

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

THEODORE R. BOOTH
Special Master
VALERIE MCCOY
Deputy Clerk

Subcases: 67-15208, 67-15209, 67-15210, 67-15211, and 67-15212

08/05/2025
1:30 p.m. (M)
Court Minutes

This was the time and place set for the Status Conference.

Parties present:

Gary Gallant (C 15208, 15209, 15210, 15211, 15212) -- Pro Se
USDI-BLM (O 15208, 15209) -- Mark Widerschein
Idaho Dept. of Lands (O 15211, 15212) -- Kayleen Richter, Tom Kearns

Also Present:
IDWR

-- Lacey Ramell-O'Brien,
Evan Roda, Suzy Cooley, Craig
Saxton

Cody Chandler (new permittee), Russ Hendricks, Braden Jensen with Idaho Farm
Bureau, Riata Meldrum

Counter	Description
01:34:23	Case called; parties identified. Court requests a status update from IDWR, Ms. Ramell-O'Brien provides updates. 67-15208 recommended by IDWR for instream stock water (Thorn Spring), BLM objected. 67-15209 recommended by IDWR for instream stock water (Strawberry Spring), BLM objected. 67-15210 recommended disallowed by IDWR (Strawberry Spring), no objects. 67-15211 recommended disallowed by IDWR, DOL objection filed prior to director's report. 67-15212 recommended disallowed by IDWR, DOL objection filed prior to director's report.
01:40:18	Court requests update from Mr. Gallant who provides update about which water right Mr. Gallant is still utilizing. Mr. Gallant clarifies that he is only using 67-15208. Court asks Mr. Chandler as new permittee if he is aware of the water rights 67-15209, 67-15210, 67-15211, and 67-15212.

01:42:25 Court requests update from BLM, Mr. Widerschein provides update. Mr. Widerschein states that he believes Mr. Chandler should be filing new claims rather than stepping into current claims belonging to Mr. Gallant as base property was not taken over and only the successors to grazing permits.

01:43:16 Court requests update from DOL, Ms. Richter provides update. Ms. Richter does confirm that the grazing permits are under the Chandlers. Ms. Richter also confirms that there are two rights (15211 and 15212) that belong to the state as per the recommendation of IDWR.

01:45:09 Court asks if anyone has anything to add. Mr. Chandler provides his own update.

01:45:57 Court asks if it were to be more beneficial to separate state and federal water right issues. Court advises that where Mr. Chandler is now the party of interest for these claims, sans 67-15208, there may be a need for something to be filed to allow for an NCAP. Court advises that per Idaho Rule of Civil Procedure 25 C – Transfer of Interest, there isn't enough basis to ensure a substitution of party and advises Mr. Chandler to seek out perhaps a private attorney for assistance.

01:51:28 Court requests an update from IDWR regarding the transfer of interest. Ms. Ramell-O'Brien provides updates. Court asks if anyone else has additional information to add. Mr. Chandler adds information about permitting. Court advises that while water rights are transferable, the issues at hand are more water right claims than actual rights. Court also advises that there's not enough information currently to order a substitution under rule.

01:59:32 Court advises possibility of scheduling a follow-up further down the road. Mr. Widerschein asks for the Court to set a deadline of filing while allowing Mr. Chandler time to investigate the options available. Mr. Chandler advises that there is an option that he sees as having another set of water rights he will be filing on and that he could possibly move these rights into those claims. Mr. Chandler also states he is worried about setting deadlines due to the option of not being able to file claims on these water rights at all. Court advises that while there is a need for deadline that it is important not to step on the toes of the department if that is the route, Mr. Chandler

02:05:09 Court asks for direction from Mr. Widerschein as to 67-15208. Mr. Widerschein provides direction as well as Ms. Ramell-O'Brien and the proposed settlement of disallowance. Court clarifies with Mr. Gallant that this is something he is willing to agree to, and Mr. Gallant confirms that he is as long as the water is secured and he is still permitted to allow grazing. Mr. Chandler and Mr. Jensen add clarification for the grazing permits and water usage.

02:10:32 Court states that removing 67-15208 from the additional claims would be beneficial and the best course of action. Court sets status conference for 67-15208 on September 2nd, 2025, at 1:30pm and the remainder of subcases (67-15209, 15210, 15211, and 15212) a half an hour later at 2:00pm MT.

02:15:12 Adjourned.