

**NOTICE OF FILING DIRECTOR'S REPORT OF LATE AND
MISCELLANEOUS CLAIMS FOR WATER RIGHTS
BASIN 87**

JUN 16 2022

Spring 2022

By _____ Clerk
_____ Deputy Clerk

The Director of the Idaho Department of Water Resources (IDWR) has filed with the Palouse River Basin Adjudication (PRBA) District Court a Director's Report of Late and Miscellaneous Claims for water rights in IDWR Basin 87. A Director's Report for this basin has previously been filed with the PRBA Court. This filing is for claims that were not included in the original Director's Report for this basin. The Director's Report of Late and Miscellaneous Claims contains the Director's recommendation to the PRBA Court as to how your water right, claimed under state law, should be decreed in the PRBA.

Why am I getting this mailing?

You have received this mailing because you filed one or more late or miscellaneous water right claims in the PRBA. This mailing contains the Director's recommendation to the PRBA Court of your claim(s). Your mailing does not contain the Director's recommendations of any claims other than your own. You may wish to review the Director's recommendations of other late or miscellaneous claims – if any – in your basin. To do this, you need to review a complete copy of the Director's Report of Late and Miscellaneous Claims.

A complete copy of the Director's Report of Late and Miscellaneous Claims is available at the PRBA courthouse in Twin Falls and at the locations listed at the end of this notice. Copies of the report can be made, but you may be charged for copying and mailing. The report can also be accessed through the internet at the PRBA Court's website at: www.prba.idaho.gov. A map of reporting areas, as well as other information pertaining to the PRBA, can be accessed on IDWR's website at: www.idwr.idaho.gov.

You may also need to review future Director's Reports. Claims in which you have an interest may be reported in them. You will not receive notice of these future reports as they are filed with the PRBA Court unless you have water right claims that are being recommended at that time. Therefore, if you are interested in the status of water rights belonging to other people that have not yet been reported by IDWR, you should check periodically with the Court's docket sheet (see Note on page 3 of this notice for docket sheet information) or the PRBA website at: www.prba.idaho.gov for the filing of future reports.

INSTRUCTIONS FOR REVIEWING YOUR OWN WATER RIGHT

The description of your right, which is enclosed, is only the Director's *recommendation* to the PRBA Court on your water right. The Court will decide how it will decree your water right. You are free to agree or disagree with the Director's recommendation. If you agree with the Director's recommendation, you do not need to do anything, pending further notice as

described below. If you disagree with the Director's recommendation, you need to file an objection as described below.

INSTRUCTIONS FOR REVIEWING THE WATER RIGHTS OF OTHERS

The Director's Report of Late and Miscellaneous Claims contains recommendations to the PRBA Court on your water right and other late or miscellaneous claims in Basin 87. The Director's recommendations in the report are listed in three sections of the report:

- 1) **List of Recommended Water Rights** – Water right recommendations are listed numerically by water right number.

- 2) **List of Claims Recommended to Be Disallowed** – Water rights recommended to be disallowed, if any, are listed numerically by water right number. A short statement of the reason for IDWR's recommendation for disallowance is provided.

If you want to review someone else's water right, you need to look at the complete report, which is available at the PRBA courthouse in Twin Falls; at the PRBA website at: www.prba.idaho.gov; and at the locations listed below. Copies of the complete report can be made, but you may be charged for copying and mailing.

INSTRUCTIONS FOR TAKING A WATER RIGHT CLAIM TO COURT

What do I do if I disagree with a recommendation?

If you disagree with any element of the recommendation for your water right or anyone else's water right and want to be heard in court, file an objection with the PRBA Court. Objections must be made on the standard objection form ("Standard Form 1") available from any IDWR office or from the PRBA Court. You may also download a copy of Standard Form 1 from the PRBA website at: www.prba.idaho.gov.

Your objection must be **received** by the PRBA Court on or before **Mondav, August 15, 2022**. A copy of the objection must be mailed to the claimant of the water right and the Director of IDWR, the United States and the State of Idaho at the addresses provided on the Standard Form 1 form.

What do I do if someone else objects to my water right recommendation?

If someone files an objection to your water right, or the recommendation of any other late or miscellaneous claim, you may file a response to that objection. Responses to objections must be made on the standard response form ("Standard Form 2") available from any IDWR office or from the PRBA Court. You may also download a copy of Standard Form 2 from the PRBA website at: www.prba.idaho.gov.

Your response must be **received** by the PRBA Court on or before **Friday, October 14, 2022**. Copies of the response must be mailed to the objector to the water right, the claimant (if different from the objector), and the Director of IDWR, the United States, and the State of Idaho at the addresses provided on the Standard Form 2 form.

What do I do if I want to participate in the court case on someone else's water right?

If you want to be involved in the court case on any late or miscellaneous water right claim now being reported, you must file either an objection or a response by the dates listed above.

What happens if there are no objections to a water right?

Should the deadline for filing objections and responses to your water right pass, with no objections or responses filed, the PRBA Court will hear the uncontested recommendation on **Tuesday, November 15, 2022 at 1:30 p.m. (Pacific)**, at the PRBA courthouse. Interested parties may attend the hearings at the PRBA courthouse, via Zoom, or over the phone. See the "Remote Access Information" on the PRBA court website for instructions to connect. The PRBA Court will issue partial decrees following this hearing.

How will I know about the proceedings on water right recommendations to which objections were filed?

A notice will be mailed to you for court dates on your water right or for those where you filed an objection or a response. You will not receive notice of court dates on any other water right recommendations.

Additional information regarding water right claims can be found on the PRBA website at: www.prba.idaho.gov.

Note: The PRBA 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 web site at: www.prba.idaho.gov. The register of actions includes links for viewing and/or downloading the documents identified in the register of actions.

IMPORTANT INFORMATION REGARDING GENERAL PROVISIONS

General provisions are those parts of the PRBA Court's decree that apply to all the water rights in a basin, or to classes of similarly situated water rights within a basin. IDWR recommends to the PRBA Court the general provisions it believes should be decreed when it files with the Court its initial Director's Report for each basin. At that time, any party may object to the general provisions recommended for that basin. You may obtain a copy of the general provisions for your basin from the PRBA District Court in Twin Falls or at the courthouse location nearest to your basin. You may be charged for copying and mailing.

The Director included the general provision recommendations for Basin 87 when the Director's Report was filed with the Court. As the Director's Report for Basin 87 was filed in August 2021, the time for filing objections to those general provisions has expired. Timely objections were filed to the Basin 87 general provisions and proceedings will be conducted under subcase number 87-00001-GP. Since the objection periods for Basin 87 are closed, should you desire to participate in these proceedings, permission to do so can only be granted by the PRBA Court.

It is possible that in the future the PRBA Court will entertain recommendations for additional general provisions for Basin 87. Should that occur, an opportunity to object to those additional general provisions will be provided. It is your responsibility to monitor the PRBA case through the Docket Sheet discussed above or through the PRBA website at: www.prba.idaho.gov.

CHANGES OF ADDRESS OR OWNERSHIP DURING THE PRBA COURT CASE

You must contact your regional IDWR office with your address change or if the ownership of your water right changes. Failure to notify IDWR may result in the loss of your water rights.

ADDITIONAL INFORMATION

If you have questions about the PRBA, public information brochures are available at any IDWR office. Maps and aerial photography of this reporting area, as well as assistance in using the maps and the photography, are available at the IDWR regional office nearest to the location of your water right. You are also welcome to call IDWR at any of its offices, IDWR's adjudication hotline at 1-800-451-4129 or the PRBA Court. You may also want to consider contacting an attorney to assist you.

**Palouse River Basin
Adjudication District Court**
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
(208) 736-3011
www.prba.idaho.gov

Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, Idaho 83720-0098
(208) 287-4800
(800) 451-4129
www.idwr.idaho.gov

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

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

Latah County Courthouse
522 S. Adams Street
Moscow, ID 83843

Nez Perce County Courthouse
1230 Main Street
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 Avenue West, Suite 500
Twin Falls, Idaho 83301-5858
(208) 736-3033

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
Salmon Field Office
102 S Warpath
Salmon, Idaho 83467-4435
(208) 742-0658

DEFINITIONS OF THE ELEMENTS OF YOUR WATER RIGHT

RIGHT NUMBER: Your water right is identified by a number assigned by IDWR. The first two digits identify IDWR's administrative basin number, i.e. 87.

NAME AND ADDRESS: Your name and address should appear here. IDWR will use the most recent name and address in its records for the water right.

SOURCE: The name and/or type of the source where you divert your water. For example: "*ground water,*" "*unnamed spring,*" or "*Common Creek.*"

QUANTITY: The amount of water recommended in either cubic feet per second (cfs) and/or the volume of water in acre feet per year (AFY).

PRIORITY DATE: The date used to determine the priority of your right in relation to other rights using water from the same source.

POINT OF DIVERSION: The legal location where you divert water from its source; generally described as quarter quarter sections down to a 40-acre tract, or smaller. Other legal descriptions that might be used are government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys, or other survey information.

PURPOSE OF USE: The general category of the type of use you can make of your water. Typical purposes of use include irrigation, domestic, or stock watering.

PERIOD OF USE: The period of time during the year when you can use the water for your right.

PLACE OF USE: The legal location where you use your water right; generally described as 1/4 1/4 sections down to a 40-acre tract. Other legal descriptions that might be used are government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys, or other survey information.

BASIS OF CLAIM: The method that was used to establish your claim. Examples include prior decree, posted notice, beneficial use (historical) method, license, or permit.

IDWR does not investigate or make recommendations regarding federal law based claims.