



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.