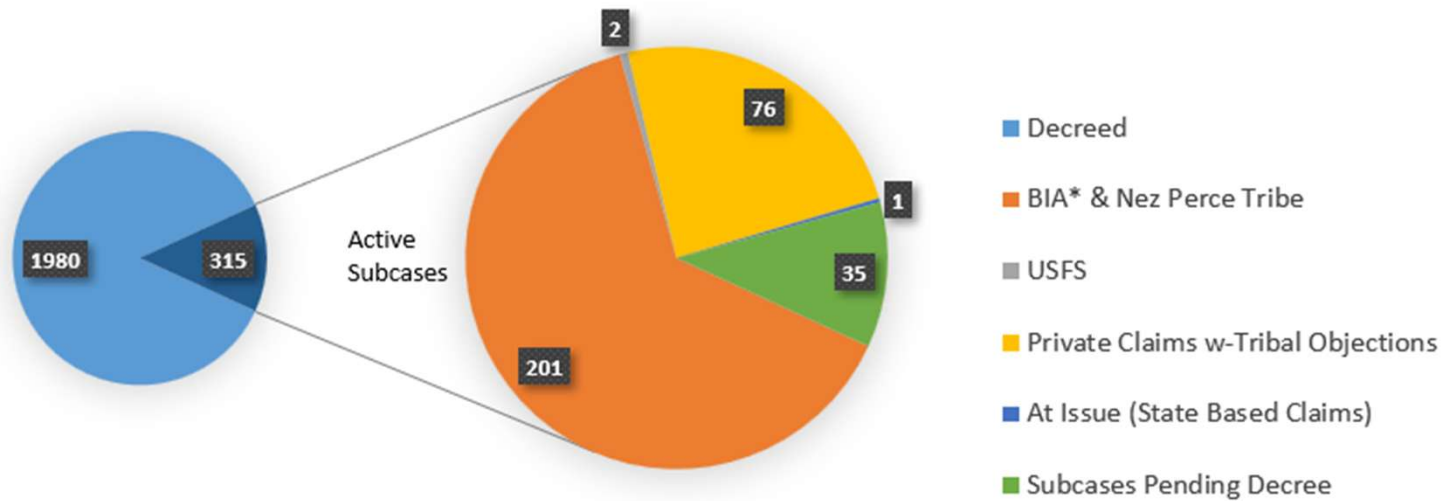
PRBA



*In 1891, workers laid wooden pipes in Lewiston, Idaho.*

*Photo Credit: Historic Lewiston, Idaho's Post*

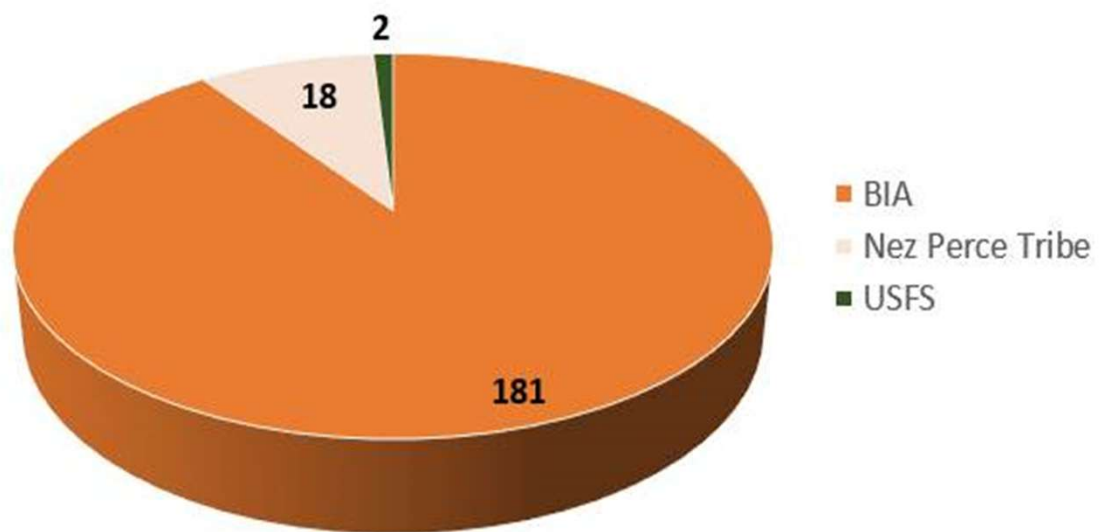
## PRBA Summary All Subcases



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

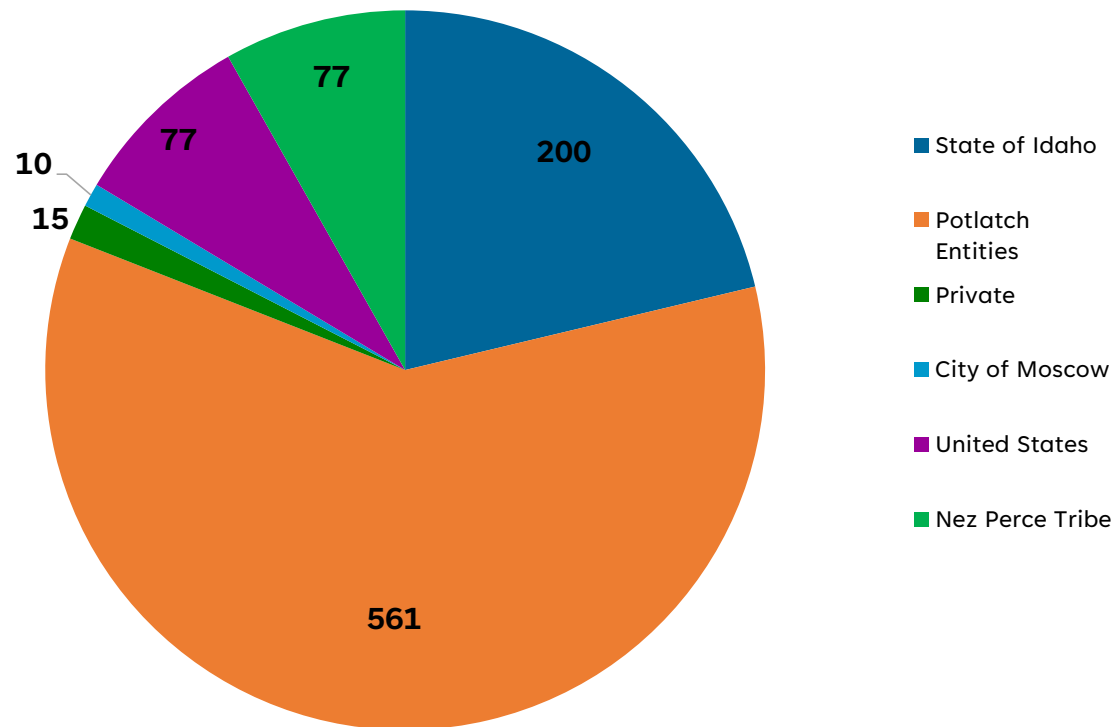
Last Updated 4/8/2025

### PRBA FEDERAL RESERVED CLAIMS



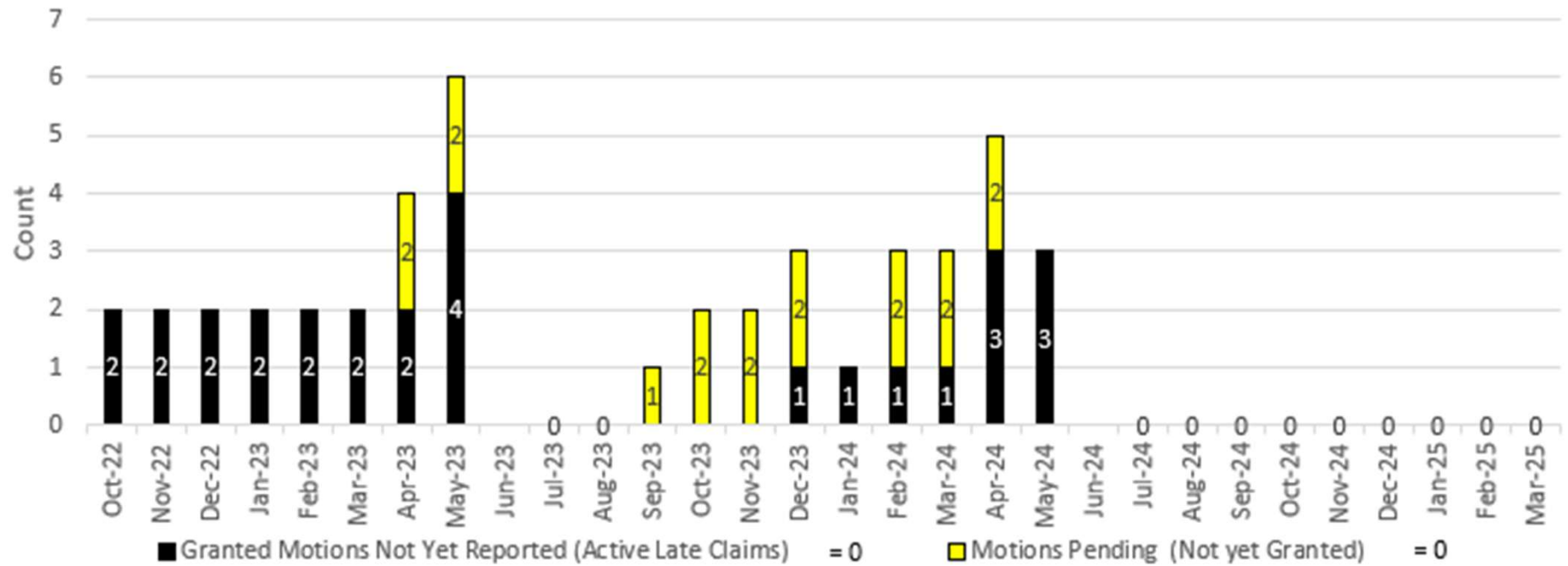
*\* United State of America as trustee on behalf of the Nez Perce Tribe*

## 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 4/8/2025

CFPRBA



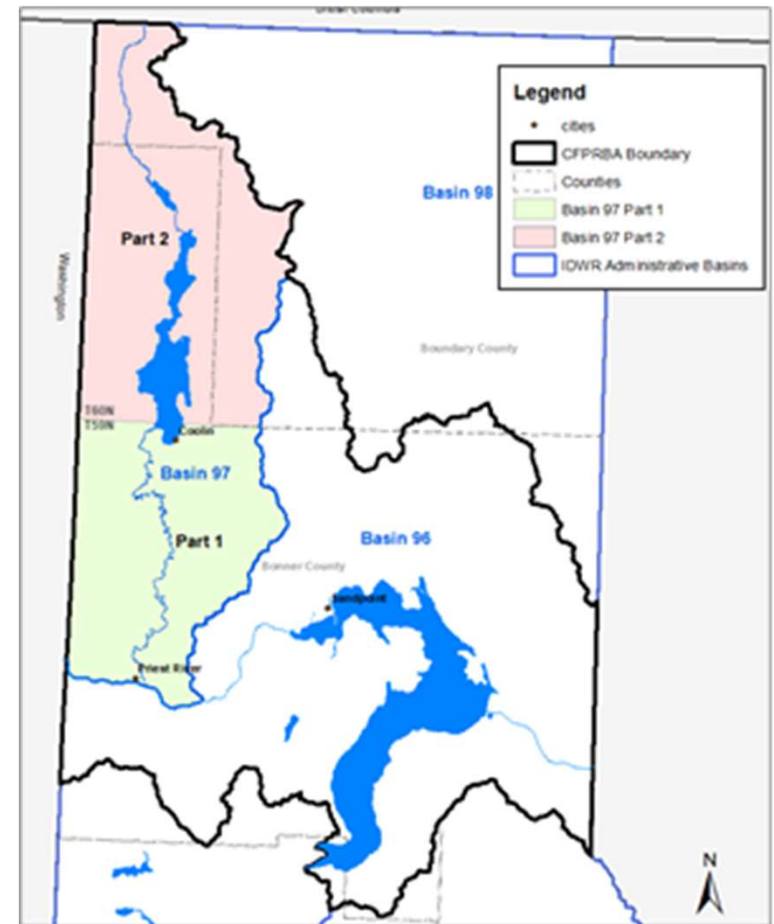
*One of the oldest surviving pictures taken in Idaho at Sinyakwatin by the Boundary Commission in 1860. In the foreground is a Kalispel Tribe tule-mat tepee and a sturgeon-nosed-type canoe. Sinyakwatin is located just south of present-day Laclede, Idaho on the Pend Oreille River. On the other side (south side) of the river is the American Camp.*

*Photo courtesy of Sandpoint Magazine*

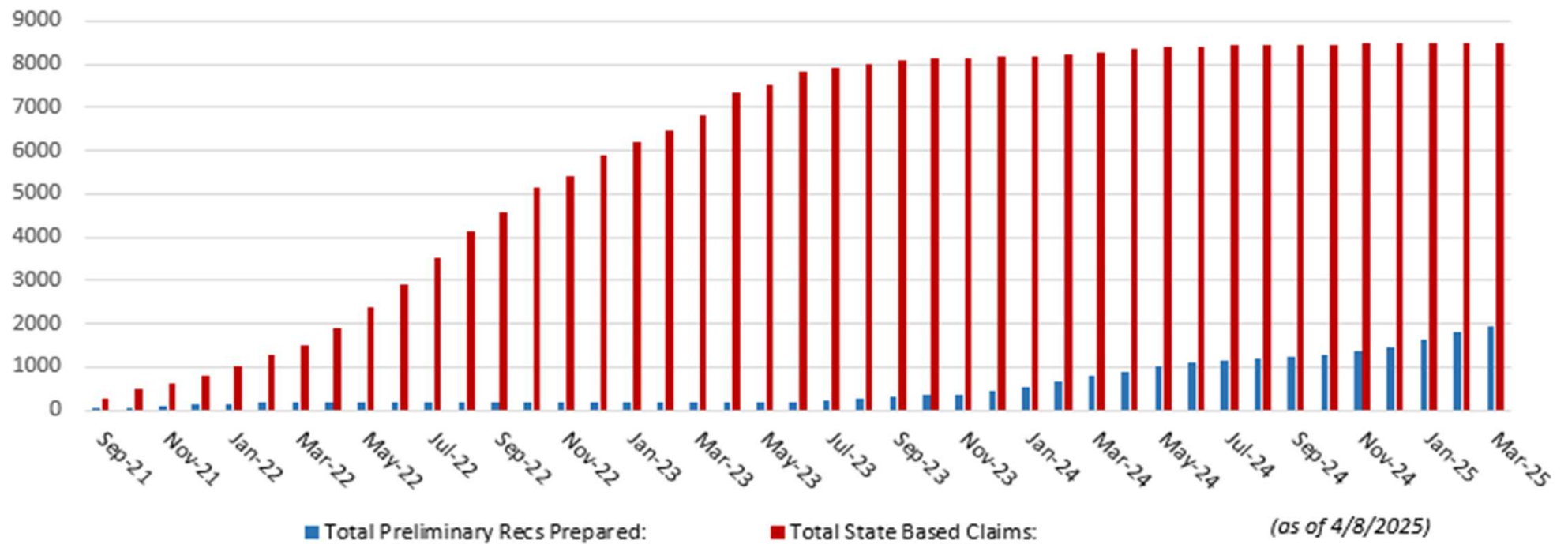


## CFPRBA UPDATES

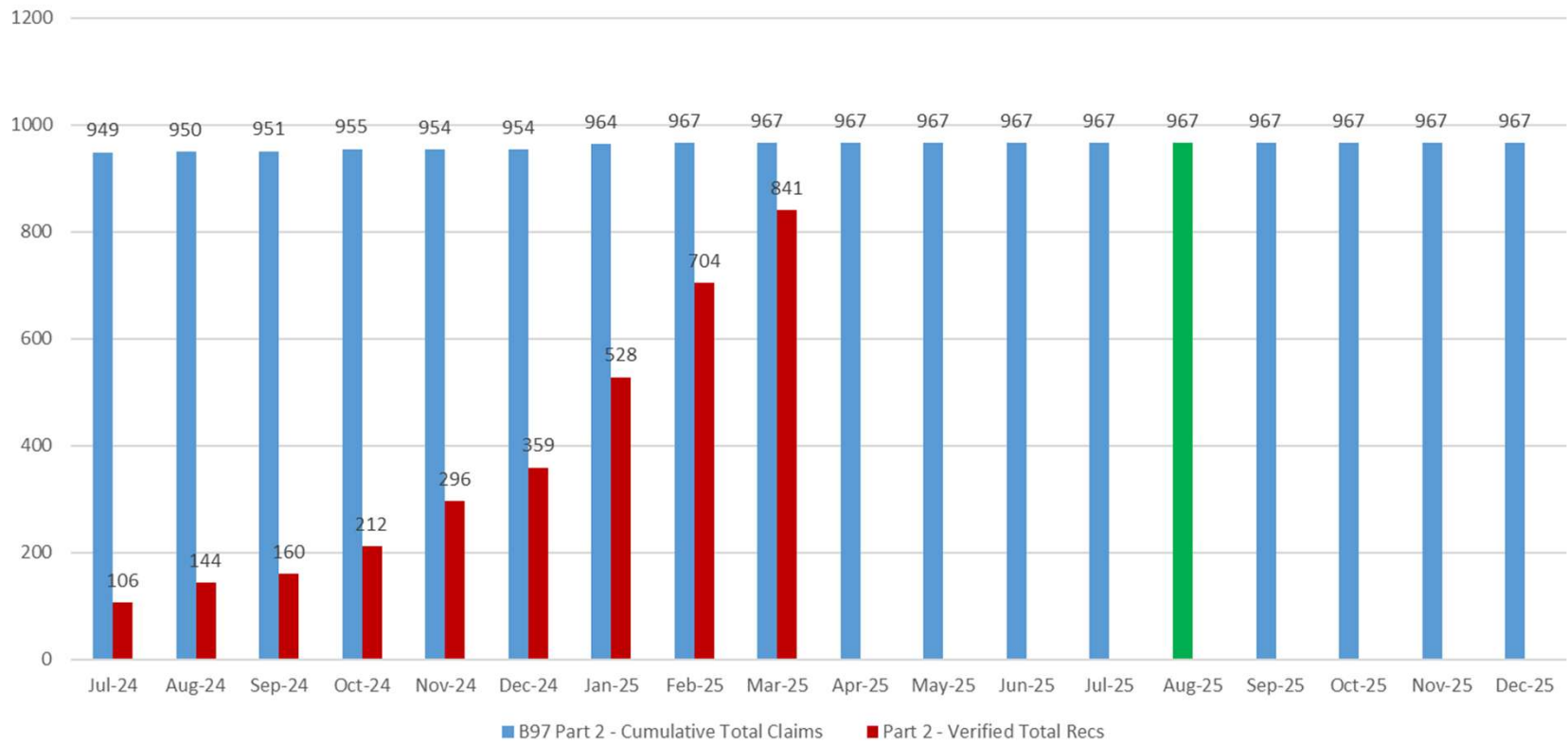
- The Director's Report for Basin 97 Part 1 was mailed on December 17, 2024.
  - Deadline for objections = May 12, 2025
  - Deadline for responses = July 28, 2025
  - Hearing on Uncontested Motions = January 20, 2026
- There are 1,087 claims pending in the CFPRBA
- Adjudication staff are working on recommendations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



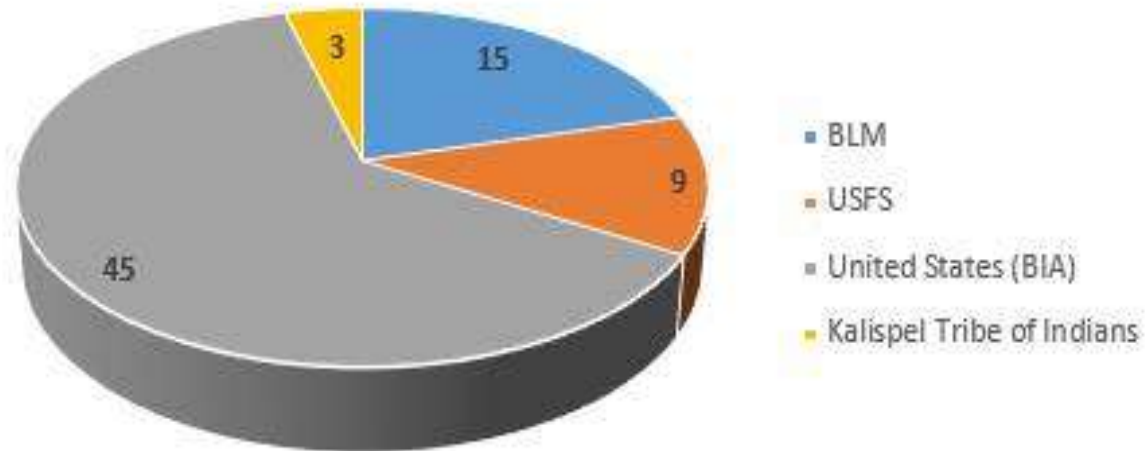
## Clark Fork-Pend Oreille River Basin Adjudication (CFPRBA) Status Update

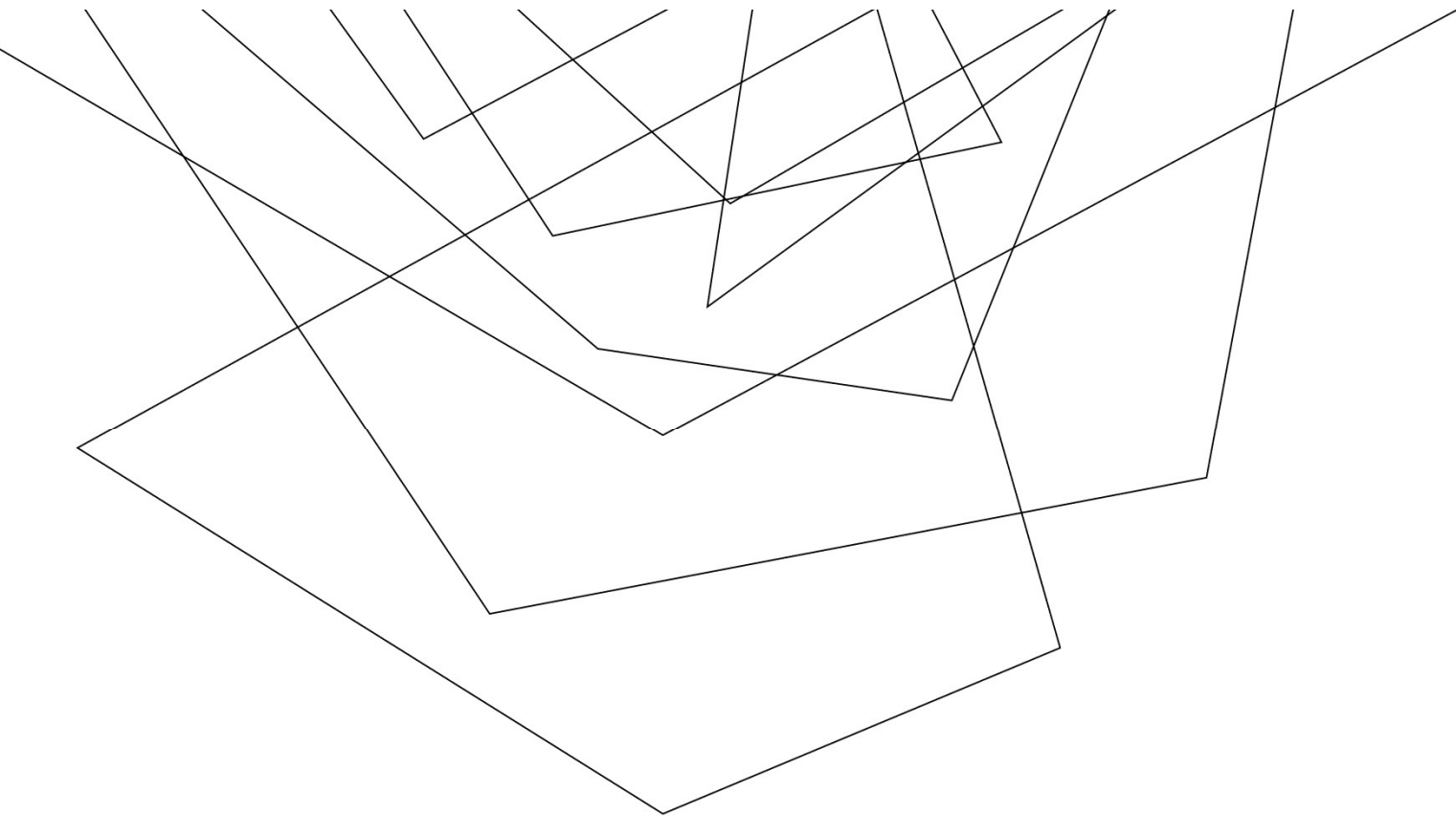


## CFPRBA B97 Part 2



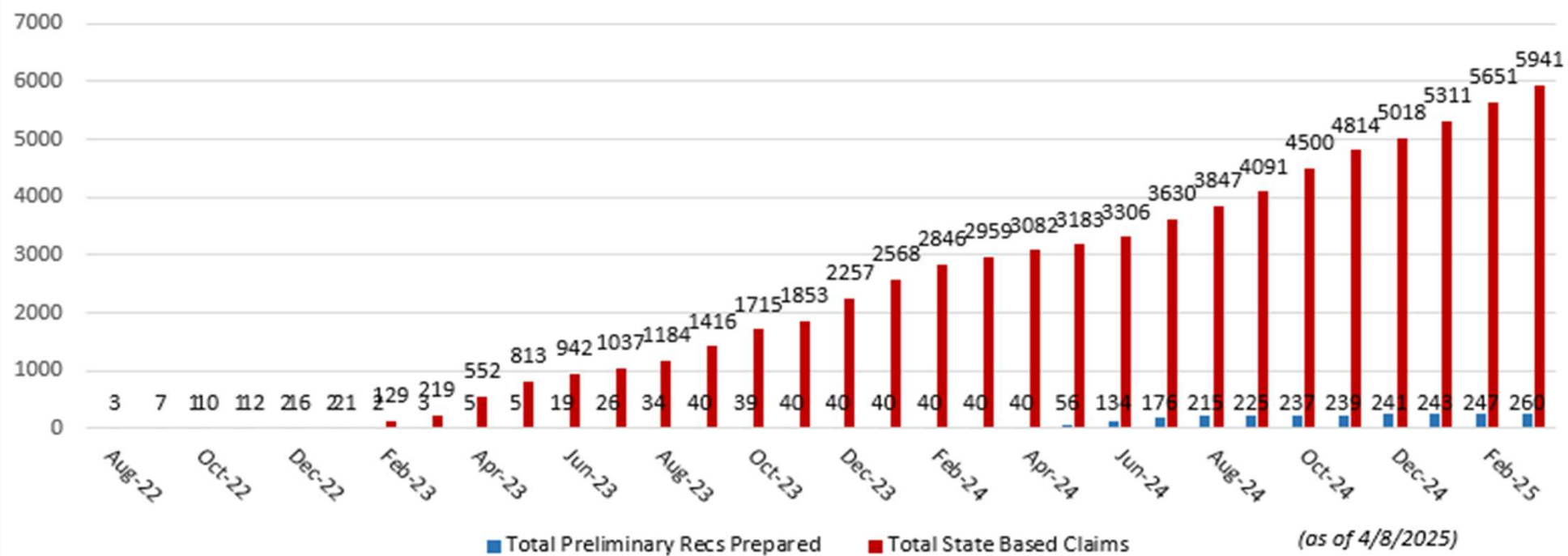
### CFPRBA FEDERAL RESERVED CLAIMS



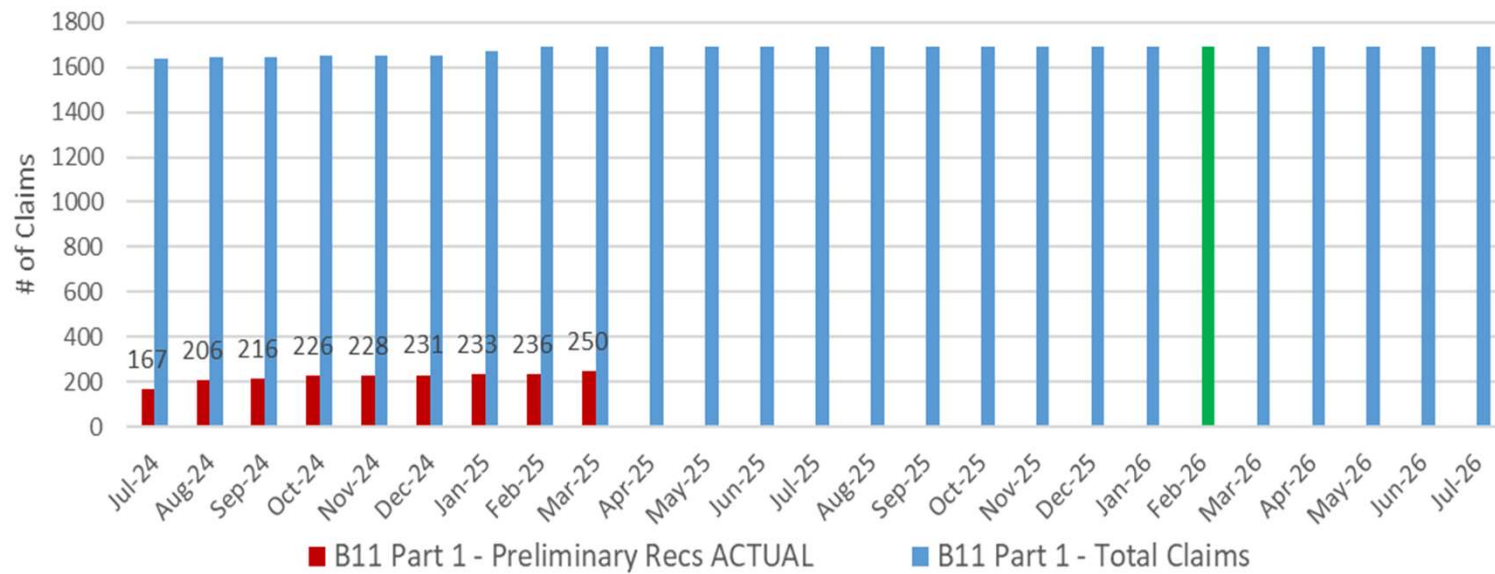


**BRBA**

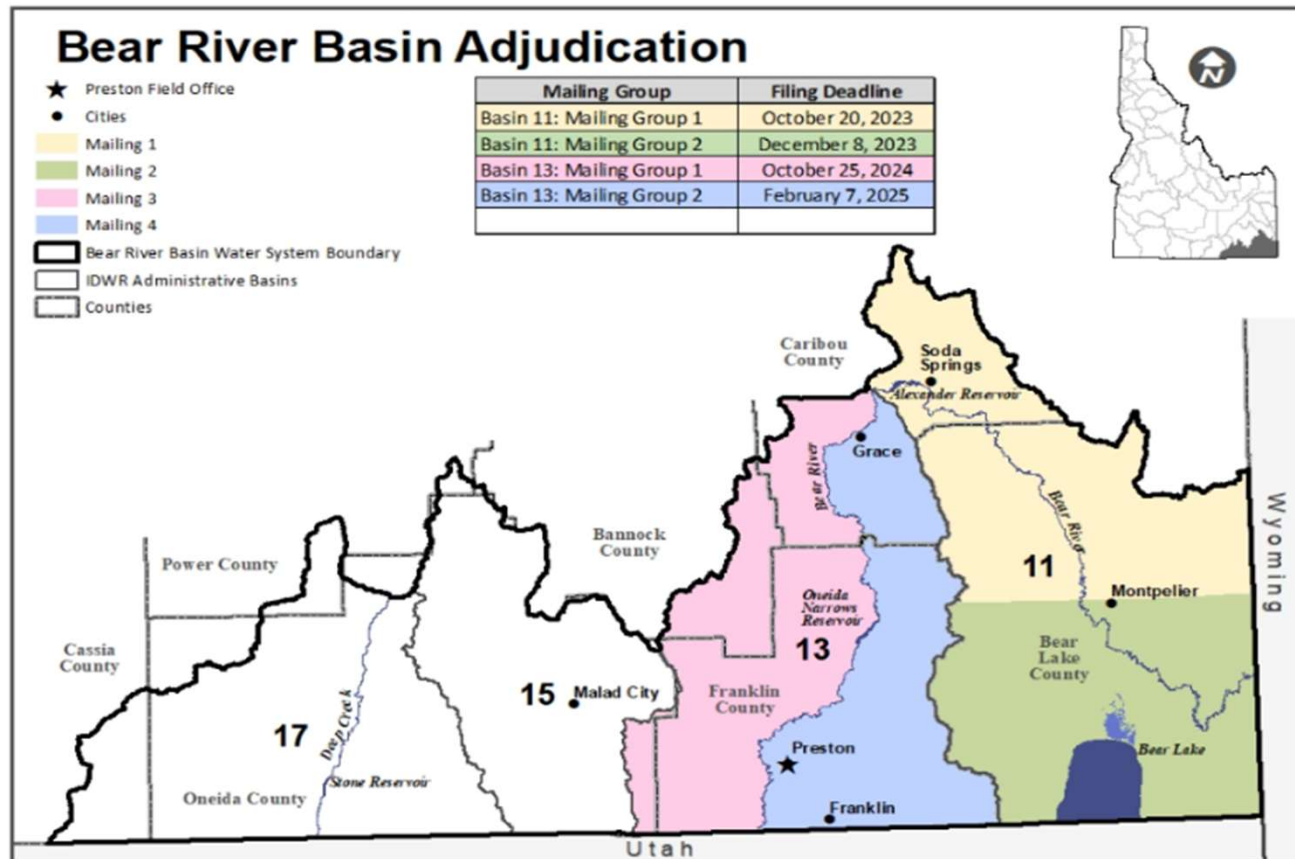
## Bear River Basin Adjudication (BRBA) Status Update



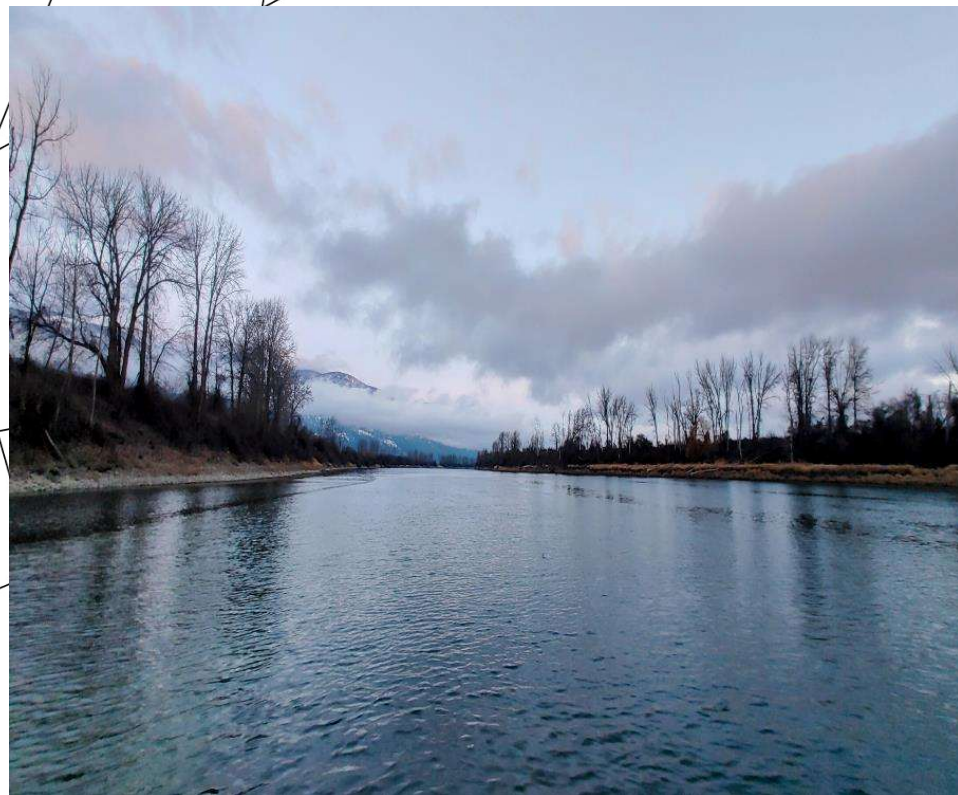
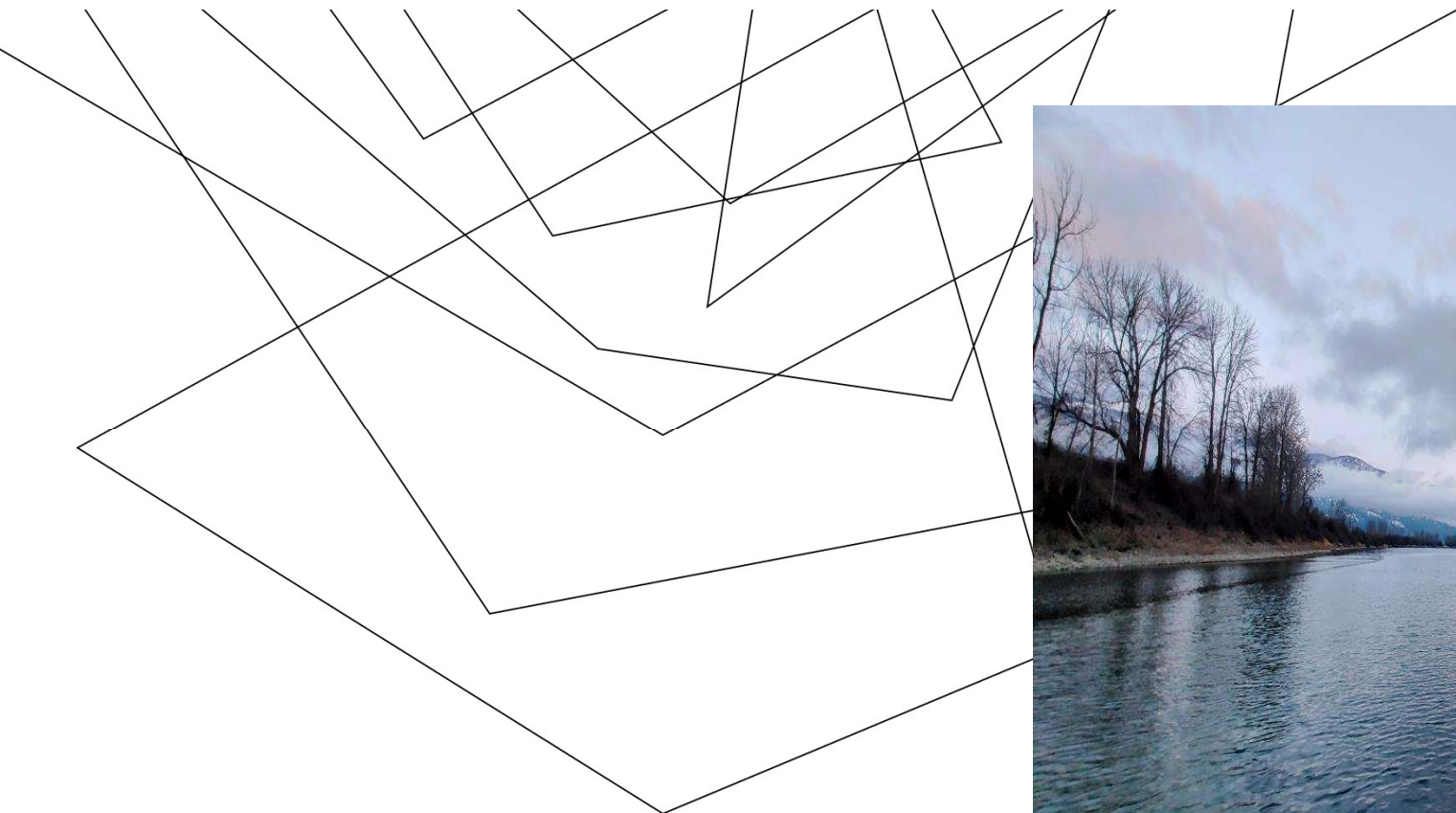
## BRBA - Basin 11 Part 1 Verified Recommendations



# COMMENCEMENT NOTICE MAILINGS

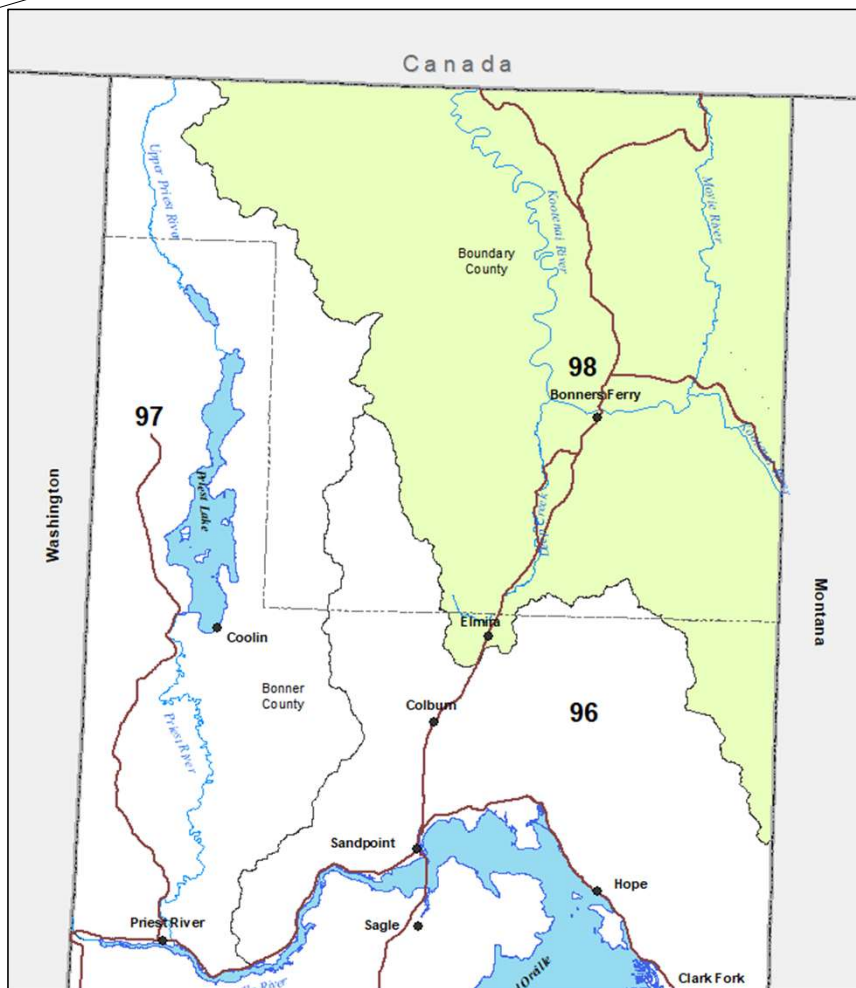






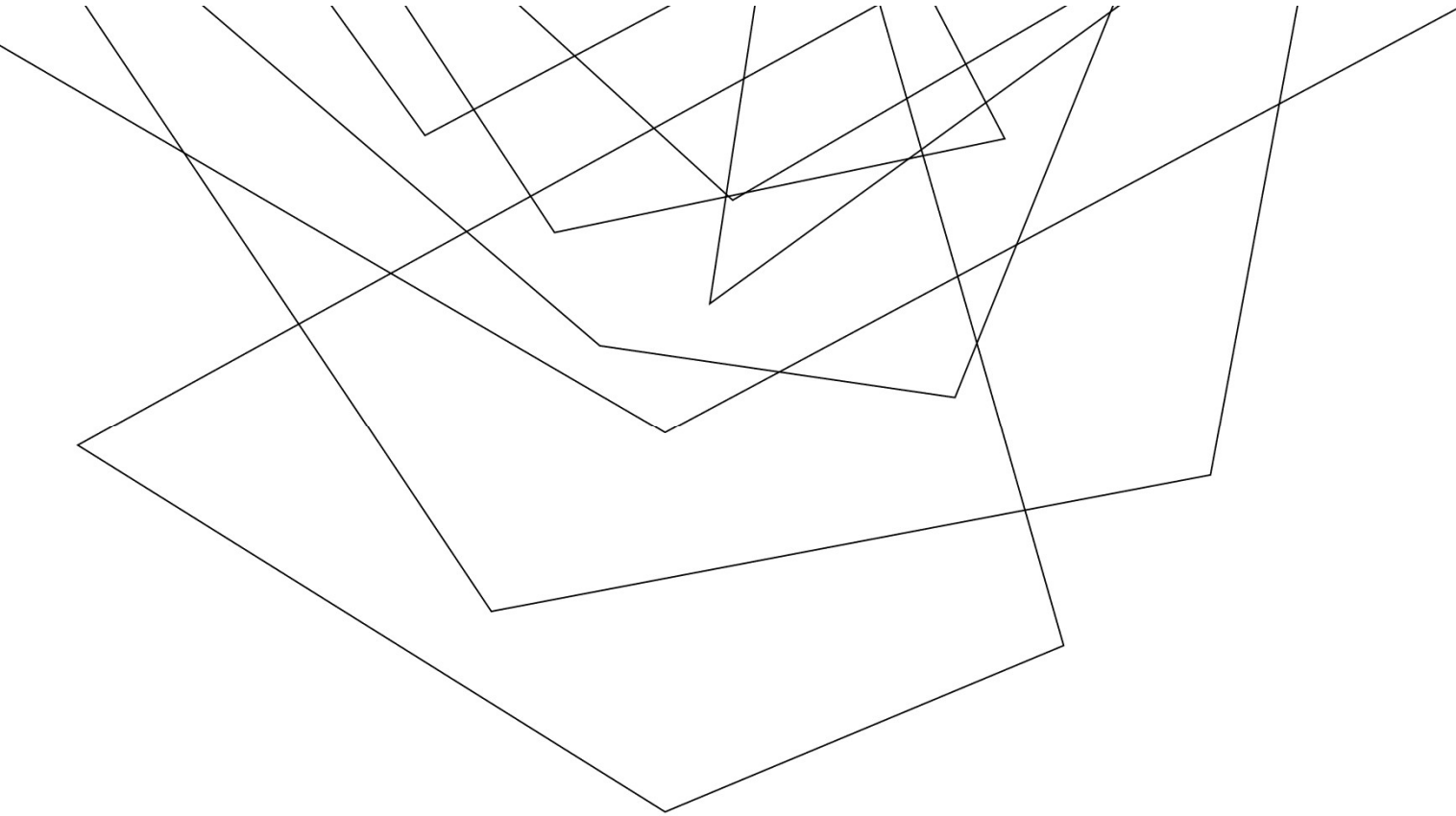
*Kootenai River*  
*Photo courtesy of Luke Bates, Northern Region*

KRBA



## 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



## CASES OF INTEREST UPDATES

- 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; Court to set oral argument.
- Idaho Ground Water Appropriators Inc. v. Idaho Department of Water Resources
  - CM-MP-2016-001; Ada County Case CV01-23-7893; ISC Case 51784-2024
  - Notice of Appeal filed April 5, 2024.
  - ISC stayed matter pending settlement discussions.
  - Settlement reached and Director approved settlement as a stipulated mitigation plan.
  - The Idaho Supreme Court granted the stipulated motion to dismiss.



Congratulations to Evan Roda who has been promoted to Adjudication Section Manager!!

QUESTIONS?



*Priest Lake*

*Photo courtesy of Dean Garwood, Northern Region*