DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls-State of Idaho
NOV 16 2026
By Clerk
Deputy Clerk

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Attorneys for Casa Del Norte, LP

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

In Re SRBA Case No. 39576	Subcase No.: 37-23474 CASA DEL NORTE'S OPPOSITION TO UNITED STATES' MOTION TO FILE LATE OBJECTION

Casa Del Norte, LP, by and through its counsel of record, Parsons Behle & Latimer, submits this brief in opposition to the United States' Motion to File Late Objection to the Director's Report for the above-captioned claim.

The United States has Failed to Establish Good Cause for its Proposed Late Objection.

As "good cause" for its failure to file an objection to the Director's Report for Casa Del Norte's Claim No. 37-23474, the United States first asserts that its failure to file a timely objection was not willful because "the United States only identified the basis for objection upon reviewing the claim during preparation for the August status conference." Of course, the problem with this argument is that this came well *after* the May 4, 2026 deadline for filing objections. The United States purposefully refrained from filing an objection. Doing so was in fact willful.

The United States reviewed – or at least had a full and fair opportunity to review - all of the Director's Reports for Casa Del Norte's claims. It chose to object to several of them in Basin

61, but not this one claim in Basin 37. The definition of "willful" is "done deliberately; intentional." Merriam-Webster Dictionary Unabridged (November 6, 2026). That perfectly describes the United States' actions – and failure to act. The United States willfully chose not to file an objection. As a result, there is no "good cause" for filing a late objection.

Next, the United States claims that the late objection will not prejudice Casa Del Norte. This is patently false. No other objection has been filed to the Director's Report. And the claim does not overlap with the Basin 61 claims that the United States objected to. But for the late objection proposed by the United States, Claim No. 37-23474 would remain an unobjected to water right and would eventually proceed on a different legal track toward decree. See I.C. Sec. 42- 1411(4) ("The unobjected to portions of the director's report shall be decreed as reported"). Granting the motion to file a late objection would severely prejudice Casa Del Norte by instead creating a contested case which includes the possibility of a trial. See I.C. Sec. 42-1412(5) ("The district court or special master shall conduct the trial without a jury on an objection or any group of objections in accordance with the Idaho rules of civil procedure."); see also SRBA Administrative Order No. 1, Sec. 10 ("Procedure for Water Rights Where an Objection Has Been Filed").

Finally, the United States claims that its position in opposition to the recommendation in the Director's Report for Claim No. 37-23474 is meritorious, based upon an ownership argument, wholly unrelated to the stacking arguments set forth in its Basin 61 objections. Casa Del Norte has since submitted the attached correspondence and Quit Claim Deed to the Department, thereby clearing up the ownership issue and rendering the United States' argument moot – and without merit. The date stamp receipt of the Department appears on the correspondence, which is maintained in the Department's online water right files.

For these reasons, the United States' Motion to File Late Objection to the Director's Report for Claim No. 37-23474 should be denied.

DATED this 16th day of November, 2026.

PARSONS BEHLE & LATIMER

Norman M. Semanko
Attorneys for Casa Del Norte, LP

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 16th day of November, 2026, a true and correct copy of the foregoing document was filed with the Clerk of the Court via facsimile to the fax number below, and I served a true and correct copy of the foregoing by delivering the same to each of the following individuals by the method indicated below, addressed as follows:

Original to: Fifth Judicial District, Twin Falls County SNAKE RIVER BASIN ADJUDICATION COURTHOUSE 253 3rd Avenue North P.O. Box 2707 Twin Falls, ID 83303-2707	☐ U.S. Mail ☒ Facsimile: 208/736-2121 ☐ Hand Delivery ☐ Overnight Delivery ☐ Email / iCourt:
Copies to: U.S. DEPARTMENT OF JUSTICE ENVIRONMENTAL & NATIONAL RESOURCES DIVISION P.O. Box 7611 Ben Franklin Station Washington, DC 20044-7611	☒ U.S. Mail ☐ Facsimile: ☐ Hand Delivery ☐ Overnight Delivery ☐ Email / iCourt:

Adam R.R. Gustafson Principal Deputy Assistant Attorney General Mark Widerschein Katharine Laubach Michelle Nkeng U.S. DEPARTMENT OF JUSTICE Environmental & National Resources Division 150 "M" Street NE Washington, DC 20002	☒ U.S. Mail ☐ Facsimile: ☐ Hand Delivery ☐ Overnight Delivery ☐ Email / iCourt
DIRECTOR OF IDAHO DEPARTMENT OF WATER RESOURCES P.O. Box 83720 Boise, ID 83720-0098	☒ U.S. Mail ☐ Facsimile: ☐ Hand Delivery ☐ Overnight Delivery ☐ Email / iCourt

Norman M. Semanko

RECEIVED
OCT 05 2026
DEPARTMENT OF
WATER RESOURCES

IRON HORSE RANCH, LLC
11204 N. BAR 21 DR.
GLENNS FERRY, IDAHO 83623

September 30, 2026

IDWR State Office
322 E Front St, Ste 648
PO Box 83720
Boise, ID 83720-0098

Dear Sirs:

In my Snake River Basin Adjudication Claim 37-23474, the claim is in my name of Casa Del Norte, LP. Prior to filing, the name change through a Quit Claim Deed was not filed with Elmore County. So you are aware, I own the said property, under both names. Once I became aware of that fact, I completed the action. Attached is a copy of the Quit Claim Deed for your records.

Thank you for your assistance on this matter.

Teresa M. McCallum
Managing Member
Casa Del Norte, LP

CC:
Norman M. Semanko
Attorney at Law
Parsons Behle & Latimer
800 West Main Street, Suite 1300
Boise, Idaho 83702

SCANNED
OCT 05 2026

Instrument # 0000524313
ELMORE COUNTY, ID
10:22:50 AM **Sep 09, 2026**
For THORNTON BYRON LLP
No. of Pages: 4 Fee: $15.00
JULIE KENNEDY, Recorder
KM, Deputy
Electronically Recorded by Simplifile

RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:

THORNTON BYRON LLP
P.O. BOX 7156
BOISE, IDAHO 83707-1156
(208) 344-8600

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

QUITCLAIM DEED

(PARCELS NO RP04S11E224890, RP04S11E226000, RP04S11E226600, RP04S11E273090, RP04S11E273600, RP04S11E281810, RP04S11E287290, RP04S11E289000)

AFC L.L.C., an Idaho limited liability company ("Grantor"), does hereby release and forever quitclaim unto Casa Del Norte L.P., an Idaho limited partnership ("Grantee"), whose address is 11204 N. Bar 21 Drive, Glenns Ferry, Idaho 83623, and its heirs and assigns forever, all right, title and interest which Grantor now has or may hereafter acquire in the following described real property situated in Elmore County, Idaho, more particularly described on Exhibit A attached hereto and incorporated herein by this reference.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 8th day of September, 2026.

Grantor:

AFC L.L.C.

By: _____
Teresa M. McCallum, Manager

RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:

THORNTON BYRON LLP
P.O. BOX 7156
BOISE, IDAHO 83707-1156
(208) 344-8600

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

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(PARCELS NO RP04S11E224890, RP04S11E226000, RP04S11E226600, RP04S11E273090, RP04S11E273600, RP04S11E281810, RP04S11E287290, RP04S11E289000)

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IN WITNESS WHEREOF, the Grantor has executed this instrument on this 8th day of September, 2026.

Grantor:

AFC L.L.C.

By: _____
Teresa M. McCallum, Manager

STATE OF IDAHO)
SS.
COUNTY OF ADA)

This record was acknowledged before me on this 8th day of September, 2026, by Teresa M. McCallum as Manager of AFC L.L.C., an Idaho limited liability company.

Notary Public, State of Idaho
My commission expires: November 13, 2031

GREGORY A. BYRON NOTARY PUBLIC Comm. No. 2699 STATE OF IDAHO

EXHIBIT A
PROPERTY LEGAL DESCRIPTION

PARCEL RP04S11E224890

Township 4 South, Range 11 East, Boise Meridian, Elmore County Idaho
Section 22: S½SW¼, NE¼SW¼
Section 28: E½SE¼

PARCEL RP04S11E226000

Township 4 South, Range 11 East, Boise Meridian, Elmore County, Idaho

Section 22: SW1/4SW1/4

PARCEL RP04S11E226600

Township 4 South, Range 11 East, Boise Meridian, Elmore County, Idaho

Section 22: SE1/4SW1/4

PARCEL RP04S11E273090

Township 4 South, Range 11 East, Boise Meridian, Elmore County, Idaho

Section 27: NW1/4NW1/4

PARCEL RP04S11E273600

Township 4 South, Range 11 East, Boise Meridian, Elmore County, Idaho

Section 27: SW1/4NW1/4

PARCEL RP04S11E281810

Township 4 South, Range 11 East, Boise Meridian, Elmore County Idaho
Section 27: W½NW¼
Section 28: SE¼NE¼

PARCEL RP04S11E287290

Township 4 South, Range 11 East, Boise Meridian, Elmore County, Idaho

Section 28: NE1/4SE1/4

PARCEL RP04S11E289000

Township 4 South, Range 11 East, Boise Meridian, Elmore County, Idaho

Section 28: SE1/4SE1/4