

NORTHERN IDAHO ADJUDICATION UPDATE

PRESENTATION OF CLIVE J. STRONG
DEPUTY ATTORNEY GENERAL
TO
THE NATURAL RESOURCES INTERIM COMMITTEE
OF THE IDAHO LEGISLATURE
OCTOBER 16, 2015

SUMMARY OF PRESENTATION

- STATUS OF ADJUDICATION OF STATE CLAIMS
- FOREST SERVICE FEDERAL RESERVED WATER RIGHT SETTLEMENT
- COEUR D'ALENE TRIBAL NEGOTIATIONS

STATUS OF ADJUDICATION OF STATE CLAIMS

Basin	Total Claims	Recommended	Disallowed	Objected to Claims	Decreed
91	585	552	29	68	--
92	885	834	47	66	800*
93	363	350	8	0**	358
94	1,826	Expected 12/31/15			
95	7,497	Expected Early 2017			
Total	11,156				

STATUS OF ADJUDICATION OF STATE CLAIMS

- Basin Wide Issue 1
 - What information must be included in the quantification of *de minimis* domestic and stock water decrees?
 - Practice has been to decree *de minimis* domestic and stock water rights at statutory limit of 2,500 or 13,000 gallons per day, but not to exceed actual historic beneficial use.
- Hearing on October 20, 2015

STATUS OF ADJUDICATION OF STATE CLAIMS

Basin	Total State Law Based Claims	All Claims with a Domestic and/or Stock Water Use Component	Percent of Total Claims	Domestic and/or Stock Water Claims Only	Percent of Total Claims
91	585	501	86%	471	81%
92	885	795	90%	768	87%
93	363	341	94%	320	88%
94	1,826	1,635	90%	1,524	83%
95	7,497	6,721	90%	6,274	84%
Total	11,156	9,993	90%	9,357	84%

FOREST SERVICE FEDERAL RESERVED WATER RIGHT CLAIMS

- St. Joe Wild and Scenic River Settlement Pending
- Settlement of 2 Administrative Claims Pending
- Continuing Settlement Discussion on 6 Organic Act Claims

COEUR D'ALENE TRIBAL NEGOTIATIONS

- Memorandum of Agreement establishing framework for negotiations adopted by all parties.
- Settlement Meeting Schedule
 - September 24th
 - October 28th
 - November 13th
 - December 16th
 - January 6, 2016
- Notice of settlement meetings provided to all claimants in the CSRBA.



QUESTIONS