

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

HONORABLE ERIC J. WILDMAN
Presiding Judge

03/19/2024

1:30 p.m. MT (SRBA)
2:30 p.m. MT (CSRBA)
3:00 p.m. MT (PRBA)

DEPUTY CLERK
Diana Delaney

Court Minutes
Twin Falls, Idaho

Case No. 39576 (SRBA)
Case No. 49576 (CSRBA)
Case No. 59576 (PRBA)

This was the time and place set for the **Monthly Status Conference**. Issues to be addressed are:

SRBA --

1:30 p.m. (MT)

HEARING ON UNCONTESTED DEFERRED DE MINIMIS CLAIMS

Water right claims: 86-12145 – 86-12151 (files 193-199)
Donald L Halvorson
Charolotte Halvorson

CSRBA --

2:30 p.m. (MT)

MOTIONS TO FILE LATE NOTICE OF CLAIM

Water right claim: 95-18525 (File 1051)
Danny Piesch -- Pro Se
Alyssa Piesch

Water right claim: 95-18511 (File 1048)
Jessica Lennon -- Pro Se
Beau Vucinich

Water right claim: 92-11143 (File 177)
Randy J Flodin -- Pro Se
Tracy J Flodin

Water right claim: 95-18532 (File 1052)
United States of America as Trustee
of the Coeur d'Alene Tribe

-- Pro Se

3:00 p.m. (MT)

HEARING ON MOTION TO STRIKE REPLY
HEARING ON MOTION TO AMEND CLAIMS

Consolidated Subcase 91-7755

United States of America

-- Daniel McCarl
Vanessa Willard
Katherine Kane

Coeur d'Alene Tribe

-- Eric Van Orden
Vanessa Ray-Hodge
Dylan Hedden-Nicely

State of Idaho

-- Scott Campbell
David Perkins
Joy Vega
Michael Short

Avista Corporation

-- Chris M. Bromley

Doug & Kristi Payne, *et al.*
aka North Idaho Water Rights Group

-- Norman M. Semanko

Hecla Limited

-- Albert Barker

City of Coeur d'Alene

-- Candice M. McHugh

City of St. Maries, *et al.*

-- Mariah R. Dunham

North Kootenai Water & Sewer et al

-- Michael P Lawrence
Jeffrey C. Fereday
Christopher H. Meyer
Jeffrey W. Bower

Also Present
IDWR

-- Garrick Baxter
Lacey Rammell-O'Brien

PRBA --

3:00 p.m. (MT)

NO ISSUES

- 1:30:30 **Court calls subcases 86-12145 – 86-12151. Hearing on Uncontested Deferred De Minimis Claims.** Parties identified – Donald L Halvorson and Charolotte Halvorson, claimants; Lacey Rammell-O'Brien for IDWR. Court gives background/status. Claimants do not appear and are not required to appear. No opposition appearing. IDWR has nothing to add. Court makes findings. These water right claims will be degreed consistent with the *Director's Report* filed on September 27, 2023.
- 2:30:31 Court waives use of a court reporter. Proceedings are being recorded on FTR, pursuant to Idaho Administrative Rule 27(b). Parties acknowledge.
- 2:31:47 **Court calls subcase 95-18525. Hearing on Motion to File Late Notice of Claim.** Parties identified – Danny Piesch and/or Alyssa Piesch, claimants; Lacey Rammell-O'Brien for IDWR. Court gives background/status. Claimants have nothing to add. No opposition appearing. IDWR has nothing to add. Court makes findings. *Motion to File Late Notice of Claim* **granted**.
- 2:33:29 **Court calls subcase 95-18511. Hearing on Motion to File Late Notice of Claim.** Parties identified – Jessica Lennon, claimant; Lacey Rammell-O'Brien for IDWR. Court gives background/status. Claimant has nothing to add. No opposition appearing. IDWR has nothing to add. Court makes findings. *Motion to File Late Notice of Claim* **granted**.
- 2:35:27 **Court calls subcase 92-11143. Hearing on Motion to File Late Notice of Claim.** Parties identified –Randy Flodin, claimant; Lacey Rammell-O'Brien for IDWR. Court gives background/status. Claimant has nothing to add. No opposition appearing. IDWR has nothing to add. Court makes findings. *Motion to File Late Notice of Claim* **granted**.
- 2:37:29 **Court calls subcase 95-18532. Hearing on Motion to File Late Notice of Claim.** Parties identified – United States of America as Trustee of the Coeur d'Alene Tribe, claimant, represented by Vanessa Boyd Williard, United States Department of Justice; Coeur d'Alene, represented by Vanessa Ray-Hodge; State of Idaho respondent in opposition, represented by David Perkins; Lacey Rammell-O'Brien for IDWR. Court gives background/status.
- 2:41:11 Ms. Willard argues *Motion to File Late Objections*.
- 2:45:36 Ms. Ray-Hodge, counsel for Coeur d'Alene Tribe, argues in support of *Moton*.
- 2:47:01 Mr. Perkins, counsel for State of Idaho, responds in opposition of *Motion*.
- 2:49:47 Ms. Willard has nothing further.
- 2:49:56 Ms. Ray-Hodge replies.
- 2:50:54 Court will take matter under advisement and issue a written order.
- 2:51:16 Court questions Ms. Rammell-O'Brien regarding timing of filing the abstract with the court.

2:53:00 Court takes brief recess.

3:01:02 Court calls consolidated subcase 91-7755. Hearing on *Motion to Strike Coeur d'Alene Tribe's Consolidated Reply* and *Motion to Amend Claims* and the United States' *Motion to Amend Claims* and *Motion to Modify Amended Final Order Disallowing Water Right Claims*.

3:02:45 Court Gives background/status.

3:05:16 Mr. Perkins argues State of Idaho's *Motion to Strike*.

3:06:13 Ms. Ray-Hodge responds in opposition to *Motion to Strike*.

3:08:11 Mr. Perkins replies.

3:09:00 Court finds no prejudice and **denies the *Motion to Strike***.

3:10:13 Ms. Willard argues United States' *Motion to Amend Claims*.

3:25:54 Ms. Willard argues United States' *Motion to Modify Amended Final Order Disallowing Water Right Claims*.

3:28:00 Ms. Ray-Hodge argues in support of the *Motion to Amend Claims*.

3:34:34 Ms. Ray-Hodge argues in support of the *Motion to Modify Amended Final Order Disallowing Water Right Claims*.

3:35:41 Mr. Perkins responds in opposition to *Motion to Amend Claims*.

3:43:28 Mr. Perkins responds in opposition to *Motion to Modify Amended Final Order Disallowing Water Right Claims*.

3:44:52 Mr. Barker responds to *Motion to Amend Claims*.

3:45:35 Mr. Semanko responds to *Motion to Amend Claims*.

3:48:47 Mr. Perkins responds to court's question re quantification.

3:49:44 Mr. Semanko continues remarks.

3:50:24 Mr. Lawrence comments.

3:50:55 Ms. Willard replies.

4:01:14 Ms. Ray-Hodge replies.

4:06:15 Court deems matter fully submitted and will take the matter under advisement and issue a written order. If necessary, the trial schedule will be amended.