

JUN 16 2022

**NOTICE OF FILING DIRECTOR'S REPORT OF LATE
FEDERAL RESERVED WATER RIGHT CLAIMS
IN BASIN 87**

Clerk
Deputy Clerk

INTRODUCTION

The Bureau of Indian Affairs (BIA) as trustee for the Nez Perce Tribe and the Nez Perce Tribe filed with the Palouse River Basin Adjudication (PRBA) District Court claims to federal reserved rights in Basin 87. You may obtain copies of these claims from the PRBA Court, or you may also download copies from the IDWR website at www.idwr.idaho.gov. The federal reserved right numbers are: 87-12337, 87-12338, 87-12339, 87-12340, 87-12341, 87-12342, 87-12343, 87-12344, 87-12345 and 87-12346.

INSTRUCTIONS FOR TAKING A CLAIM TO COURT

What do I do if I disagree with any federal reserved water right claim?

If you disagree with any element of a claim to a federal reserved water right in the PRBA and want to be heard in court, file an objection with the PRBA Court. Objections must be made on the standard objection form ("Standard Form 1") available from any IDWR office or from the PRBA Court. You may also download a copy of the objection form from the PRBA web site at www.prba.idaho.gov.

Your objection to any federal reserved water right reported in the PRBA must be received by the PRBA Court on or before **Monday, August 15, 2022**. A copy of the objection must be mailed to the claimant of the water right and the Director of IDWR.

What may happen if I file an objection to a federal reserved water right claim?

If an objection to a federal reserved water right claim is filed, the claimant may, but is not required to, file a response to the objection with the PRBA District Court. The response must be made on the standard response form ("Standard Form 2") available from any IDWR office or from the PRBA Court. The response form may also be downloaded from the PRBA web site at www.prba.idaho.gov. The response must be received by the PRBA Court on or before **Friday, October 14, 2022**. A copy of the response must be mailed to the objector to the water right, the claimant of the water right (if different from the objector), and the Director of IDWR.

Can I participate in proceedings on an objection filed by someone else to a federal reserved claim?

If you wish to participate in proceedings on an objection filed by someone else to a federal reserved claim, then you may file a response to that objection. As noted above, responses must be made on the standard response form ("Standard Form 2") available from any IDWR office or from the PRBA Court. The response form may also be downloaded from the PRBA web site at www.prba.idaho.gov. The response must be received by the PRBA Court on or before **Friday, October 14, 2022**. A copy of the response must be mailed to the objector to the water right, the claimant of the water right (if different from the objector), and the Director of IDWR.

What do I do if I want to participate in the court case on a claim to a federal reserved right?

If you want to be involved in the court case on a claim to a federal reserved right, you must file either an objection or a response by the dates provided in this notice.

What happens if there are no objections to a federal reserved water right claim?

Should the deadline for filing objections and responses to federal reserved water rights pass, with no objections or responses filed, the PRBA Court will hear the uncontested recommendation on **Tuesday, November 15, 2022 at 2:00 p.m. (Pacific)**, at the PRBA courthouse. Interested parties may attend the hearings at the PRBA courthouse, via Zoom, or over the phone. See the "Remote Access Information" on the PRBA court website for instructions to connect. The PRBA Court will issue partial decrees following this hearing.

How will I know about the proceedings on a claim to the federal reserved water right to which objections were filed?

A notice will be mailed to you for court dates on the federal reserved claim if you filed an objection or a response. You will not receive notice of court dates on any other claims to federal reserved rights for which you did not file an objection or response. Additional information regarding federal reserved water right claims can be found on the PRBA web site at www.prba.idaho.gov.

Note: The PRBA Court publishes a monthly Docket Sheet listing all objections and responses filed. It does not list court dates for individual water right cases, but provides general information helpful to all participants in the PRBA.

The Docket Sheet is available at your county courthouse and all IDWR offices, or you may subscribe by contacting the PRBA Court or IDWR. The annual subscription fee is \$7.50. The Docket Sheet is also available on the PRBA web site at www.prba.idaho.gov.

The register of actions for each federal reserved claim, or any other claim, can be found on the PRBA web site at www.prba.idaho.gov. The register of actions includes links for viewing and/or downloading the documents identified in the register of actions.

ADDITIONAL INFORMATION

If you have questions about the PRBA, public information brochures are available at any IDWR office. Maps and aerial photography of the Palouse River Basin, as well as assistance in using the maps and the photography, are available at the IDWR Northern Regional office. You are also welcome to call IDWR at any of its offices or its adjudication hotline at 1-800-451-4129. You may contact the PRBA Court, or you may also want to consider contacting an attorney to assist you.

**Palouse River Basin
Adjudication District Court**
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
(208) 736-3011
www.prba.idaho.gov

**Idaho Department of Water Resources
Northern Region**
7600 North Mineral Drive, Suite 100
Coeur d'Alene, Idaho 83815
(208) 762-2800

Benewah County Courthouse
701 College Avenue, Suite 203
St. Maries, Idaho 83861

Latah County Courthouse
522 South Adams Street
Moscow, ID 83843

Nez Perce County Courthouse
1230 Main Street
Lewiston, ID 83501

**Idaho Department of Water Resources
Northern Region**
7600 N. Mineral Drive, Suite 100
Coeur d'Alene, Idaho 83815
(208) 762-2800

**Idaho Department of Water Resources
Western Region**
2735 Airport Way
Boise, Idaho 83705-5082
(208) 334-2190

**Idaho Dept. of Water Resources
Southern Region**
650 Addison Avenue West, Suite 500
Twin Falls, Idaho 83301-5858
(208) 736-3033

**Idaho Dept. of Water Resources
Eastern Region**
900 North Skyline, Suite A
Idaho Falls, Idaho 83402-1718

**Idaho Dept. of Water Resources
Salmon Field Office**
102 S. Warpath
Salmon, Idaho 83467-4435
(208) 742-0658

DEFINITIONS OF THE ELEMENTS OF YOUR WATER RIGHT

RIGHT NUMBER: Your water right is identified by a number assigned by IDWR. The first two digits identify IDWR's administrative basin number; for example, 87.

NAME AND ADDRESS: Your name and address should appear here. IDWR will use the most recent name and address in its records for the water right.

SOURCE: The name and/or type of the source where you divert your water. For example: "*groundwater,*" "*unnamed spring,*" or "*Common Creek.*"

QUANTITY: The amount of water recommended in either cubic feet per second (cfs) and/or the volume of water in acre feet per year (AFY).

PRIORITY DATE: The date used to determine the priority of your right in relation to other rights using water from the same source.

POINT OF DIVERSION: The legal location where you divert water from its source; generally described as 1/4 1/4 sections down to a 40-acre tract, or smaller. Other legal descriptions that might be used are government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys, or other survey information.

PURPOSE OF USE: The general category of the type of use you can make of your water. Typical purposes of use include irrigation, domestic, or stock watering.

PERIOD OF USE: The period of time during the year when you can use the water for your right.

PLACE OF USE: The legal location where you use your water right; generally described as 1/4 1/4 sections down to a 40-acre tract. Other legal descriptions that might be used are government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys, or other survey information.

BASIS OF CLAIM: The method that was used to establish your claim. Examples include prior decree, posted notice, beneficial use (historical) method, license, or permit.

IDWR does not investigate or make recommendations regarding federal law based claims.