

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR TWIN FALLS COUNTY**

**DIRECTOR'S REPORT
FOR
IDWR BASIN 87**

DISTRICT COURT - PRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

AUG - 2 2021

By _____ Clerk
_____ Deputy Clerk

FEDERAL RESERVED CLAIMS

**PALOUSE RIVER BASIN ADJUDICATION
CIVIL CASE NO. 59576**

**IDAHO DEPARTMENT OF WATER RESOURCES
GARY SPACKMAN, DIRECTOR**

**Objection Deadline 01/10/2022
Response Deadline 04/08/2022**

Filed 08/02/2021

**NOTICE OF FILING
FEDERAL RESERVED WATER RIGHT CLAIMS
IN THE PALOUSE RIVER BASIN ADJUDICATION
BASIN 87**

DISTRICT COURT - PRBA Fifth Judicial District County of Twin Falls - State of Idaho	
AUG - 2 2021	
By _____	Clerk
_____	Deputy Clerk

INTRODUCTION

Reserved water right claims, based on federal law, and claimed throughout the Palouse River Basin 87, have been filed in the Palouse River Basin Adjudication ("PRBA") with the Idaho Water Adjudication ("IWA") District Court. These claims have been submitted by:

- United States Forest Service (USFS): 2 claims
- Bureau of Indian Affairs (BIA) as trustee for the Nez Perce Tribe: 177 claims in 3 Categories
- Nez Perce Tribe: 18 claims

A list containing all the federal reserved claim numbers and the entities submitting the claim is attached.

Why am I getting this mailing?

You are receiving this mailing because you filed one or more claims in the PRBA which may be affected by the federal reserved claims which have been submitted to the IWA Court. IDWR does not investigate or make recommendations for water right claims based on federal law. This is your opportunity to review the federal reserved claims for any possible impact to your water right claims. These claims are available at the IWA courthouse in Twin Falls and at the locations listed at the end of this notice.

Copies of the complete report can be made, but you may be charged for copying and mailing. The complete report can also be downloaded from the IWA website at: www.prba.idaho.gov. Maps of the reporting area, as well as other information pertaining to the PRBA can be accessed on the internet (see enclosed "Water Right Research Using IDWR Internet Tools").

INSTRUCTIONS FOR TAKING A CLAIM TO COURT

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

If you disagree with any element of the claim to the federal reserved water rights in Basin 87 and want to be heard in court, file an objection with the IWA Court. Objections must be made on the standard objection form ("Standard Form 1") available from any IDWR office of from the IWA Court. You may also download a copy of Standard Form 1 from the IWA website at: www.prba.idaho.gov.

Your objection to the federal reserved water rights in Basin 87 must be **received** by the IWA Court on or before **Monday January 10, 2022**. A copy of the objection must be mailed to the claimant of the water right and the Director of IDWR.

What my 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 IWA District Court. The response must be made on the standard response form (“Standard Form 2”) available from any IDWR office or from the IWA Court. Standard Form 2 may also be downloaded from the IWA website at: www.prba.idaho.gov. The response must be **received** by the IWA Court on or before **Friday, April 8, 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 water right claim?

If you wish to participate in proceedings on an objection filed by someone else to a federal reserved water right claim, then you may file a response to that objection. As noted above, responses must be made on Standard Form 2 available from any IDWR office or from the IWA Court. Standard Form 2 may also be downloaded from the IWA website at: www.prba.idaho.gov. The response must be **received** by the IWA Court on or before **Friday, April 8, 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 the federal reserved water right claims?

If no objections are filed, an evidentiary hearing on the uncontested federal reserved water right claims in Basin 87 will be held. Partial decrees will be issued following this hearing.

How will I know about the proceedings on claims to federal reserved water rights 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 a response. Additional information regarding federal reserved water right claims can be found on the IWA website at: www.prba.idaho.gov.

Note: The IWA Court publishes a monthly Docket Sheet listing all objections and responses filed, as well as when Director’s Reports are 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 website at: www.prba.idaho.gov.

The register of actions for each water right claim can be found on the PRBA website 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 IWA Court, or you may also want to consider contacting an attorney to assist you.

Idaho Water Adjudication District Court
253 Third Avenue North
PO Box 2707
Twin Falls, Idaho 83303-2707
(208) 736-3011
<http://www.prba.idaho.gov>

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

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

Idaho Department of Water Resources
Eastern Region
900 North Skyline, Suite A
Idaho Falls, Idaho 83402-1718
(208) 525-7161

Idaho Department of Water Resources
322 East Front Street
PO Box 83720
Boise, Idaho 83720-0098
(208) 287-4800
(800) 451-4129
<http://www.idwr.idaho.gov>

Latah County Courthouse
PO Box 8068
Moscow, Idaho 83843

Nez Perce County Courthouse
PO Box 896
Lewiston, ID 83501

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

Idaho Department of Water Resources
Southern Region
650 Addison Ave. W., Suite 500
Twin Falls, Idaho 83301-5858
(208) 736-3033

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

List of Federal Reserved Claim Numbers

United States of America, on Behalf of the U.S.D.A. Forest Service filed 2 claims.

Claim Numbers

87-11976

87-11977

United States of America as trustee on behalf of the Nez Perce Tribe and Allottees of the Nez Perce Indian Reservation acting through the Northwest Regional Director, Department of the Interior, Bureau of Indian Affairs filed 177 claims in 3 categories.

2 DCMI claims (domestic, commercial, municipal and industrial)

Claim Number

87 - 12157

87 - 12158

23 Instream Flows for Fish Habitat claims

Claim Number	Claim Number	Claim Number	Claim Number
87-11982	87-11988	87-11994	87-12000
87-11983	87-11989	87-11995	87-12001
87-11984	87-11990	87-11996	87-12002
87-11985	87-11991	87-11997	87-12003
87-11986	87-11992	87-11998	87-12004
87-11987	87-11993	87-11999	

152 for Wildlife

Claim Number	Claim Number	Claim Number	Claim Number
87-12005	87-12020	87-12035	87-12050
87-12006	87-12021	87-12036	87-12051
87-12007	87-12022	87-12037	87-12052
87-12008	87-12023	87-12038	87-12053
87-12009	87-12024	87-12039	87-12054
87-12010	87-12025	87-12040	87-12055
87-12011	87-12026	87-12041	87-12056
87-12012	87-12027	87-12042	87-12057
87-12013	87-12028	87-12043	87-12058
87-12014	87-12029	87-12044	87-12059
87-12015	87-12030	87-12045	87-12060
87-12016	87-12031	87-12046	87-12061
87-12017	87-12032	87-12047	87-12062
87-12018	87-12033	87-12048	87-12063
87-12019	87-12034	87-12049	87-12064

87-12065	87-12088	87-12111	87-12134
87-12066	87-12089	87-12112	87-12135
87-12067	87-12090	87-12113	87-12136
87-12068	87-12091	87-12114	87-12137
87-12069	87-12092	87-12115	87-12138
87-12070	87-12093	87-12116	87-12139
87-12071	87-12094	87-12117	87-12140
87-12072	87-12095	87-12118	87-12141
87-12073	87-12096	87-12119	87-12142
87-12074	87-12097	87-12120	87-12143
87-12075	87-12098	87-12121	87-12144
87-12076	87-12099	87-12122	87-12145
87-12077	87-12100	87-12123	87-12146
87-12078	87-12101	87-12124	87-12147
87-12079	87-12102	87-12125	87-12148
87-12080	87-12103	87-12126	87-12149
87-12081	87-12104	87-12127	87-12150
87-12082	87-12105	87-12128	87-12151
87-12083	87-12106	87-12129	87-12152
87-12084	87-12107	87-12130	87-12153
87-12085	87-12108	87-12131	87-12154
87-12086	87-12109	87-12132	87-12155
87-12087	87-12110	87-12133	87-12156

Nez Perce Tribe, acting through the Nez Perce Tribal Executive Committee filed 18 claims.

Claim Number	Claim Number	Claim Number	Claim Number
87-12159	87-12164	87-12169	87-12174
87-12160	87-12165	87-12170	87-12175
87-12161	87-12166	87-12171	87-12176
87-12162	87-12167	87-12172	
87-12163	87-12168	87-12173	