



IDAHO DEPARTMENT OF
WATER RESOURCES

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Governor Brad Little

Director Mathew Weaver

July 23, 2025

UNITED STATES DEPARTMENT OF JUSTICE
ENVIRONMENTAL AND NATURAL RESOURCES DIVISION
C/O MICHELLE RAMUS
550 W FORT ST, MSC 033
BOISE, ID 83724

COPY

RE: Evidence of priority date for CFPRBA Claim Nos. 97-4222, 97-4223, and 97-4224

Ms. Ramus,

The Department of Water Resources has received the Clark Fork-Pend Oreille River Basin Adjudication (CFPRBA) water right claims submitted for your client, the United States of America on behalf of the Department of Defense, Army Corps of Engineers. We are currently unable to recommend these claims for the following reason.

The Notices of Claim to a Water Right identified with the numbers shown above were submitted for the use of groundwater, Priest River, and the Pend Oreille River for commercial, irrigation, and fire protection purposes with claimed priority dates of January 1, 1958, and January 1, 1956. Sufficient evidence of beneficial use was not submitted with the claims to support the priority dates and prove the extent of beneficial use at that time. The statutory water right claims that your current claims are based upon are insufficient to serve as evidence of beneficial use as they were never proven up, nor were field examinations ever performed on the properties. We will move forward with the recommendation of these water right claims once provided sufficient evidence to verify the extent of beneficial use of the claimed water sources for the purposes claimed within the associated places of use beginning on or before the priority date claimed. This evidence should reflect the number of acres irrigated, the installation of dedicated fire suppression systems, extent of commercial water usage, and the diversion capacity of the water systems utilized at that time. **Please submit the required evidence within 30 days, referencing all documents with the corresponding claim numbers.**

PLEASE NOTE: IDWR will not be able to recommend these claims to the Court in their full extent, and may also recommend them as disallowed if no further evidence is submitted. It will be to your advantage to provide clear and convincing evidence.

If you have any questions or concerns, do not hesitate to contact our office and we will be happy to help. I can be reached by phone during business hours at 208-762-2800 or by email at evan.roda@idwr.idaho.gov.

Best Regards,

Evan W. Roda
Adjudication Section Manager

SCANNED

JUL 23 2025