

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

DEC 30 2025

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

In Re the CSRBA

Case No. 49576

)
) Consolidated Subcase No. 91-7755
)

) **STIPULATED PROPOSED**
) **PROCESS FOR EFFECTUATING A**
) **SETTLEMENT AGREEMENT**
)
)

The Coeur d'Alene Tribe ("Tribe"), the United States, the State of Idaho, Avista Corporation, Hecla Limited, City of Coeur d'Alene, North Idaho Water Rights Group, City of St. Maries, Benewah County, City of Harrison, Buell Brothers, Jack and Ellenor Buell, PotlatchDeltic Land and Lumber, LLC, PotlatchDeltic Forest Holdings, Inc., and Potlatch TRS Idaho, LLC, have stipulated to the process outlined below for effectuating a settlement agreement that would resolve objections to the water rights claims subject to this consolidated subcase.

The non-federal parties are in the process of securing client approvals and final reviews to approve a comprehensive settlement to quantify the federal reserved water rights of the Tribe

through the "Coeur d'Alene Tribe Water Rights Settlement Agreement" between the United States, Coeur d'Alene Tribe, State of Idaho, and Other Water Users ("Settlement Agreement"). Once all the non-federal parties have indicated their approvals, they will execute the Settlement Agreement via DocuSign. The United States' approval and execution of the Settlement Agreement and individual Stipulated Water Rights is contingent upon ratification by the U.S. Congress and the signing of a federal settlement act by the President.

The United States will execute the Settlement Agreement and individual Stipulated Water Rights after: (1) the U.S. Congress has enacted and the President has signed legislation authorizing, ratifying, and confirming the Settlement Agreement, and directing the Secretary, to the extent the Settlement Agreement does not conflict with the ratifying legislation, to execute the Settlement Agreement; and (2) if necessary, completion of a conformance process for the Settlement Agreement and revision of any Stipulated Water Rights to eliminate conflicts, if any, with the ratifying legislation (referred to as the "conformance process").

Around the same time that the Settlement Agreement is executed by the non-federal parties, the non-federal parties will execute Stipulated Water Rights for each water right being settled. The Settlement Agreement includes all claims pending in this subcase except five (5) wetland claims. As part of the negotiated settlement, the five (5) wetlands claims that are not included would be voluntarily dismissed with prejudice after the Settlement Agreement is ratified through federal and state legislation, and the United States executes the Settlement Agreement.


Within five (5) days after all the non-federal parties execute the Settlement Agreement and individual Stipulated Water Rights, the Tribe would file one original copy of the Settlement Agreement with the Court. The Tribe would also file individual Stipulated Water Rights for each water right.

In accordance with Administrative Order 01, the parties request that Stipulated Water Rights that have the boxed checked for "Amended Claims" be published on the docket for notice on an expedited notice basis of fifteen (15) days.

Once the notice period expires and any new objections are filed, the parties request that the Court stay the case pending state and federal legislation approving the Settlement Agreement, as well as execution of the Settlement Agreement by the United States. Staying the case before hearing and resolving objections would ensure that the United States has the opportunity to brief and be heard on objections or any other issues concerning the Settlement Agreement or the Stipulated Water Rights *after* it has executed the Settlement Agreement and Stipulated Water Rights. It also avoids the possibility of redundant proceedings to hear and resolve objections.

Once federal legislation is passed and the United States executes the Settlement Agreement and SF5s, the parties would then need to file the fully executed Settlement Agreement and Stipulated Water Rights with the Court and seek to lift the stay and adjudicate objections pursuant to Administrative Order 01 procedure. If required by the federal legislation or conformance process, the Parties will file with the Court their recommendation on whether and how to provide additional notice for objections.

Dated: December 30, 2025

By: 

Vanessa L. Ray-Hodge
Eric Van Orden

Attorneys for the Coeur d'Alene Tribe

CERTIFICATE OF SERVICE

I hereby certify that on December 30, 2025, I faxed a true and correct copy of the foregoing document to the following recipients:

Clerk of the District Court, Twin Falls County
Coeur d'Alene-Spokane River Basin Adjudication
253 Third Avenue North
Twin Falls, ID 83303
Fax: 208-736-2121

I hereby certify that on December 30, 2025, I e-mailed and mailed via First-Class, U.S. Mail, a true and correct copy of the foregoing document to the following recipients:

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