

Roda, Evan

From: Roda, Evan
Sent: Monday, October 27, 2025 2:15 PM
To: 'Ramus, Michelle (ENRD)'
Cc: Widerschein, Mark (ENRD); Laubach, Katharine (ENRD)
Subject: RE: CFRBA Water Right Claim Nos. 97-4222, 97-4223, & 97-4224

Good afternoon Ms. Ramus,

Thank you for responding to my previous email. I understand that the current government furloughs are impacting you and other D.O.J. staff, and will also limit your ability to provide a timely response to my previous inquiry. Given the circumstances, it is understandable that your responses to my questions will be delayed. I am happy to allow additional response time, but the filing of our Director's Report for Basin 97 Part 2 cannot be delayed, and will proceed as planned this December. Please do your best to communicate your timeframe with me until then, and we will work with you as best we can to get these finished up on schedule. If we are unable to do so, after the submission of the Director's Report, there will be a 120-day objection period that will allow additional time for us to informally resolve any lingering issues.

Best Regards,

~ Evan



Evan W. Roda | Adjudication Section Manager
Idaho Dept. of Water Resources
evan.roda@idwr.idaho.gov
208-762-2815

From: Ramus, Michelle (ENRD) <Michelle.Ramus@usdoj.gov>
Sent: Monday, October 27, 2025 1:00 PM
To: Roda, Evan <Evan.Roda@idwr.idaho.gov>
Cc: Widerschein, Mark (ENRD) <Mark.Widerschein@usdoj.gov>; Laubach, Katharine (ENRD) <Katharine.Laubach@usdoj.gov>
Subject: RE: CFRBA Water Right Claim Nos. 97-4222, 97-4223, & 97-4224

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Good afternoon, Mr. Roda –

As you know, the end of the day on September 30, 2025, the appropriations act that had been funding the Department of Justice expired and those appropriations to the Department lapsed. The same is true for most other Executive agencies. Absent an appropriation, Department of Justice attorneys are prohibited from working, even on a voluntary basis, except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342. Myself and all my points of contact at the U.S. Army Corps of Engineers have been placed in furlough status until funding is restored. The Department does not know when such funding will be restored by Congress. I therefore am going to need to request an extension to provide a response to your below email. I anticipate that 30 days after whatever date funding is restored will be a sufficient amount of time for me to get you a response and additional evidence. Is that a request that you can grant, or is there another process by which I should make that request? I apologize for the inconvenience. Please let me know.

Best Regards,

Michelle Ramus
Trial Attorney
Environmental & Natural Resources Division
Natural Resources Section

Email: Michelle.Ramus@usdoj.gov
Phone: (202) 598-6660

From: Roda, Evan <Evan.Roda@idwr.idaho.gov>
Sent: Thursday, October 23, 2025 2:33 PM
To: Ramus, Michelle (ENRD) <Michelle.Ramus@usdoj.gov>
Subject: [EXTERNAL] CFPRBA Water Right Claim Nos. 97-4222, 97-4223, & 97-4224

Good afternoon Ms. Ramus,

I am in the process of reviewing and recommending the three water right claims you submitted on behalf of the U.S. Army Corps of Engineers, specifically claim nos. 97-4222, 97-4223, and 97-4224. Through this review, I have encountered a few things that need further clarification before claim no. 97-4222 can be recommended, and some other factors effecting how the others can be recommended. I’ve addressed each of these by claim number below.

97-4222 – This claim was filed for the use of water from the Pend Oreille River for commercial, fire protection, and the irrigation of 2 acres. The claimed point of diversion (POD) and place of use (POU) are in the NENW of Section 29, Township 56N, Range 05W.

- Claimed POD/POU are in NENW of Sec. 29, but the use is described for “Albeni Cove Campground dump station, drink fountains, latrines, and fire hydrants”. However, Albeni Cove Campground and recreational area are located on the opposite side of the river in the SWNW of Section 29. The same usage description was included in claim no. 96-8382, which was filed for the use of groundwater at the campground based upon an existing water right license for that site.
- The claimed POD/POU locations are consistent with the location of the Albeni Falls Dam and visitor center. Another claim has been filed for the use of groundwater at that location for