

Richard L. Emerson
6893 E Cub River Road
Preston, ID 83263

To:

Clerk of the District Court
Palouse River Basin Adjudication
253 Third Avenue North
Twin Falls, ID 83303-2707

Re: Objection to Subpoena for Inspection of Premises
PRBA Case No. 59576 – Subcase 87-12164

Dear Clerk and Counsel,

Myron R. Emerson, the owner of private property located in T40N R4W Section 2 SWSW, Boise Meridian, Latah County, Idaho, hereby objects to the subpoena from the Nez Perce Tribe commanding access to this property for an inspection related to Subcase 87-12164. He respectfully objects to the proposed inspection because the property listed in the subpoena is not the same location identified in the Tribe's water-right claim (which is in Section 11), and no court order or agency authorization has been provided. Under Idaho Code § 42-1410, only the Director of the Idaho Department of Water Resources or authorized personnel may enter private property for adjudication-related investigations. No such authorization accompanies this subpoena. He does not consent to any entry or inspection of the property.

This filing is a formal objection and request to quash the subpoena under Idaho Rule of Civil Procedure 45(d) on the grounds that the subpoena is unreasonable and seeks inspection of property without authority (Idaho Code § 42-1410) and the inspection is outside the boundaries of the claimed point of diversion and place of use and is not relevant to the Tribe's asserted water right.

Sincerely,



Richard L. Emerson, Agent for Myron R. Emerson

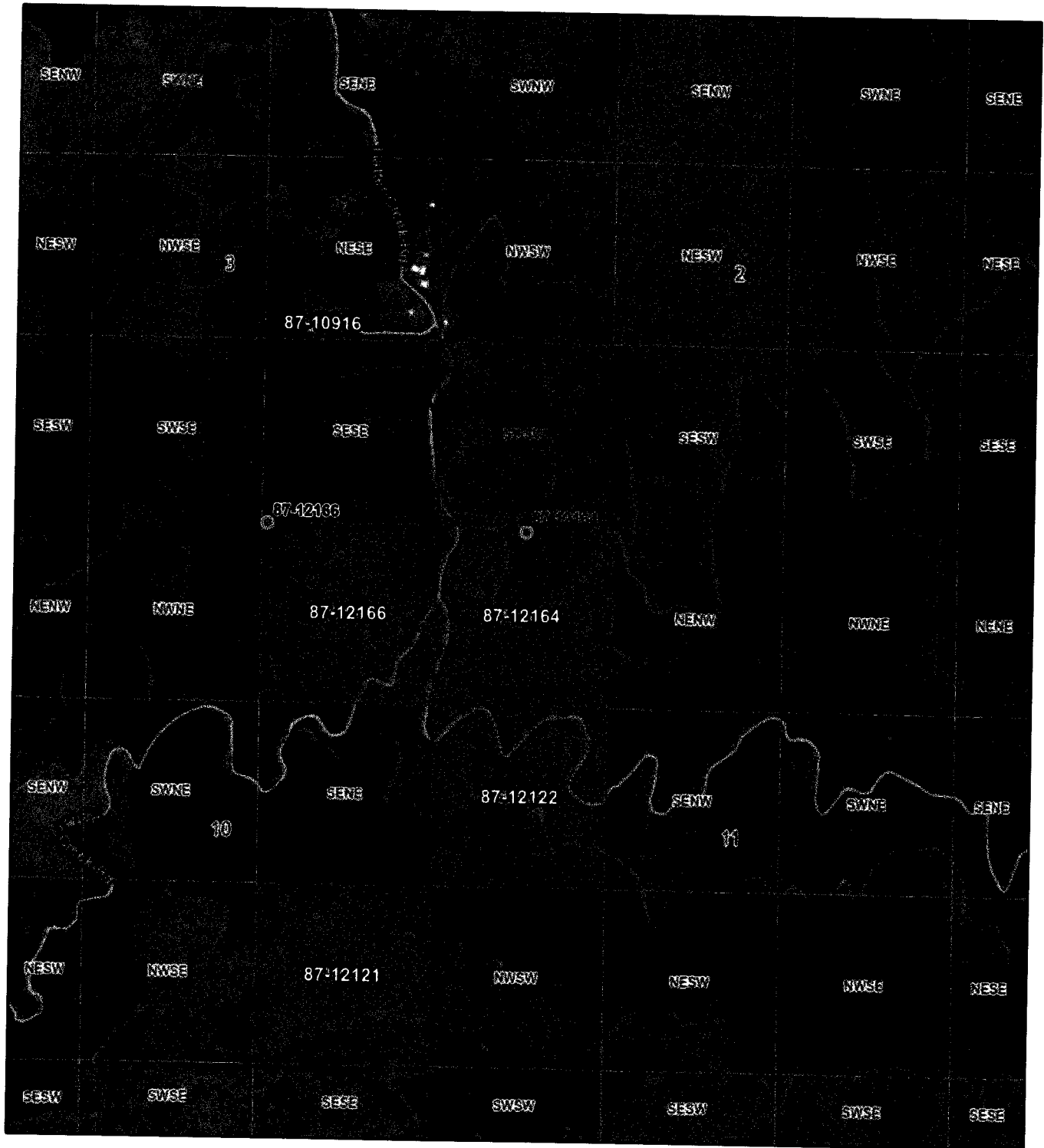
Date: 10/13/2025

DISTRICT COURT - PRBA Fifth Judicial District County of Twin Falls - State of Idaho OCT 14 2025 By _____  Clerk Deputy Clerk
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Attachments:

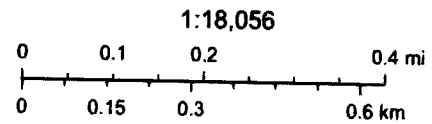
Map 87-12164 Relation to Emerson Property
Limited Power of Attorney
Certificate of Service

87-12164 RELATION TO EMERSON PROPERTY



10/12/2025, 8:42:26 AM

- POD - Adjudication Claims
- POU - Adjudication Recommendations
- All Other POU (non-provider)
- POU - Water Rights
- All Other POU (non-provider)
- Quarter Quarters
- PLS Sections
- Townships



Esri, HERE, IPC, Esri, HERE, Garmin, IPC, Maxar

**LIMITED POWER OF ATTORNEY
(PRBA Case No. 59576 – Subcase 87-12164)**

Principal: Myron R. Emerson, 1030 Boller Road, Potlatch, ID 83855

Agent/Attorney-in-Fact: Richard L. Emerson, 6893E Cub River Road, Preston, ID 83263

Grant of Authority

I, Myron R. Emerson (the "Principal"), appoint Richard L. Emerson (the "Agent") as my true and lawful attorney-in-fact to act for me and in my name with respect to all matters relating to the Palouse River Basin Adjudication (PRBA), Fifth Judicial District Court, Case No. 59576, Subcase 87-12164. This limited power of attorney authorizes the Agent to:

- Prepare, sign, file, serve, and receive filings, objections, motions, discovery responses, correspondence, and other papers in PRBA Case No. 59576, Subcase 87-12164;
- Communicate and confer with the Court, the Clerk, the Idaho Department of Water Resources (IDWR), counsel for other parties, and any court-appointed special master regarding the subcase;
- Request, obtain, and receive copies of pleadings, orders, discovery, and records relating to the subcase;
- Endorse and acknowledge certificates of service and proofs of mailing or delivery for filings the Agent prepares or submits on my behalf;
- Take all other actions reasonably necessary and incidental to the foregoing authorities in connection with Subcase 87-12164.

Limitations

This power of attorney is limited to representation and procedural actions in PRBA Case No. 59576, Subcase 87-12164. It does not authorize the Agent to sell, convey, encumber, or otherwise affect title to real property or water rights by deed, easement, mortgage, or other instrument of conveyance, nor to settle or release claims for money damages without my express written consent.

Effective Date and Duration

This power of attorney is effective upon my signing and remains in effect until the earlier of: (a) my written revocation delivered to the Agent and filed in the subcase; (b) final resolution of Subcase 87-12164 including exhaustion of any appeals; or (c) my death or incapacity, unless otherwise permitted by Idaho law. I may revoke this power of attorney at any time.

Reliance

Third parties, including the Court and IDWR, may rely upon copies (including faxed or electronically transmitted copies) of this power of attorney as if they were originals until written notice of revocation is received.

DATED: Oct 12, 2025

Myron R. Emerson

Myron R. Emerson, Principal

Notary Acknowledgment – State of Idaho

State of Idaho)

ss.

County of Latah)

On this 12th day of October, 2025, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared MYRON R. EMERSON, known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same as his voluntary act and deed.

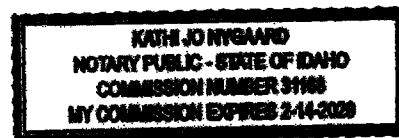
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Kathi Jo Nygaard

Notary Public for the State of Idaho

Residing at: Pottlatch

My Commission Expires: 02/14/2029



Richard L. Emerson
6893 E Cub River Road
Preston, ID 83263

CERTIFICATE OF SERVICE

I HEARBY CERTIFY that on October 13, 2025, I filed a true and correct copy of my
OBJECTION TO SUBPOENA FOR INSPECTION OF PREMISES via facsimile to the Clerk of
the Fifth District Court at the phone number listed below.

CLERK OF THE FIFTH JUDICIAL DISTRICT
Palouse River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707
Fax: (208) 736-2121

IN RE: PRBA

Case No. 59576 Sub Case No. 87-12164

I FURTHER CERTIFY that on October 13, 2025, I served a true and correct copy of the
foregoing by the methods indicated below:

IDWR Document Depository PO Box 83720 Boise, ID 83720-0098	☒ US First Class Mail ☐ Fax (number) _____ ☐ Personal delivery ☒ email to: lacey.rammell-obrien@idwr.idaho.gov
Thomas L. Murphy Native American Rights Fund 250 Arapahoe Avenue Boulder, CO 80302	☐ US First Class Mail ☐ Fax (number) _____ ☐ Personal delivery ☒ email to: murphy@narf.org
US Department of Justice Environmental & Natural Resources Division PO Box 7611 Ben Franklin Station Washington, D.C. 20044-7611	☐ By certified mail ☐ By fax (number) _____ ☐ By personal delivery ☒ By email to: emmi.blades@usdoj.gov hillary.hoffman@usdoj.gov

Chief, Natural Resources Division Office of the Attorney General P.O. Box 83720 Boise, ID 83720-0010	☐ US First Class Mail ☐ Fax (number) _____ ☐ Personal delivery ☒ email to: david.perkins@ag.idaho.gov rowdy.keller@ag.idaho.gov
Potlatch TRS Idaho, LLC PotlatchDeltic Forest Holdings, Inc PotlatchDeltic Land and Lumber LLC Representative: Michael P. Lawrence Charlie Base 601 W Bannock St PO Box 2720 Boise, ID 83701-2720	☐ US First Class Mail ☐ Fax (number) _____ ☐ Personal delivery ☒ email to: mpl@givenspursley.com charliebaser@givenpursley.com
Carol & Glen Barnett, Amy & Rob Larson, Kyle Hawley, Randy Sexton, Ben Barstow, Shawn Nilsson, K4 LLC, Julie & Martin Harr Represented by: Norman M. Semanko Parsons Behle & Latimer 800 W Main Street Ste 1300 Boise, ID 83702	☐ US First Class Mail ☐ Fax (number) _____ ☐ Personal delivery ☒ email to: nsemanko@parsonsbehle.com
Myron R. Emerson 1030 Boller Road Potlatch, ID 83855	☒ US First Class Mail ☐ Fax (number) _____ ☐ Personal delivery ☐ email to:


Richard L. Emerson, Agent for Myron R. Emerson

10/13/2025