

From: [Howe, Bob](#)
To: [Schwed, Tara](#)
Subject: CORRESPONDENCE - 61-12390, 61-12396, 61-12398, 61-12400, 61-12401, 61-12402, 61-12403, 61-12490, 61-12492, 37-23475, 37-23476, 37-23477, 37-23478, 37-23479, 37-23480, 37-23481, 37-23482, 37-23484, 37-23485, 37-23486, 37-23487, 37-23488, 37-23489, 37-23490
Date: Friday, January 9, 2026 8:18:43 AM

From: rhmorrisonconsulting@gmail.com <rhmorrisonconsulting@gmail.com>
Sent: Tuesday, November 4, 2025 1:00 PM
To: Howe, Bob <Bob.Howe@idwr.idaho.gov>
Cc: bill@bakerecon.com <bill@bakerecon.com>; irondragonmistress@yahoo.com <irondragonmistress@yahoo.com>
Subject: Casa Del Norte water claims on ID State Lands

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Dear Bob:

Bill Baker is presently dealing with a family matter and asked me to respond to this matter on behalf of Casa Del Norte, LP.

Thank you for forwarding a copy of the terms and conditions of the Idaho State Lands Grazing Lease for Iron Horse Ranch, LLC. By way of clarification, it is not the position of Casa Del Norte or its sister companies (hereafter “CDN”) to claim stockwater rights as the Lessee. The language in Section 10.1 and 10.2 of the “Terms” is very clear. The issuance of a grazing Lease does not create a water right for the Lessee or permit the Lessee to claim a water right pursuant to that Lease. CDN is not claiming any water rights pursuant to the Lease. However, as outlined below, there is a question of law the Court will need to resolve.

CDN’s predecessors put the claimed waters to beneficial use while the land in question was part of the unreserved public domain, before the Federal government granted it to the State of Idaho via patent. Therefore, while there was no State or Territorial law requiring these stockwater rights be recorded at the time, CDN produced abundant evidence that their predecessors clearly appropriated these stockwaters prior to statehood and/or most importantly, prior to the land coming under the ownership of the State via a patent from the Federal government. Therefore, according to the 1866 Mining Act and likely consistent with a lot of Idaho case law at the time, these are vested water rights that cannot be diminished or impaired.

The issue for the State is that Federal patents contain the savings language from the 1866 Mining Act as follows:

“[S]ubject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of the courts; and there is reserved from

the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.”

CDN’s claim to any vested water rights arising on Idaho State Lands predates the conveyance of the lands in question by Patent from the Federal Government to the State. Accordingly, these vested water rights are not subject to the terms and conditions of the Lease.

IDWR misconstrues the basis for CDN’s water rights claims. They are based on CDN’s predecessors putting the water to beneficial use prior to the lands being owned by the State. CDN’s predecessors appropriated these stockwaters pursuant to local laws, customs and court decisions of the time. CDN is not claiming their water rights because they currently hold the Lease for this property. The Leases that CDN and its sister companies presently hold mostly come from its predecessors clear back to the first Lease the State issued on this land. Some of the original Lessees are the same settlers who first appropriated this stockwater in the 19th century.

We respectfully acknowledge the State of Idaho may oppose CDN’s water claims on State lands. However, CDN has produced clear evidence its predecessors appropriated vested stockwaters either while Idaho remained a Territory or prior to the State acquiring ownership of the lands in question. This question must be fully briefed and determined by a Court of competent jurisdiction.

Please let us know if you have any questions regarding this matter.

Regards,

Ramona Morrison as Agent for Casa Del Norte
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