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APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM

CASE NO. 49576

AMENDED NOTICE OF CLAIM

Federal Reserved Water Right

Subcase No. 91-7777

1. **Name and address of claimant:**
UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** St. Joe River (Water Right # 91-7777) (Fed. ID # 4023)

4. **Point of Diversion:** Not applicable; Instream Flow

5. **Place of Use:**

At all points along the stream reach located between the following boundaries:

Upstream Boundary – Saint Maries River

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
91-7777	4023	46N	2W	23	NESW	BM	Benewah

Downstream Boundary – Mouth

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
91-7777	4023	46N	3W	2	NWSW	BM	Benewah

Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

6. **Purpose of Water Use:**
Fish habitat for fish species harvested within the Reservation - as a component of a water right necessary to fulfill the homeland purpose of the Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra*.

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra*.

8. **Quantity Reserved (In cfs):**

January	February	March	April	May	June
4320	4090	6440	9500	11000	7920
July	August	September	October	November	December
2430	1190	759	747	1750	2490

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755,* 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA*, 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

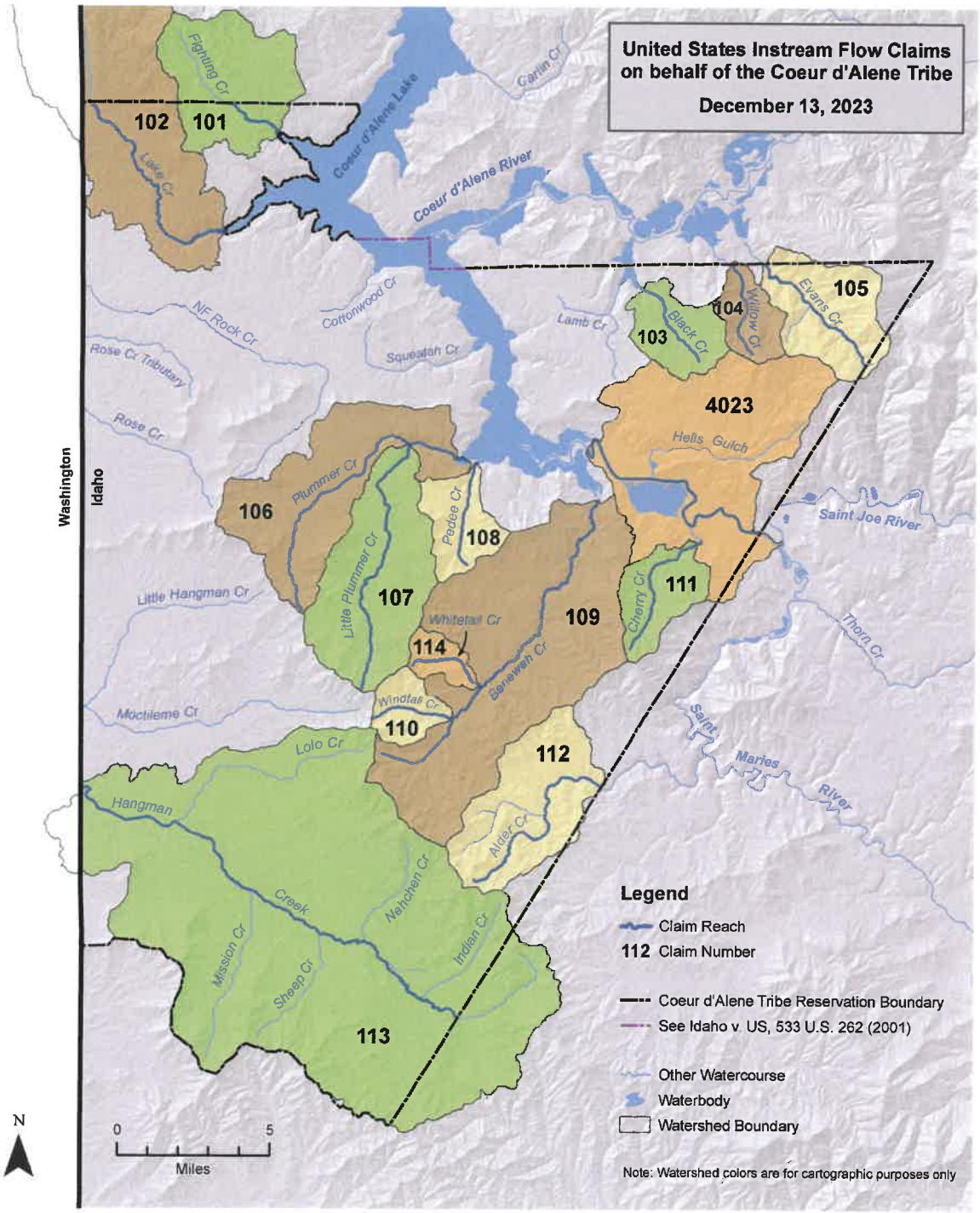
Bryan K. Mercier, Regional Director
Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication. All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice Environment and Natural Resources Division Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202
Attorneys for the United States of America

Dated this 13th day of December 2023.


United States Instream Flow Claims on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
102
101
104
105
103
4023
106
108
107
109
111
114
110
112
113
Fighting Cr
Lake Cr
Coeur d'Alene Lake
Coeur d'Alene River
Garin Cr
NF Rock Cr
Cottonwood Cr
Squeatan Cr
Lamb Cr
Black Cr
Willow Cr
Evans Cr
Rose Cr Tributary
Rose Cr
Hells Gulch
Saint Joe River
Plummer Cr
Peaoe Cr
Little Plummer Cr
Little Hangman Cr
Whitetail Cr
Cherry Cr
Thorn Cr
Benewah Cr
Windfall Cr
Moctileme Cr
Saint Maries River
Lolo Cr
Hangman
Creek
Nehchen Cr
Indian Cr
Alder Cr
Mission Cr
Sheep Cr
Legend
Claim Reach
112 Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only
N
0
5
Miles

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 91-7778**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873 (Date of Reservation) or, if applicable, Date of Reacquisition by Tribe.

3. Source: St. Joe River (Fed. ID # SJn1)
(Water Right # 91-7778)

4. Point of Diversion:

Township: 46N Range: 3W Section: 2 Q: NE1/4 QQ: L9

5. Place of Use: Total Acres: 335

The legal descriptions in italics below include reacquired lands as shown in purple on the attached map.

Township: 46N	*Range: 3W*	*Section: 1*	*Q: NW1/4*	*QQ: L5*	*Acres: 2.3*
Township: 46N	*Range: 3W*	*Section: 1*	*Q: NW1/4*	*QQ: SE1/4*	*Acres: 20.8*
Township: 46N	*Range: 3W*	*Section: 1*	*Q: NW1/4*	*QQ: SW1/4*	*Acres: 38.3*
Township: 46N	*Range: 3W*	*Section: 2*	*Q: NE1/4*	*QQ: SE1/4*	*Acres: 39.0*
Township: 46N	*Range: 3W*	*Section: 2*	*Q: NE1/4*	*QQ: L9*	*Acres: 19.7*
Township: 46N	*Range: 3W*	*Section: 1*	*Q: SW1/4*	*QQ: NE1/4*	*Acres: 29.1*
Township: 46N	*Range: 3W*	*Section: 1*	*Q:SW1/4*	*QQ: NW1/4*	*Acres: 39.7*

Township: 46N	*Range: 3W*	*Section: 1*	*Q: SW1/4*	*QQ: SE1/4*	*Acres: 20.9*
Township: 46N	*Range: 3W*	*Section: 1*	*Q: SW1/4*	*QQ: SW1/4*	*Acres: 33.3*
Township: 46N	*Range: 3W*	*Section: 2*	*Q: SE1/4*	*QQ: NE1/4*	*Acres: 39.4*
Township: 46N	*Range: 3W*	*Section: 2*	*Q: SE1/4*	*QQ: L16*	*Acres: 13.5*
Township: 46N	*Range: 3W*	*Section: 12*	*Q:NW1/4*	*QQ: NE1/4*	*Acres: 39.0*

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** March 1 through November 30

8. **Quantity Reserved:** Acre Feet: 1,021

9. **Basis of Claim:**

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873 (the date the Reservation was established), or, if applicable, the date of Reacquisition by the Tribe, subject to carryover of any homesteader's priority date. *In Re CSRBA*, 165 Idaho at 525-26, 528-29, 554-58.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this

format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

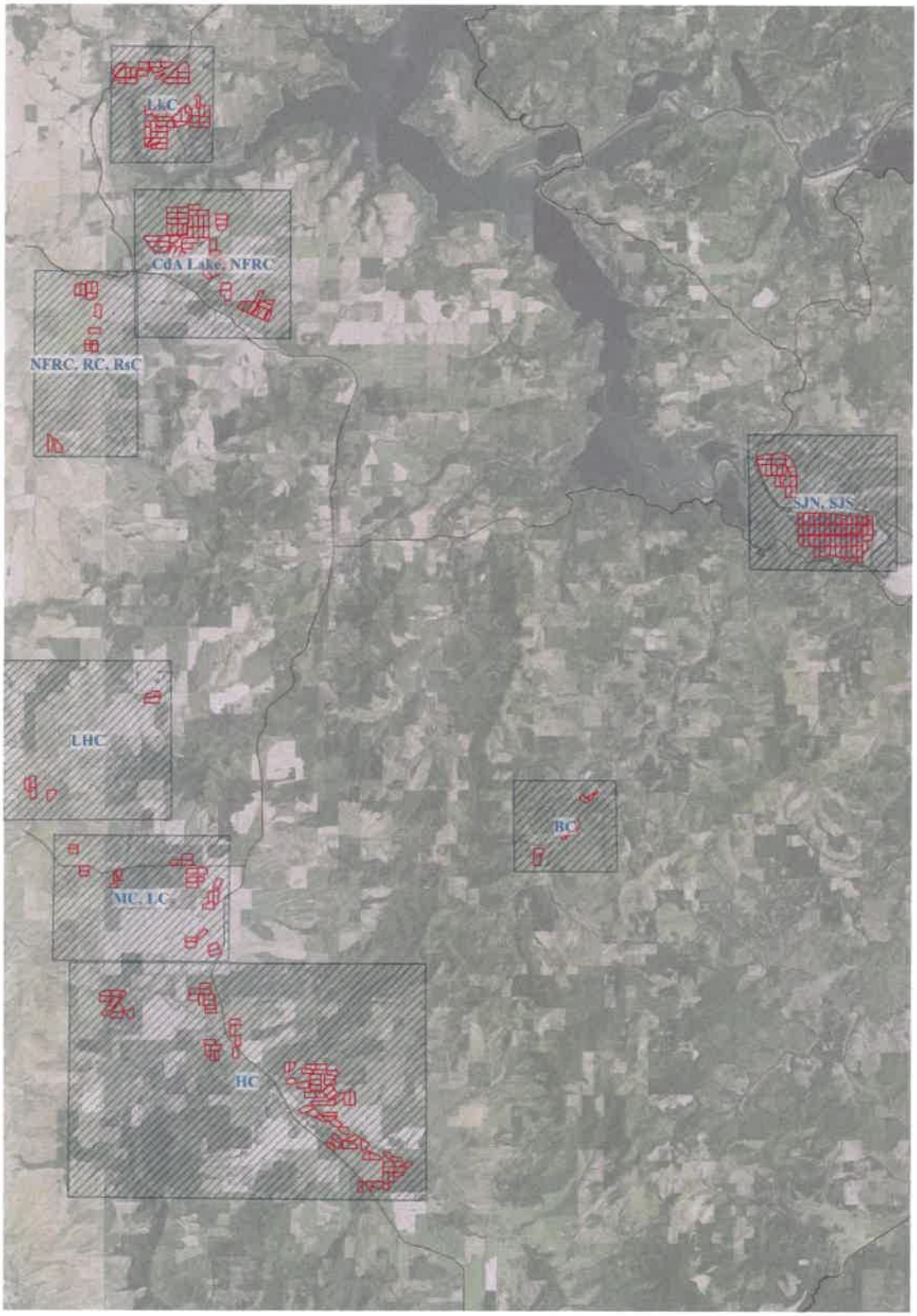
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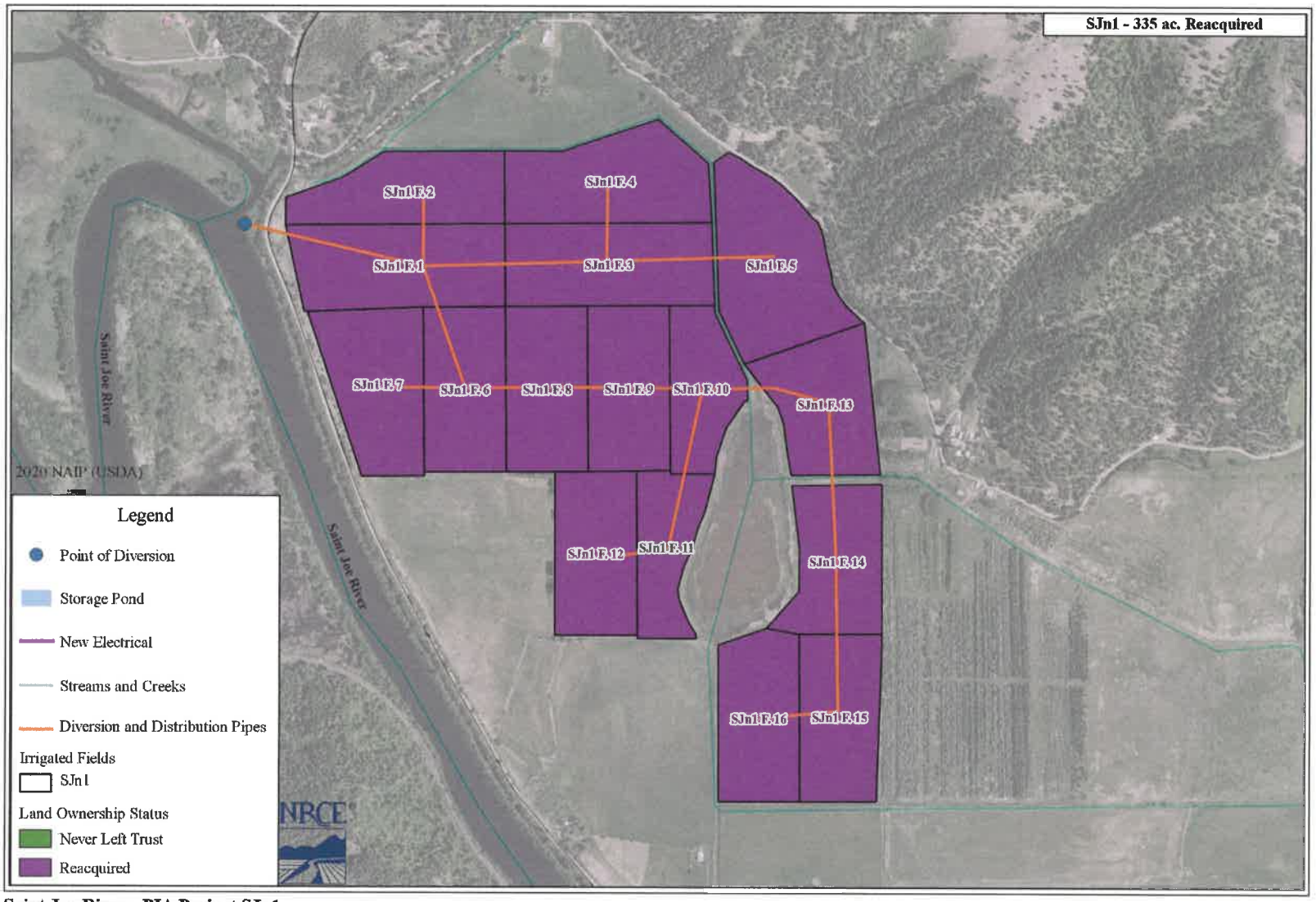
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Saint Joe River - PIA Project SJn1

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No.** 92-10906

1. **Name and address of claimant:**
UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** Cherry Creek (Water Right # 92-10906)
(Fed. ID # 111)

4. **Point of Diversion:** Not applicable; Instream Flow

5. **Place of Use:**

At all points along the stream reach located between the following boundaries:

Upstream Boundary – Headwaters

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
92-10906	111	45N	3W	12	NWNE	BM	Benewah

Downstream Boundary – Mouth

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
92-10906	111	46N	2W	20	NWSE	BM	Benewah

Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

6. **Purpose of Water Use:**
Fish habitat for fish species harvested within the Reservation - as a component of a water right necessary to fulfill the homeland purpose of the Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra.*

8. **Quantity Reserved (In cfs):**

January	February	March	April	May	June
8.0	8.0	8.0	5.0	5.0	2.7
July	August	September	October	November	December
0.80	0.40	0.50	0.50	3.0	6.6

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755*, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA*, 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

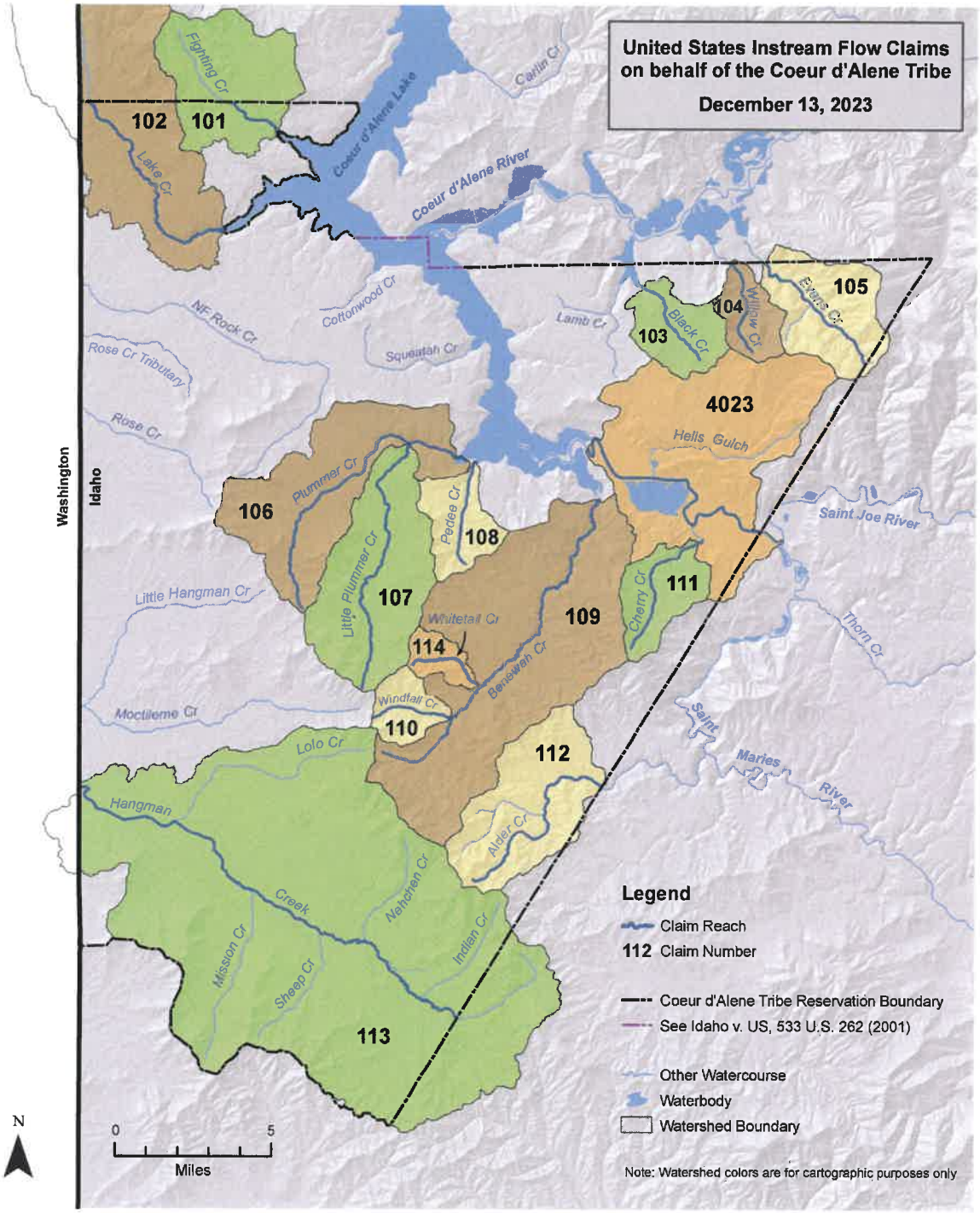
Bryan K. Mercier, Regional Director
Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication. All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice Environment and Natural Resources Division Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202
Attorneys for the United States of America

Dated this 13th day of December 2023.


United States Instream Flow Claims on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
102
101
104
105
103
4023
106
108
107
109
111
114
110
112
113
Fighting Cr
Lake Cr
Coeur d'Alene Lake
Coeur d'Alene River
Carlin Cr
NF Rock Cr
Cottonwood Cr
Squeahan Cr
Lamb Cr
Black Cr
Willow Cr
Evans Cr
Rose Cr Tributary
Rose Cr
Hells Gulch
Saint Joe River
Plummer Cr
Little Plummer Cr
Pedee Cr
Little Hangman Cr
Whitetail Cr
Cherry Cr
Thorn Cr
Benewah Cr
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Moctileme Cr
Lolo Cr
Hangman
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Alder Cr
Saint Maries River
Nehchen Cr
Indian Cr
Mission Cr
Sheep Cr
Legend
Claim Reach
112 Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only
N
0
5
Miles

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No.** 92-10907

1. **Name and address of claimant:**
UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** Alder Creek (Water Right # 92-10907) (Fed. ID # 112)

4. **Point of Diversion:** Not applicable; Instream Flow

5. **Place of Use:**

At all points along the stream reach located between the following boundaries:

Upstream Boundary – Headwaters

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
92-10907	112	44N	4W	13	SENE	BM	Benewah

Downstream Boundary – Mouth

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
92-10907	112	45N	2W	29	SENE	BM	Benewah

Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

6. **Purpose of Water Use:**
Fish habitat for fish species harvested within the Reservation - as a component of a water right necessary to fulfill the homeland purpose of the Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra*.

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra*.

8. **Quantity Reserved (In cfs):**

January	February	March	April	May	June
24	24	24	24	24	15
July	August	September	October	November	December
4.8	2.2	3.1	4.6	15	24

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755,* 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair,* 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA*, 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

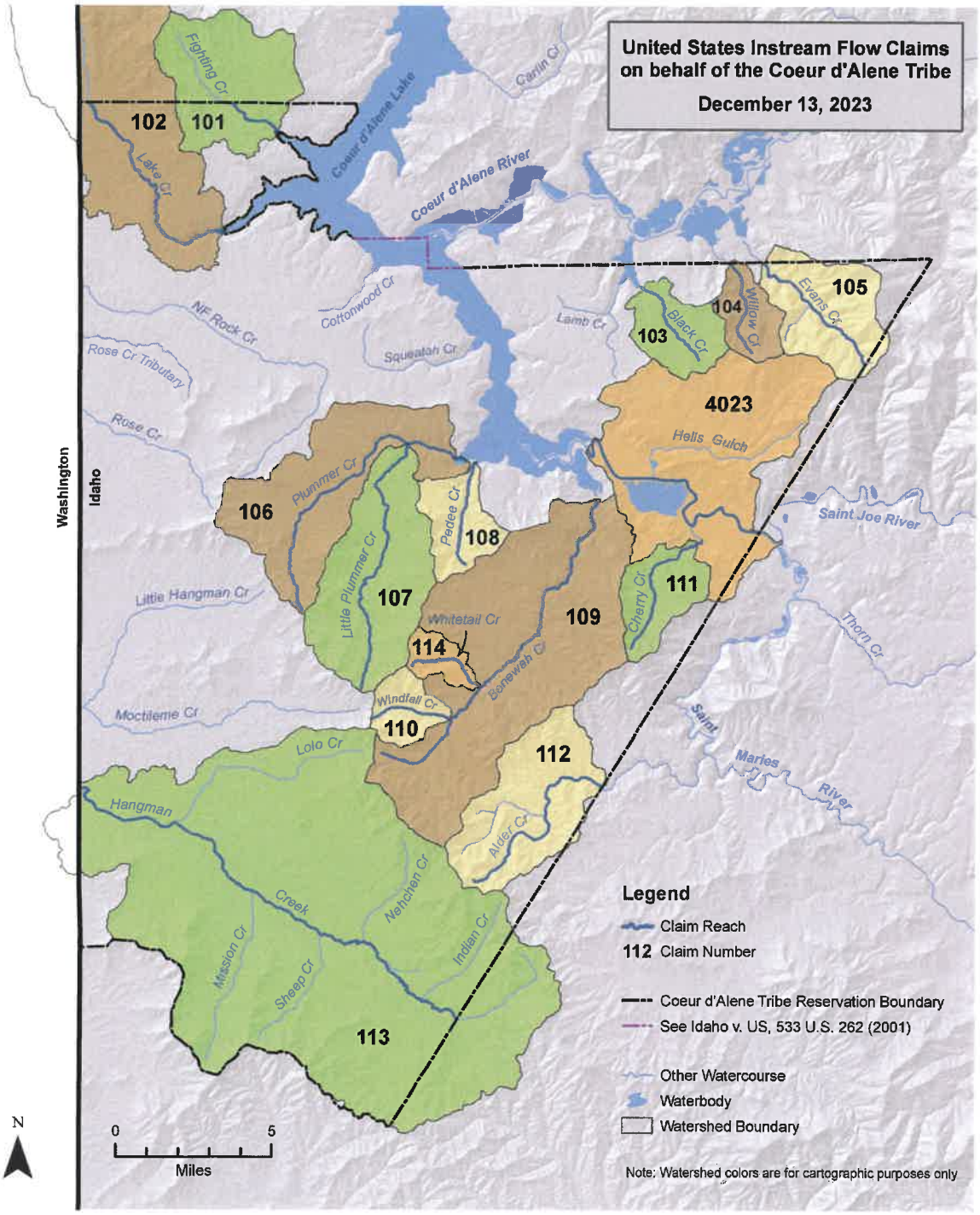
Bryan K. Mercier, Regional Director
Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication. All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice Environment and Natural Resources Division Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202
Attorneys for the United States of America

Dated this 13th day of December 2023.


United States Instream Flow Claims on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
102
101
104
105
103
4023
106
108
107
109
111
114
110
112
113
Fighting Cr
Lake Cr
Coeur d'Alene Lake
Coeur d'Alene River
Garin Cr
Cottonwood Cr
NF Rock Cr
Rose Cr Tributary
Rose Cr
Squeaton Cr
Lamb Cr
Black Cr
Willow Cr
Evans Cr
Helis Gulch
Plummer Cr
Little Plummer Cr
Pedee Cr
Little Hangman Cr
Whitetail Cr
Cherry Cr
Benewah Cr
Windfall Cr
Moctilemie Cr
Lolo Cr
Hangman
Creek
Nehchen Cr
Indian Cr
Mission Cr
Sheep Cr
Alder Cr
Saint Joe River
Thorn Cr
Saint Maries River
Legend
Claim Reach
112 Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only
N
0
5
Miles

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	)	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No. 92-10912**

1. **Name and address of claimant:**

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** November 8, 1873 (Date of Reservation) or, if applicable, Date of Reacquisition by Tribe.

3. **Source:** St. Joe River (Fed. ID # SJs1 & SJs2)
(Water Right # 92-10912)

4. **Point of Diversion:**

Township: 46N	Range: 2W	Section: 7	Q: SE1/4	QQ: L8
Township: 46N	Range: 3W	Section: 12	Q: SE1/4	QQ: L8

5. **Place of Use:** Total Acres: 971

The legal descriptions in italics below include reacquired lands as shown in purple on the attached map.

Township: 46N	*Range: 2W*	*Section: 8*	*Q: SW1/4*	*QQ: L4*	*Acres: 6.3*
Township: 46N	*Range: 2W*	*Section: 8*	*Q: SW1/4*	*QQ: L3*	*Acres: 40.8*
Township: 46N	*Range: 2W*	*Section: 7*	*Q: SE1/4*	*QQ: L8*	*Acres: 9.8*
Township: 46N	*Range: 2W*	*Section: 7*	*Q: SE1/4*	*QQ: L6*	*Acres: 10.8*
Township: 46N	*Range: 2W*	*Section: 7*	*Q: SE1/4*	*QQ: SE1/4*	*Acres: 38.5*
Township: 46N	*Range: 2W*	*Section: 7*	*Q: SE1/4*	*QQ: SW1/4*	*Acres: 24.3*
Township: 46N	*Range: 2W*	*Section: 17*	*Q: NW1/4*	*QQ: L3*	*Acres: 3.7*
Township: 46N	*Range: 2W*	*Section: 17*	*Q: NW1/4*	*QQ: NW1/4*	*Acres: 37.4*

Township: 46N	*Range: 2W*	*Section: 17*	*Q: NW1/4*	*QQ: SW1/4*	*Acres: 23.2*
Township: 46N	*Range: 2W*	*Section: 18*	*Q: NE1/4*	*QQ: NE1/4*	*Acres: 32.9*
Township: 46N	*Range: 2W*	*Section: 18*	*Q: NE1/4*	*QQ: NW1/4*	*Acres: 22.6*
Township: 46N	*Range: 2W*	*Section: 18*	*Q:NE1/4*	*QQ: SE1/4*	*Acres: 40.0*
Township: 46N	*Range: 2W*	*Section: 18*	*Q: NE1/4*	*QQ: SW1/4*	*Acres: 37.6*
Township: 46N	*Range: 2W*	*Section: 17*	*Q: SW1/4*	*QQ: L9*	*Acres: 4.9*
Township: 46N	*Range: 2W*	*Section: 18*	*Q: SE1/4*	*QQ:NE1/4*	*Acres: 39.7*
Township: 46N	*Range: 2W*	*Section: 18*	*Q: SE1/4*	*QQ:NW1/4*	*Acres: 29.3*
Township: 46N	*Range: 2W*	*Section: 18*	*Q: SE1/4*	*QQ: SE1/4*	*Acres: 0.5*
Township: 46N	*Range: 2W*	*Section: 18*	*Q: NW1/4*	*QQ: SE1/4*	*Acres: 20.2*
Township: 46N	*Range: 2W*	*Section: 18*	*Q: NW1/4*	*QQ: SW1/4*	*Acres: 6.6*
Township: 46N	*Range: 2W*	*Section: 18*	*Q: SW1/4*	*QQ: NE1/4*	*Acres: 15.8*
Township: 46N	*Range: 2W*	*Section: 18*	*Q: SW1/4*	*QQ: NW1/4*	*Acres: 5.1*
Township: 46N	*Range: 2W*	*Section: 7*	*Q: SE1/4*	*QQ: L6*	*Acres: 2.1*
Township: 46N	*Range: 2W*	*Section: 7*	*Q: SE1/4*	*QQ: SW1/4*	*Acres: 16.0*
Township: 46N	*Range: 2W*	*Section: 7*	*Q: SW1/4*	*QQ: L5*	*Acres: 18.5*
Township: 46N	*Range: 2W*	*Section: 7*	*Q: SW1/4*	*QQ: L4*	*Acres: 21.4*
Township: 46N	*Range: 2W*	*Section: 7*	*Q: SW1/4*	*QQ: SE1/4*	*Acres: 40.3*
Township: 46N	*Range: 2W*	*Section: 7*	*Q: SW1/4*	*QQ: SW1/4*	*Acres: 40.3*
Township: 46N	*Range: 3W*	*Section: 12*	*Q: SE1/4*	*QQ: L8*	*Acres: 21.2*
Township: 46N	*Range: 3W*	*Section: 12*	*Q: SE1/4*	*QQ: L7*	*Acres: 18.1*
Township: 46N	*Range: 3W*	*Section: 12*	*Q: SE1/4*	*QQ: SE1/4*	*Acres: 39.8*
Township: 46N	*Range: 3W*	*Section: 12*	*Q: SE1/4*	*QQ: SW1/4*	*Acres: 33.9*
Township: 46N	*Range: 2W*	*Section: 18*	*Q: NE1/4*	*QQ: NW1/4*	*Acres: 12.3*
Township: 46N	*Range: 2W*	*Section: 18*	*Q: NE1/4*	*QQ: SW1/4*	*Acres: 2.9*
Township: 46N	*Range: 2W*	*Section: 18*	*Q: NW1/4*	*QQ: NE1/4*	*Acres: 32.9*
Township: 46N	*Range: 2W*	*Section: 18*	*Q: NW1/4*	*QQ: NW1/4*	*Acres: 37.7*
Township: 46N	*Range: 2W*	*Section: 18*	*Q: NW1/4*	*QQ: SE1/4*	*Acres: 20.2*
Township: 46N	*Range: 2W*	*Section: 18*	*Q: NW1/4*	*QQ: SW1/4*	*Acres: 33.8*
Township: 46N	*Range: 3W*	*Section: 13*	*Q: NE1/4*	*QQ: NE1/4*	*Acres: 37.5*
Township: 46N	*Range: 3W*	*Section:13*	*Q: NE1/4*	*QQ: NW1/4*	*Acres: 31.9*
Township: 46N	*Range: 3W*	*Section:13*	*Q: NE1/4*	*QQ: SE1/4*	*Acres: 26.8*
Township: 46N	*Range: 3W*	*Section: 13*	*Q: NE1/4*	*QQ: SW1/4*	*Acres: 14.7*
Township: 46N	*Range: 2W*	*Section: 18*	*Q: SW1/4*	*QQ: NW1/4*	*Acres: 11.8*
Township: 46N	*Range: 3W*	*Section: 13*	*Q: SE1/4*	*QQ: NE1/4*	*Acres: 6.9*

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** March 1 through November 30

8. **Quantity Reserved:** Acre Feet: 2,959

9. Basis of Claim:

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. Other Provisions:

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873 (the date the Reservation was established), or, if applicable, the date of Reacquisition by the Tribe, subject to carryover of any homesteader's priority date. *In Re CSRBA*, 165 Idaho at 525-26, 528-29, 554-58.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director
Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

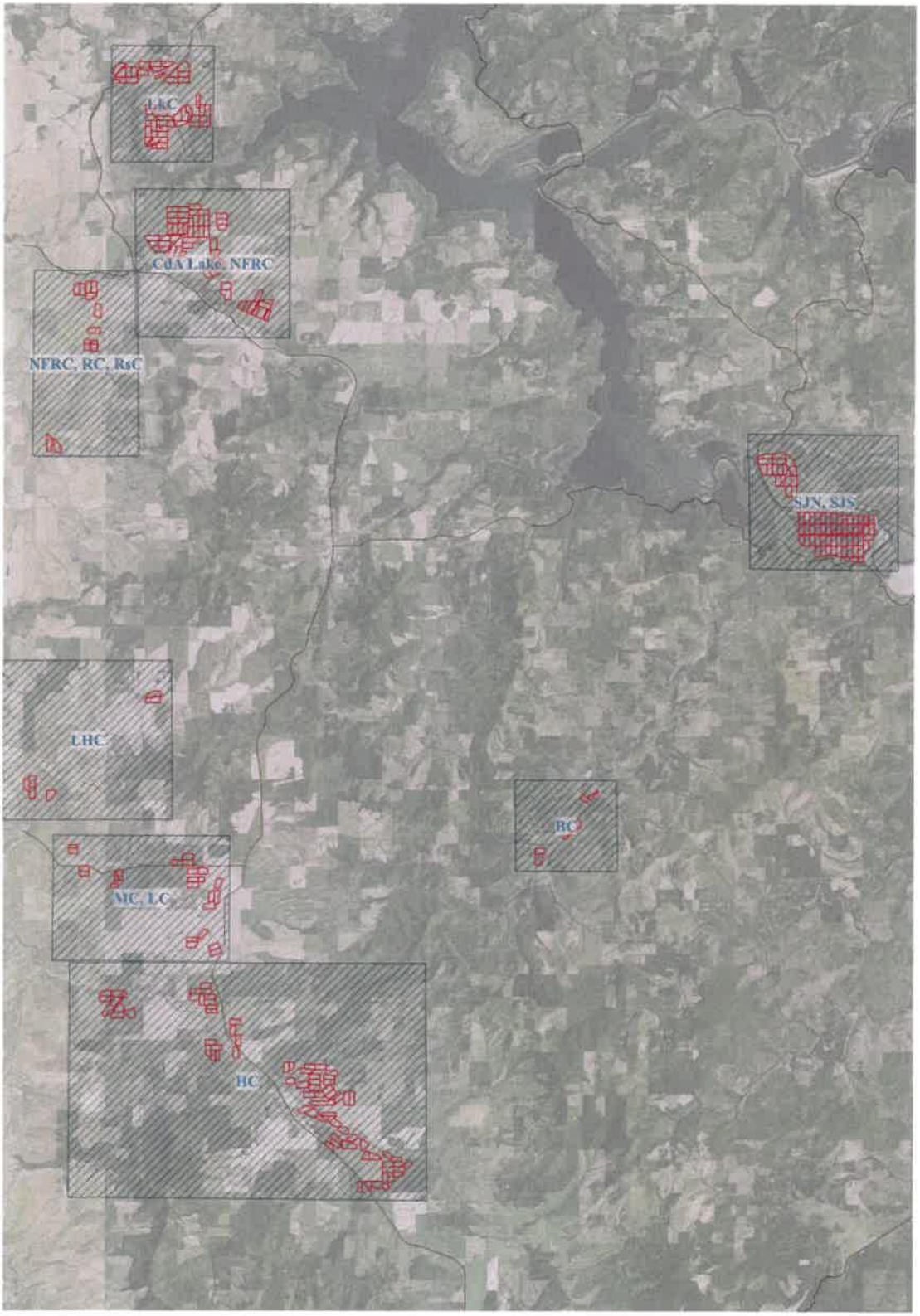
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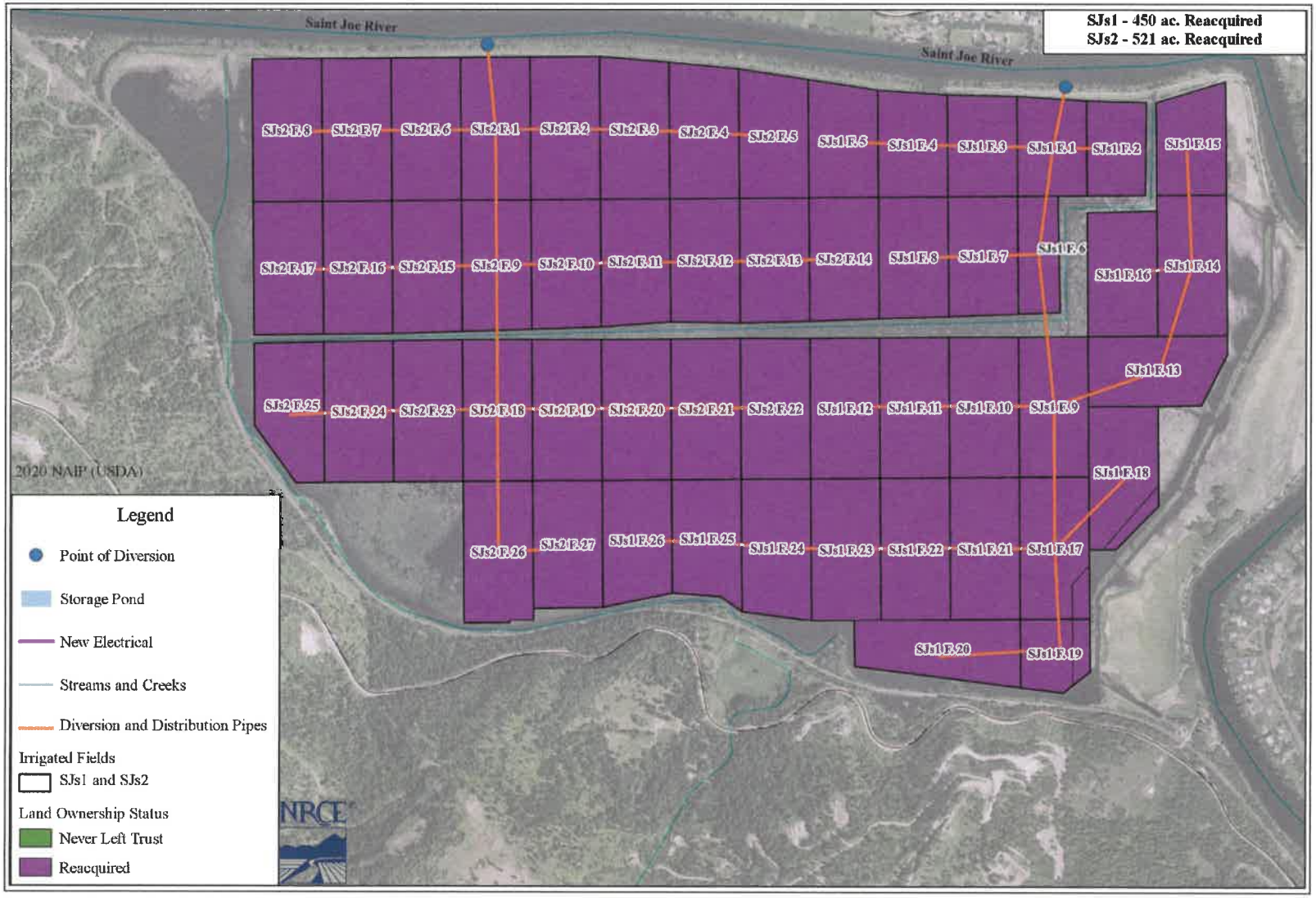
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Saint Joe River - PIA Project SJs1 and SJs2

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DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 92-10914**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: Time Immemorial

3. Source: Alder Creek Tributary (Water Right # 92-10914)
(Fed. ID #AC02R102)

4. Point of Diversion:

Not applicable – This claim is for *in situ* surface water flows to maintain functional riparian ecosystems.

5. Place of Use: Total Acres: 8.83

The approximate center point is located within UTM Coordinates:

Zone: 11N 517922 5226413; which is located in:

Township: 44N Range: 3W Section: 6 Q: NE QQ: SW

See Attached Map.

6. **Purpose of Water Use:**

To provide wildlife and plant habitat for hunting, gathering and cultural uses of the Tribe - as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra.*

8. **Quantity Reserved:** Annual Total 21.25 (AFY)

Monthly claim amounts are provided in the table below. For each month a minimum Riparian Baseflow (low-flow) is claimed. In addition, if the flow in the stream at the Place of Use center point reaches the High Flow Trigger as shown in column 3, then the Riparian High Flow becomes the claim for a duration of four days after the high flow is initiated. The claim reverts back to the Riparian Baseflow four days after the trigger is initiated. Once the streamflow exceeds the Riparian High Flow within the given month, no additional triggers are initiated, and the claim remains at the Riparian Baseflow for the remainder of the month. The Riparian Baseflow, the High Flow Trigger, and the Riparian High Flow all change from month to month.

Month	Riparian BaseFlow (cfs)	Trigger Flow for High-Flow Claims (cfs)	High-Flow Claims (cfs)
January	0.16	2.81	3.75
February	0.22	3.75	14.8
March	0.41	3.75	14.8
April	0.39	2.81	3.75
May	0.16	2.81	3.75
June	0.05	2.81	3.75
July	0.07	1.88	1.88
August	0.05	1.88	1.88
September	0.06	1.88	1.88
October	0.07	1.88	1.88
November	0.05	2.81	3.75
December	0.11	2.81	3.75

9. Basis of Claim:

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. Other Provisions:

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755,* 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA"*).

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA,* 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

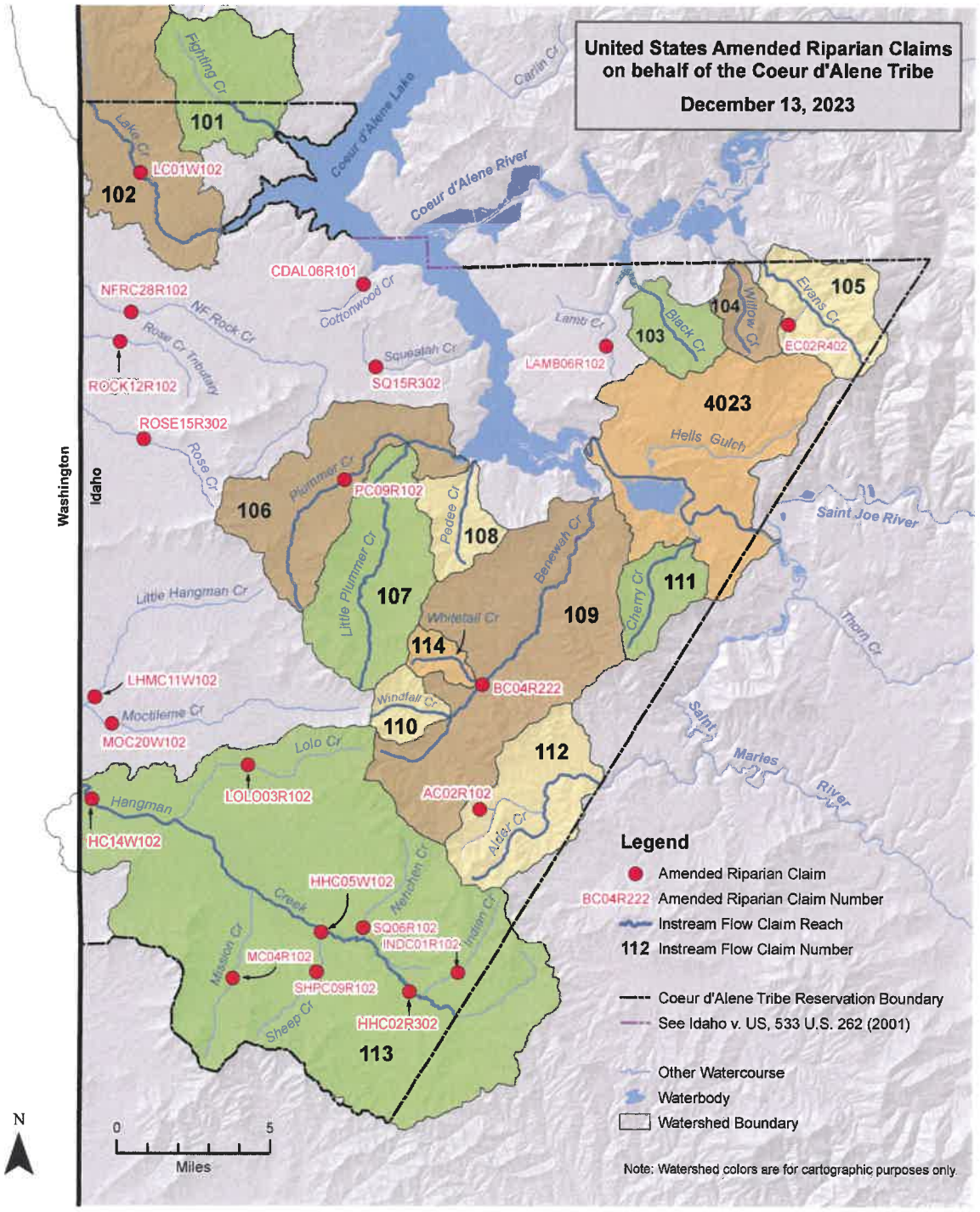
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Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.


United States Amended Riparian Claims on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
Fighting Cr
Carlin Cr
Coeur d'Alene Lake
Coeur d'Alene River
Lake Cr
101
102
LC01W102
CDAL06R101
Cottonwood Cr
NFRC28R102
NF Rock Cr
Rose Cr Tributary
ROCK12R102
Squeslah Cr
SQ15R302
ROSE15R302
Rose Cr
Lamb Cr
LAMB06R102
Black Cr
103
104
Willow Cr
Evans Cr
105
EC02R402
4023
Hells Gulch
Saint Joe River
Plummer Cr
PC09R102
106
Pedee Cr
108
Little Plummer Cr
107
Benewah Cr
109
Cherry Cr
111
Thorn Cr
Little Hangman Cr
Whitetail Cr
114
LHMC11W102
Moctileme Cr
MOC20W102
Windfall Cr
BC04R222
110
112
Saint Maries River
Lolo Cr
LOLO03R102
AC02R102
Alder Cr
Hangman
HC14W102
Hangman Creek
HHC05W102
Kentchen Cr
SQ06R102
INDC01R102
Indian Cr
Mission Cr
MC04R102
SHPC09R102
Sheep Cr
HHC02R302
113
Legend
Amended Riparian Claim
BC04R222 Amended Riparian Claim Number
Instream Flow Claim Reach
112 Instream Flow Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only.
N
0
5
Miles

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DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM

CASE NO. 49576

AMENDED NOTICE OF CLAIM

Federal Reserved Water Right

Subcase No. 93-7469

1. **Name and address of claimant:**
UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** Hangman Creek (Water Right # 93-7469 (Fed. ID # 113.1))

4. **Point of Diversion:** Not applicable; Instream Flow

5. **Place of Use:**

At all points along the stream reach located between the following boundaries:

Upstream Boundary – Headwaters

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
93-7469	113.1	44N	3W	29	SESE	BM	Benewah

Downstream Boundary – ID State Line

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
93-7469	113.1	45N	6W	36	SENW	BM	Benewah

Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

6. **Purpose of Water Use:**
Fish habitat for fish species harvested within the Reservation - as a component of a water right necessary to fulfill the homeland purpose of the Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra*.

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra*.

8. **Quantity Reserved (In cfs):**

January	February	March	April	May	June
45	45	40	40	40	16
July	August	September	October	November	December
4.5	1.6	1.5	1.7	9.9	45

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755*, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA*, 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

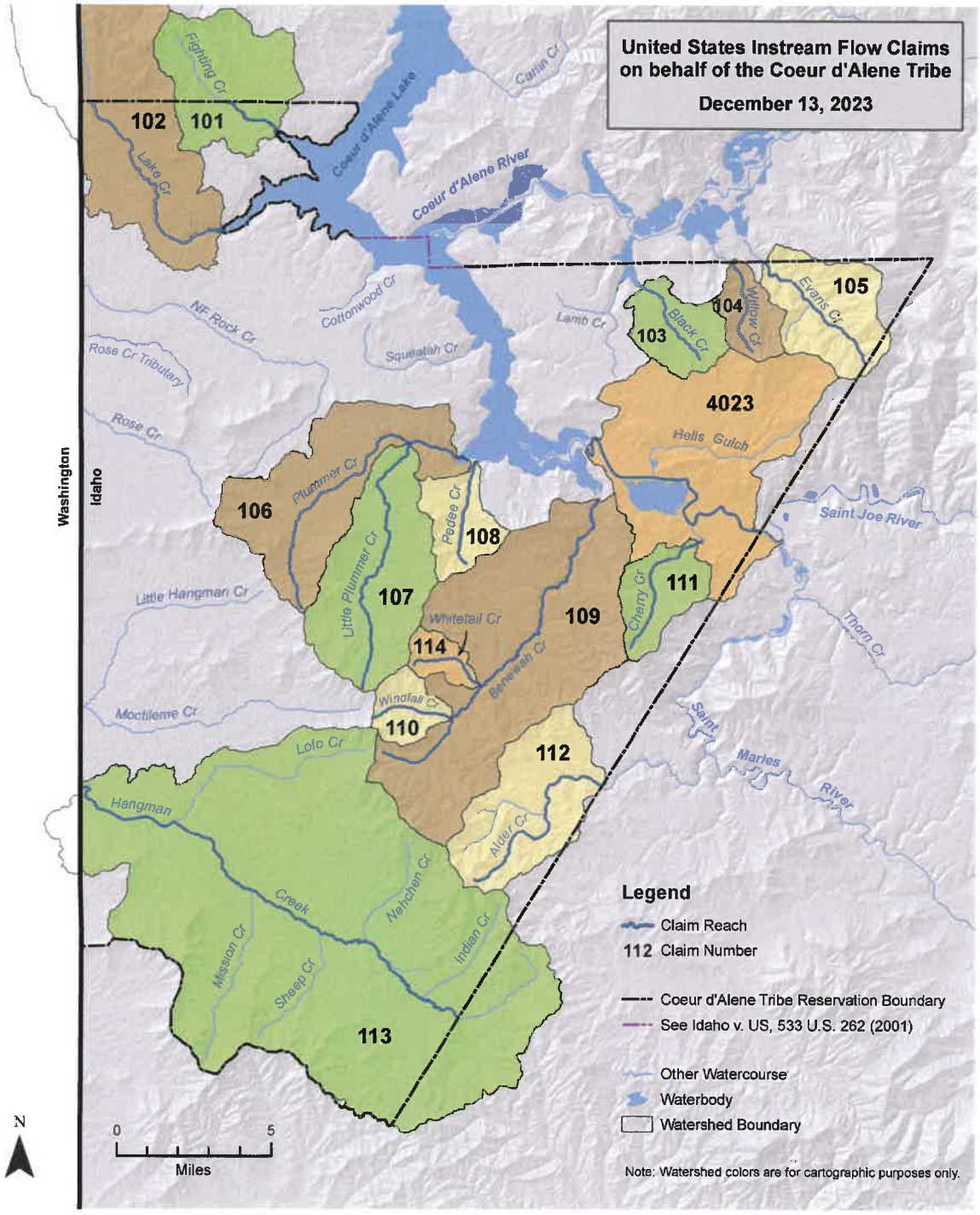
Bryan K. Mercier, Regional Director
Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication. All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice Environment and Natural Resources Division Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202
Attorneys for the United States of America

Dated this 13th day of December 2023.


United States Instream Flow Claims
on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
102
101
104
105
103
4023
106
108
107
109
111
114
110
112
113
Fighting Cr
Lake Cr
Coeur d'Alene Lake
Coeur d'Alene River
Carlin Cr
Cottonwood Cr
NF Rock Cr
Rose Cr Tributary
Rose Cr
Squeatah Cr
Lamb Cr
Black Cr
Willow Cr
Evans Cr
Hells Gulch
Saint Joe River
Plummer Cr
Little Plummer Cr
Pedee Cr
Little Hangman Cr
Whitetail Cr
Cherry Cr
Thorn Cr
Bonanza Cr
Windfall Cr
Moctileme Cr
Lolo Cr
Hangman
Creek
Alder Cr
Saint Maries River
Mehchen Cr
Indian Cr
Mission Cr
Sheep Cr
Legend
Claim Reach
112 Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only.
N
0
5
Miles

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DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM

CASE NO. 49576

AMENDED NOTICE OF CLAIM

Federal Reserved Water Right

Subcase No. 93-7470

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority:

3. Source: Hangman Creek (conditional) (Water Right # 93-7470)
(Fed. ID # 113.2)

Hangman Creek historically provided spawning habitat for anadromous fish, however, downstream dams currently block anadromous fish from returning to Hangman Creek. This conditional claim will apply in the event that anadromous fish passage is restored in the future and those fish return to Hangman Claim to spawn.

4. Point of Diversion: Not applicable; Instream Flow

5. Place of Use:

At all points along the stream reach located between the following boundaries:

Upstream Boundary – Headwaters

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
93-7470	113.2	44N	3W	29	SESE	BM	Benewah

Downstream Boundary – ID State Line

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
93-7470	113.2	45N	6W	36	SENW	BM	Benewah

Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

6. **Purpose of Water Use:**
Fish habitat for fish species harvested within the Reservation - as a component of a water right necessary to fulfill the homeland purpose of the Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra*.

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra*.

8. **Quantity Reserved (In cfs):**

January	February	March	April	May	June
169	169	110	110	58	16
July	August	September	October	November	December
4.5	1.6	1.5	1.7	9.9	49

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755*, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Ca Re CSRBA*, 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

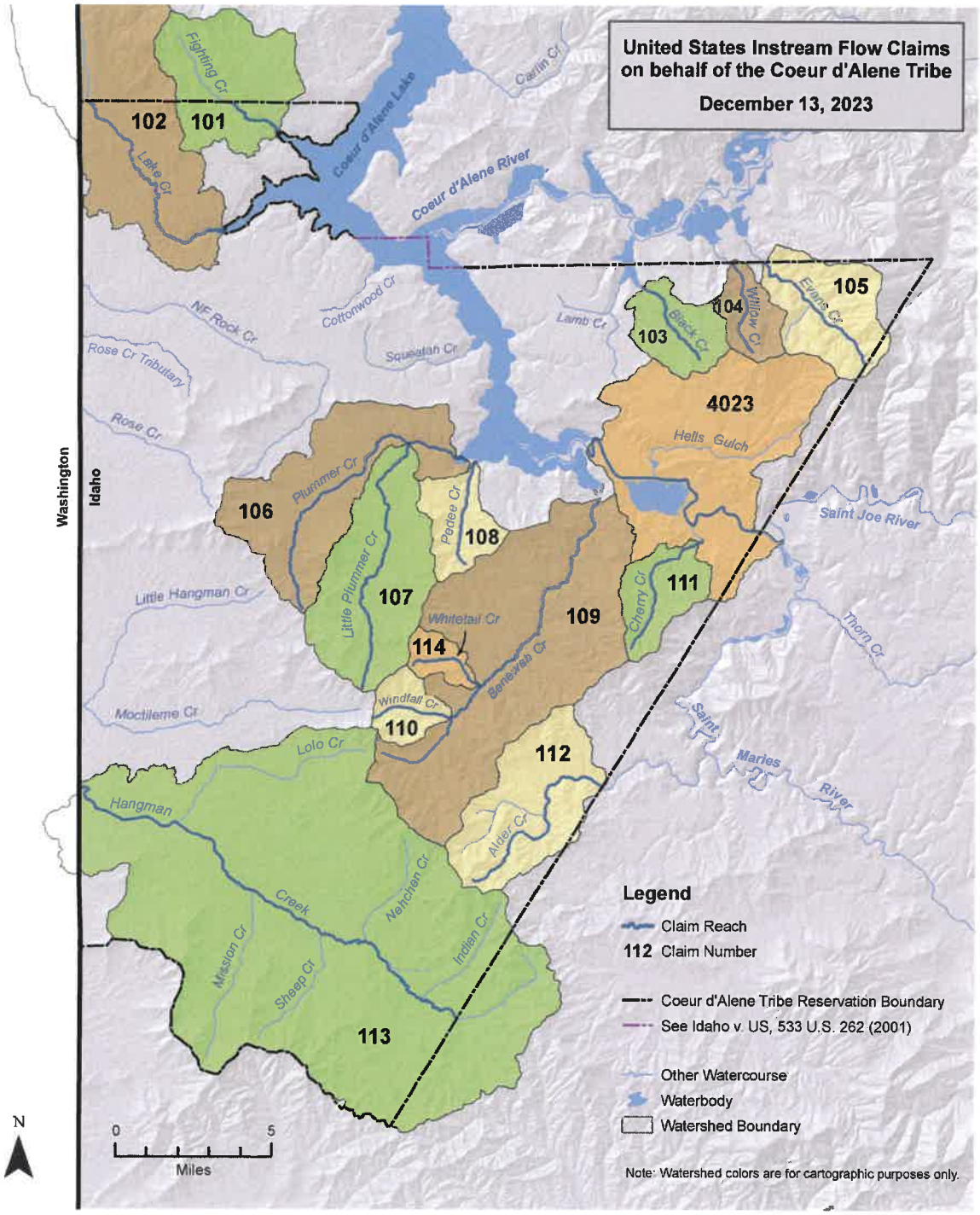
Bryan K. Mercier, Regional Director
Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication. All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice Environment and Natural Resources Division Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202
Attorneys for the United States of America

Dated this 13th day of December 2023.


United States Instream Flow Claims
on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
102
101
Fighting Cr
Lake Cr
Coeur d'Alene Lake
Carlin Cr
Coeur d'Alene River
NF Rock Cr
Cottonwood Cr
Rose Cr Tributary
Rose Cr
Squaitan Cr
Lamb Cr
103
104
105
Black Cr
Willow Cr
Evans Cr
4023
Hells Gulch
Saint Joe River
106
Plummer Cr
Little Plummer Cr
107
Pearee Cr
108
109
Cherry Cr
111
Little Hangman Cr
Whitetail Cr
114
Benewah Cr
Thorn Cr
Moctileme Cr
Windfall Cr
110
112
Saint Maries River
Lolo Cr
Hangman
Creek
Alder Cr
Nehchien Cr
Indian Cr
Mission Cr
Sheep Cr
113
N
0
5
Miles
Legend
Claim Reach
112 Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only.

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DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7471**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873

3. Source: Hangman Creek (Fed. ID # HC0a)
(Water Right # 93-7471)

4. Point of Diversion:

Township: 44N Range: 4W Section: 29 Q: NE1/4 QQ: SW1/4

Pond Storage Location –
Township: 44N Range: 4W Section: 29 Q: NW1/4 QQ: SE1/4

5. Place of Use: Total Acres: 116

Township: 44N	Range: 4W	Section: 28	Q: NW1/4	QQ: SW1/4	Acres: 11.4
Township: 44N	Range: 4W	Section: 29	Q: NE1/4	QQ: NE1/4	Acres: 5.7
Township: 44N	Range: 4W	Section: 29	Q: NE1/4	QQ: NW1/4	Acres: 15.3
Township: 44N	Range: 4W	Section: 29	Q: NE1/4	QQ: SE1/4	Acres: 22.9
Township: 44N	Range: 4W	Section: 29	Q: NE1/4	QQ: SW1/4	Acres: 32.8
Township: 44N	Range: 4W	Section: 29	Q: SE1/4	QQ: NE1/4	Acres: 20.9
Township: 44N	Range: 4W	Section: 29	Q: SE1/4	QQ: NW1/4	Acres: 7.0

See Attached Map.

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 364

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873; the date the Reservation was established by an Executive Order signed by President Ulyssess S. Grant. 1.C. Kapler, Indian Affairs: Law and Treaties 837 (1904). *In Re CSRBA Case No. 49576* 165 Idaho at 525-526, 528-529, 554-558.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has

been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director
Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

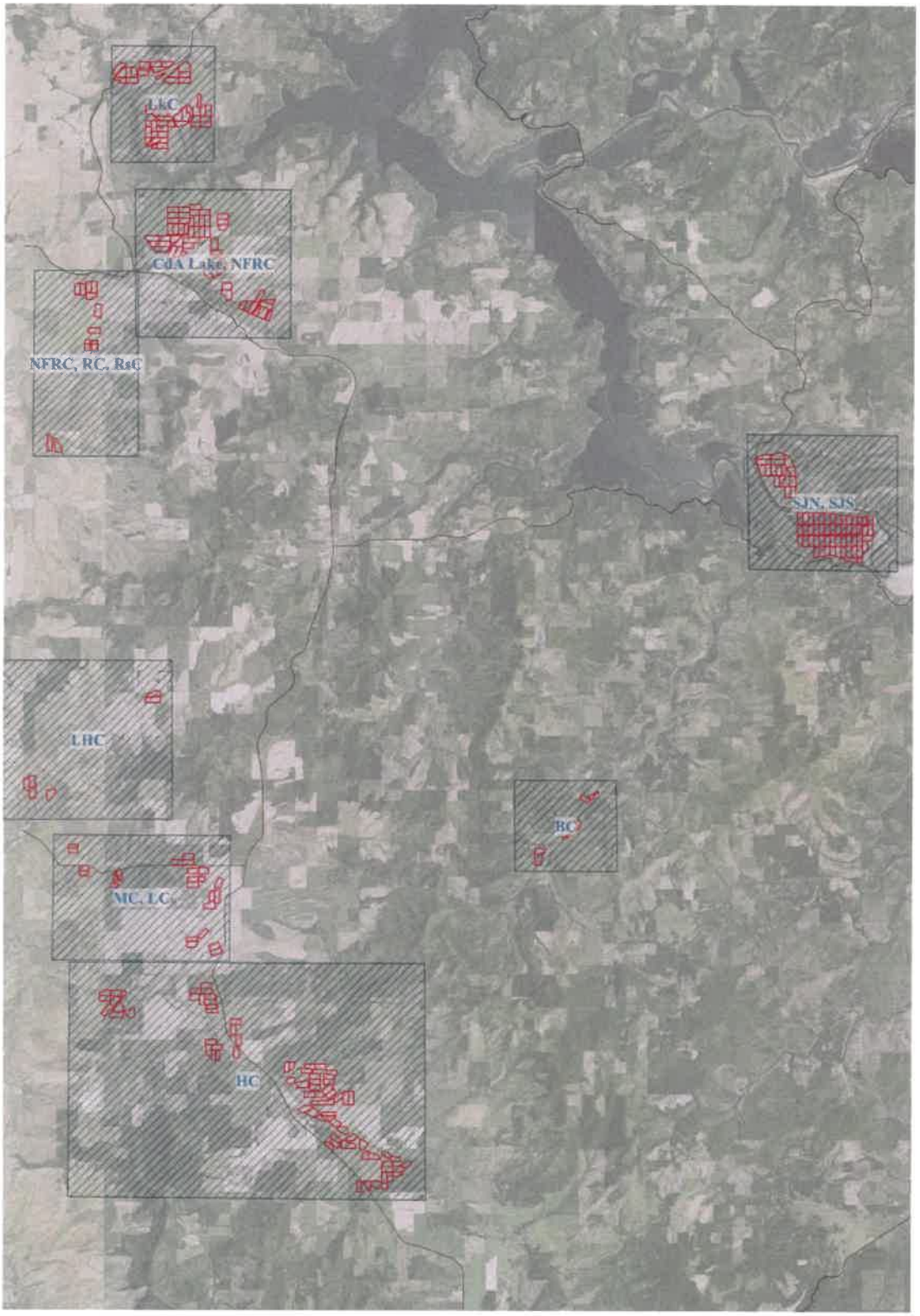
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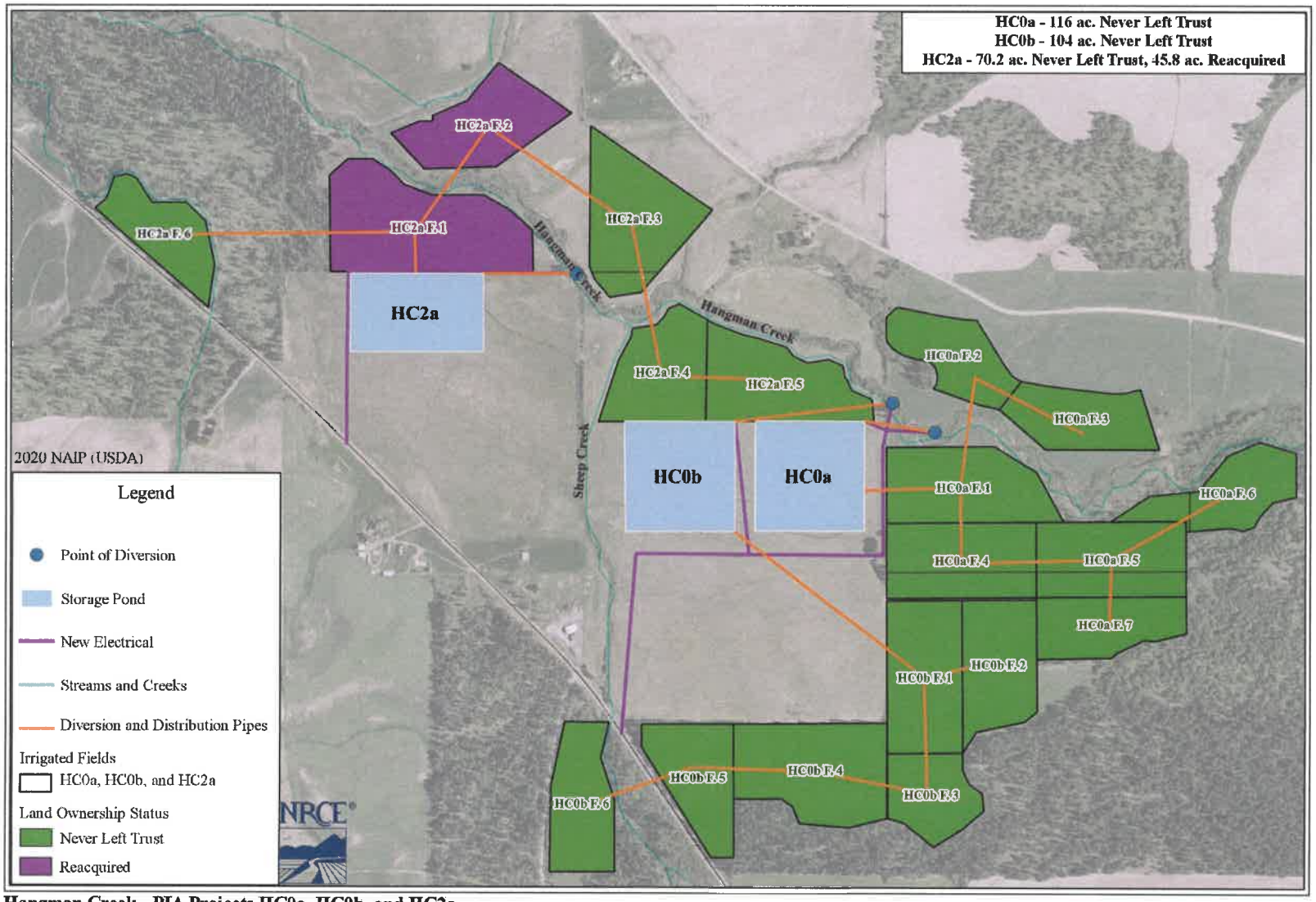
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Hangman Creek - PIA Projects HC0a, HC0b, and HC2a

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DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7472**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873

3. Source: Hangman Creek (Fed. ID # HC0b)
(Water Right # 93-7472)

4. Point of Diversion:

Township: 44N Range: 4W Section: 29 Q: NE1/4 QQ: NW1/4

Pond Storage Location –
Township: 44N Range: 4W Section: 29 Q: NW1/4 QQ: SW1/4

5. Place of Use: Total Acres: 104v

Township: 44N	Range: 4W	Section: 29	Q: SE1/4	QQ: NW1/4	Acres: 32.2
Township: 44N	Range: 4W	Section: 29	Q: SE1/4	QQ: SW1/4	Acres: 17
Township: 44N	Range: 4W	Section: 29	Q: SW1/4	QQ: SE1/4	Acres: 24.4
Township: 44N	Range: 4W	Section: 29	Q: SW1/4	QQ: SW1/4	Acres: 22.3
Township: 44N	Range: 4W	Section: 30	Q: SE1/4	QQ: SE1/4	Acres: 8.1

See Attached Map.

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 330

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873; the date the Reservation was established by an Executive Order signed by President Ulyssess S. Grant. 1.C. Kapler, Indian Affairs: Law and Treaties 837 (1904). *In Re CSRBA Case No. 49576* 165 Idaho at 525-526, 528-529, 554-558.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and

available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

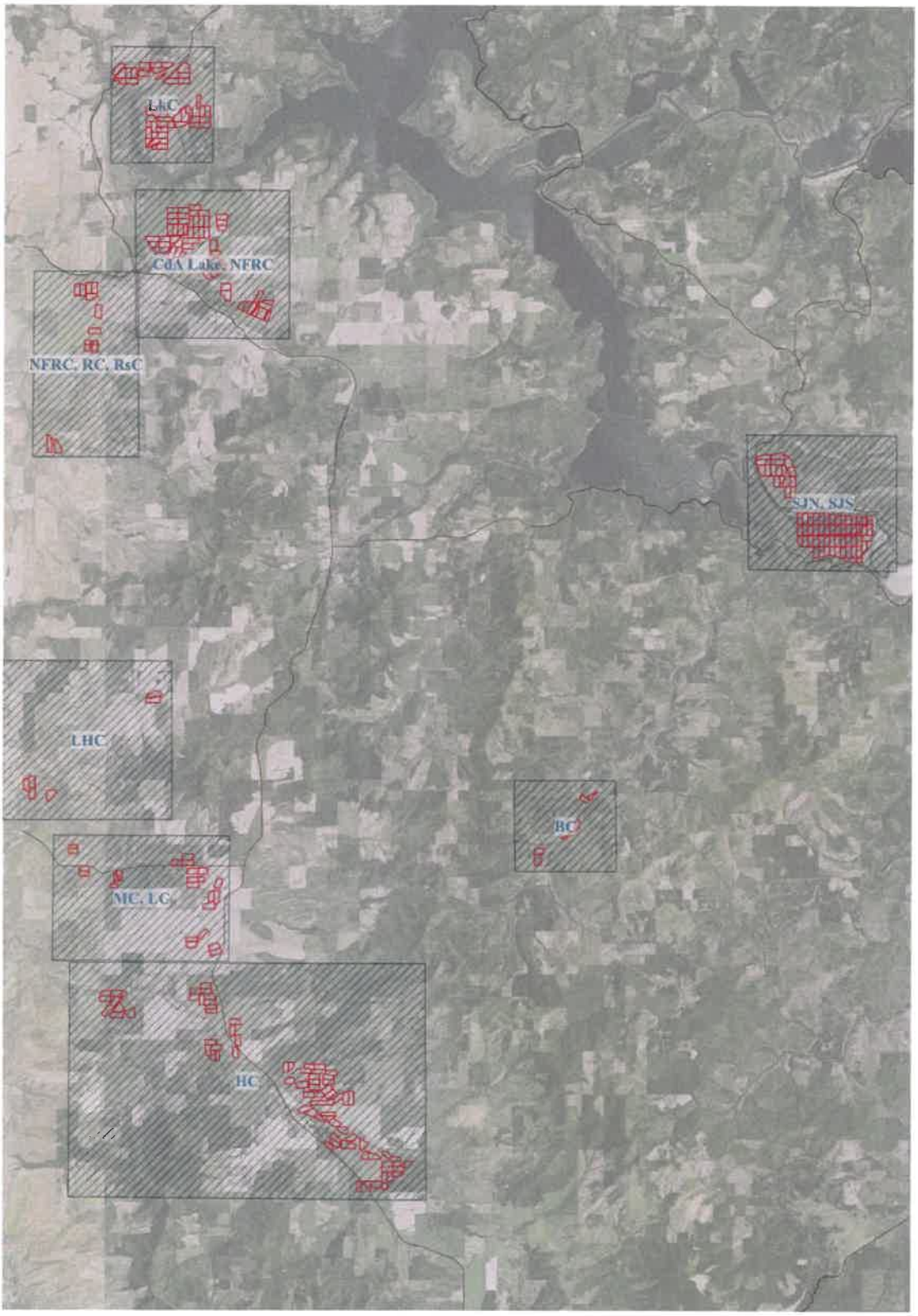
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All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

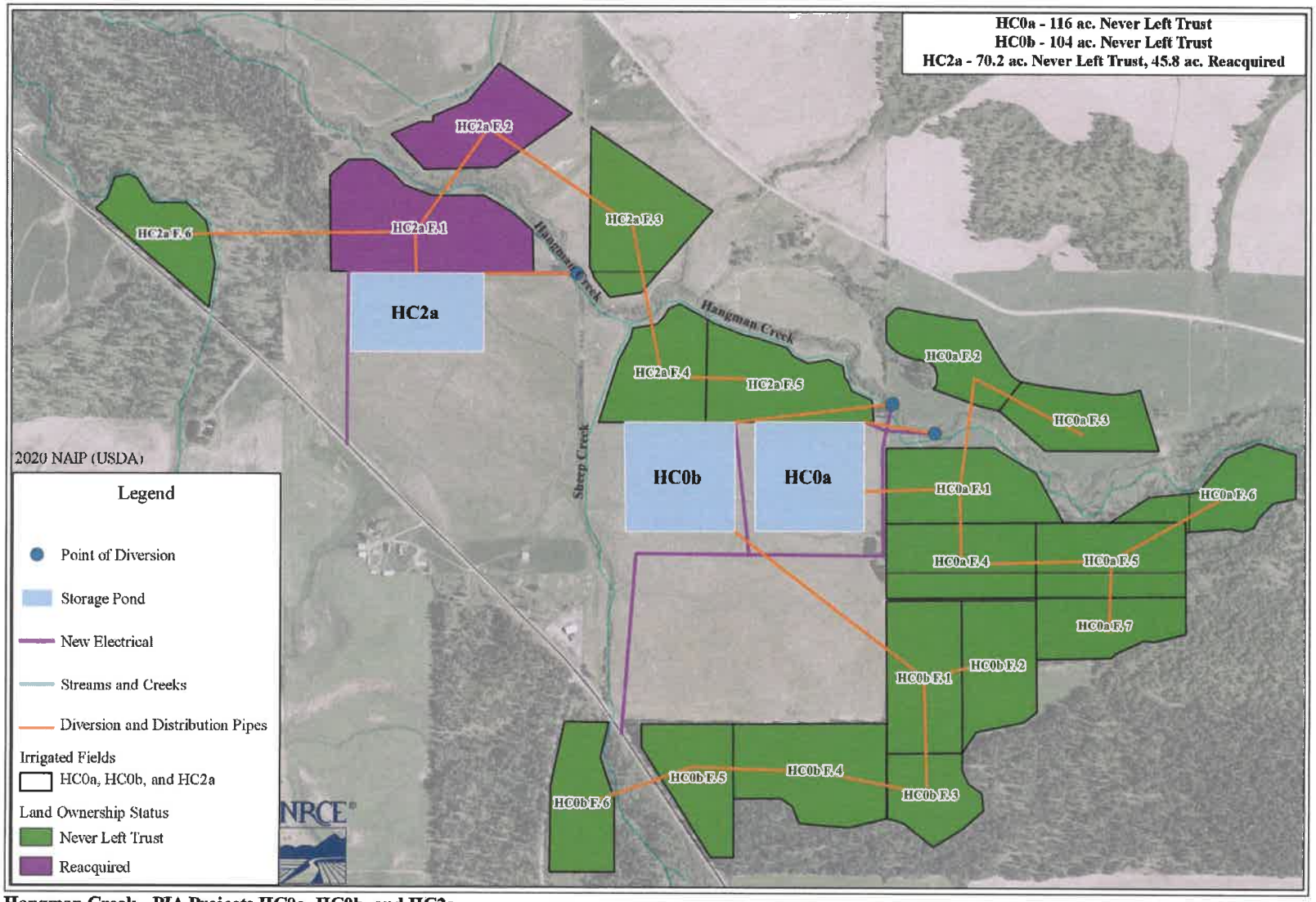
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Hangman Creek - PIA Projects HC0a, HC0b, and HC2a

RECEIVED
APR 08 2024
DEPT OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7473**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873 (Date of Reservation) or, if applicable, Date of Reacquisition by Tribe.

3. Source: Hangman Creek (Fed. ID # HC2a)
(Water Right # 93-7473)

4. Point of Diversion:

Township: 44N Range: 4W Section: 30 Q: NE1/4 QQ: NE1/4

Pond Storage Location –
Township: 44N Range: 4W Section: 30 Q: NE1/4 QQ: NE1/4
Township: 44N Range: 4W Section: 30 Q: NE1/4 QQ: NW1/4

5. Place of Use: Total Acres: 116

The legal descriptions in italics below include reacquired lands as shown in purple on the attached map.

Township: 44N	Range: 4W	Section: 29	Q: NW1/4	QQ: NE1/4	Acres: 14.5
Township: 44N	Range: 4W	Section: 29	Q: NW1/4	QQ: NW1/4	Acres: 23.6
Township: 44N	Range: 4W	Section: 20	Q: SW1/4	QQ: SW1/4	Acres: 19.5
Township: 44N	*Range: 4W*	*Section: 19*	*Q: SE1/4*	*QQ: NE1/4*	*Acres: 7.1*

Township: 44N	*Range: 4W*	*Section: 19*	*Q: SE1/4*	*QQ: SE1/4*	*Acres: 20.8*
Township: 44N	Range: 4W	Section: 19	Q: SW1/4	QQ: SE1/4	Acres: 8.7
Township: 44N	Range: 4W	Section: 19	Q: SW1/4	QQ: L4	Acres: 2.5
Township: 44N	Range: 4W	Section: 30	Q: NW1/4	QQ: L5	Acres: 1.4
Township: 44N	*Range: 4W*	*Section: 19*	*Q: SE1/4*	*QQ: SE1/4*	*Acres: 17.9*

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 364

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873 (the date the Reservation was established), or, if applicable, the date of Reacquisition by the Tribe, subject to carryover of any homesteader's priority date. *In Re CSRBA*, 165 Idaho at 525-26, 528-29, 554-58.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this

format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

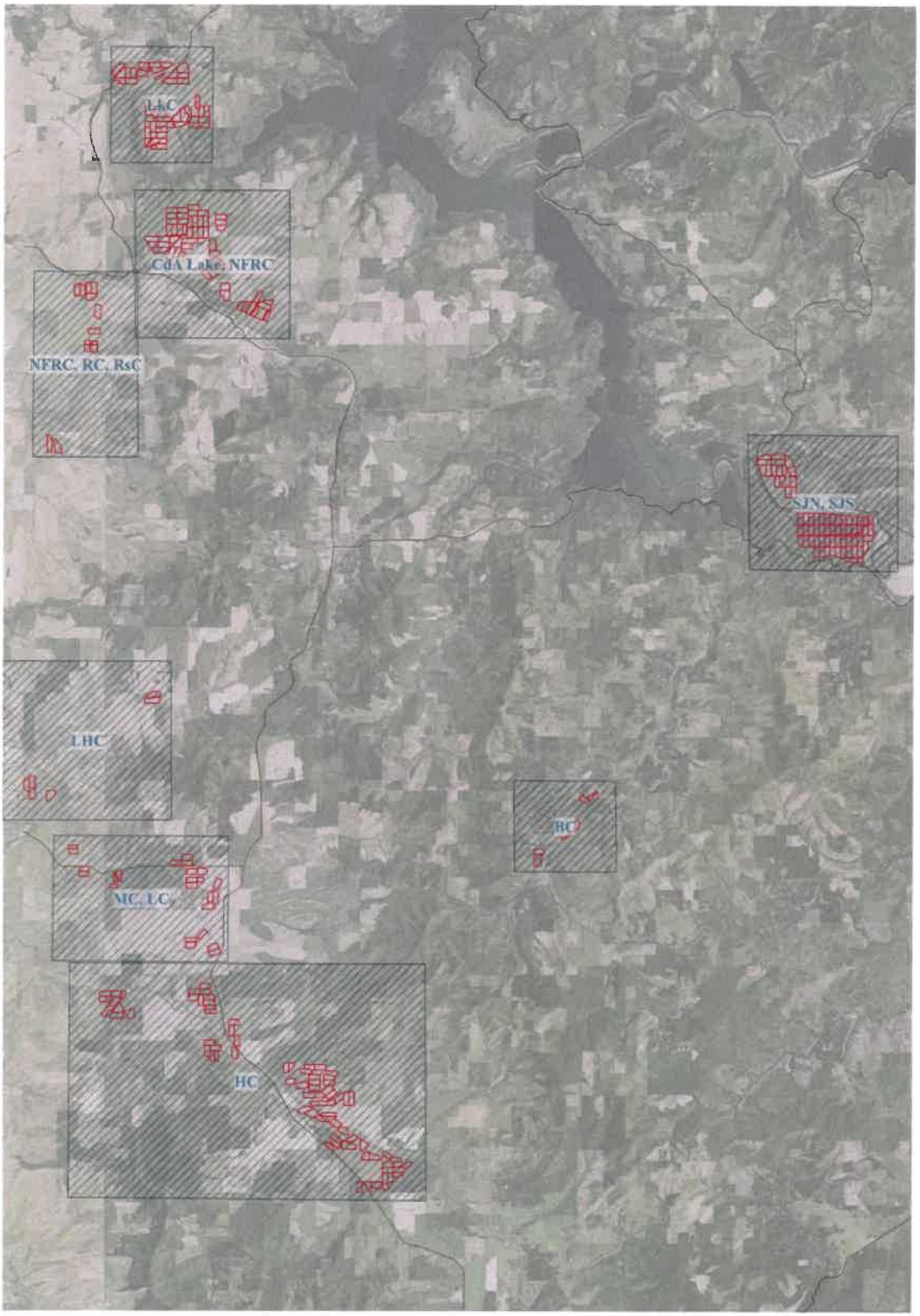
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

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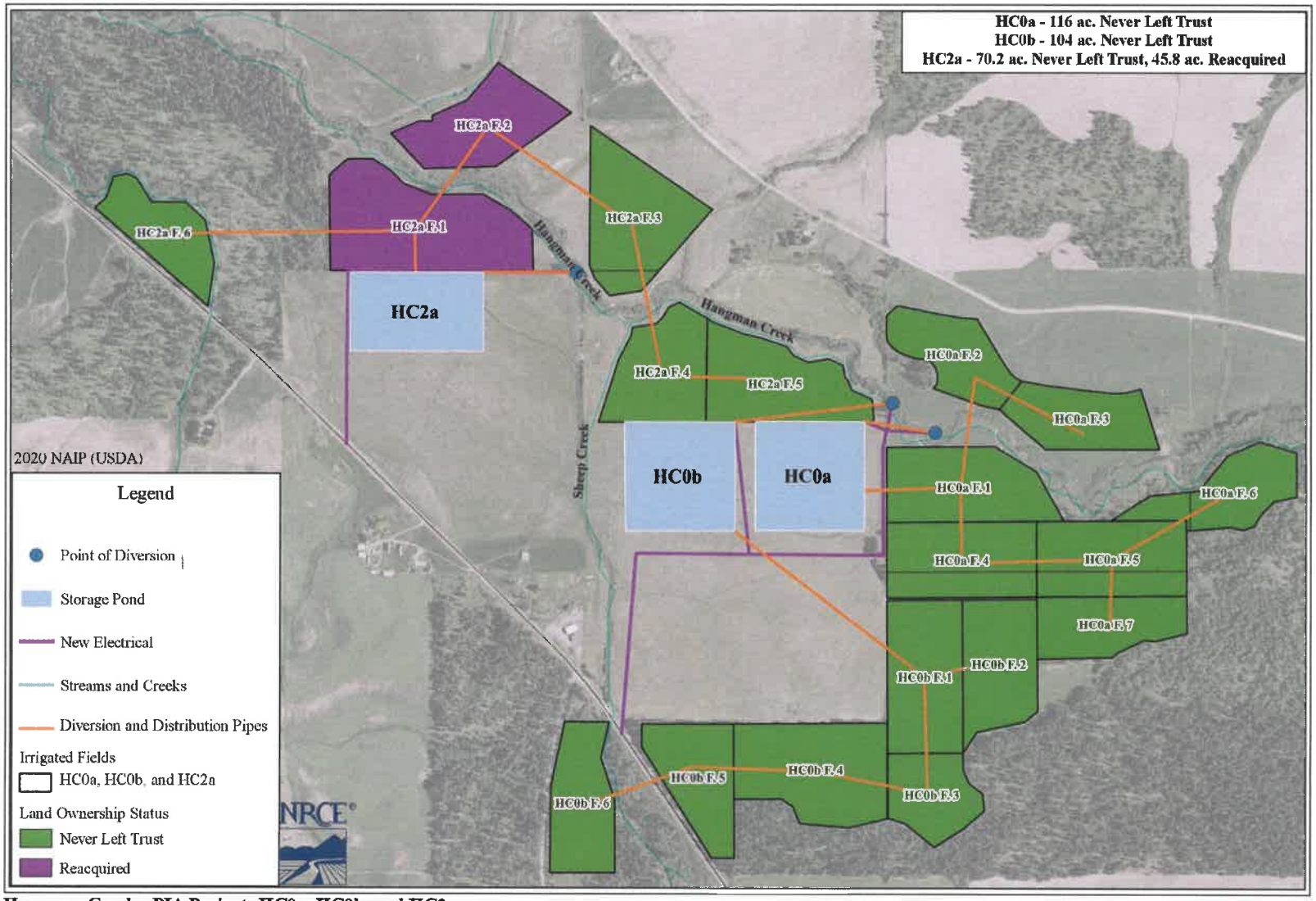
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Hangman Creek - PIA Projects HC0a, HC0b, and HC2a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	)	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No. 93-7474**

1. **Name and address of claimant:**

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** November 8, 1873 (Date of Reservation) or, if applicable, Date of Reacquisition by Tribe.

3. **Source:** Hangman Creek (Fed. ID # HC4a)
(Water Right # 93-7474)

4. **Point of Diversion:**

Township: 44N Range: 4W Section: 19 Q: SW1/4 QQ: NE1/4

Pond Storage Location –
Township: 44N Range: 4W Section: 19 Q: SW1/4 QQ: NE1/4
Township: 44N Range: 4W Section: 19 Q: SW1/4 QQ: L3
Township: 44N Range: 4W Section: 19 Q: SW1/4 QQ: L4
Township: 44N Range: 4W Section: 19 Q: SW1/4 QQ: SE1/4

5. **Place of Use:** Total Acres: 76

The legal descriptions in italics below include reacquired lands as shown in purple on the attached map.

Township: 44N Range: 4W Section: 19 Q: SE1/4 QQ: NW1/4 Acres: 19.7
Township: 44N Range: 4W Section: 19 Q: SE1/4 QQ: SW1/4 Acres: 8.2

Township: 44N	Range: 4W	Section: 19	Q: SW1/4	QQ: NE1/4	Acres: 8.3
Township: 44N	Range: 4W	Section: 19	Q: SW1/4	QQ: SE1/4	Acres: 19.7
Township: 44N	Range: 4W	Section: 19	Q: NE1/4	QQ: SW1/4	Acres: 3.4
Township: 44N	Range: 4W	Section: 19	Q: NW1/4	QQ: SE1/4	Acres: 16.7

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 246

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873 (the date the Reservation was established), or, if applicable, the date of Reacquisition by the Tribe, subject to carryover of any homesteader's priority date. *In Re CSRBA*, 165 Idaho at 525-26, 528-29, 554-58.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to

limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director
Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

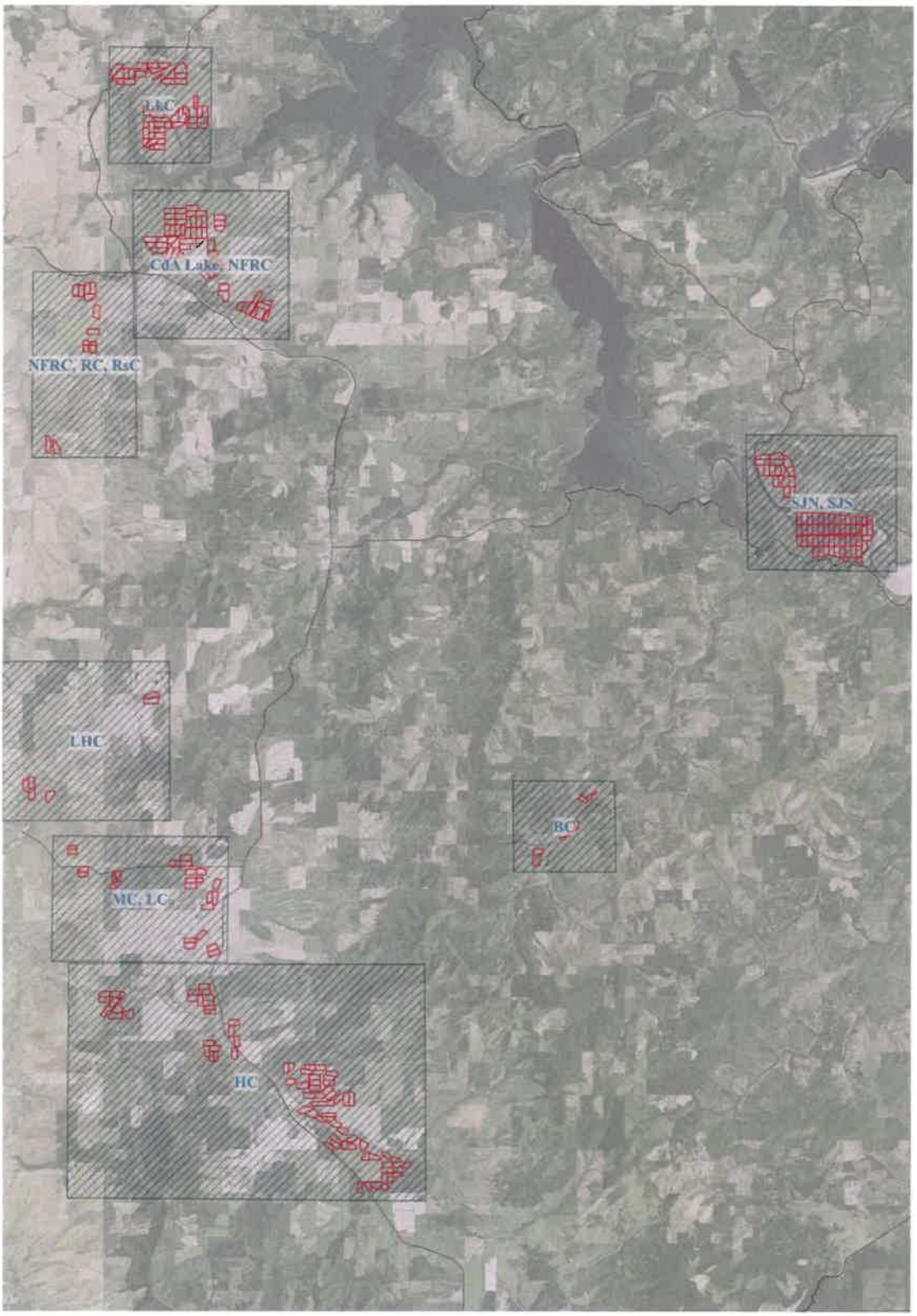
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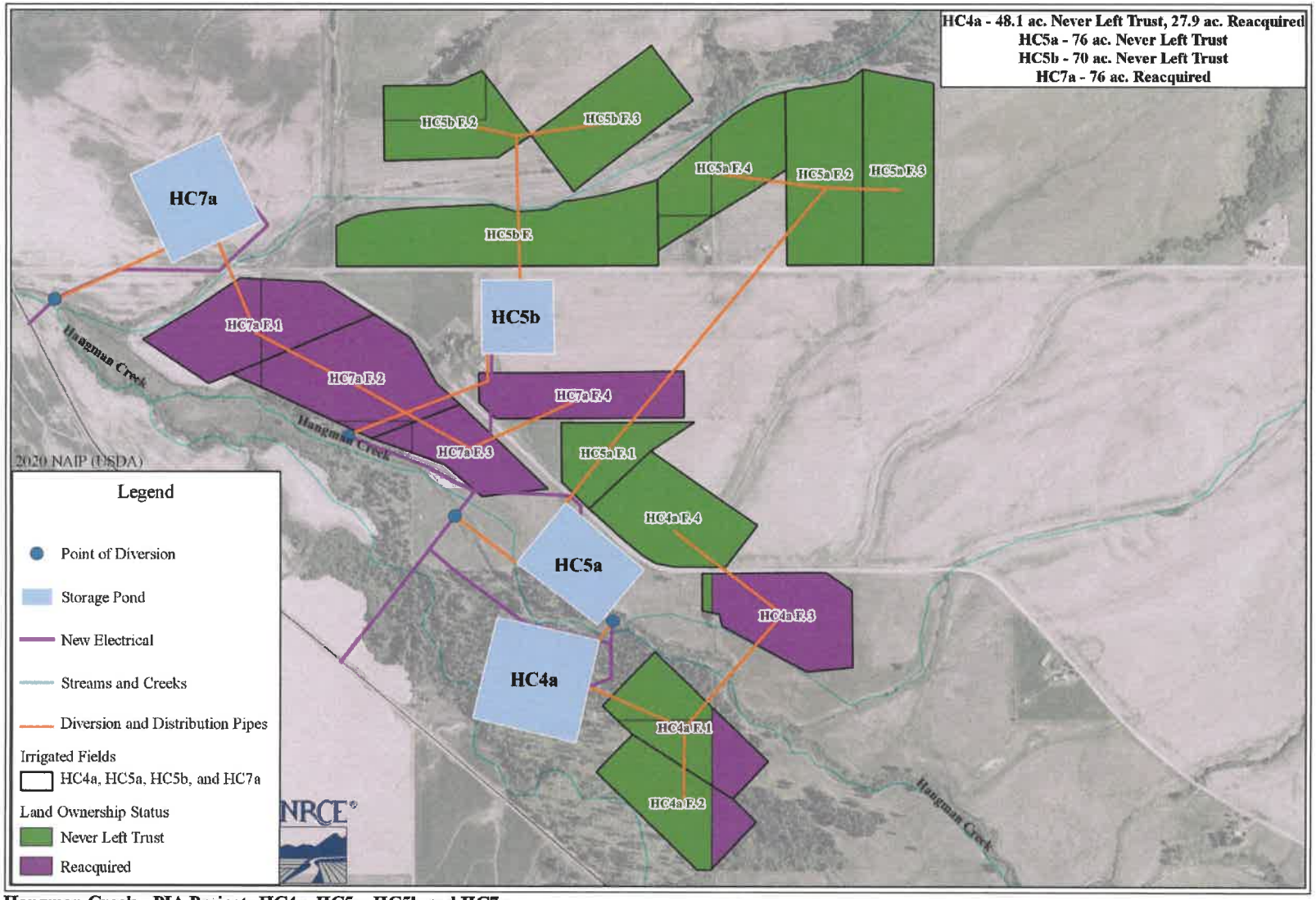
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Hangman Creek - PIA Projects HC4a, HC5a, HC5b and HC7a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7475**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873

3. Source: Hangman Creek (Fed. ID # HC5a)
(Water Right # 93-7475)

4. Point of Diversion:

Township: 44N Range: 4W Section: 19 Q: NW1/4 QQ: L2

Pond Storage Location –

Township: 44N	Range: 4W	Section: 19	Q: SW1/4	QQ: NE1/4
Township: 44N	Range: 4W	Section: 19	Q: NW1/4	QQ: SE1/4
Township: 44N	Range: 4W	Section: 19	Q: NW1/4	QQ: L2
Township: 44N	Range: 4W	Section: 19	Q: SW1/4	QQ: L3

5. Place of Use: Total Acres: 76

Township: 44N	Range: 4W	Section: 19	Q: NW1/4	QQ: SE1/4	Acres: 10.8
Township: 44N	Range: 4W	Section: 18	Q: SE1/4	QQ: SE1/4	Acres: 18.5
Township: 44N	Range: 4W	Section: 18	Q: SE1/4	QQ: SW1/4	Acres: 29.6
Township: 44N	Range: 4W	Section: 18	Q: SW1/4	QQ: L7	Acres: 5.7
Township: 44N	Range: 4W	Section: 18	Q: SW1/4	QQ: L8	Acres: 1.7
Township: 44N	Range: 4W	Section: 18	Q: SE1/4	QQ: NE1/4	Acres: 4.4

Township: 44N Range: 4W Section: 18 Q: SE1/4 QQ: NW1/4 Acres: 5.3

See Attached Map.

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 248

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873; the date the Reservation was established by an Executive Order signed by President Ulyssess S. Grant. 1.C. Kapler, Indian Affairs: Law and Treaties 837 (1904). *In Re CSRBA Case No. 49576* 165 Idaho at 525-526, 528-529, 554-558.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by

IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

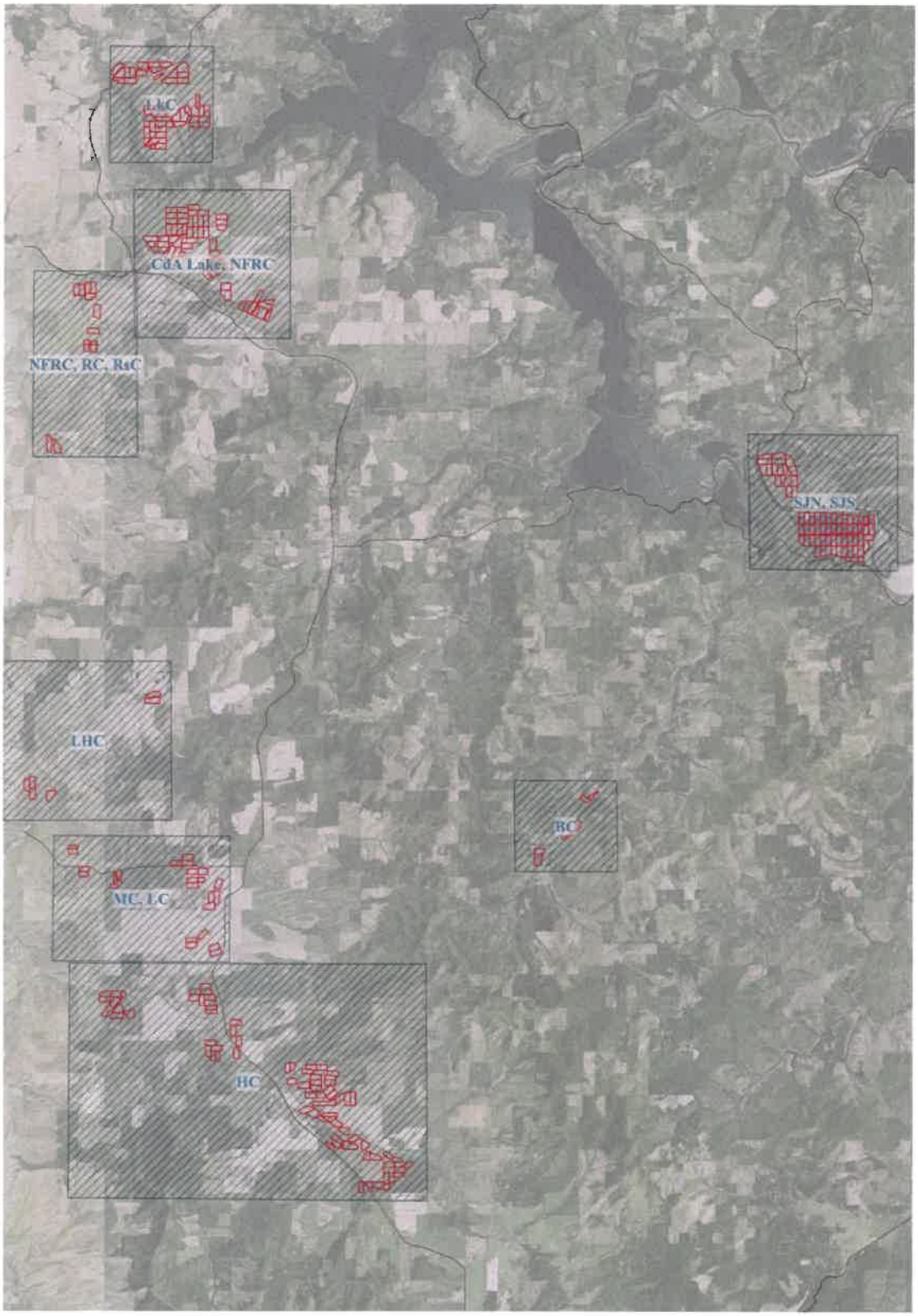
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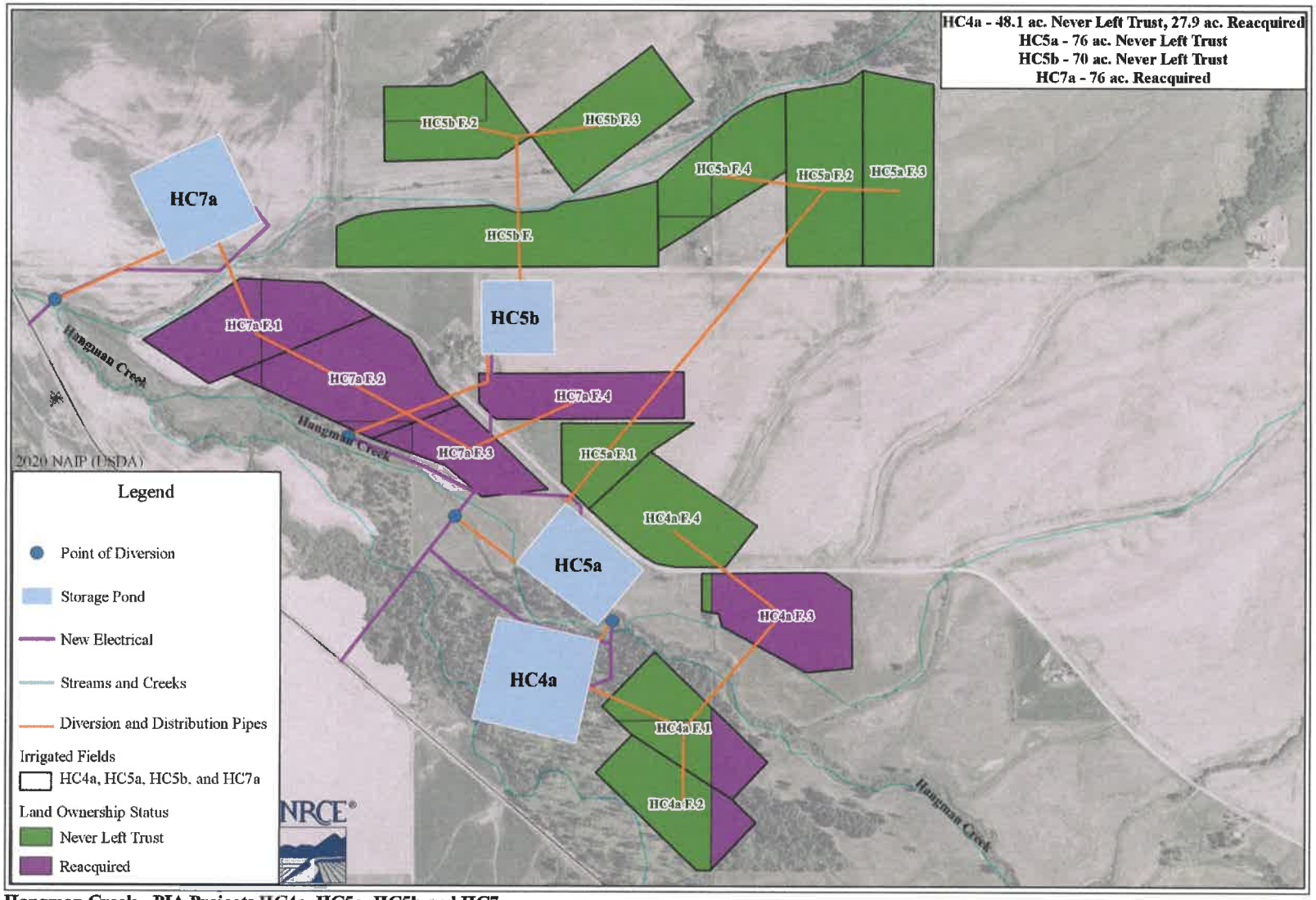
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Hangman Creek - PIA Projects HC4a, HC5a, HC5b and HC7a

RECEIVED
APR 08 2024
DEPT OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7476**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873

3. Source: Hangman Creek (Fed. ID # HC5b)
(Water Right # 93-7476)

4. Point of Diversion:

Township: 44N Range: 5W Section: 24 Q: NE1/4 QQ: SE1/4

Pond Storage Location –
Township: 44N Range: 4W Section: 19 Q: L1 QQ: NW1/4

5. Place of Use: Total Acres: 70

Township: 44N	Range: 4W	Section: 18	Q: SW1/4	QQ: L4	Acres: 24.0
Township: 44N	Range: 4W	Section: 18	Q: SW1/4	QQ: L7	Acres: 19.8
Township: 44N	Range: 4W	Section: 18	Q: SW1/4	QQ: NE1/4	Acres: 9.4
Township: 44N	Range: 4W	Section: 18	Q: SW1/4	QQ: L5	Acres: 1.3
Township: 44N	Range: 4W	Section: 18	Q: SW1/4	QQ: L6	Acres: 5.1
Township: 44N	Range: 5W	Section: 13	Q: SE1/4	QQ: NE1/4	Acres: 1.6

See Attached Map.

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 231

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873; the date the Reservation was established by an Executive Order signed by President Ulyssess S. Grant. 1.C. Kapler, Indian Affairs: Law and Treaties 837 (1904). *In Re CSRBA Case No. 49576* 165 Idaho at 525-526, 528-529, 554-558.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and

available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

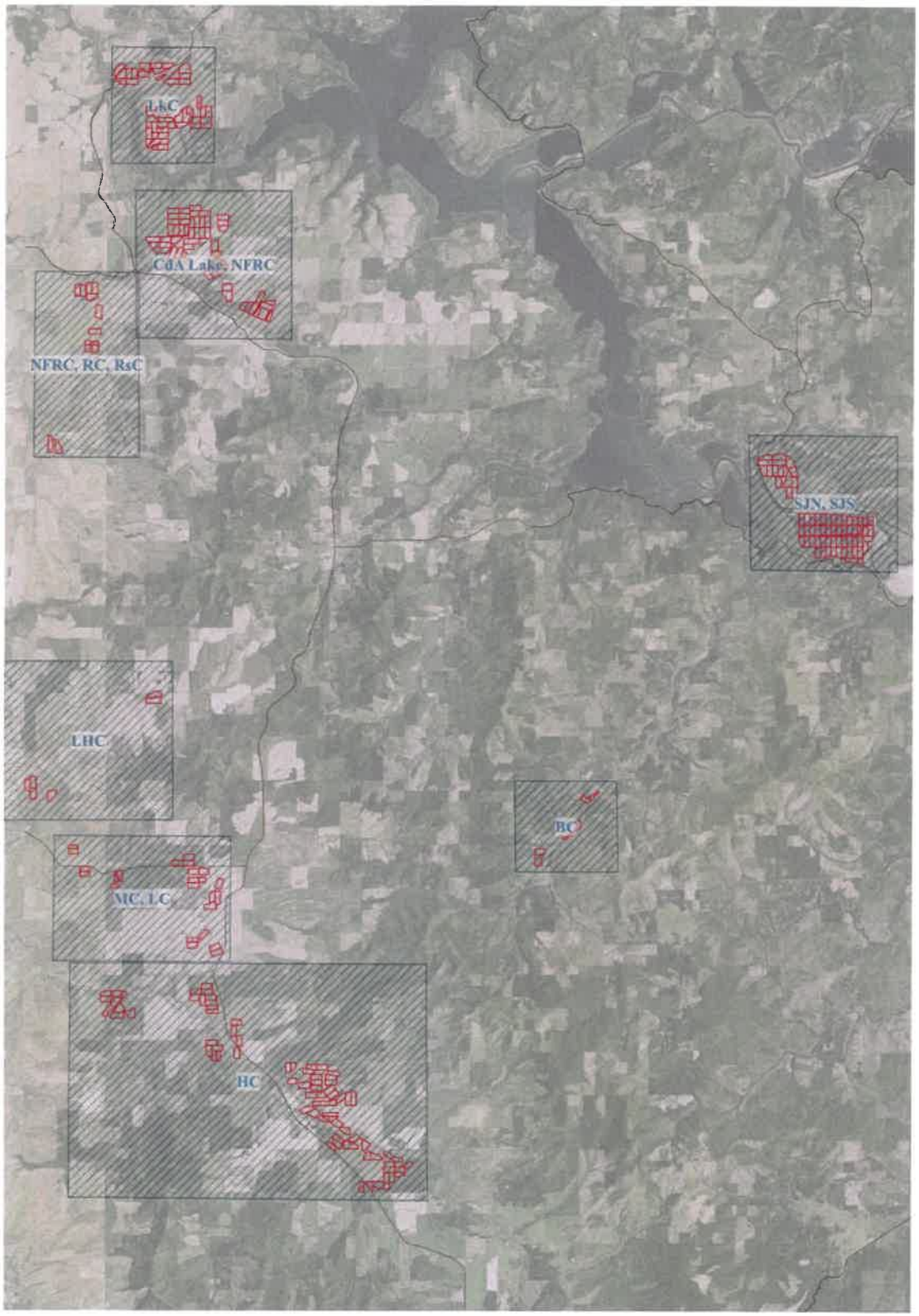
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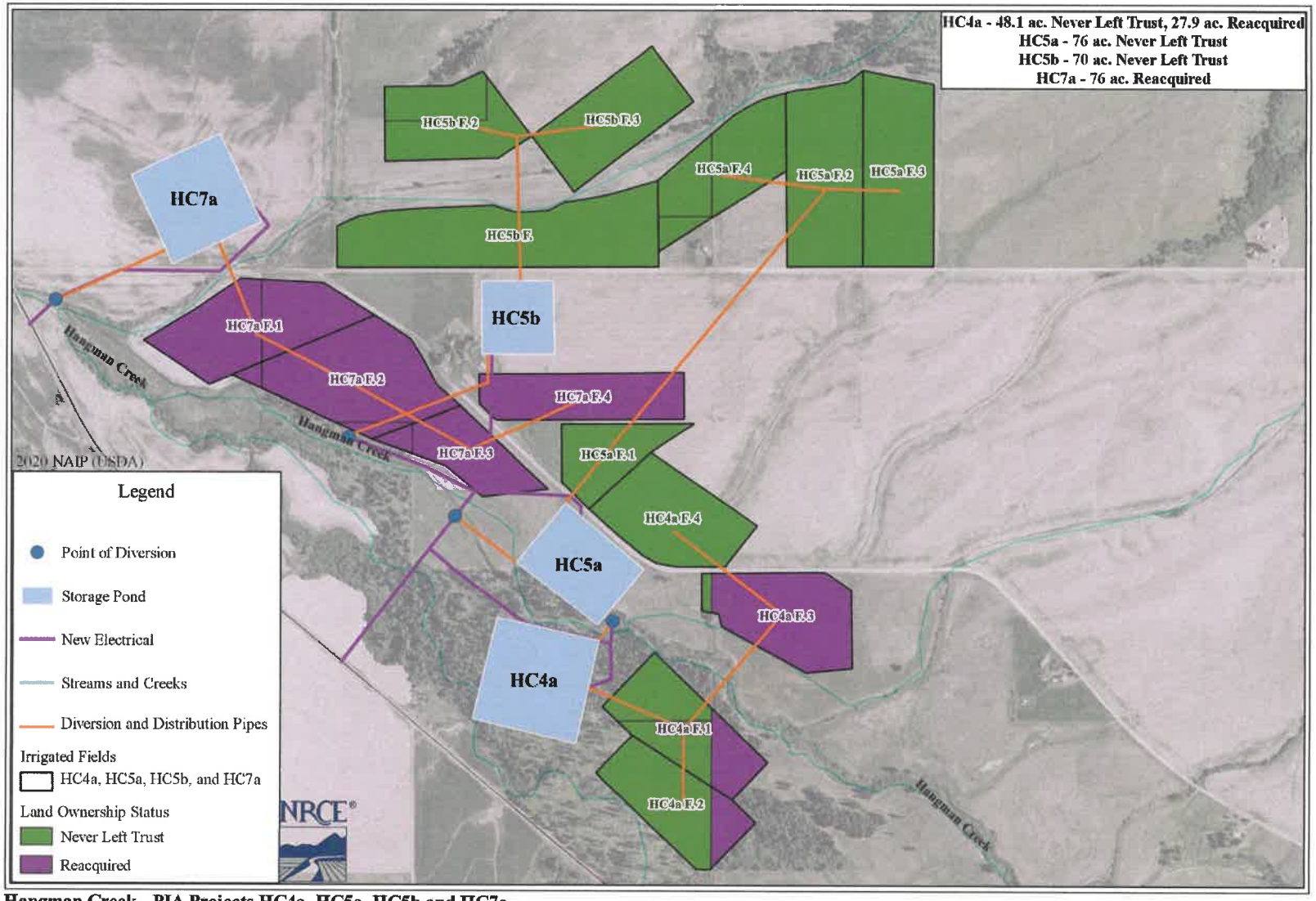
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Hangman Creek - PIA Projects HC4a, HC5a, HC5b and HC7a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	)	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No. 93-7477**

1. **Name and address of claimant:**

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** November 8, 1873 (Date of Reservation) or, if applicable, Date of Reacquisition by Tribe.

3. **Source:** Hangman Creek (Fed. ID # HC7a)
(Water Right # 93-7477)

4. **Point of Diversion:**

Township: 44N Range: 5W Section: 24 Q: NW1/4 QQ: NE1/4

Pond Storage Location –
Township: 44N Range: 5W Section: 13 Q: SE1/4 QQ: SW1/4

5. **Place of Use:** Total Acres: 76

The legal descriptions in italics below include reacquired lands as shown in purple on the attached map.

Township: 44N	Range: 5W	Section: 24	Q: NE1/4	QQ: NW1/4	Acres: 13.7
Township: 44N	Range: 5W	Section: 24	Q: NE1/4	QQ: NE1/4	Acres: 29.6
Township: 44N	Range: 4W	Section: 19	Q: NW1/4	QQ: L1	Acres: 10.3
Township: 44N	Range: 4W	Section: 19	Q: NW1/4	QQ: NE1/4	Acres: 9.9
Township: 44N	Range: 4W	Section: 19	Q: NW1/4	QQ: L2	Acres: 10.2

Township: 44N Range: 5W Section: 24 Q: NE1/4 QQ: SE1/4 Acres: 2.3

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 248

9. **Basis of Claim:**

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873 (the date the Reservation was established), or, if applicable, the date of Reacquisition by the Tribe, subject to carryover of any homesteader's priority date. *In Re CSRBA*, 165 Idaho at 525-26, 528-29, 554-58.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene

Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director
Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

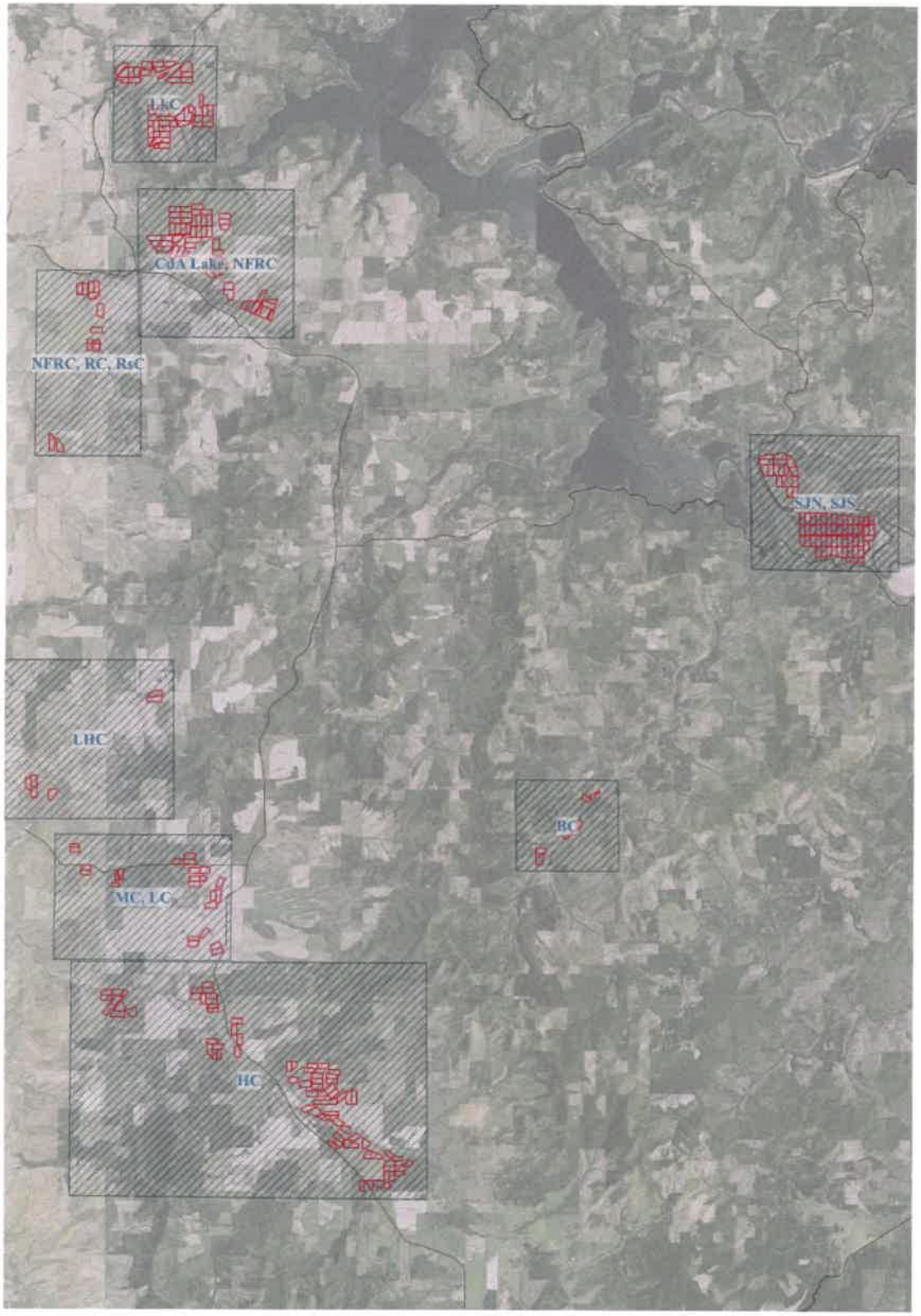
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

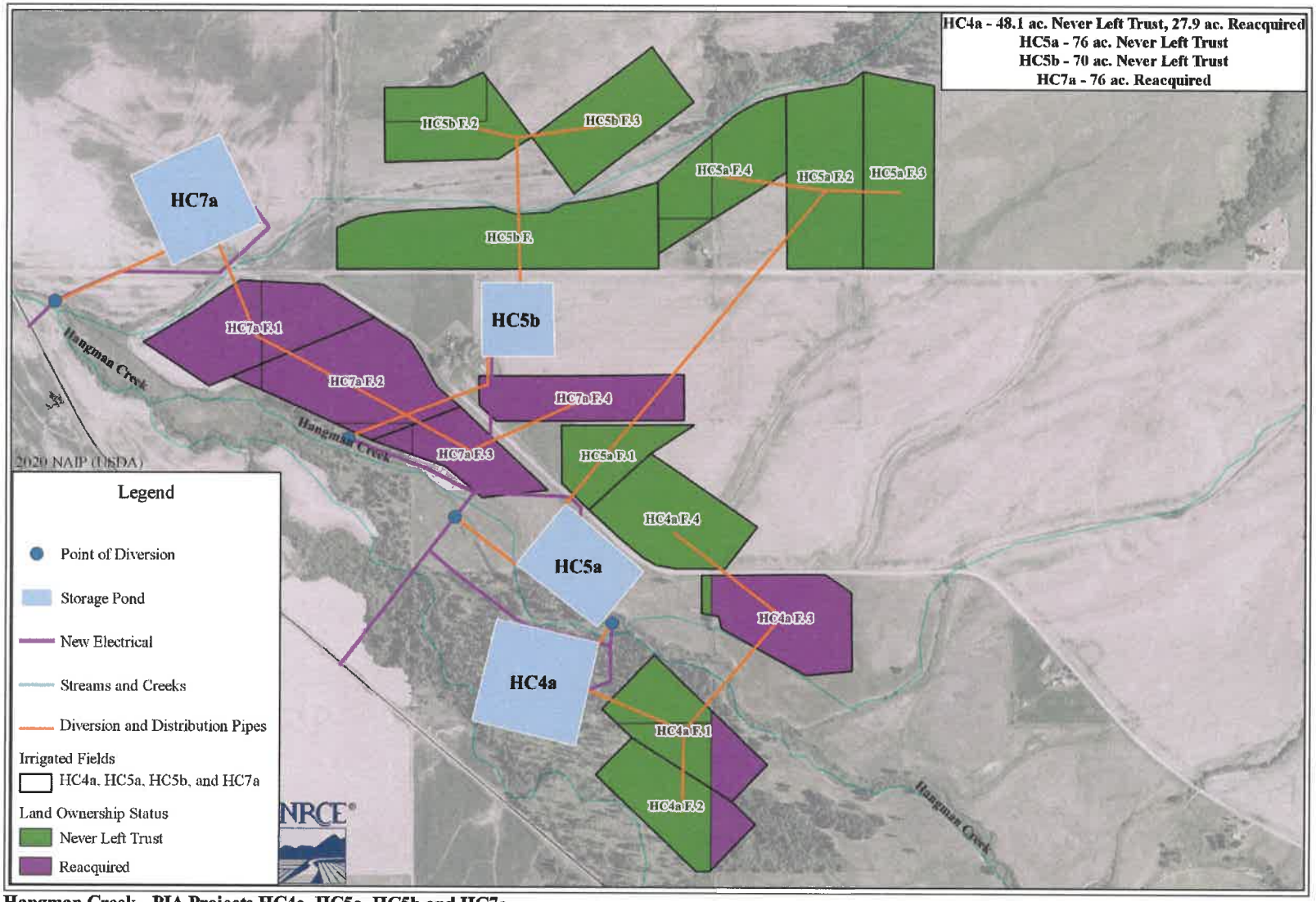
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Hangman Creek - PIA Projects HC4a, HC5a, HC5b and HC7a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7478**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873 (Date of Reservation) or, if applicable, Date of Reacquisition by Tribe.

3. Source: Hangman Creek (Fed. ID # HC7b)
(Water Right # 93-7478)

4. Point of Diversion:

Township: 44N Range: 5W Section: 24 Q: NW1/4 QQ: NE1/4

Pond Storage Location –

Township: 44N	Range: 5W	Section: 13	Q: SE1/4	QQ: NW1/4
Township: 44N	Range: 5W	Section: 13	Q: SW1/4	QQ: NE1/4
Township: 44N	Range: 5W	Section: 13	Q: SW1/4	QQ: SE1/4
Township: 44N	Range: 5W	Section: 13	Q: SE1/4	QQ: SW1/4

5. Place of Use: Total Acres: 74

The legal descriptions in italics below include reacquired lands as shown in purple on the attached map.

Township: 44N	*Range: 5W*	*Section: 13*	*Q: SE1/4*	*QQ: NE1/4*	*Acres: 7.4*
Township: 44N	*Range: 5W*	*Section: 13*	*Q: SE1/4*	*QQ: NW1/4*	*Acres: 1.5*

Township: 44N	*Range: 5W*	*Section: 13*	*Q: SE1/4*	*QQ: SE1/4*	*Acres: 8.9*
Township: 44N	*Range: 5W*	*Section: 13*	*Q: SE1/4*	*QQ: SW1/4*	*Acres: 1.9*
Township: 44N	Range: 5W	Section: 13	Q: NE1/4	QQ: NE1/4	Acres: 26.9
Township: 44N	Range: 5W	Section: 13	Q: NE1/4	QQ: NE1/4	Acres: 26.9
Township: 44N	*Range: 5W*	*Section: 13*	*Q: NE1/4*	*QQ: SE1/4*	*Acres: 1.1*
Township: 44N	*Range: 5W*	*Section: 13*	*Q: NE1/4*	*QQ: SW1/4*	*Acres: 0.8*
Township: 44N	Range: 4W	Section: 18	Q: NW1/4	QQ: L1	Acres: 17.2

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 243

9. **Basis of Claim:**

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873 (the date the Reservation was established), or, if applicable, the date of Reacquisition by the Tribe, subject to carryover of any homesteader's priority date. *In Re CSRBA*, 165 Idaho at 525-26, 528-29, 554-58.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights

claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

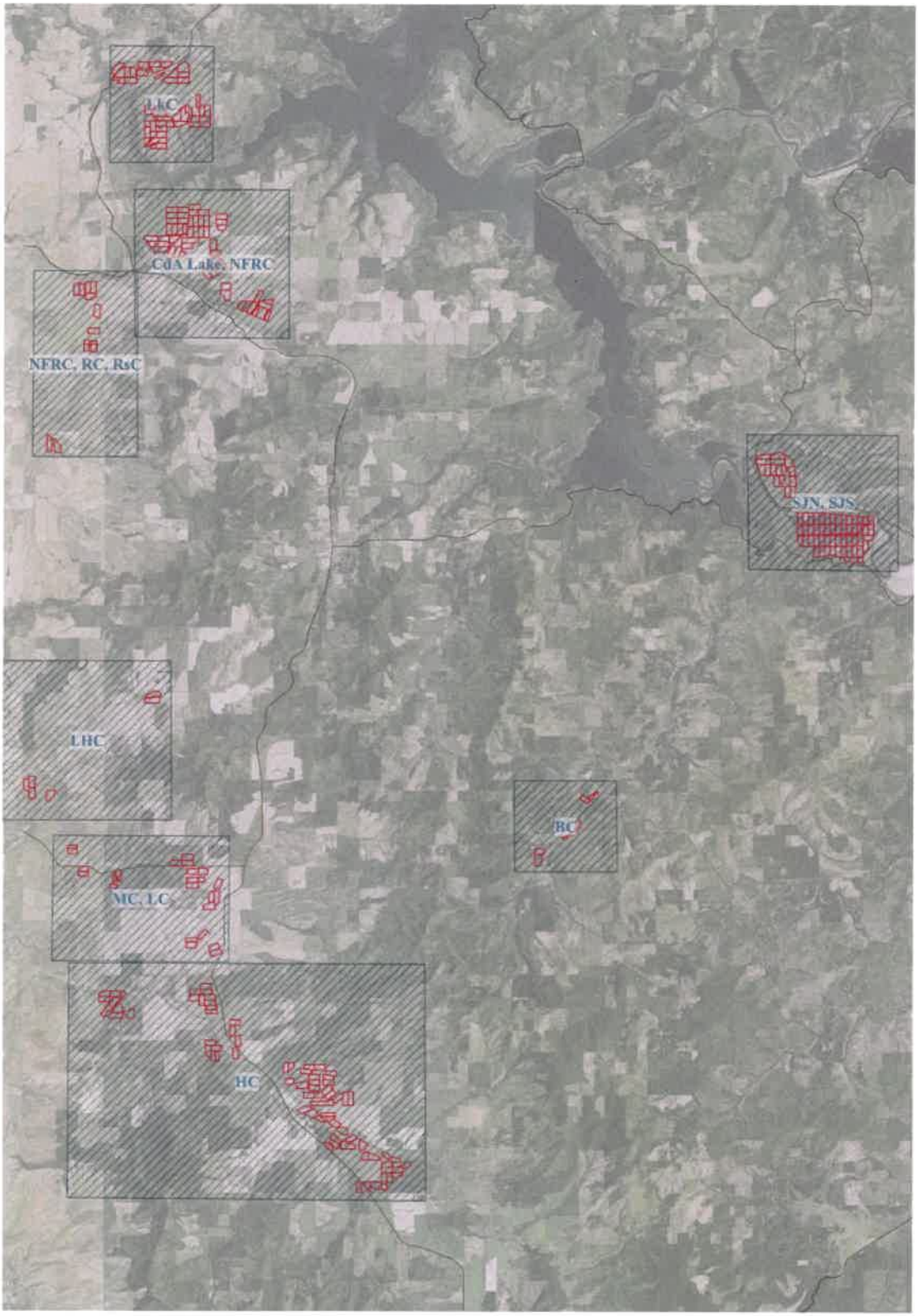
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

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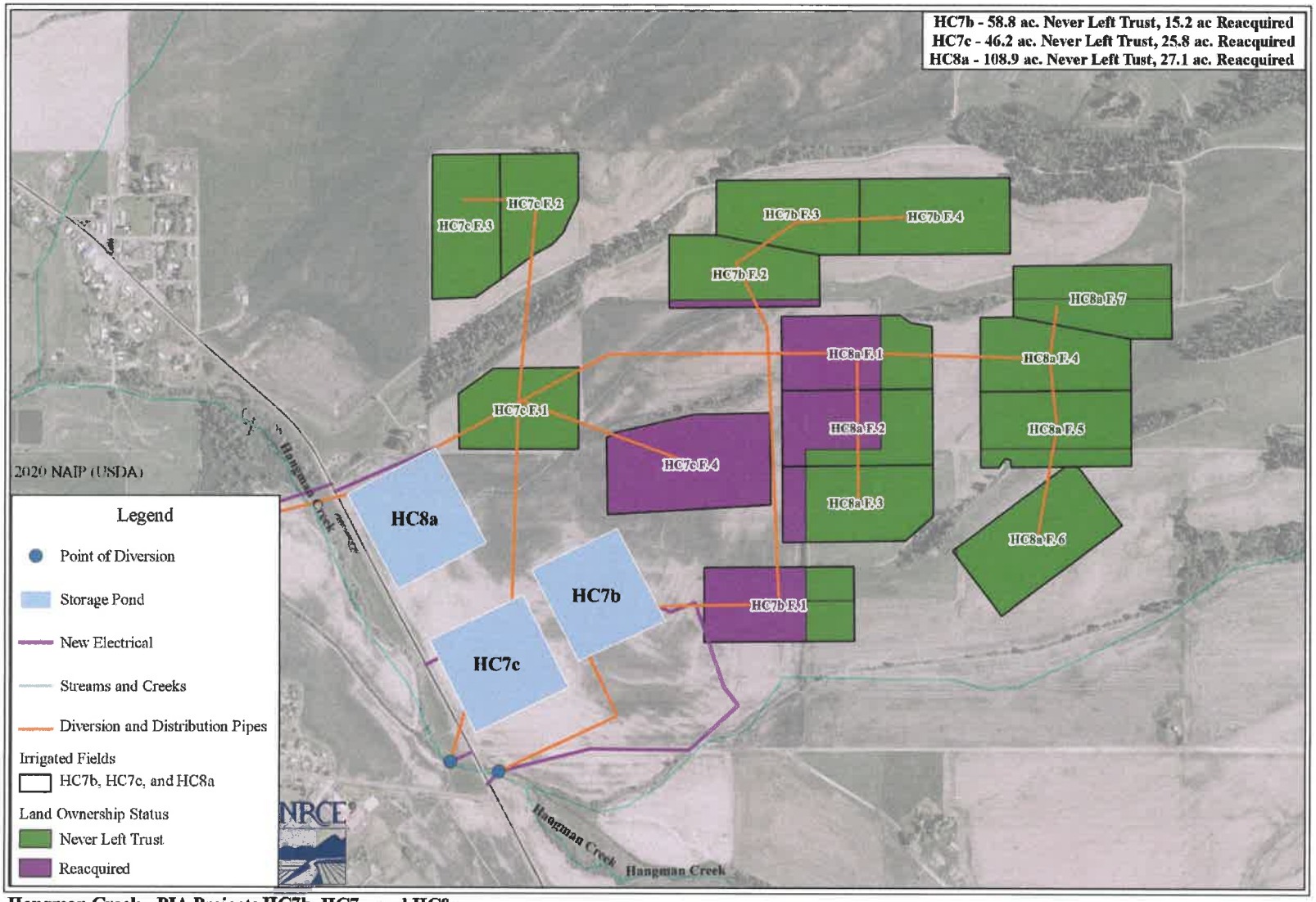
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Hangman Creek - PIA Projects HC7b, HC7c, and HC8a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7479**
CASE NO. 49576	)	

1. **Name and address of claimant:**

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** November 8, 1873 (Date of Reservation) or, if applicable, Date of Reacquisition by Tribe.

3. **Source:** Hangman Creek (Fed. ID # HC7c)
(Water Right # 93-7479)

4. **Point of Diversion:**

Township: 44N Range: 5W Section: 24 Q: NW1/4 QQ: NE1/4

Pond Storage Location –
Township: 44N Range: 5W Section: 13 Q: SW1/4 QQ: NE1/4
Township: 44N Range: 5W Section: 13 Q: SW1/4 QQ: SE1/4

5. **Place of Use:** Total Acres: 72

The legal descriptions in italics below include reacquired lands as shown in purple on the attached map.

Township: 44N	*Range: 5W*	*Section: 13*	*Q: NE1/4*	*QQ: SW1/4*	*Acres: 6.2*
Township: 44N	*Range: 5W*	*Section: 13*	*Q: NE1/4*	*QQ: SE1/4*	*Acres: 2.6*
Township: 44N	*Range: 5W*	*Section: 13*	*Q: SE1/4*	*QQ: NW1/4*	*Acres: 13.1*
Township: 44N	*Range: 5W*	*Section: 13*	*Q: SE1/4*	*QQ: NE1/4*	*Acres: 3.9*

Township: 44N	Range: 5W	Section: 13	Q: NW1/4	QQ: SE1/4	Acres: 16.3
Township: 44N	Range: 5W	Section: 13	Q: NW1/4	QQ: NE1/4	Acres: 29.9

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 237

9. **Basis of Claim:**

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873 (the date the Reservation was established), or, if applicable, the date of Reacquisition by the Tribe, subject to carryover of any homesteader's priority date. *In Re CSRBA*, 165 Idaho at 525-26, 528-29, 554-58.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation.

The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

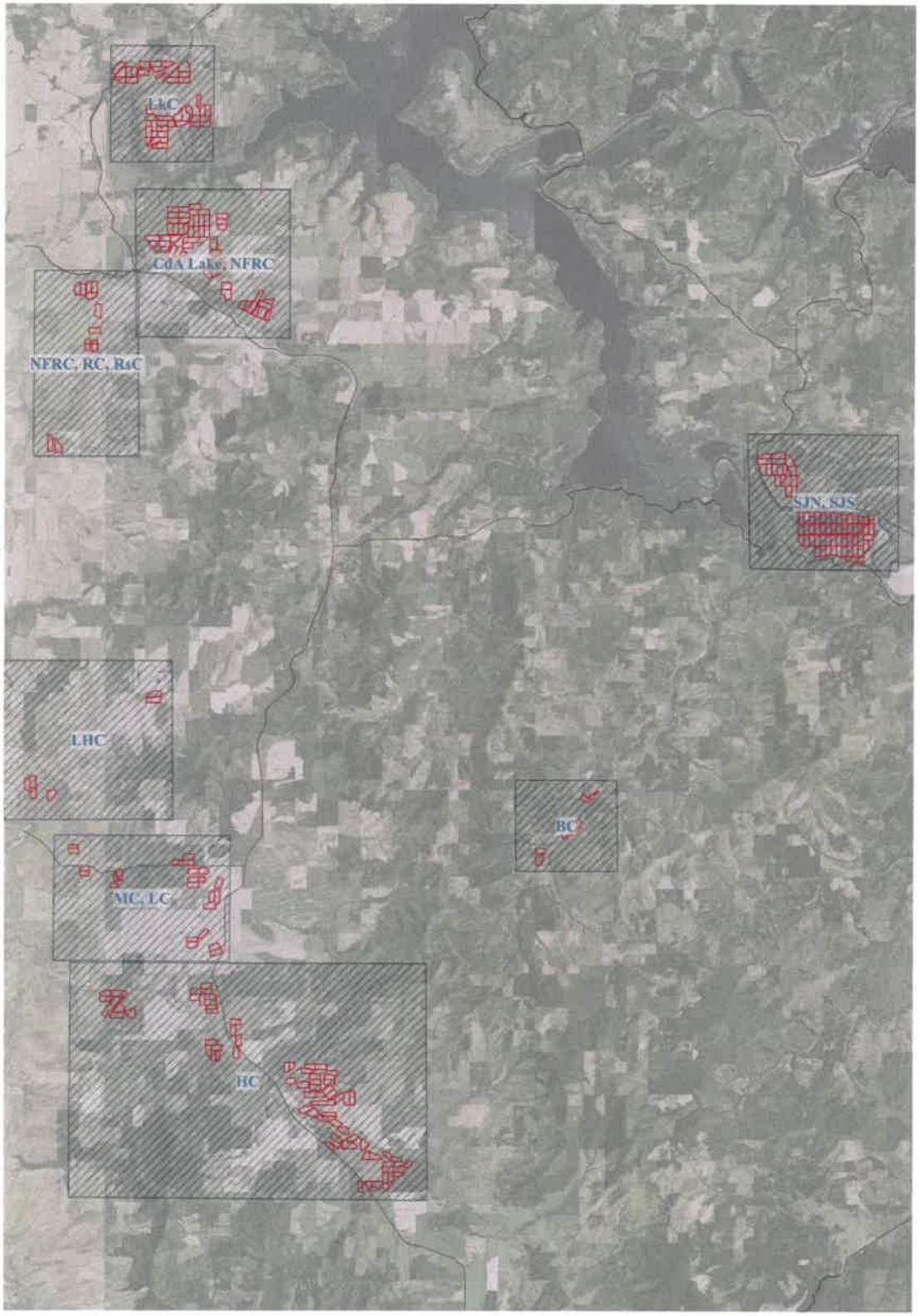
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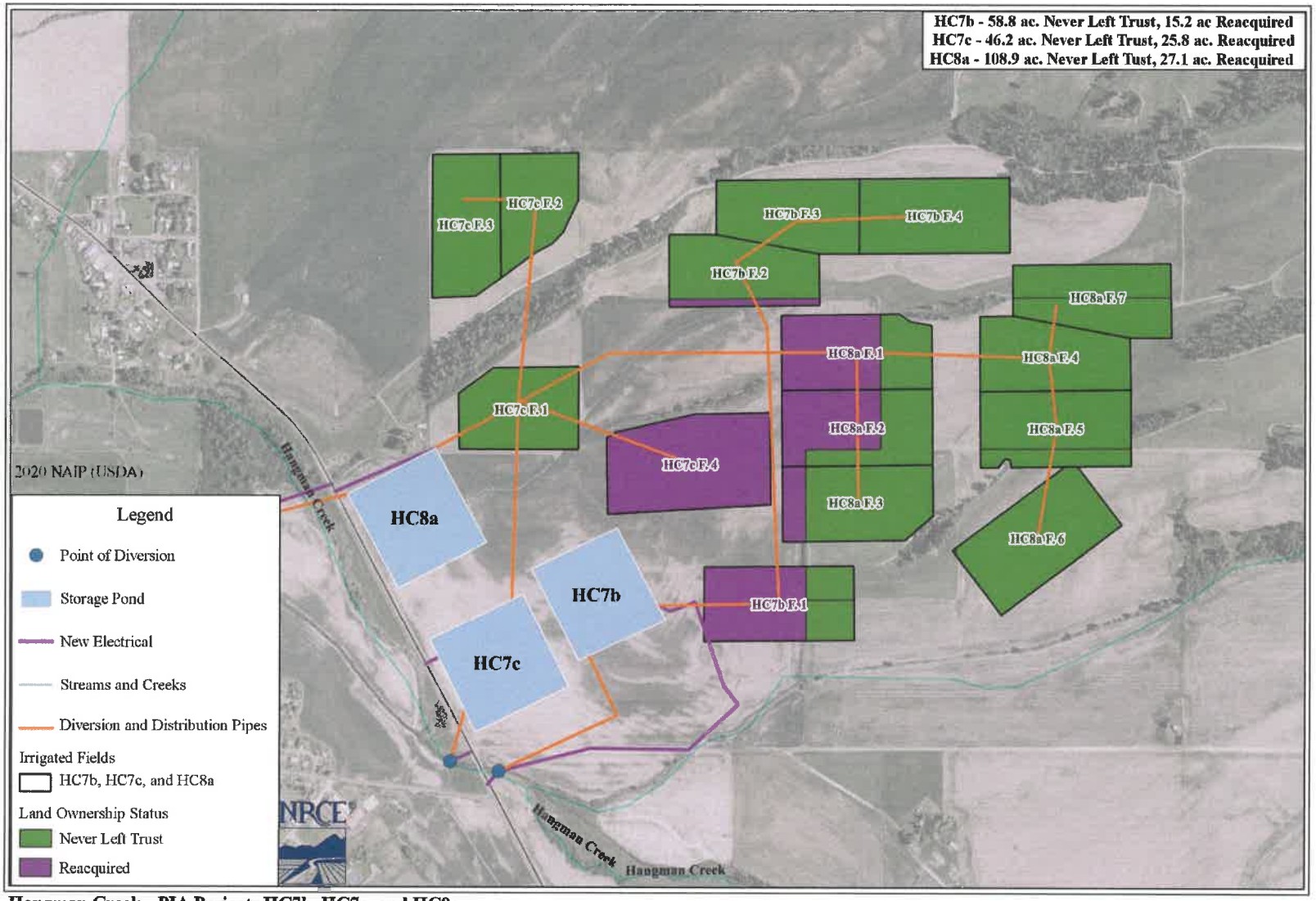
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Hangman Creek - PIA Projects HC7b, HC7c, and HC8a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7480**
CASE NO. 49576	)	

1. **Name and address of claimant:**

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** November 8, 1873 (Date of Reservation) or, if applicable, Date of Reacquisition by Tribe.

3. **Source:** Hangman Creek (Fed. ID # HC8a)
(Water Right # 93-7480)

4. **Point of Diversion:**

Township: 44N Range: 5W Section: 14 Q: SE1/4 QQ: NE1/4

Pond Storage Location –
Township: 44N Range: 5W Section: 13 Q: SW1/4 QQ: NE1/4
Township: 44N Range: 5W Section: 13 Q: SW1/4 QQ: NW1/4

5. **Place of Use:** Total Acres: 136

The legal descriptions in italics below include reacquired lands as shown in purple on the attached map.

Township: 44N	Range: 4W	Section: 18	Q: NW1/4	QQ: NE1/4	Acres: 8.4
Township: 44N	Range: 4W	Section: 18	Q: NW1/4	QQ: L1	Acres: 1.0
Township: 44N	Range: 4W	Section: 18	Q: NW1/4	QQ: SE1/4	Acres: 29.4
Township: 44N	Range: 4W	Section: 18	Q: NW1/4	QQ: L2	Acres: 24.5

Township: 44N	Range: 4W	Section: 18	Q: SW1/4	QQ: NE1/4	Acres: 14.6
Township: 44N	Range: 4W	Section: 18	Q: SW1/4	QQ: L5	Acres: 10.7
Township: 44N	Range: 4W	Section: 18	Q: SW1/4	QQ: L4	Acres: 0.4
Township: 44N	Range: 4W	Section: 18	Q: SW1/4	QQ: L6	Acres: 7.7
Township: 44N	*Range: 5W*	*Section: 13*	*Q: NE1/4*	*QQ: SE1/4*	*Acres: 23.4*
Township: 44N	*Range: 5W*	*Section: 13*	*Q: SE1/4*	*QQ: NE1/4*	*Acres: 15.9*

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 398

9. **Basis of Claim:**

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873 (the date the Reservation was established), or, if applicable, the date of Reacquisition by the Tribe, subject to carryover of any homesteader's priority date. *In Re CSRBA*, 165 Idaho at 525-26, 528-29, 554-58.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and

at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

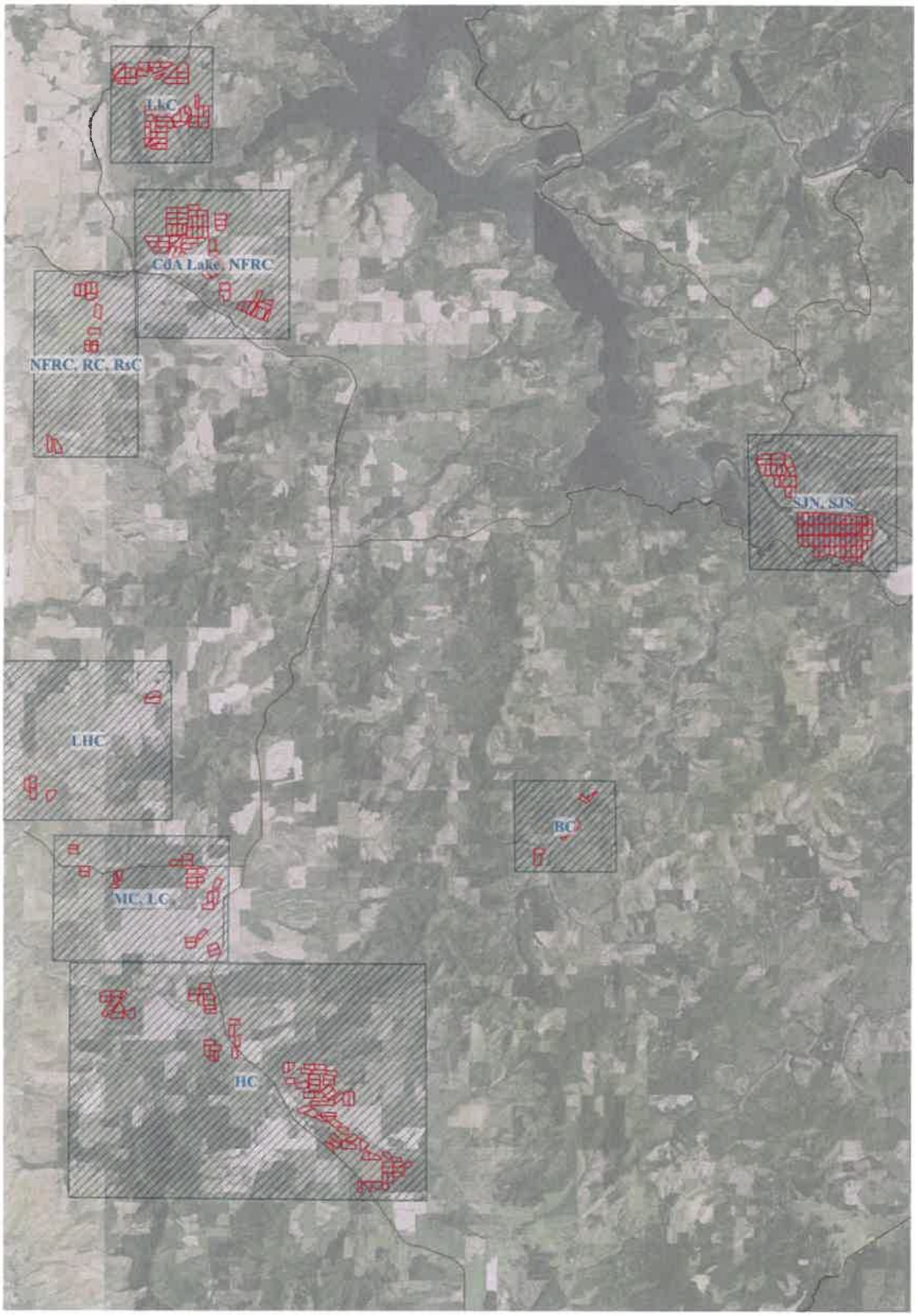
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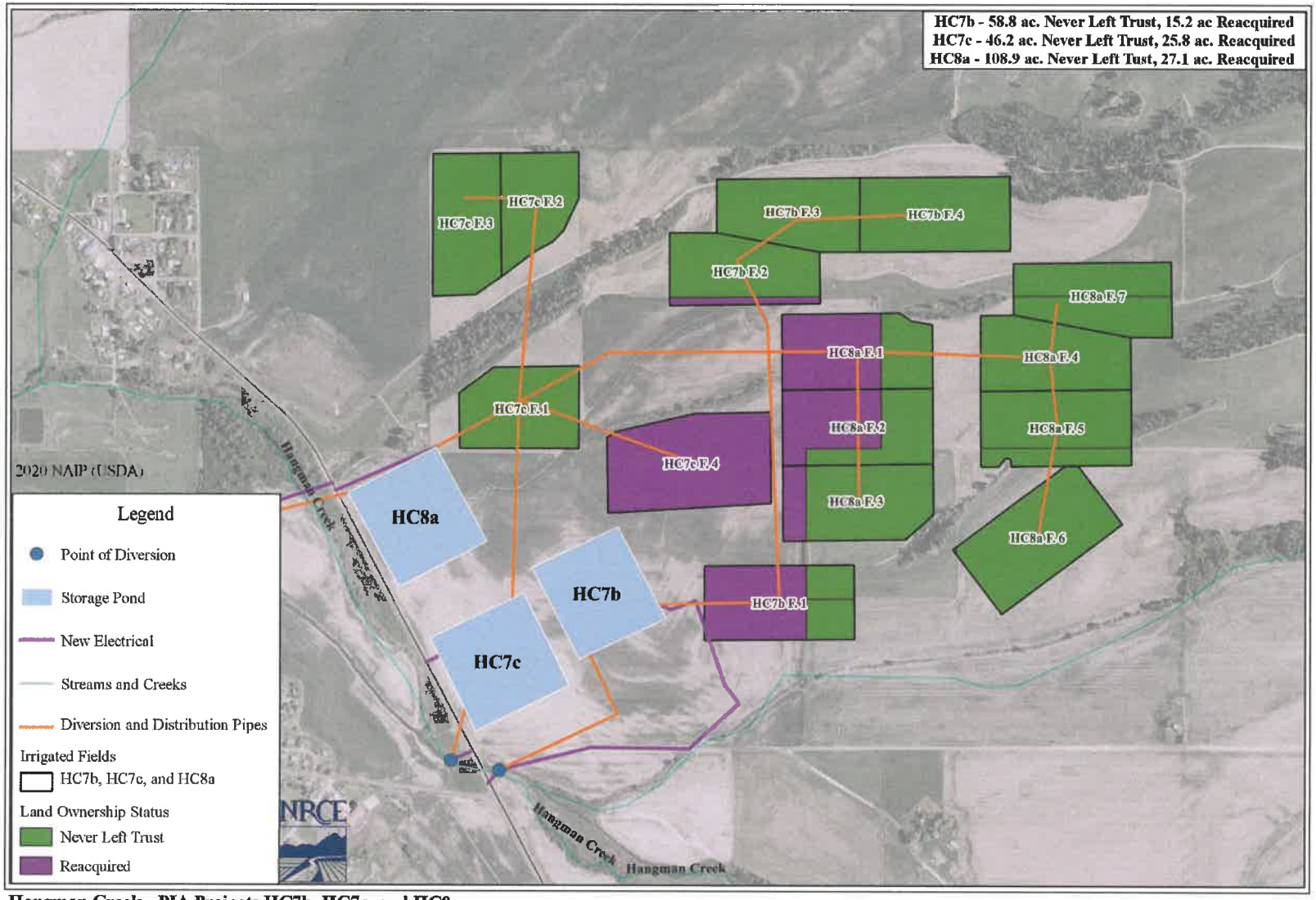
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Hangman Creek - PIA Projects HC7b, HC7c, and HC8a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7481**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873 (Date of Reservation) or, if applicable, Date of Reacquisition by Tribe.

3. Source: Hangman Creek (Fed. ID # HC12a)
(Water Right # 93-7481)

4. Point of Diversion:

Township: 44N Range: 5W Section: 10 Q: SE1/4 QQ: NE1/4

Pond Storage Location –
Township: 44N Range: 5W Section: 11 Q: SW1/4 QQ: NW1/4
Township: 44N Range: 5W Section: 10 Q: SE1/4 QQ: NE1/4

5. Place of Use: Total Acres: 78

The legal descriptions in italics below include reacquired lands as shown in purple on the attached map.

Township: 44N	Range: 5W	Section: 11	Q: NW1/4	QQ: NW1/4	Acres: 28.4
Township: 44N	*Range: 5W*	*Section: 11*	*Q: NW1/4*	*QQ: SW1/4*	*Acres: 20.1*
Township: 44N	*Range: 5W*	*Section: 11*	*Q: SW1/4*	*QQ: NW1/4*	*Acres: 16.4*
Township: 44N	*Range: 5W*	*Section: 11*	*Q: SW1/4*	*QQ: SW1/4*	*Acres: 13.1*

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 250

9. **Basis of Claim:**

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873 (the date the Reservation was established), or, if applicable, the date of Reacquisition by the Tribe, subject to carryover of any homesteader's priority date. *In Re CSRBA*, 165 Idaho at 525-26, 528-29, 554-58.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a

homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

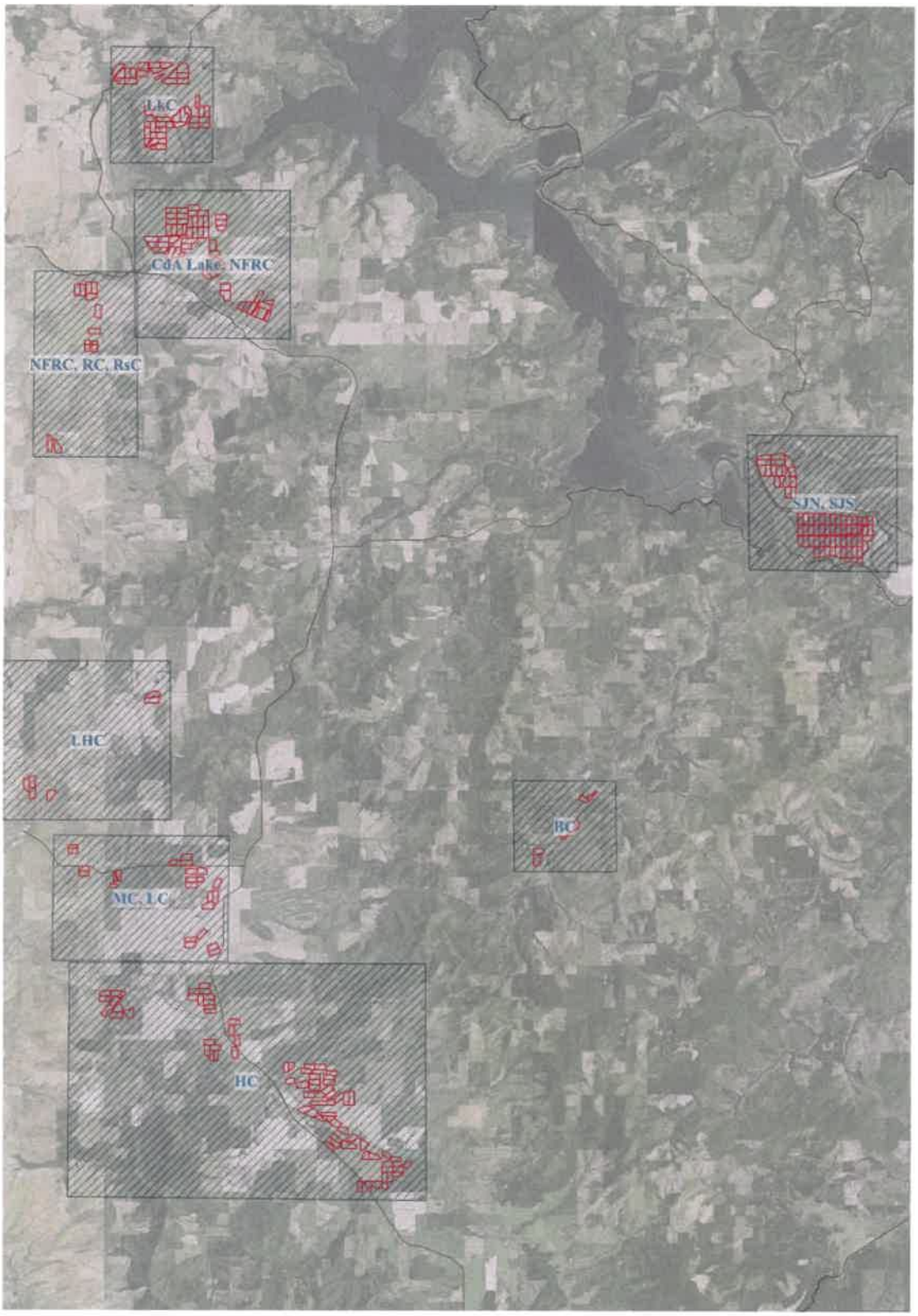
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

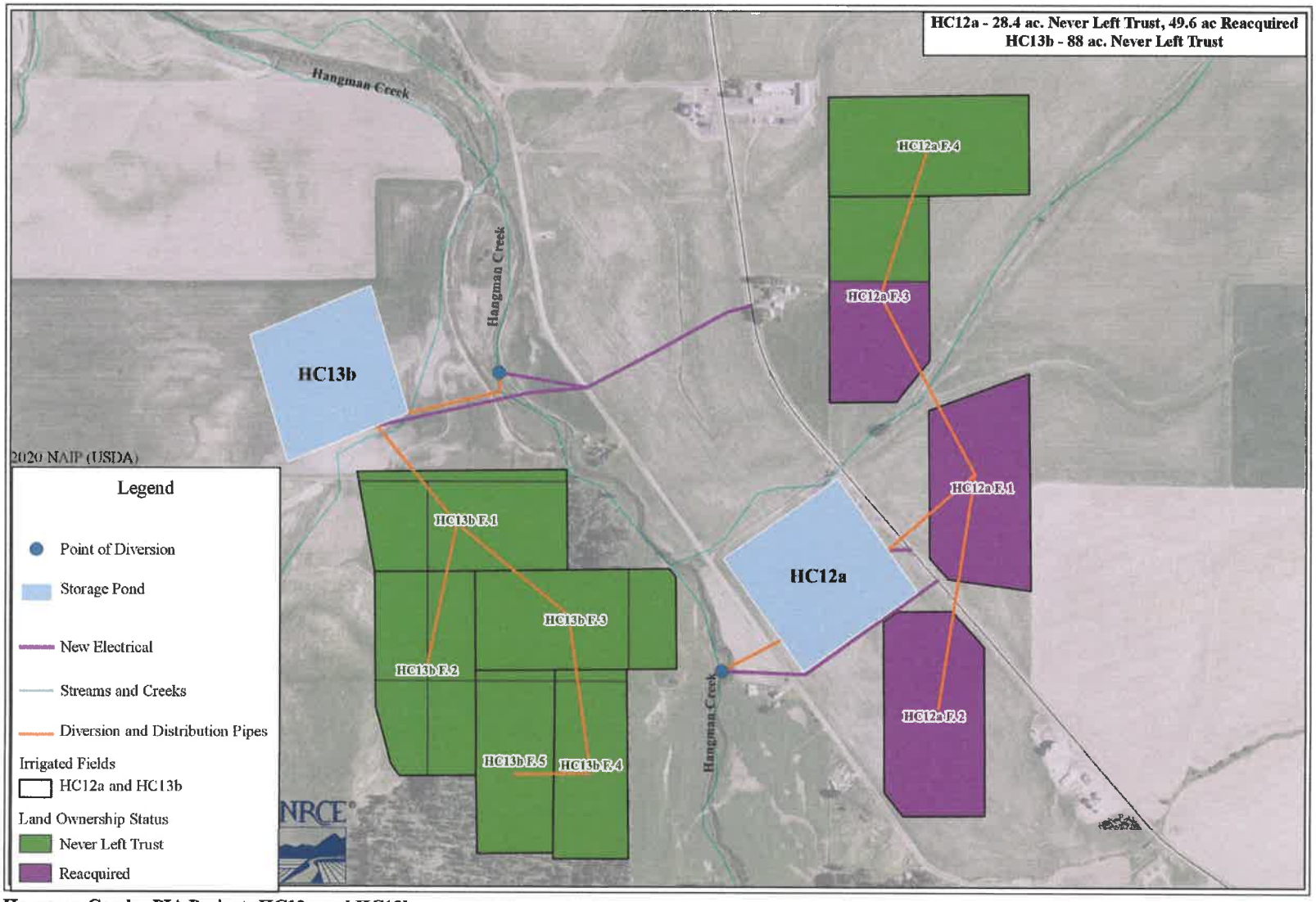
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Hangman Creek - PIA Projects HC12a and HC13b

RECEIVED
APR 08 2024
DEPT OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7482**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873

3. Source: Hangman Creek (Fed. ID # HC13a)
(Water Right # 93-7482)

4. Point of Diversion:

Township: 44N Range: 5W Section: 10 Q: SE1/4 QQ: NW1/4

Pond Storage Location –

Township: 44N	Range: 5W	Section: 10	Q: NE1/4	QQ: SE1/4
Township: 44N	Range: 5W	Section: 10	Q: NE1/4	QQ: SW1/4
Township: 44N	Range: 5W	Section: 10	Q: SE1/4	QQ: NE1/4

5. Place of Use: Total Acres: 88

Township: 44N	Range: 5W	Section: 3	Q: NE1/4	QQ: SW1/4	Acres: 5.9
Township: 44N	Range: 5W	Section: 3	Q: NW1/4	QQ: SE1/4	Acres: 7.3
Township: 44N	Range: 5W	Section: 3	Q: SE1/4	QQ: NW1/4	Acres: 26.4
Township: 44N	Range: 5W	Section: 3	Q: SW1/4	QQ: NE1/4	Acres: 28.2
Township: 44N	Range: 5W	Section: 3	Q: SE1/4	QQ: SW1/4	Acres: 15.8
Township: 44N	Range: 5W	Section: 3	Q: SW1/4	QQ: SE1/4	Acres: 4.4

See Attached Map.

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 283

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873; the date the Reservation was established by an Executive Order signed by President Ulyssess S. Grant. 1.C. Kapler, Indian Affairs: Law and Treaties 837 (1904). *In Re CSRBA Case No. 49576* 165 Idaho at 525-526, 528-529, 554-558.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other

purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

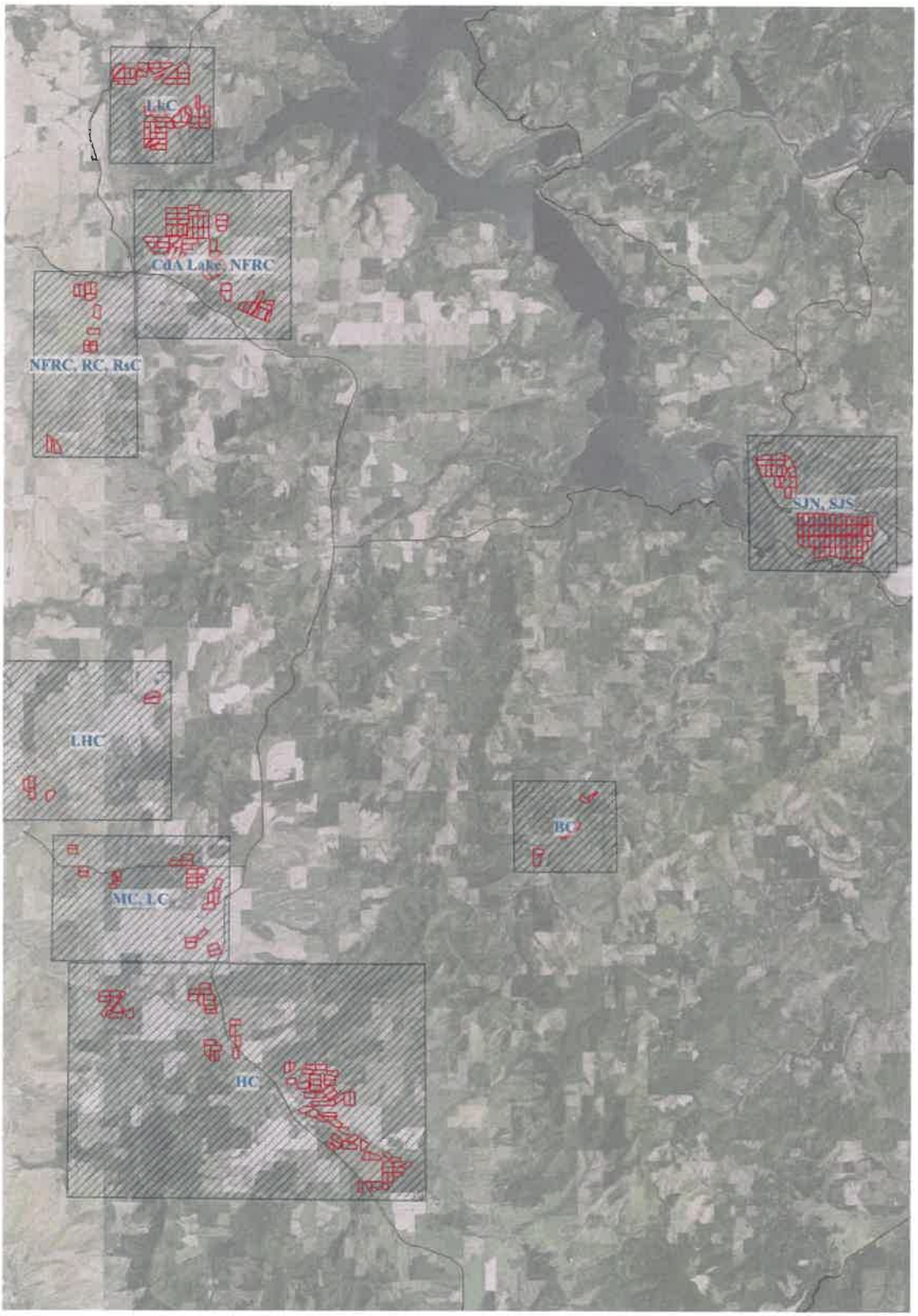
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

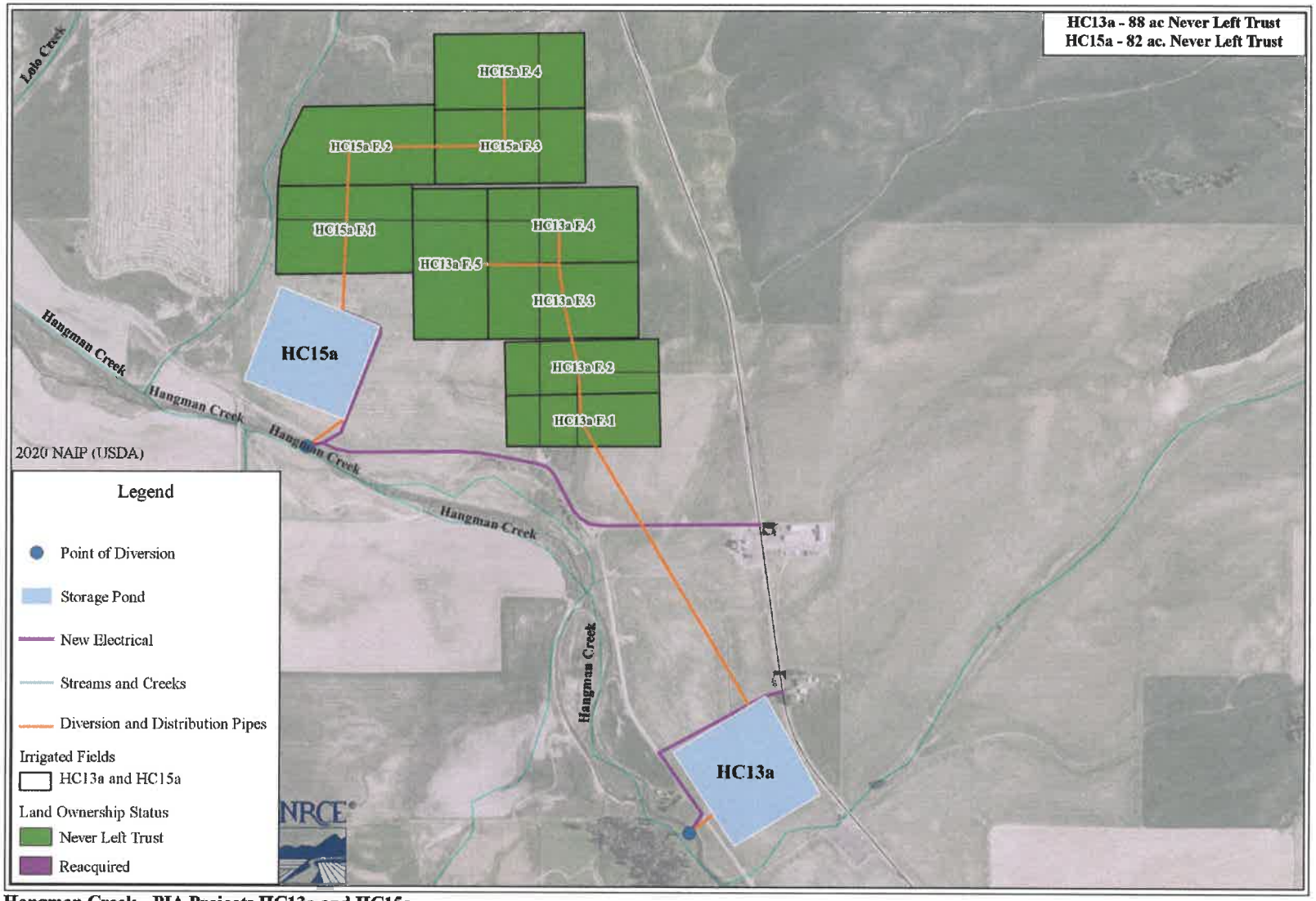
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Hangman Creek - PIA Projects HC13a and HC15a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7483**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873

3. Source: Hangman Creek (Fed. ID # HC13b)
(Water Right # 93-7483)

4. Point of Diversion:

Township: 44N Range: 5W Section: 10 Q: NE1/4 QQ: SW1/4

Pond Storage Location –
Township: 44N Range: 5W Section: 10 Q: NW1/4 QQ: SE1/4

5. Place of Use: Total Acres: 88

Township: 44N	Range: 5W	Section: 10	Q: NE1/4	QQ: SW1/4	Acres: 1.6
Township: 44N	Range: 5W	Section: 10	Q: NW1/4	QQ: SE1/4	Acres: 0.7
Township: 44N	Range: 5W	Section: 10	Q: SE1/4	QQ: NW1/4	Acres: 34.7
Township: 44N	Range: 5W	Section: 10	Q: SE1/4	QQ: NE1/4	Acres: 4.7
Township: 44N	Range: 5W	Section: 10	Q: SW1/4	QQ: NE1/4	Acres: 11.2
Township: 44N	Range: 5W	Section: 10	Q: SE1/4	QQ: SW1/4	Acres: 30.9
Township: 44N	Range: 5W	Section: 10	Q: SW1/4	QQ: SE1/4	Acres: 4.2

See Attached Map.

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 270

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873; the date the Reservation was established by an Executive Order signed by President Ulyssess S. Grant. 1.C. Kapler, Indian Affairs: Law and Treaties 837 (1904). *In Re CSRBA Case No. 49576* 165 Idaho at 525-526, 528-529, 554-558.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has

been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

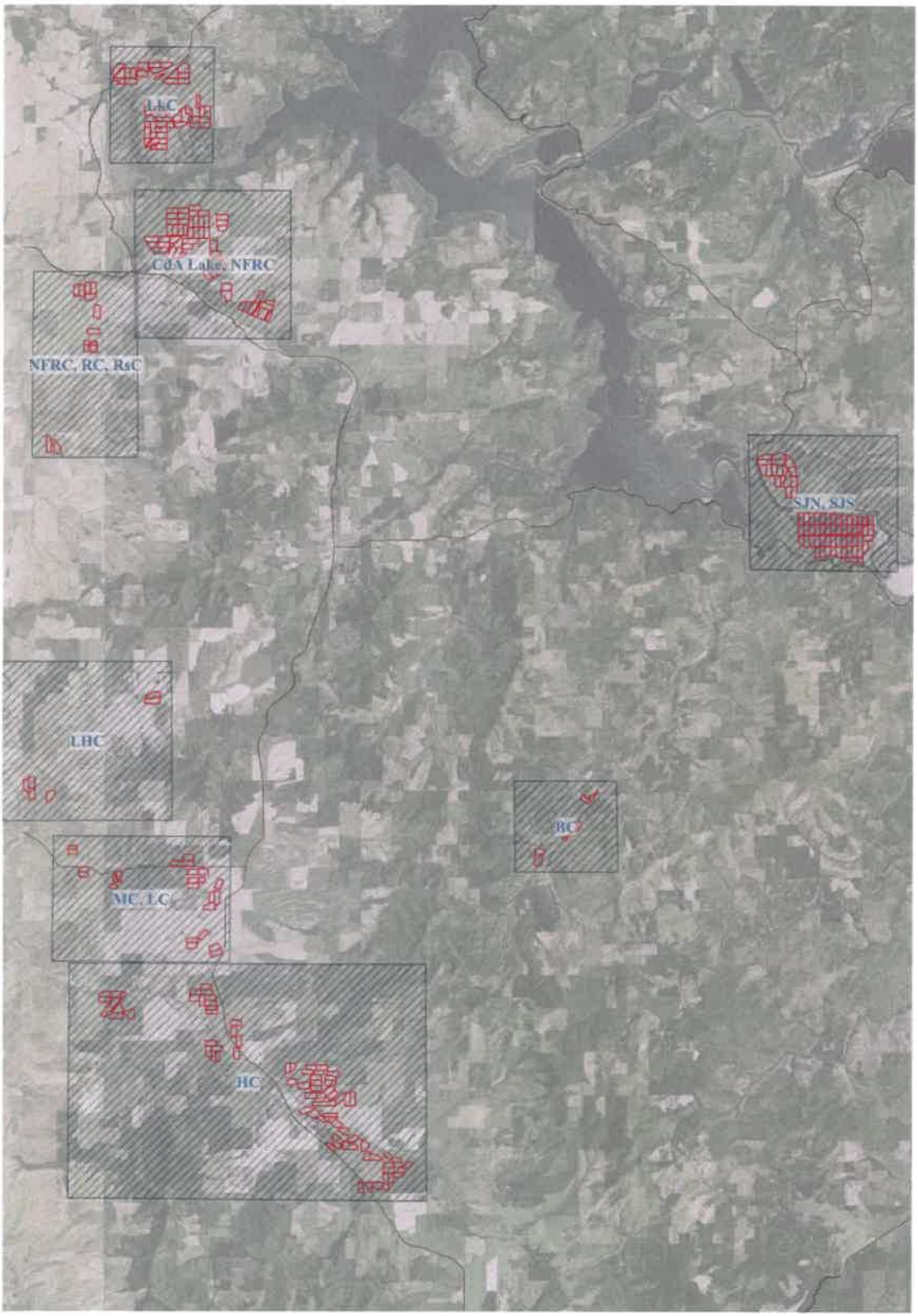
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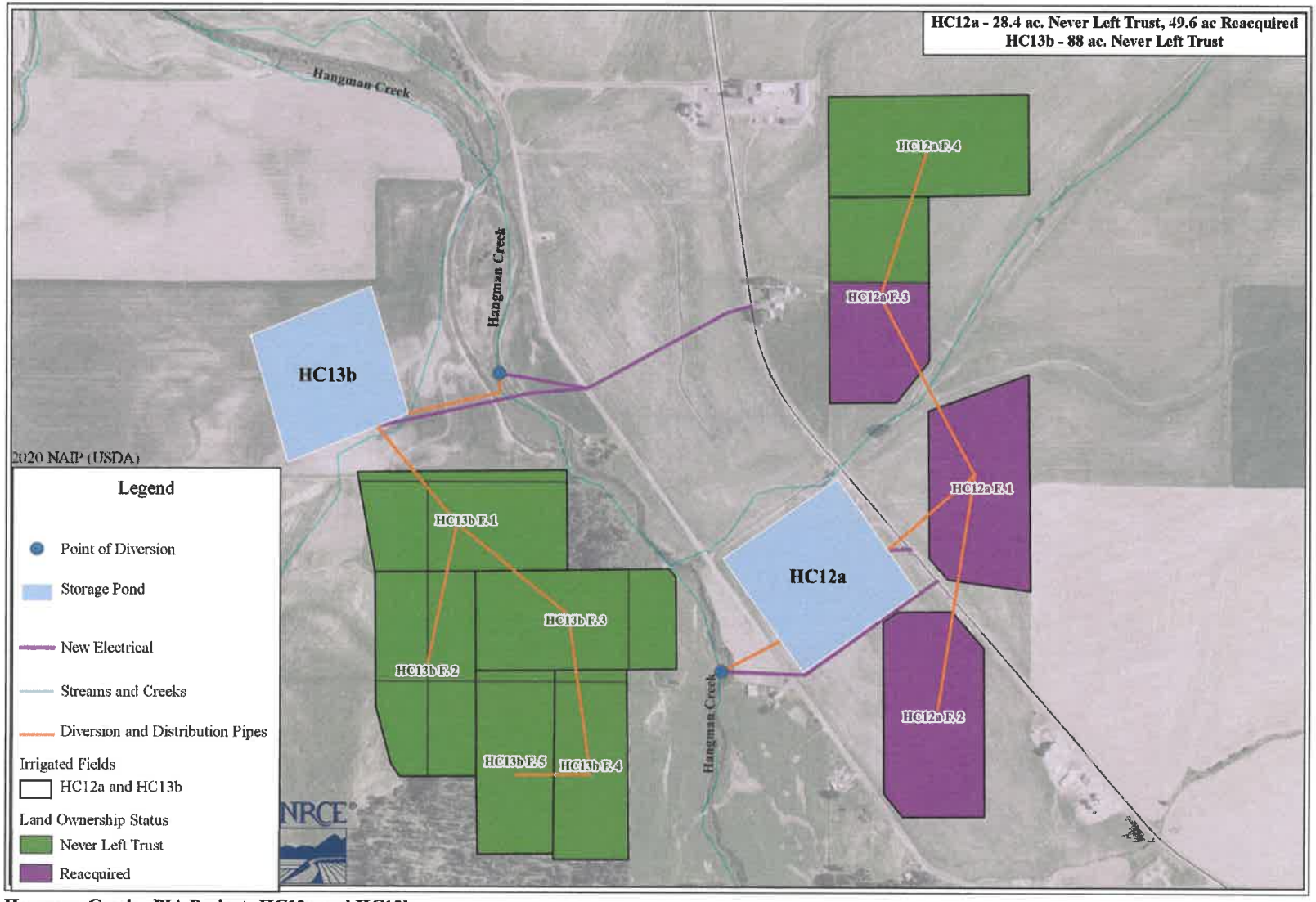
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Hangman Creek - PIA Projects HC12a and HC13b

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7484**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873

3. Source: Hangman Creek (Fed. ID # HC15a)
(Water Right # 93-7484)

4. Point of Diversion:

Township: 44N Range: 5W Section: 3 Q: SW1/4 QQ: SW1/4

Pond Storage Location –
Township: 44N Range: 5W Section: 3 Q: SW1/4 QQ: NW1/4
Township: 44N Range: 5W Section: 3 Q: SW1/4 QQ: SW1/4

5. Place of Use: Total Acres: 82

Township: 44N	Range: 5W	Section: 3	Q: NE1/4	QQ: L2	Acres: 3.1
Township: 44N	Range: 5W	Section: 3	Q: NW1/4	QQ: L3	Acres: 6.9
Township: 44N	Range: 5W	Section: 3	Q: NE1/4	QQ: SW1/4	Acres: 9.1
Township: 44N	Range: 5W	Section: 3	Q: NW1/4	QQ: SE1/4	Acres: 28.9
Township: 44N	Range: 5W	Section: 3	Q: NW1/4	QQ: SW1/4	Acres: 21.2
Township: 44N	Range: 5W	Section: 3	Q: SW1/4	QQ: NE1/4	Acres: 2.2
Township: 44N	Range: 5W	Section: 3	Q: SW1/4	QQ: NW1/4	Acres: 10.6

See Attached Map.

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 266

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873; the date the Reservation was established by an Executive Order signed by President Ulyssess S. Grant. 1.C. Kapler, Indian Affairs: Law and Treaties 837 (1904). *In Re CSRBA Case No. 49576* 165 Idaho at 525-526, 528-529, 554-558.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other

purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

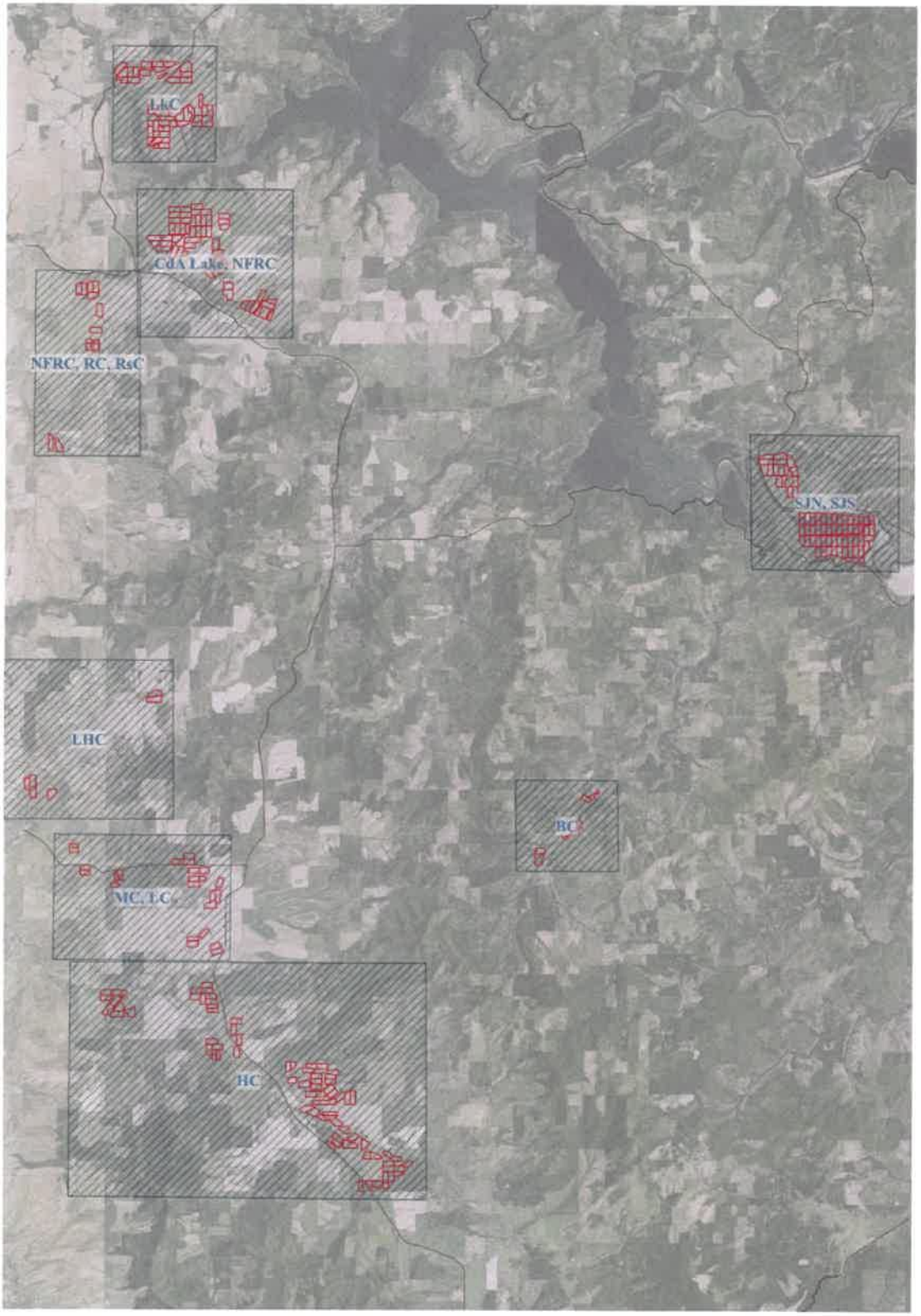
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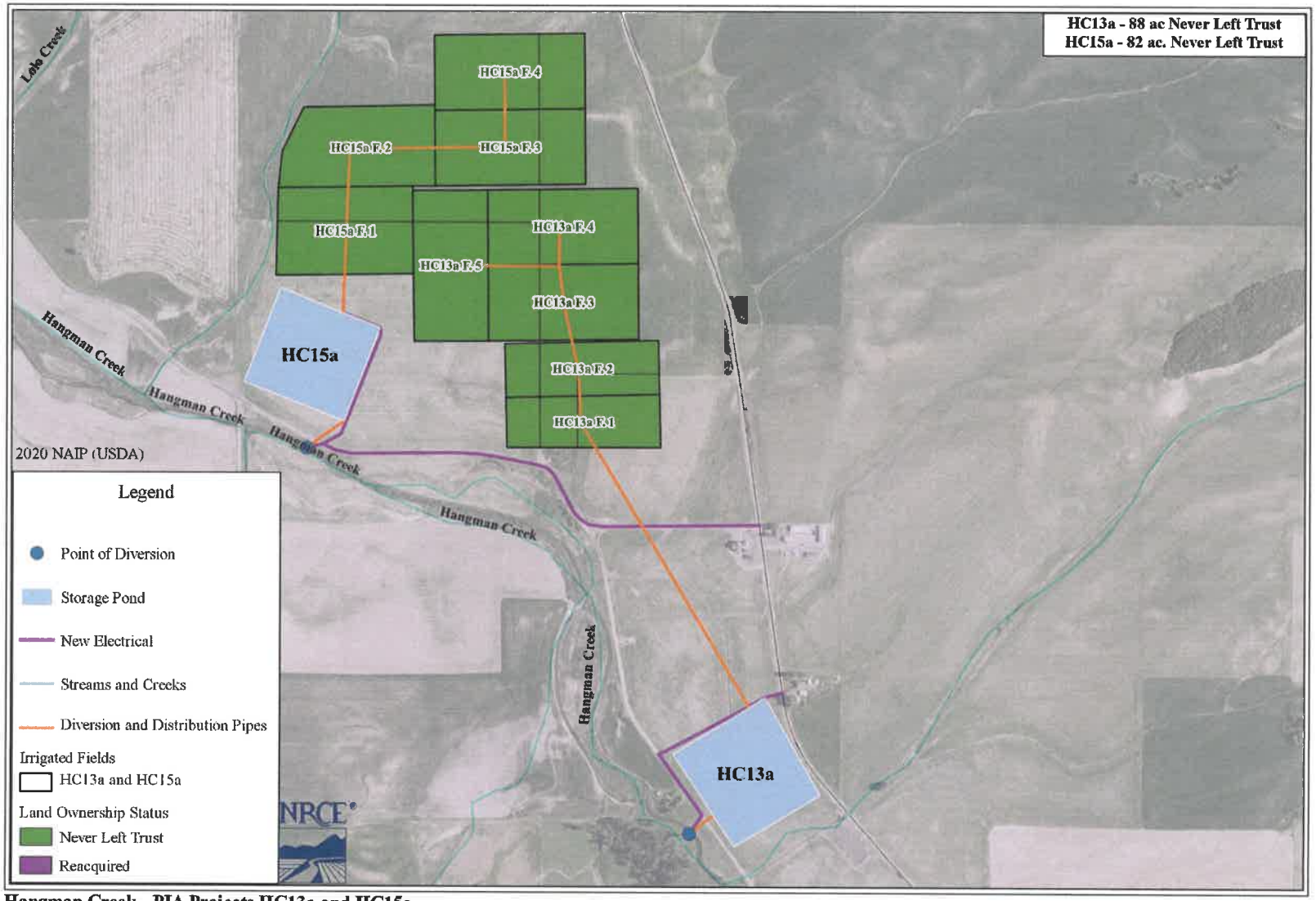
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Hangman Creek - PIA Projects HC13a and HC15a

RECEIVED
APR 08 2024
DEPT OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7485**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873

3. Source: Hangman Creek (Fed. ID # HC22a)
(Water Right # 93-7485)

4. Point of Diversion:

Township: 44N Range: 5W Section: 5 Q: NE1/4 QQ: SW1/4

Pond Storage Location –
Township: 44N Range: 5W Section: 5 Q: SE1/4 QQ: NW1/4

5. Place of Use: Total Acres: 114

Township: 44N	Range: 5W	Section: 5	Q: SW1/4	QQ: NE1/4	Acres: 29.8
Township: 44N	Range: 5W	Section: 5	Q: SW1/4	QQ: NW1/4	Acres: 4
Township: 44N	Range: 5W	Section: 5	Q: SE1/4	QQ: NW1/4	Acres: 0.7
Township: 44N	Range: 5W	Section: 5	Q: SE1/4	QQ: SE1/4	Acres: 7.2
Township: 44N	Range: 5W	Section: 5	Q: SE1/4	QQ: SW1/4	Acres: 23.3
Township: 44N	Range: 5W	Section: 5	Q: SW1/4	QQ: SE1/4	Acres: 34.9
Township: 44N	Range: 5W	Section: 5	Q: SW1/4	QQ: SW1/4	Acres: 14.1

See Attached Map.

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 338

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873; the date the Reservation was established by an Executive Order signed by President Ulyssess S. Grant. 1.C. Kapler, Indian Affairs: Law and Treaties 837 (1904). *In Re CSRBA Case No. 49576* 165 Idaho at 525-526, 528-529, 554-558.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other

purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

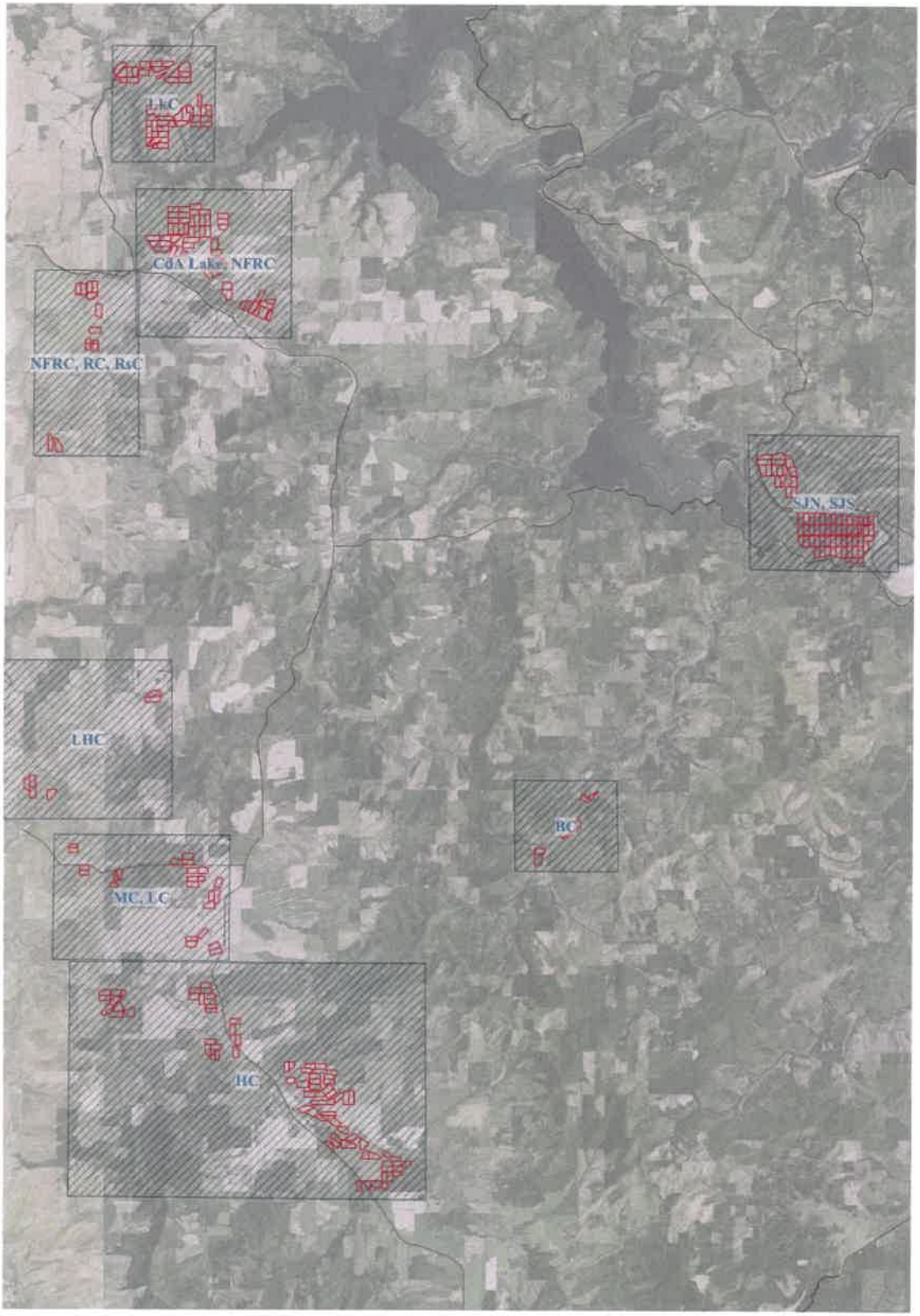
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

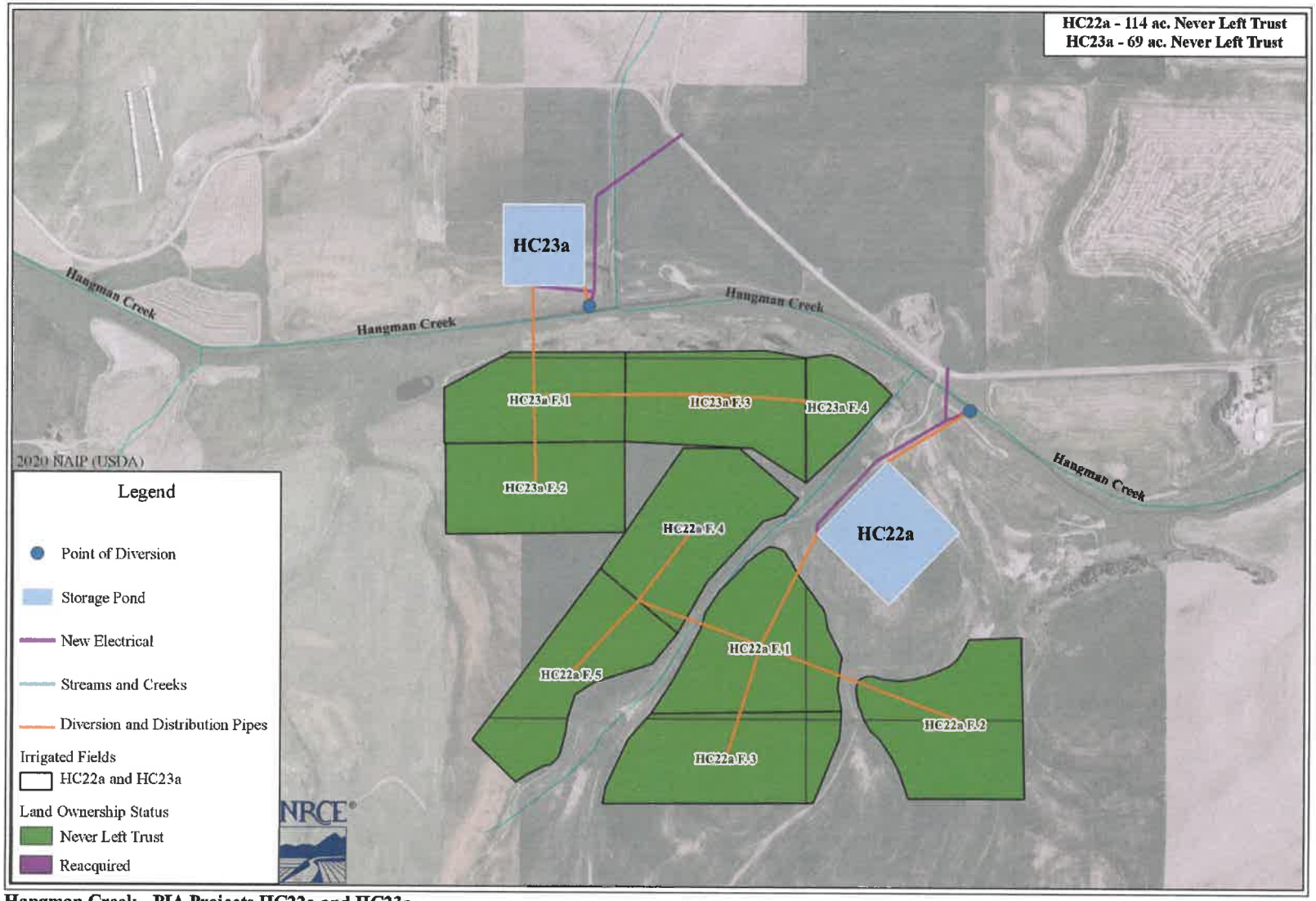
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Hangman Creek - PIA Projects HC22a and HC23a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7486**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873

3. Source: Hangman Creek (Fed. ID # HC23a)
(Water Right # 93-7486)

4. Point of Diversion:

Township: 44N Range: 5W Section: 5 Q: NW1/4 QQ: SW1/4

Pond Storage Location –
Township: 44N Range: 5W Section: 5 Q: NW1/4 QQ: L4
Township: 44N Range: 5W Section: 5 Q: NW1/4 QQ: SW1/4

5. Place of Use: Total Acres: 69

Township: 44N	Range: 5W	Section: 5	Q: NE1/4	QQ: SW1/4	Acres: 7.2
Township: 44N	Range: 5W	Section: 5	Q: SE1/4	QQ: NW1/4	Acres: 0.8
Township: 44N	Range: 5W	Section: 5	Q: SW1/4	QQ: NE1/4	Acres: 1.1
Township: 44N	Range: 5W	Section: 5	Q: NW1/4	QQ: SE1/4	Acres: 21.1
Township: 44N	Range: 5W	Section: 5	Q: NW1/4	QQ: SW1/4	Acres: 20
Township: 44N	Range: 5W	Section: 5	Q: SW1/4	QQ: NW1/4	Acres: 18.8

See Attached Map.

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 184

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873; the date the Reservation was established by an Executive Order signed by President Ulyssess S. Grant. 1.C. Kapler, Indian Affairs: Law and Treaties 837 (1904). *In Re CSRBA Case No. 49576* 165 Idaho at 525-526, 528-529, 554-558.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has

been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

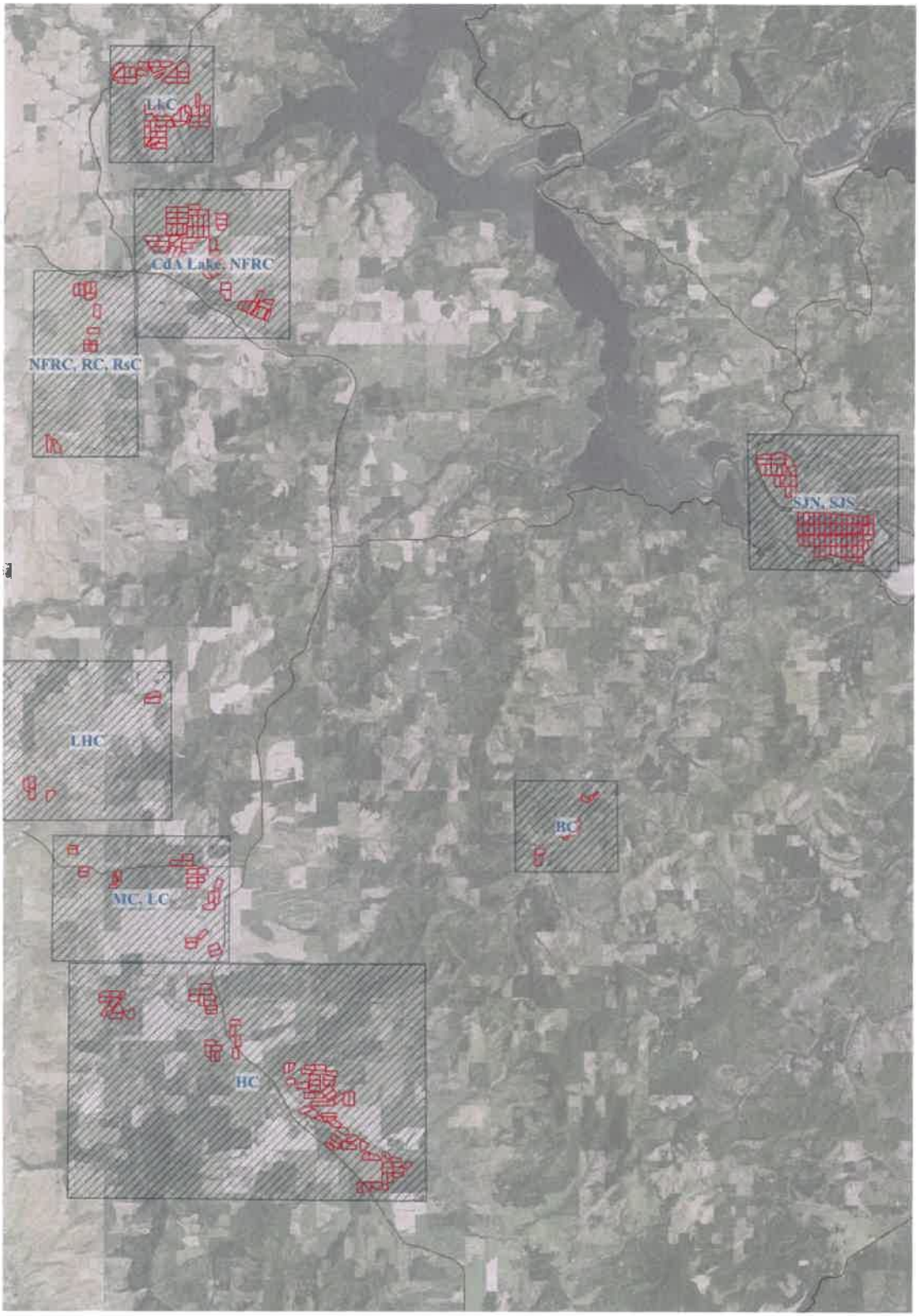
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

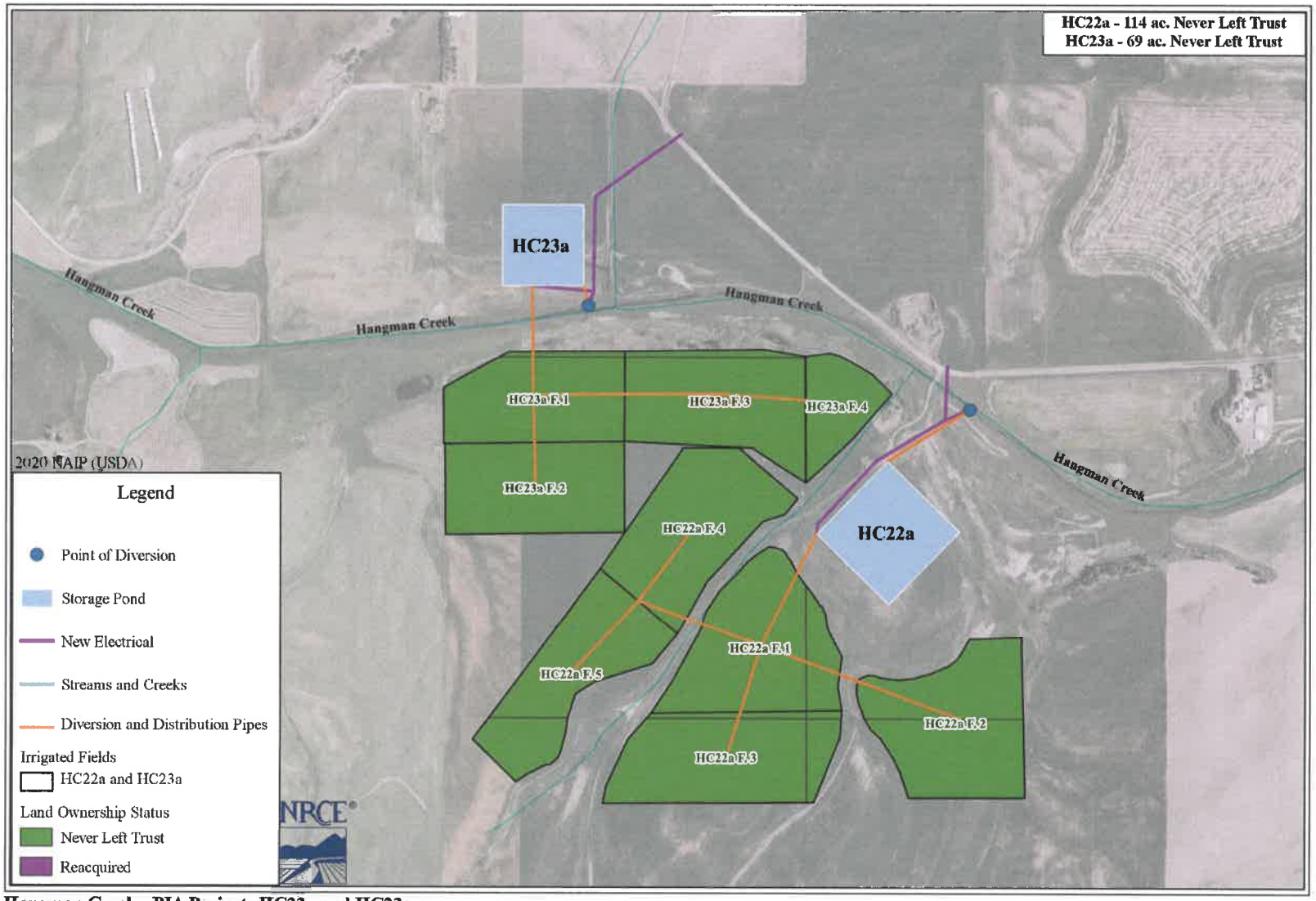
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Hangman Creek - PIA Projects HC22a and HC23a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	)	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No. 93-7487**

1. **Name and address of claimant:**

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** November 8, 1873

3. **Source:** Lolo Creek (Fed. ID # LC0a)
(Water Right # 93-7487)

4. **Point of Diversion:**

Township: 45N Range: 5W Section: 27 Q: SE1/4 QQ: NE1/4

Pond Storage Location –
Township: 45N Range: 5W Section: 26 Q: SW1/4 QQ: NW1/4
Township: 45N Range: 5W Section: 27 Q: SE1/4 QQ: NE1/4

5. **Place of Use:** Total Acres: 66

Township: 45N	Range: 5W	Section: 27	Q: NE1/4	QQ: NE1/4	Acres: 0.5
Township: 45N	Range: 5W	Section: 27	Q: NE1/4	QQ: NW1/4	Acres: 27.1
Township: 45N	Range: 5W	Section: 27	Q: NE1/4	QQ: SW1/4	Acres: 29.5
Township: 45N	Range: 5W	Section: 27	Q: NW1/4	QQ: SE1/4	Acres: 8.9

See Attached Map.

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 212

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873; the date the Reservation was established by an Executive Order signed by President Ulyssess S. Grant. 1.C. Kapler, Indian Affairs: Law and Treaties 837 (1904). *In Re CSRBA Case No. 49576* 165 Idaho at 525-526, 528-529, 554-558.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and

available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director
Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

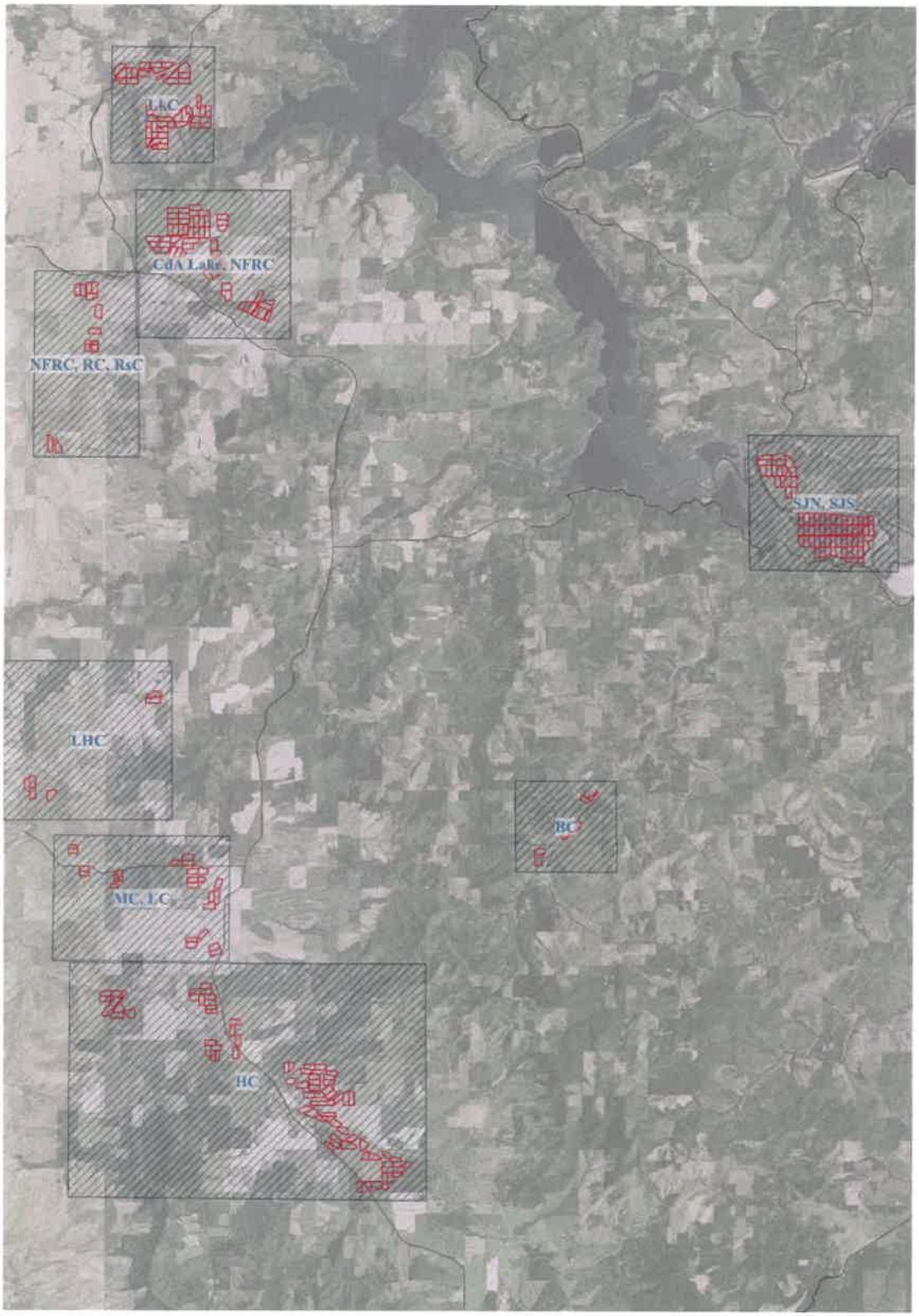
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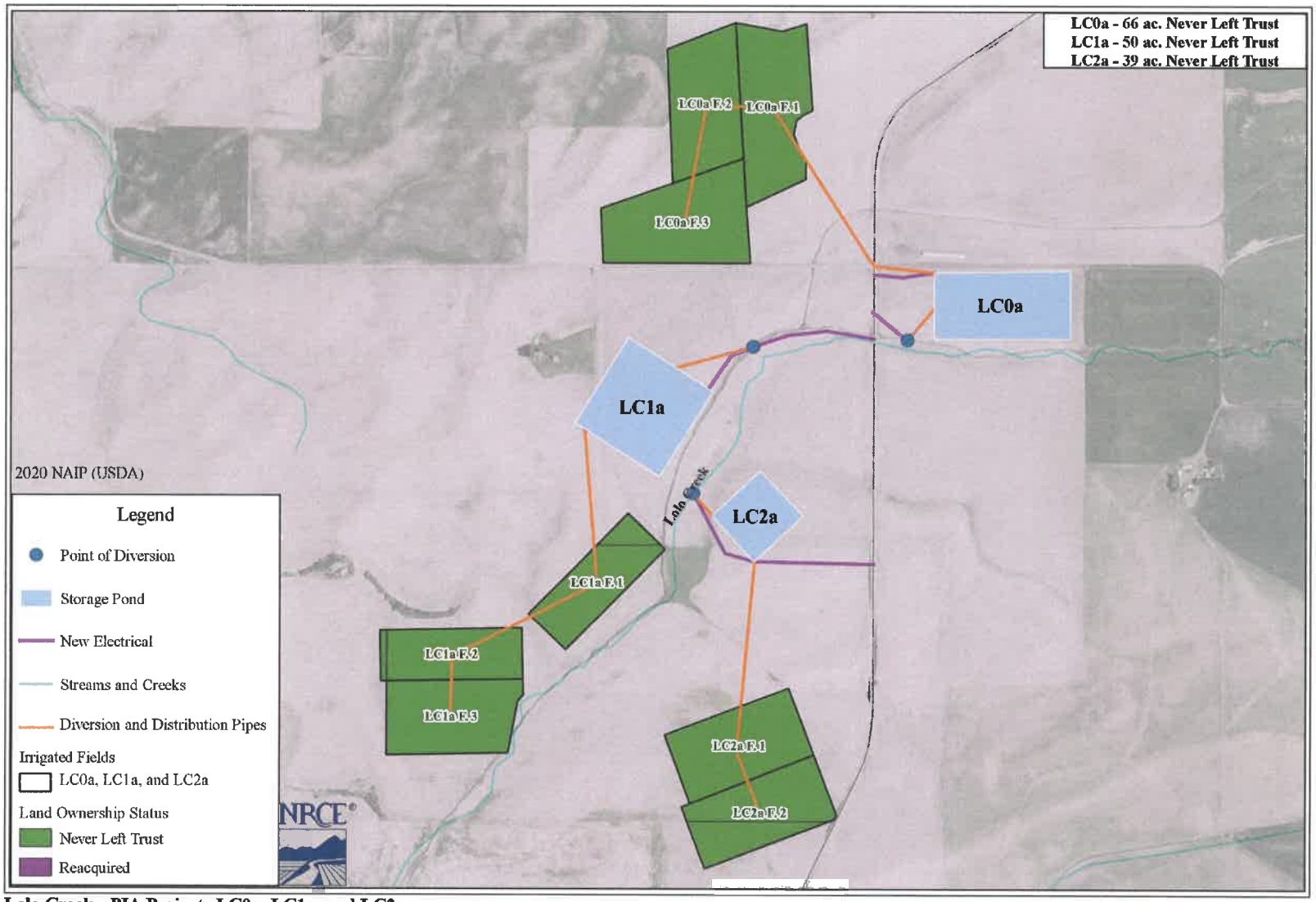
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Lolo Creek - PIA Projects LC0a, LC1a, and LC2a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7488**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873

3. Source: Lolo Creek (Fed. ID # LC1a)
(Water Right # 93-7488)

4. Point of Diversion:

Township: 45N Range: 5W Section: 27 Q: SE1/4 QQ: NW1/4

Pond Storage Location –

Township: 45N	Range: 5W	Section: 27	Q: SW1/4	QQ: NE1/4
Township: 45N	Range: 5W	Section: 27	Q: SW1/4	QQ: SE1/4
Township: 45N	Range: 5W	Section: 27	Q: SE1/4	QQ: NW1/4
Township: 45N	Range: 5W	Section: 27	Q: SE1/4	QQ: SW1/4

5. Place of Use: Total Acres: 50

Township: 45N	Range: 5W	Section: 27	Q: SW1/4	QQ: SE1/4	Acres: 2.0
Township: 45N	Range: 5W	Section: 34	Q: NW1/4	QQ: NE1/4	Acres: 13.0
Township: 45N	Range: 5W	Section: 33	Q: NE1/4	QQ: NE1/4	Acres: 0.7
Township: 45N	Range: 5W	Section: 34	Q: NW1/4	QQ: NW1/4	Acres: 15.1
Township: 45N	Range: 5W	Section: 34	Q: NW1/4	QQ: SW1/3	Acres: 19.2

See Attached Map.

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 178

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873; the date the Reservation was established by an Executive Order signed by President Ulyssess S. Grant. 1.C. Kapler, Indian Affairs: Law and Treaties 837 (1904). *In Re CSRBA Case No. 49576* 165 Idaho at 525-526, 528-529, 554-558.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other

purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

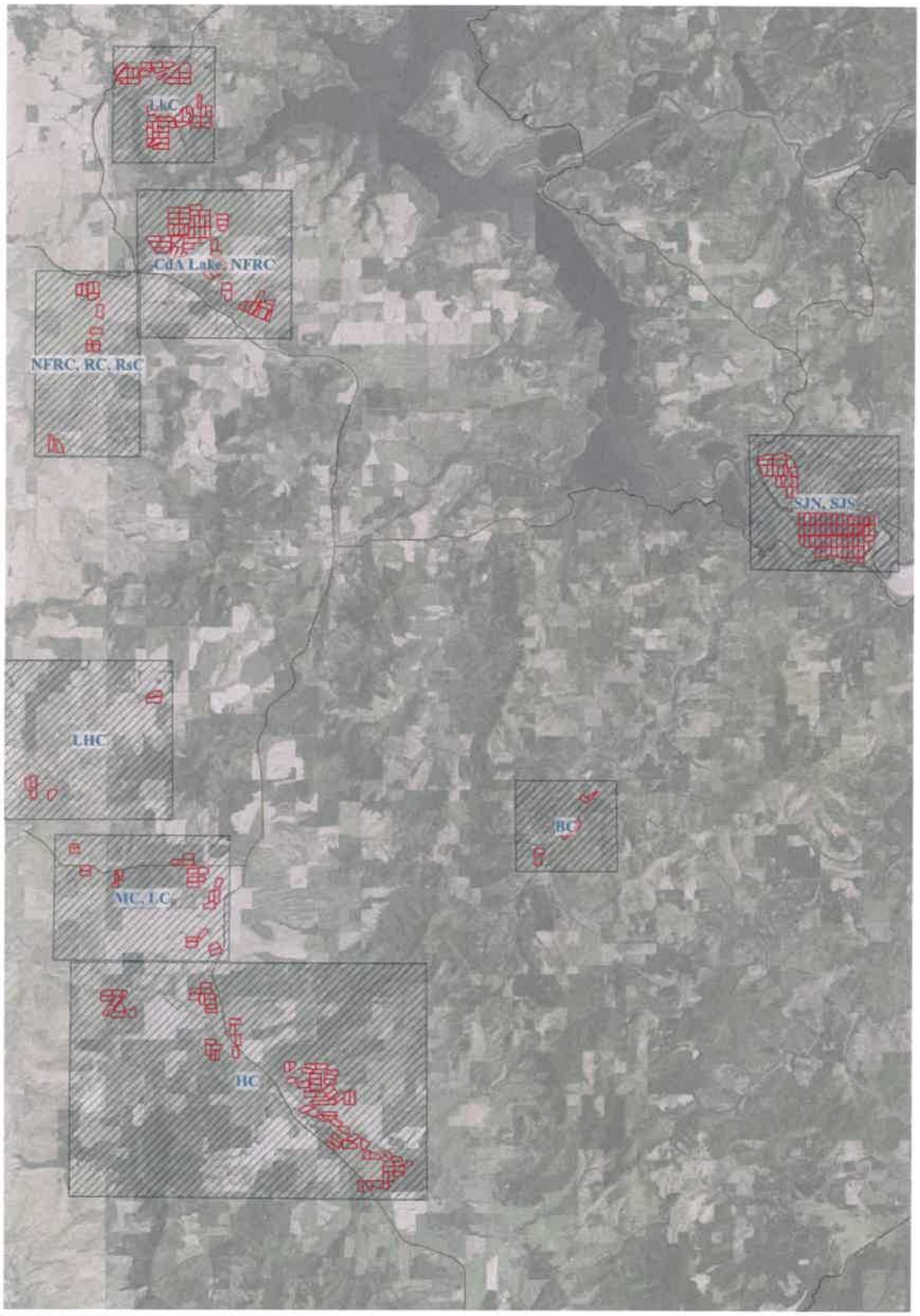
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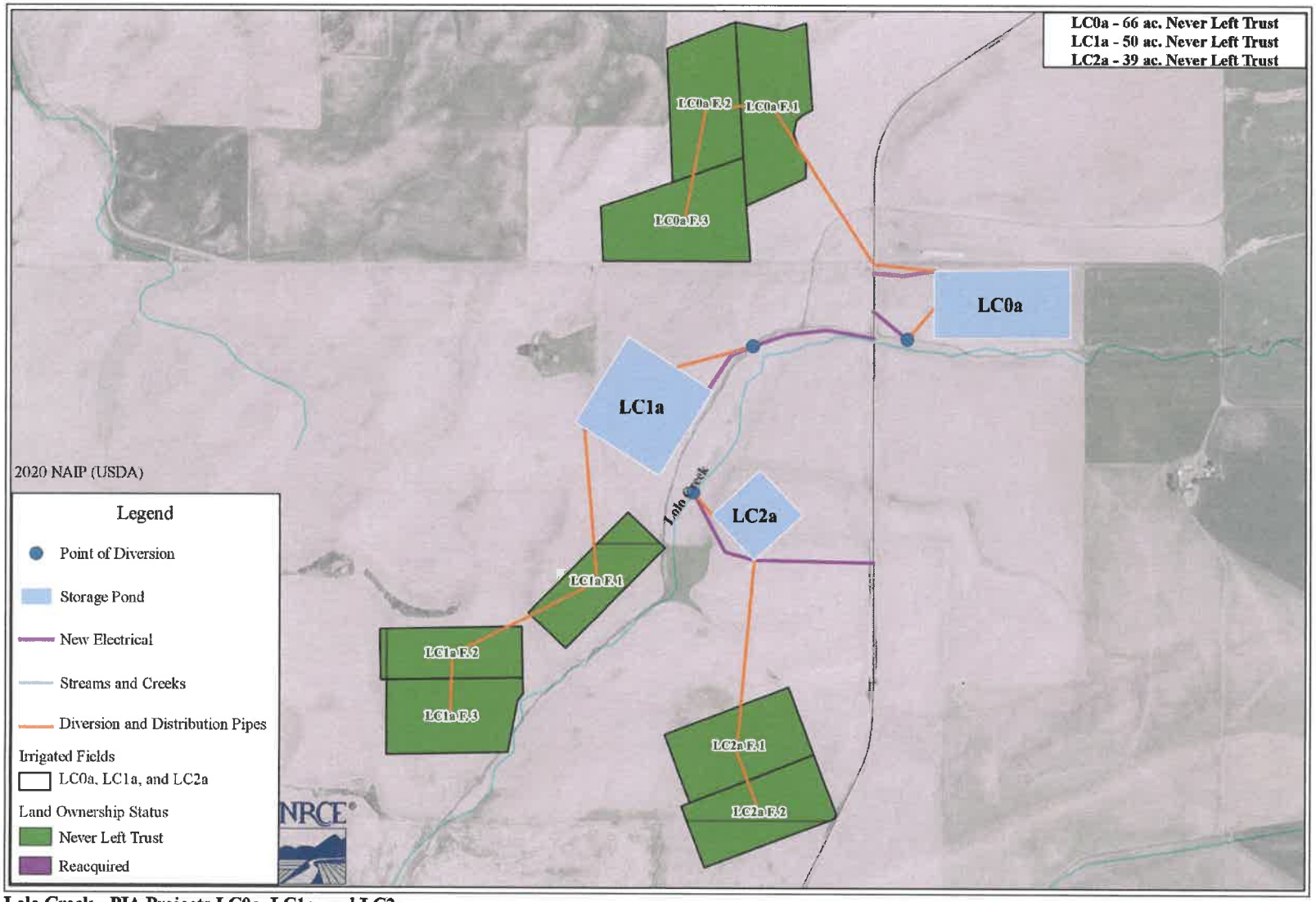
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Lolo Creek - PIA Projects LC0a, LC1a, and LC2a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7489**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873

3. Source: Lolo Creek (Fed. ID # LC2a)
(Water Right # 93-7489)

4. Point of Diversion:

Township: 45N Range: 5W Section: 27 Q: SE1/4 QQ: SW1/4

Pond Storage Location –
Township: 45N Range: 5W Section: 27 Q: SE1/4 QQ: SW1/4
Township: 45N Range: 5W Section: 34 Q: NE1/4 QQ: NW1/4

5. Place of Use: Total Acres: 39

Township: 45N	Range: 5W	Section: 34	Q: NE1/4	QQ: SW1/4	Acres: 29
Township: 45N	Range: 5W	Section: 34	Q: NE1/4	QQ: SE1/4	Acres: 3.4
Township: 45N	Range: 5W	Section: 34	Q: SE1/4	QQ: NE1/4	Acres: 0.2
Township: 45N	Range: 5W	Section: 34	Q: SE1/4	QQ: NW1/4	Acres: 6.4

See Attached Map.

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 122

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873; the date the Reservation was established by an Executive Order signed by President Ulyssess S. Grant. 1.C. Kapler, Indian Affairs: Law and Treaties 837 (1904). *In Re CSRBA Case No. 49576* 165 Idaho at 525-526, 528-529, 554-558.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and

available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

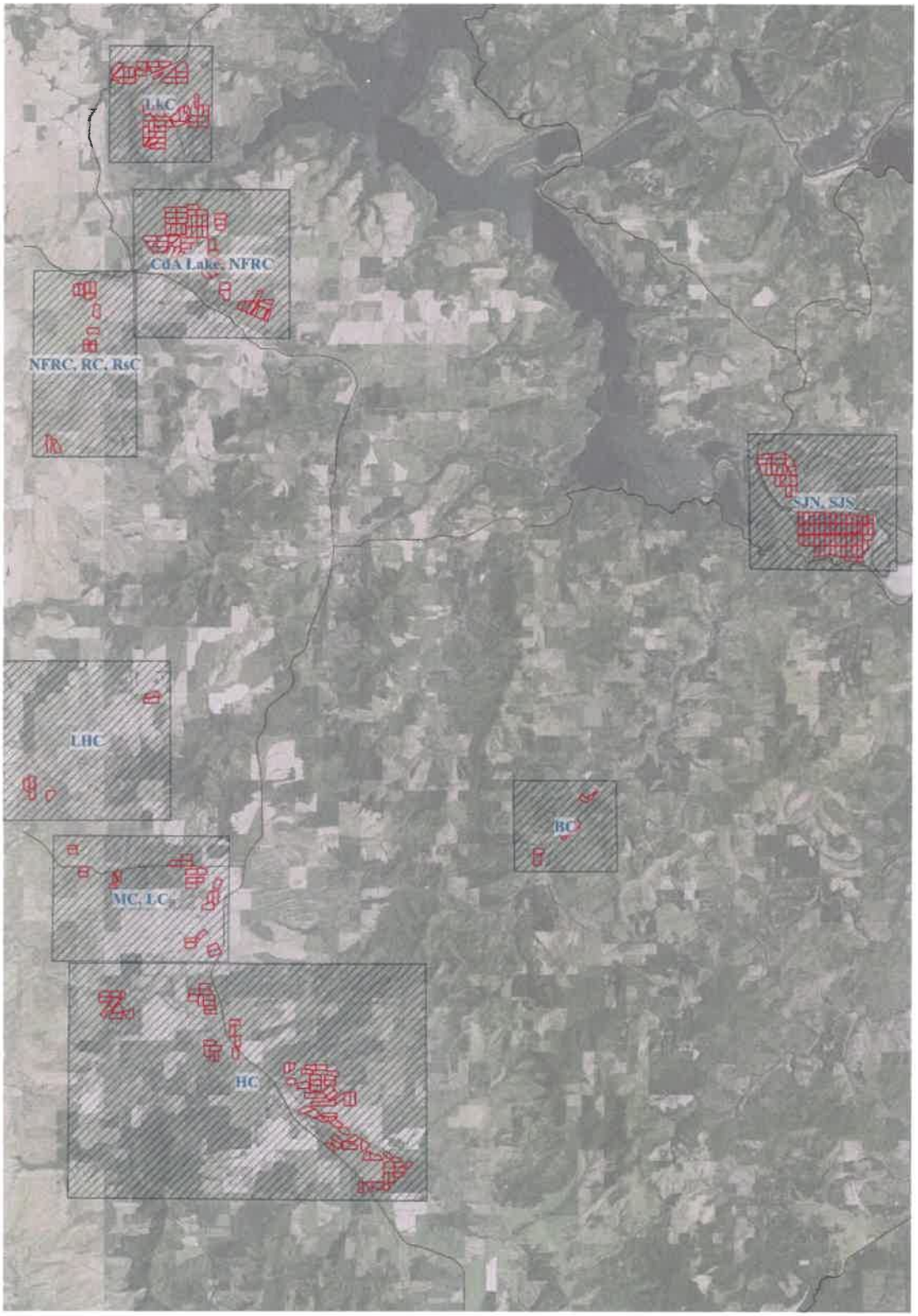
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

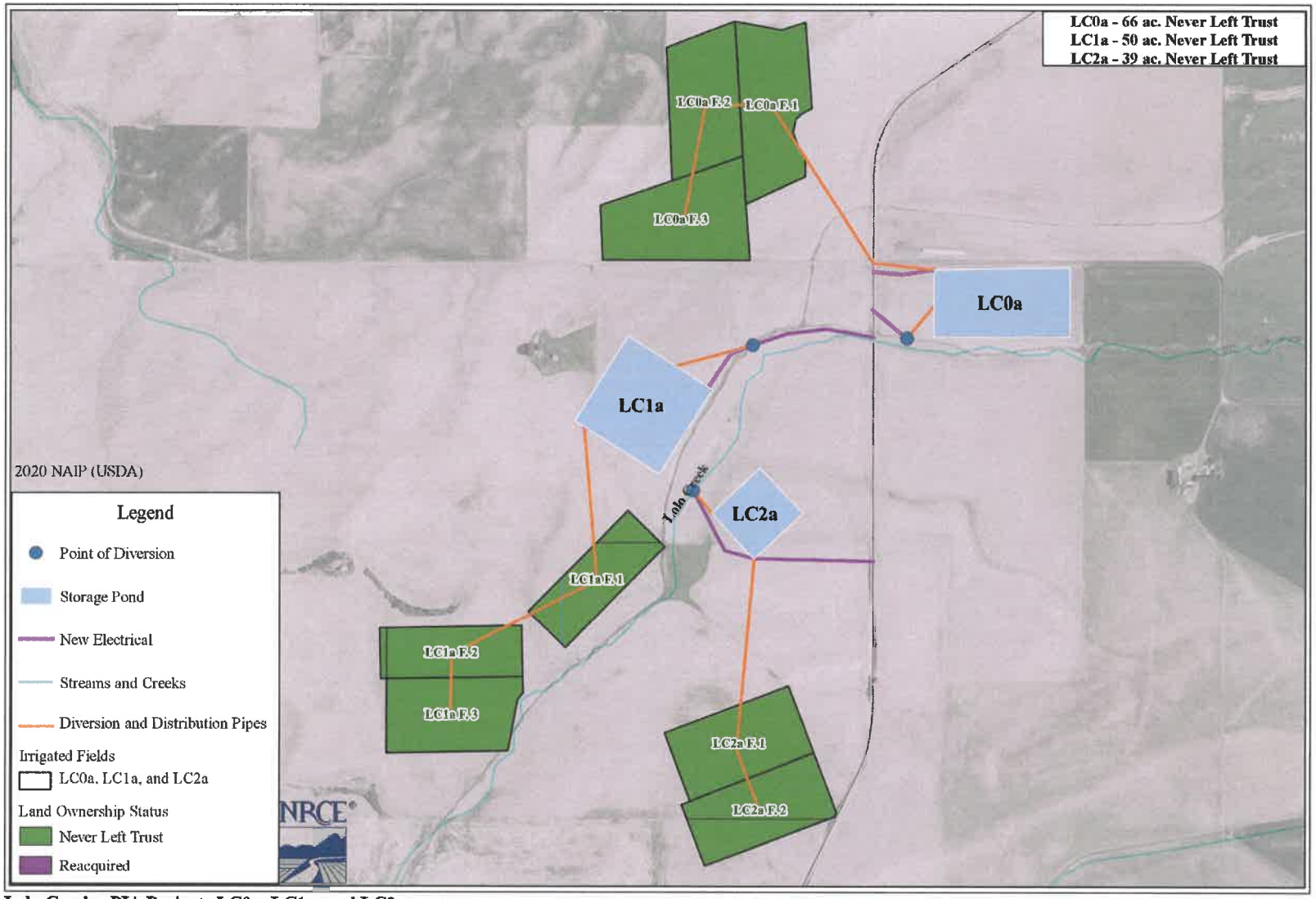
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Lolo Creek - PIA Projects LC0a, LC1a, and LC2a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7490**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873

3. Source: Moctileme Creek (Fed. ID # MC1a)
(Water Right # 93-7490)

4. Point of Diversion:

Township: 45N Range: 5W Section: 22 Q: NE1/4 QQ: SW1/4

Pond Storage Location –
Township: 45N Range: 5W Section: 22 Q: NE1/4 QQ: SW1/4
Township: 45N Range: 5W Section: 22 Q: NW1/4 QQ: SE1/4

5. Place of Use: Total Acres: 112

Township: 45N	Range: 5W	Section: 22	Q: SW1/4	QQ: NE1/4	Acres: 21.8
Township: 45N	Range: 5W	Section: 22	Q: SW1/4	QQ: NW1/4	Acres: 19.4
Township: 45N	Range: 5W	Section: 22	Q: SW1/4	QQ: SE1/4	Acres: 12.9
Township: 45N	Range: 5W	Section: 22	Q: SW1/4	QQ: SW1/4	Acres: 37.9
Township: 45N	Range: 5W	Section: 22	Q: SE1/4	QQ: SE1/4	Acres: 7.0
Township: 45N	Range: 5W	Section: 22	Q: SE1/4	QQ: SW1/4	Acres: 12.1
Township: 45N	Range: 5W	Section: 27	Q: NE1/4	QQ: NE1/4	Acres: 0.3
Township: 45N	Range: 5W	Section: 27	Q: NE1/4	QQ: NW1/4	Acres: 0.6

See Attached Map.

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 334

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873; the date the Reservation was established by an Executive Order signed by President Ulyssess S. Grant. 1.C. Kapler, Indian Affairs: Law and Treaties 837 (1904). *In Re CSRBA Case No. 49576* 165 Idaho at 525-526, 528-529, 554-558.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene

Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

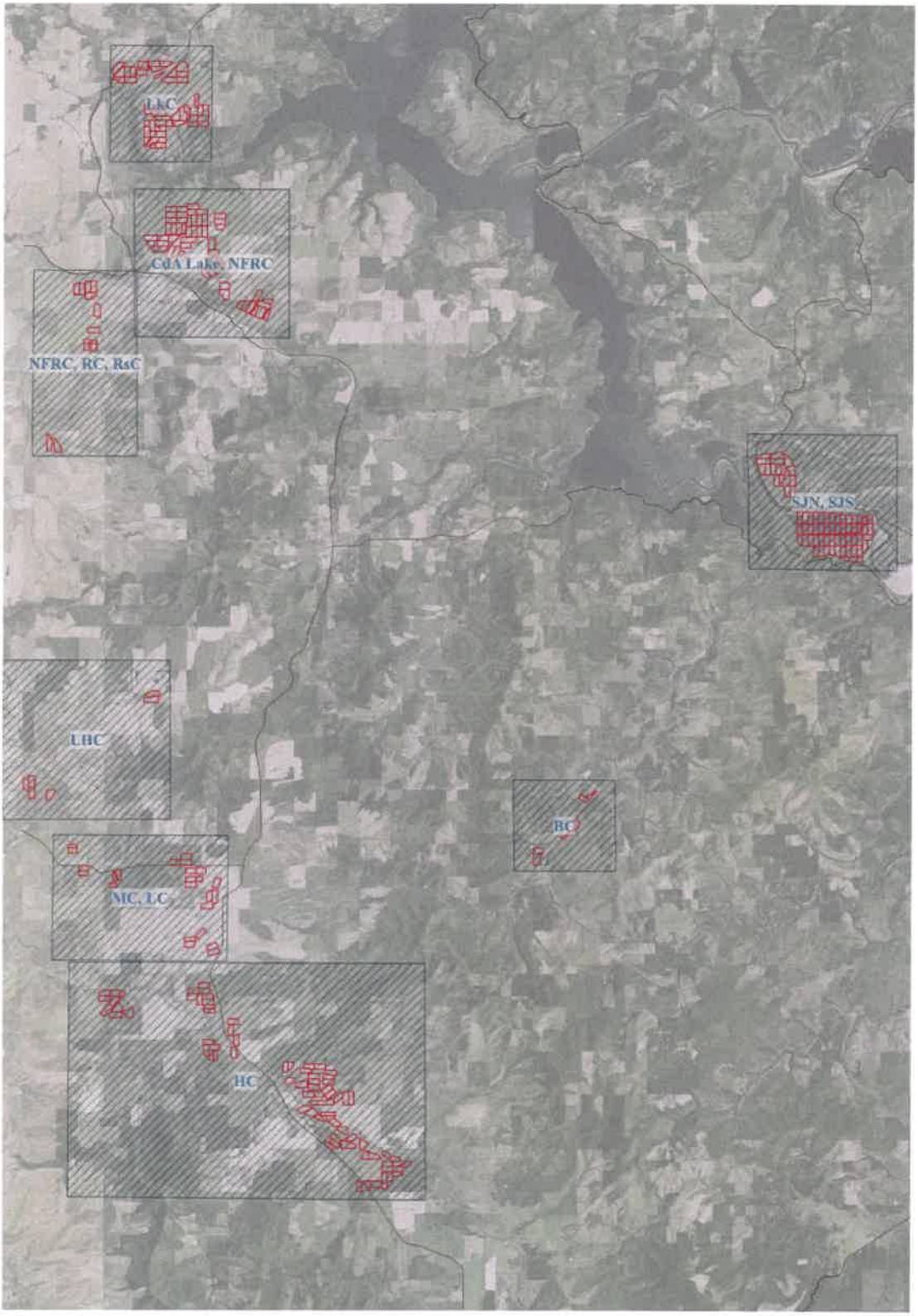
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

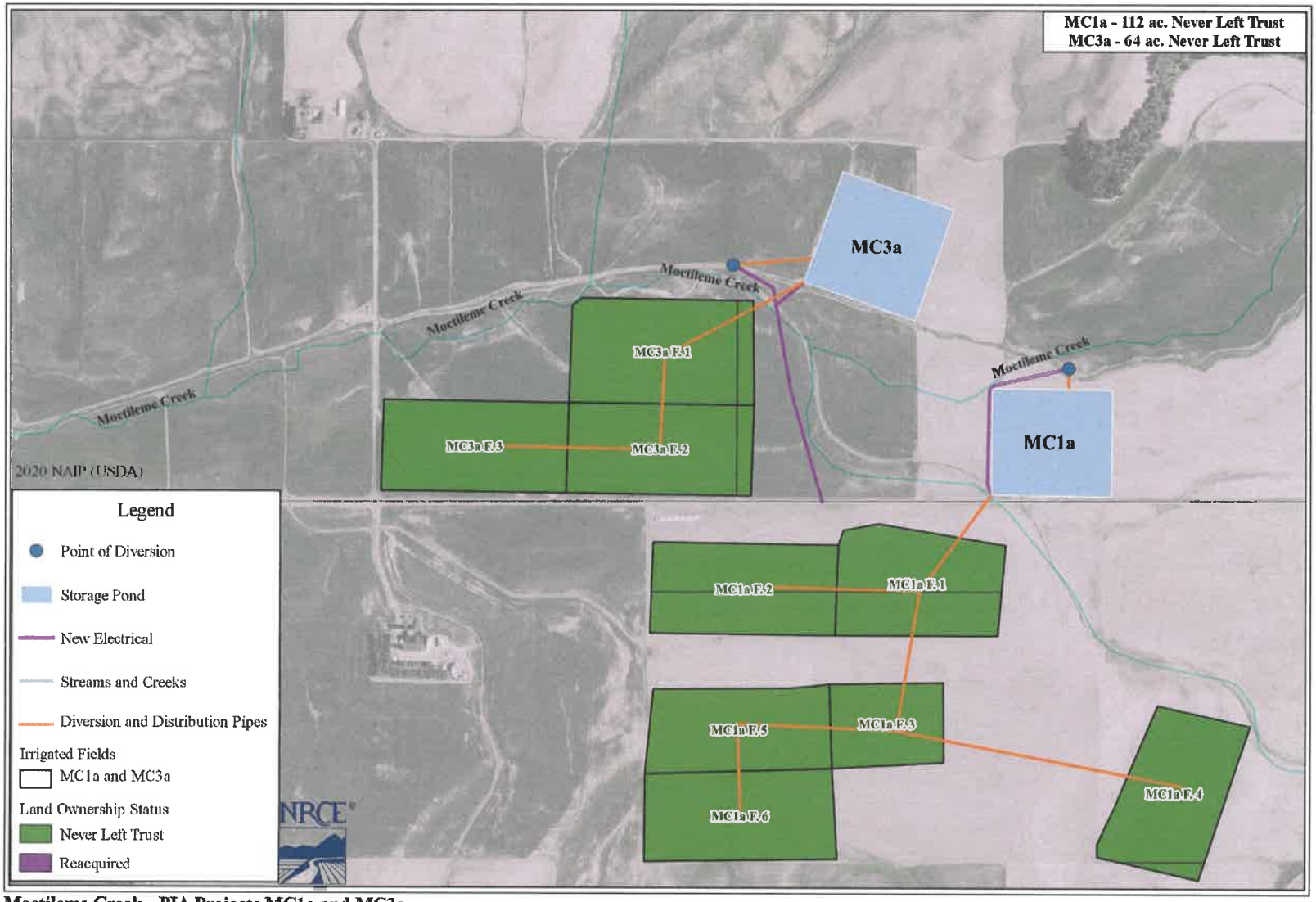
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Moctileme Creek - PIA Projects MC1a and MC3a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7491**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873

3. Source: Moctileme Creek (Fed. ID # MC3a)
(Water Right # 93-7491)

4. Point of Diversion:

Township: 45N Range: 5W Section: 22 Q: NW1/4 QQ: NW1/4

Pond Storage Location –
Township: 45N Range: 5W Section: 22 Q: NW1/4 QQ: NW1/4
Township: 45N Range: 5W Section: 22 Q: NW1/4 QQ: NE1/4

5. Place of Use: Total Acres: 64

Township: 45N	Range: 5W	Section: 22	Q: NW1/4	QQ: NW1/4	Acres: 2.7
Township: 45N	Range: 5W	Section: 21	Q: NE1/4	QQ: NE1/4	Acres: 2.0
Township: 45N	Range: 5W	Section: 22	Q: NW1/4	QQ: SW1/4	Acres: 22.7
Township: 45N	Range: 5W	Section: 21	Q: NE1/4	QQ: SE1/4	Acres: 27.4
Township: 45N	Range: 5W	Section: 21	Q: NE1/4	QQ: SW1/4	Acres: 9.2

See Attached Map.

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 206

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873; the date the Reservation was established by an Executive Order signed by President Ulyssess S. Grant. 1.C. Kapler, Indian Affairs: Law and Treaties 837 (1904). *In Re CSRBA Case No. 49576* 165 Idaho at 525-526, 528-529, 554-558.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and

available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

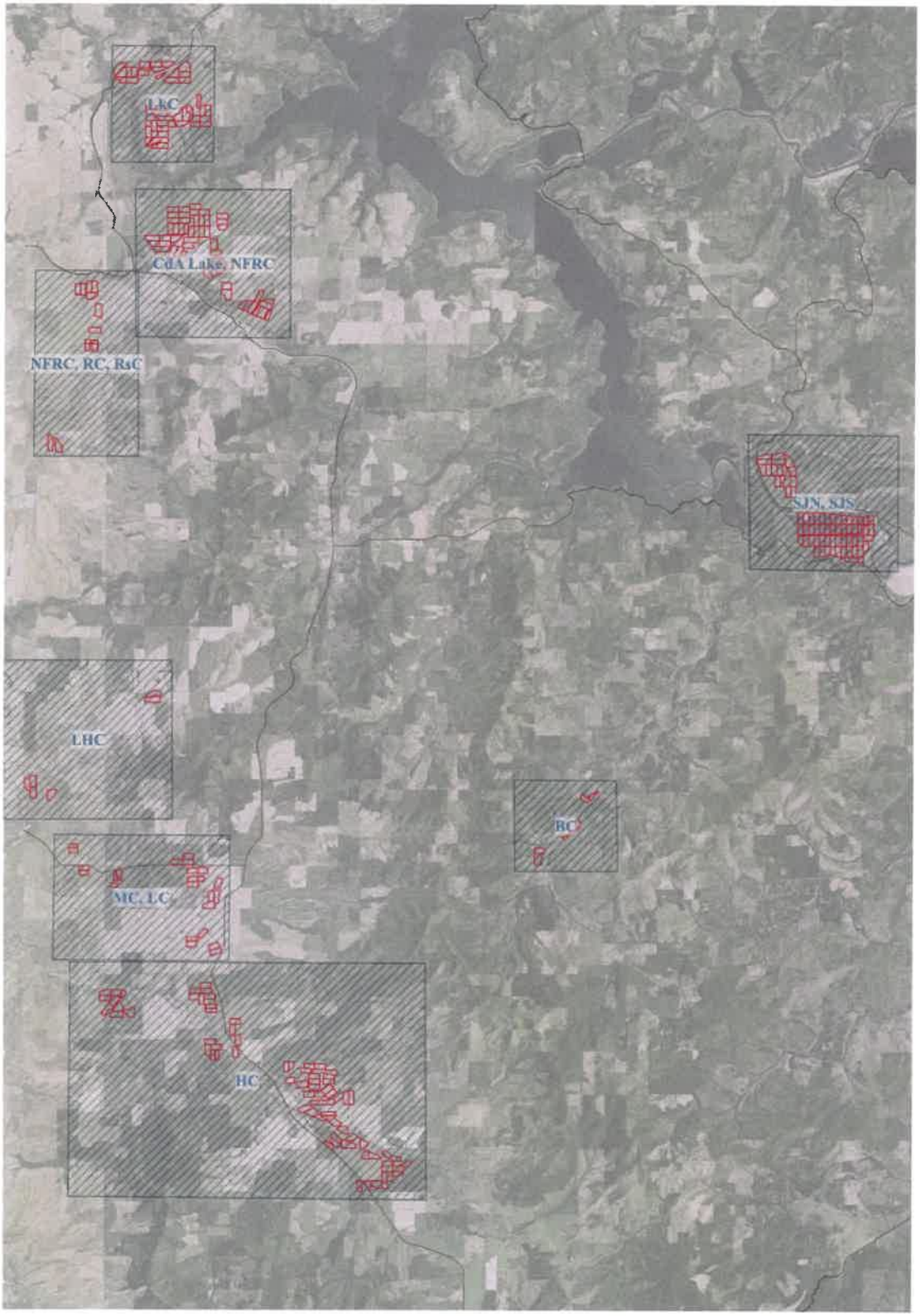
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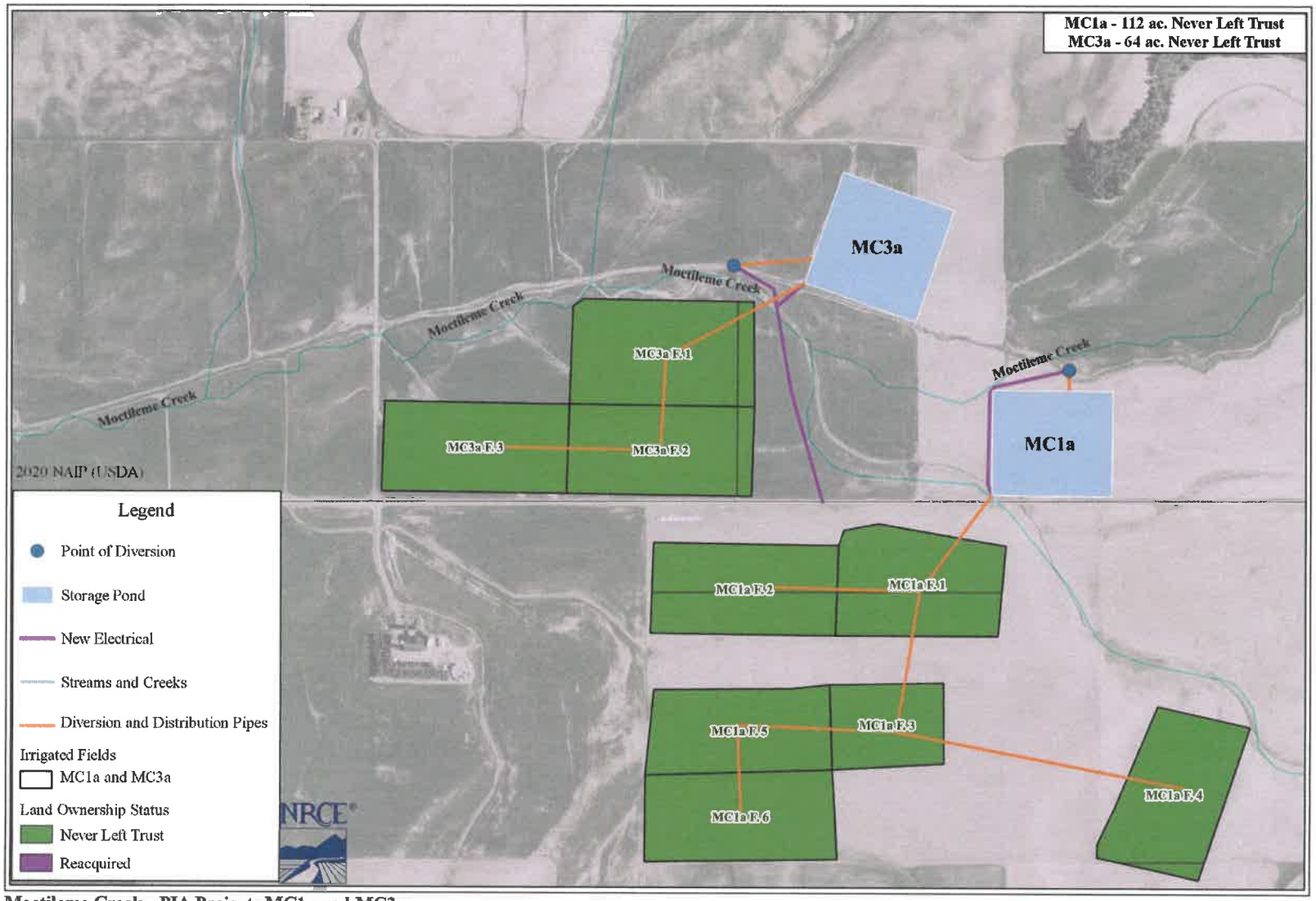
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Moctileme Creek - PIA Projects MC1a and MC3a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7492**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873

3. Source: Moctileme Creek (Fed. ID # MC7a)
(Water Right # 93-7492)

4. Point of Diversion:

Township: 45N Range: 5W Section: 20 Q: SE1/4 QQ: NW1/4

Pond Storage Location –
Township: 45N Range: 5W Section: 20 Q: NW1/4 QQ: SE1/4
Township: 45N Range: 5W Section: 20 Q: SW1/4 QQ: NE1/4

5. Place of Use: Total Acres: 34

Township: 45N Range: 5W Section: 20 Q: SW1/4 QQ: NE1/4 Acres: 14.2
Township: 45N Range: 5W Section: 20 Q: SW1/4 QQ: SE1/4 Acres: 19.2
Township: 45N Range: 5W Section: 20 Q: SW1/4 QQ: SW1/4 Acres: 0.6

See Attached Map.

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 109

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873; the date the Reservation was established by an Executive Order signed by President Ulyssess S. Grant. 1.C. Kapler, Indian Affairs: Law and Treaties 837 (1904). *In Re CSRBA Case No. 49576* 165 Idaho at 525-526, 528-529, 554-558.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and

available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

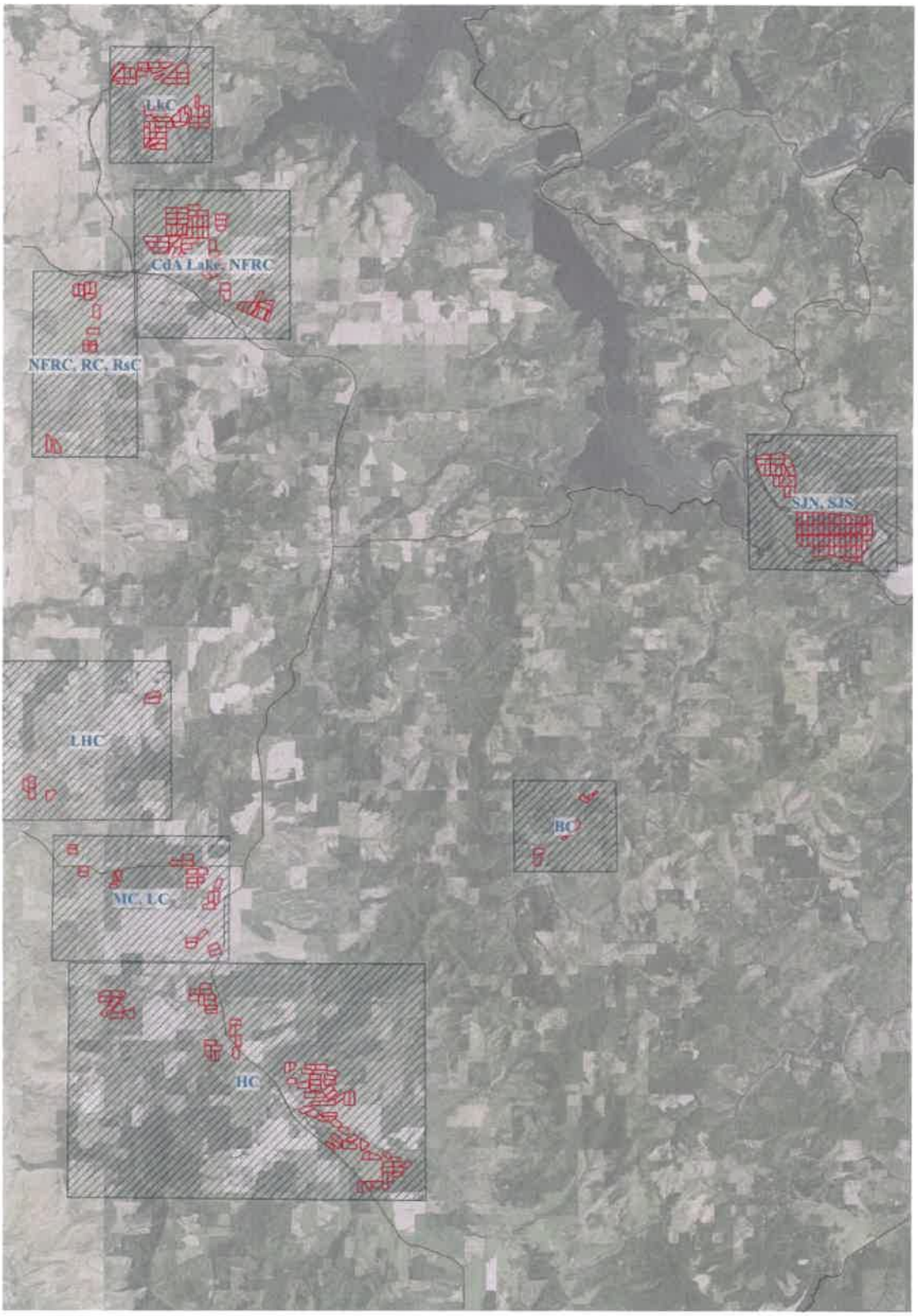
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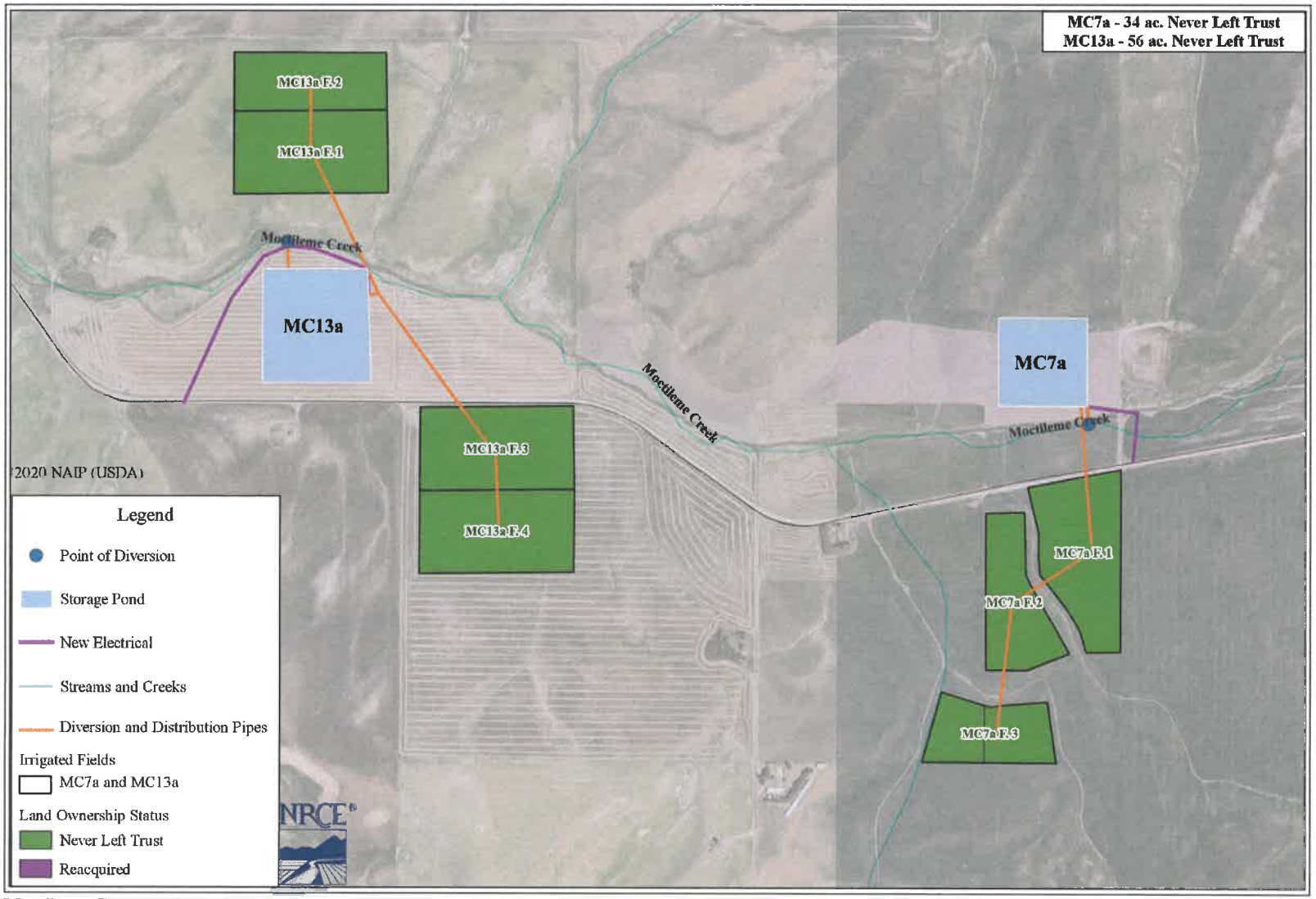
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Moctileme Creek - PIA Projects MC7a and MC13a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7493**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873

3. Source: Moctileme Creek (Fed. ID # MC13a)
(Water Right # 93-7493)

4. Point of Diversion:

Township: 45N Range: 5W Section: 19 Q: NW1/4 QQ: SE1/4

Pond Storage Location –
Township: 45N Range: 5W Section: 19 Q: NW1/4 QQ: SE1/4

5. Place of Use: Total Acres: 56

Township: 45N	Range: 5W	Section: 19	Q: NW1/4	QQ: NE1/4	Acres: 26.0
Township: 45N	Range: 5W	Section: 19	Q: SE1/4	QQ: NW1/4	Acres: 30.0

See Attached Map.

6. Purpose of Water Use: Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 195

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873; the date the Reservation was established by an Executive Order signed by President Ulyssess S. Grant. 1.C. Kapler, Indian Affairs: Law and Treaties 837 (1904). *In Re CSRBA Case No. 49576* 165 Idaho at 525-526, 528-529, 554-558.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

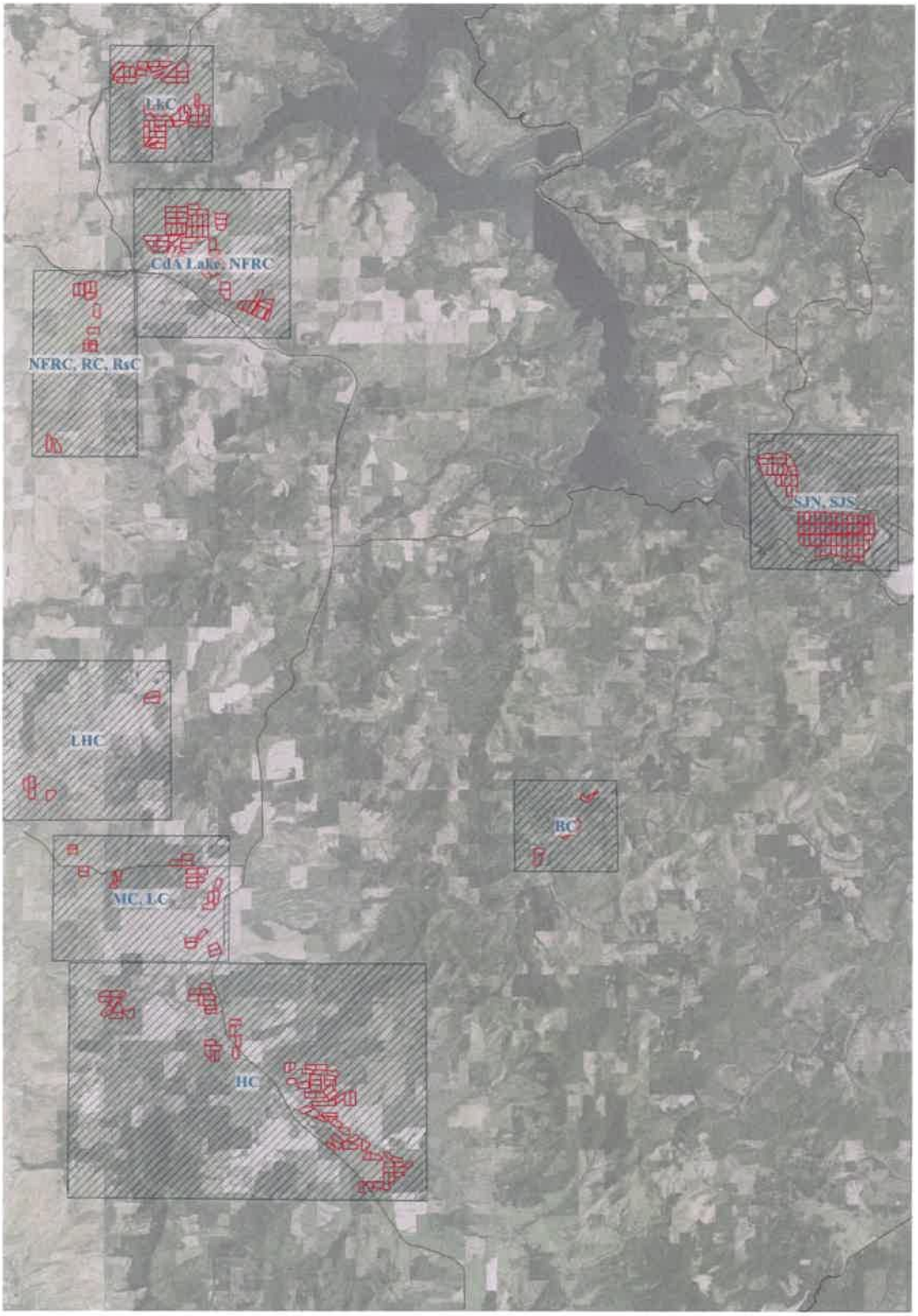
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

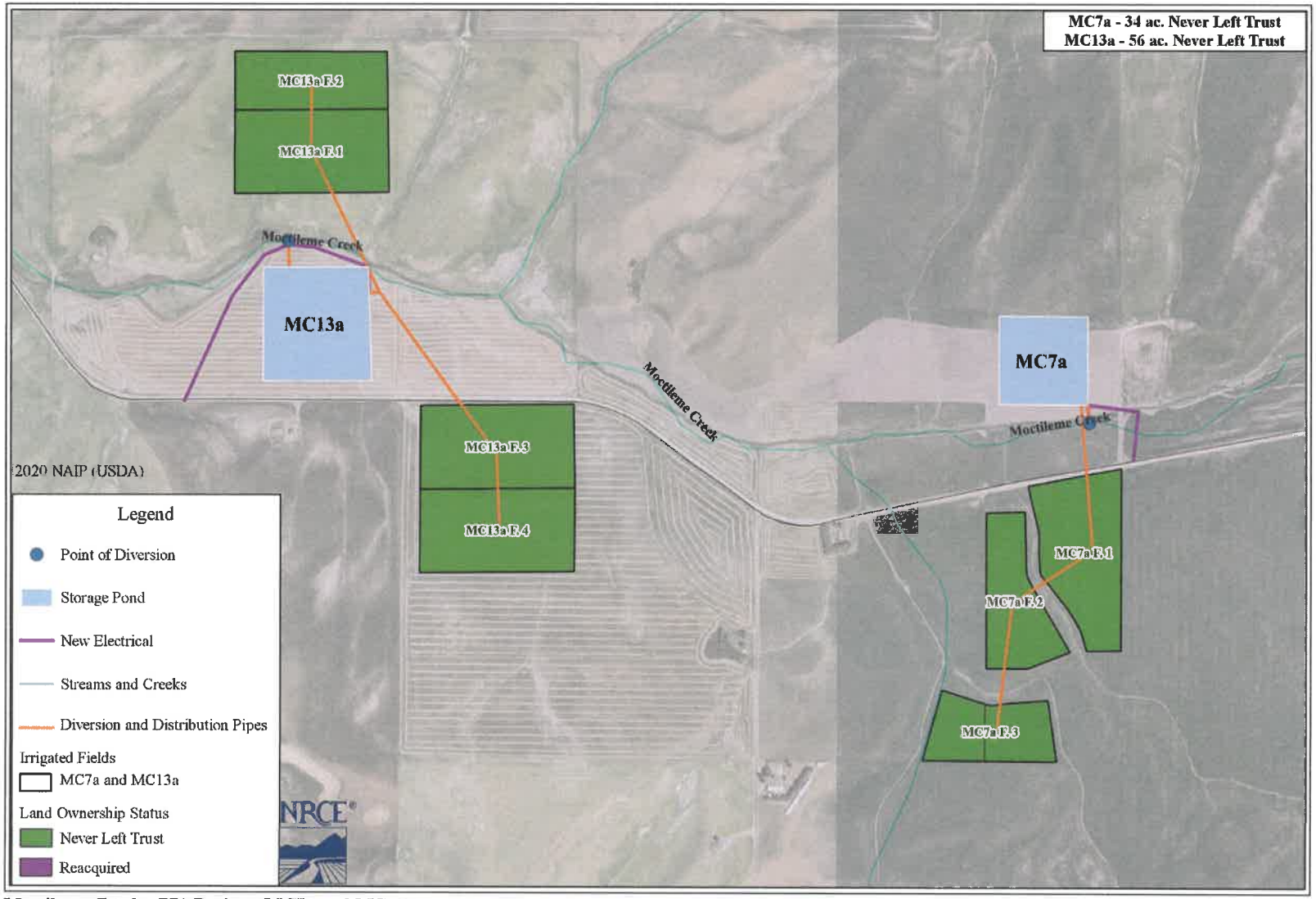
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Moctileme Creek - PIA Projects MC7a and MC13a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7494**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873

3. Source: Little Hangman Creek (Fed. ID # LHC3a)
(Water Right # 93-7494)

4. Point of Diversion:

Township: 46N Range: 5W Section: 32 Q: SW1/4 QQ: NE1/4

Pond Storage Location –
Township: 46N Range: 5W Section: 32 Q: SE1/4 QQ: NW1/4

5. Place of Use: Total Acres: 49

Township: 46N	Range: 5W	Section: 33	Q: SW1/4	QQ: NW1/4	Acres: 29.8
Township: 46N	Range: 5W	Section: 33	Q: SW1/4	QQ: NE1/4	Acres: 16.6
Township: 46N	Range: 5W	Section: 33	Q: NW1/4	QQ: SE1/4	Acres: 1.5
Township: 46N	Range: 5W	Section: 33	Q: NW1/4	QQ: SW1/4	Acres: 1.1

See Attached Map.

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 163

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873; the date the Reservation was established by an Executive Order signed by President Ulyssess S. Grant. 1.C. Kapler, Indian Affairs: Law and Treaties 837 (1904). *In Re CSRBA Case No. 49576* 165 Idaho at 525-526, 528-529, 554-558.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and

available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

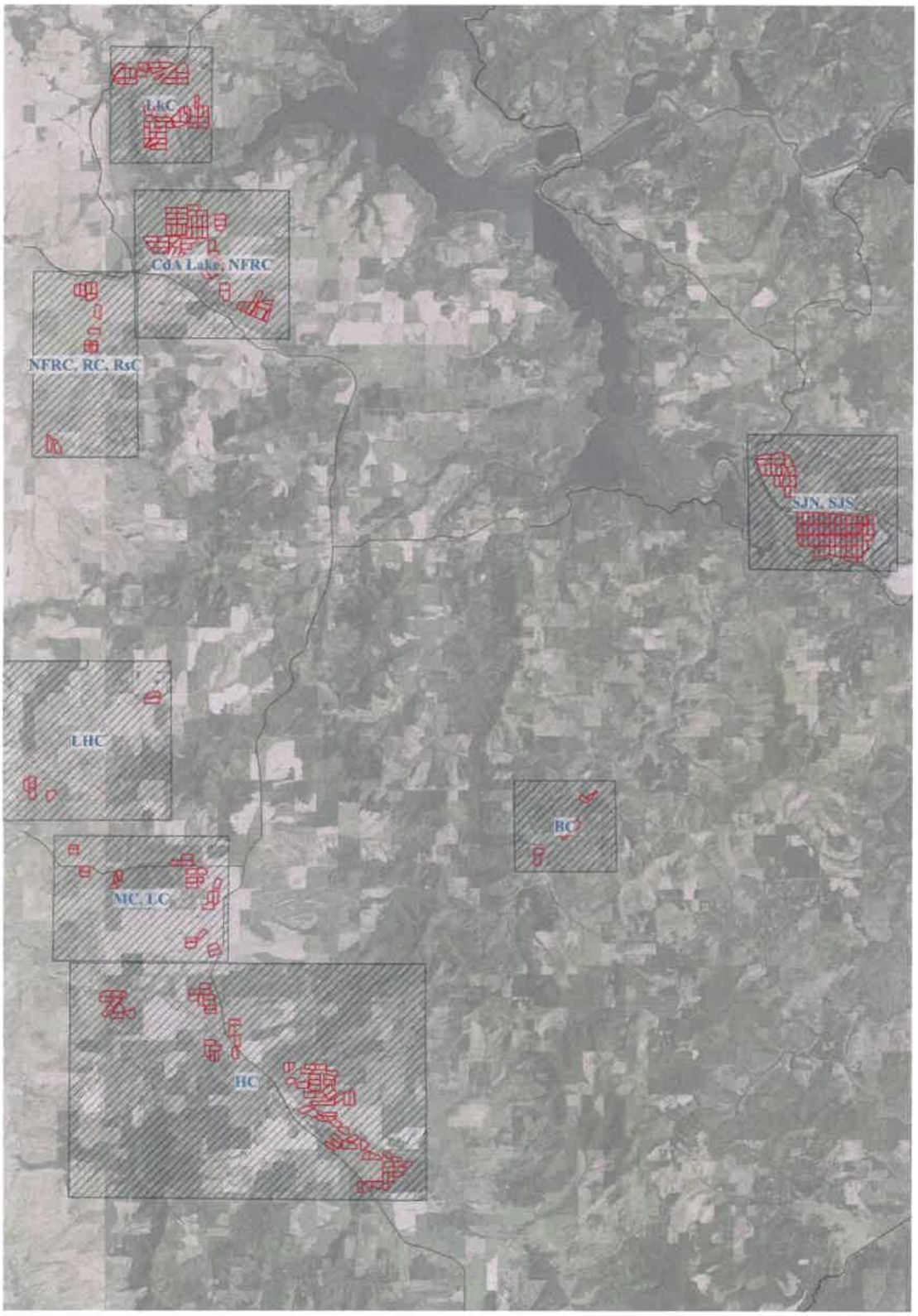
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

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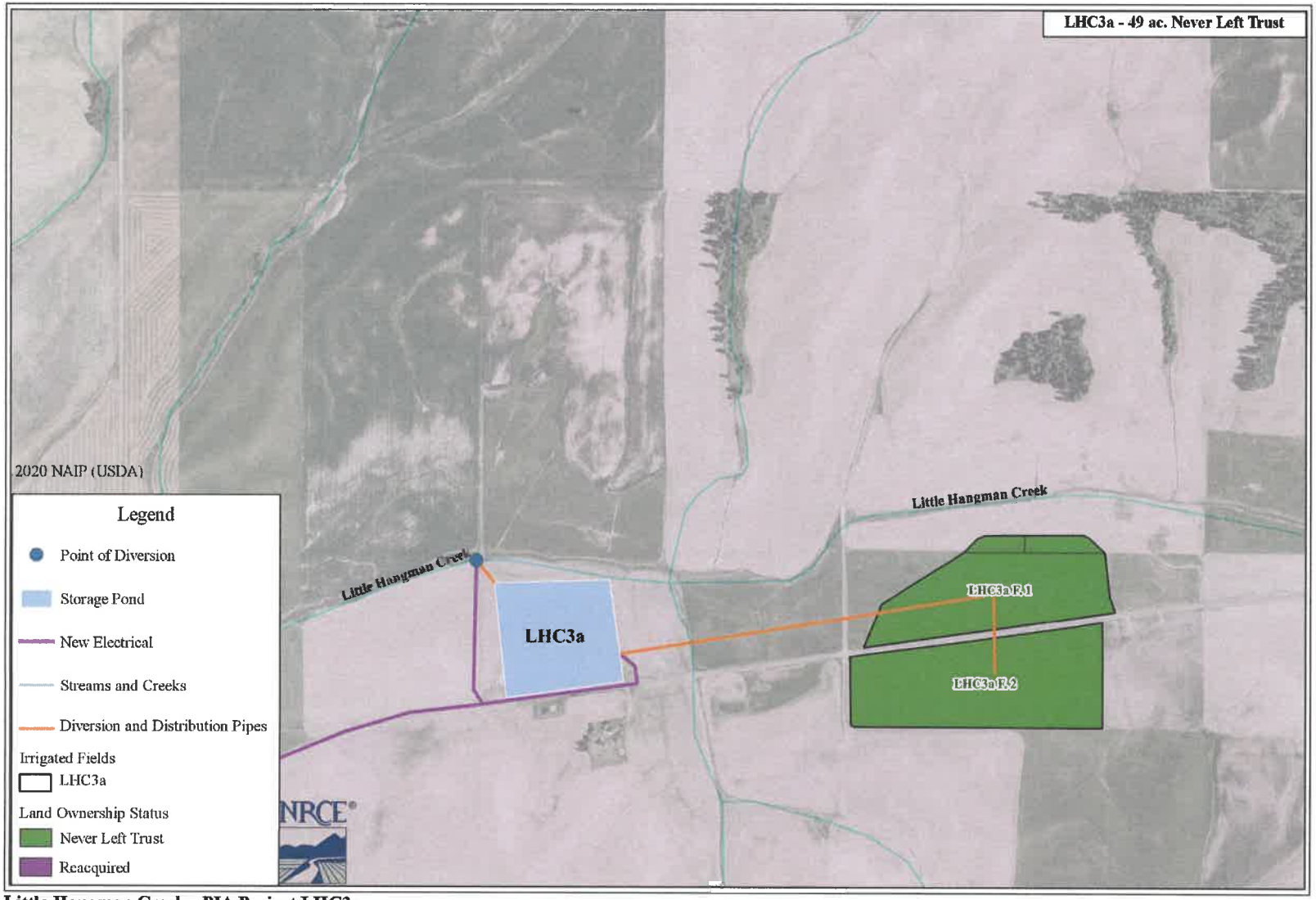
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Little Hangman Creek - PIA Project LHC3a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7495**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873

3. Source: Little Hangman Creek (Fed. ID # LHC4a)
(Water Right # 93-7495)

4. Point of Diversion:

Township: 45N Range: 6W Section: 13 Q: NE1/4 QQ: NE1/4

Pond Storage Location –
Township: 45N Range: 6W Section: 12 Q: SE1/4 QQ: SE1/4
Township: 45N Range: 6W Section: 13 Q: NE1/4 QQ: NE1/4
Township: 45N Range: 5W Section: 18 Q: NW1/4 QQ: L1

5. Place of Use: Total Acres: 66

Township: 45N	Range: 6W	Section: 12	Q: SW1/4	QQ: L4	Acres: 19.3
Township: 45N	Range: 6W	Section: 12	Q: SW1/4	QQ: L3	Acres: 41.5
Township: 45N	Range: 6W	Section: 12	Q: NW1/4	QQ: L2	Acres: 5.2

See Attached Map.

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 209

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873; the date the Reservation was established by an Executive Order signed by President Ulyssess S. Grant. 1.C. Kapler, Indian Affairs: Law and Treaties 837 (1904). *In Re CSRBA Case No. 49576* 165 Idaho at 525-526, 528-529, 554-558.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and

available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

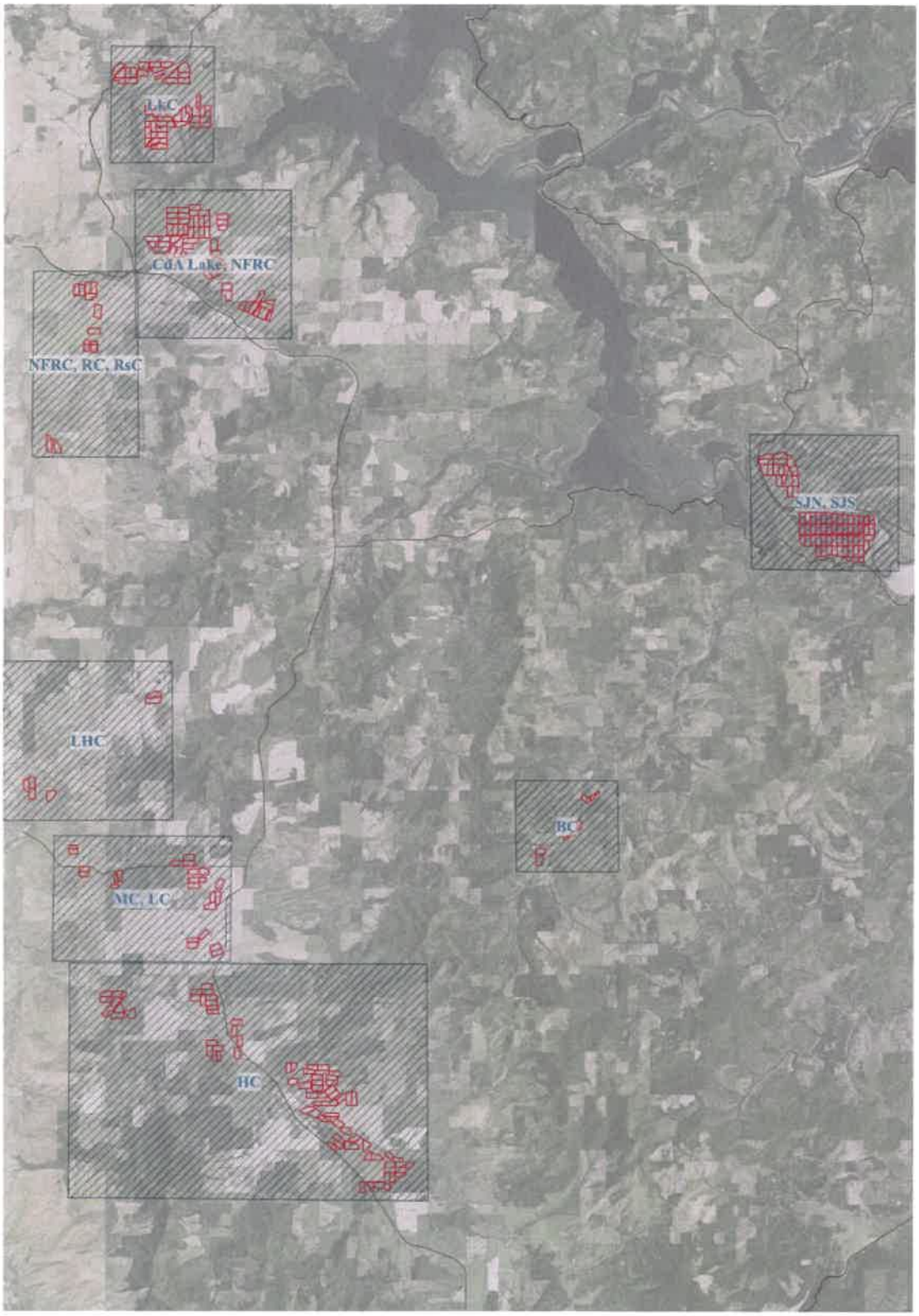
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

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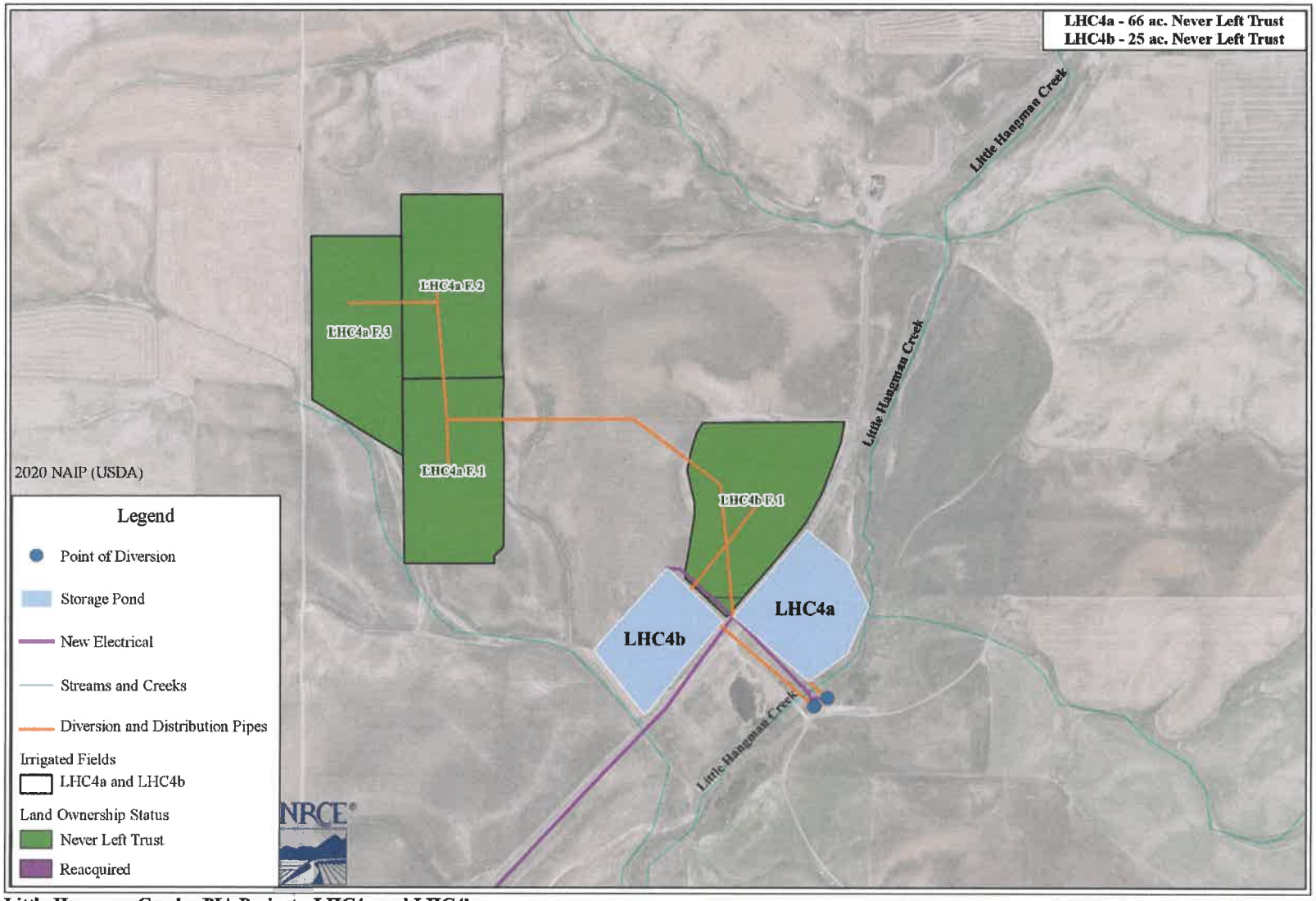
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Little Hangman Creek - PIA Projects LHC4a and LHC4b

ECEIVED
APR 08 2024
OF WATER RESOURCE

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7496**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873

3. Source: Little Hangman Creek (Fed. ID # LHC4b)
(Water Right # 93-7496)

4. Point of Diversion:

Township: 45N Range: 6W Section: 13 Q: NE1/4 QQ: NE1/4

Pond Storage Location –
Township: 45N Range: 6W Section: 12 Q: SE1/4 QQ: SE1/4
Township: 45N Range: 6W Section: 12 Q: SE1/4 QQ: SW1/4
Township: 45N Range: 6W Section: 13 Q: NE1/4 QQ: NE1/4
Township: 45N Range: 6W Section: 13 Q: NE1/4 QQ: NW1/4

5. Place of Use: Total Acres: 25

Township: 45N Range: 6W Section: 12 Q: SE1/4 QQ: SE1/4 Acres: 24.6
Township: 45N Range: 6W Section: 13 Q: NE1/4 QQ: NE1/4 Acres: 0.4

See Attached Map.

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 92

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873; the date the Reservation was established by an Executive Order signed by President Ulyssess S. Grant. 1.C. Kapler, Indian Affairs: Law and Treaties 837 (1904). *In Re CSRBA Case No. 49576* 165 Idaho at 525-526, 528-529, 554-558.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and

available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

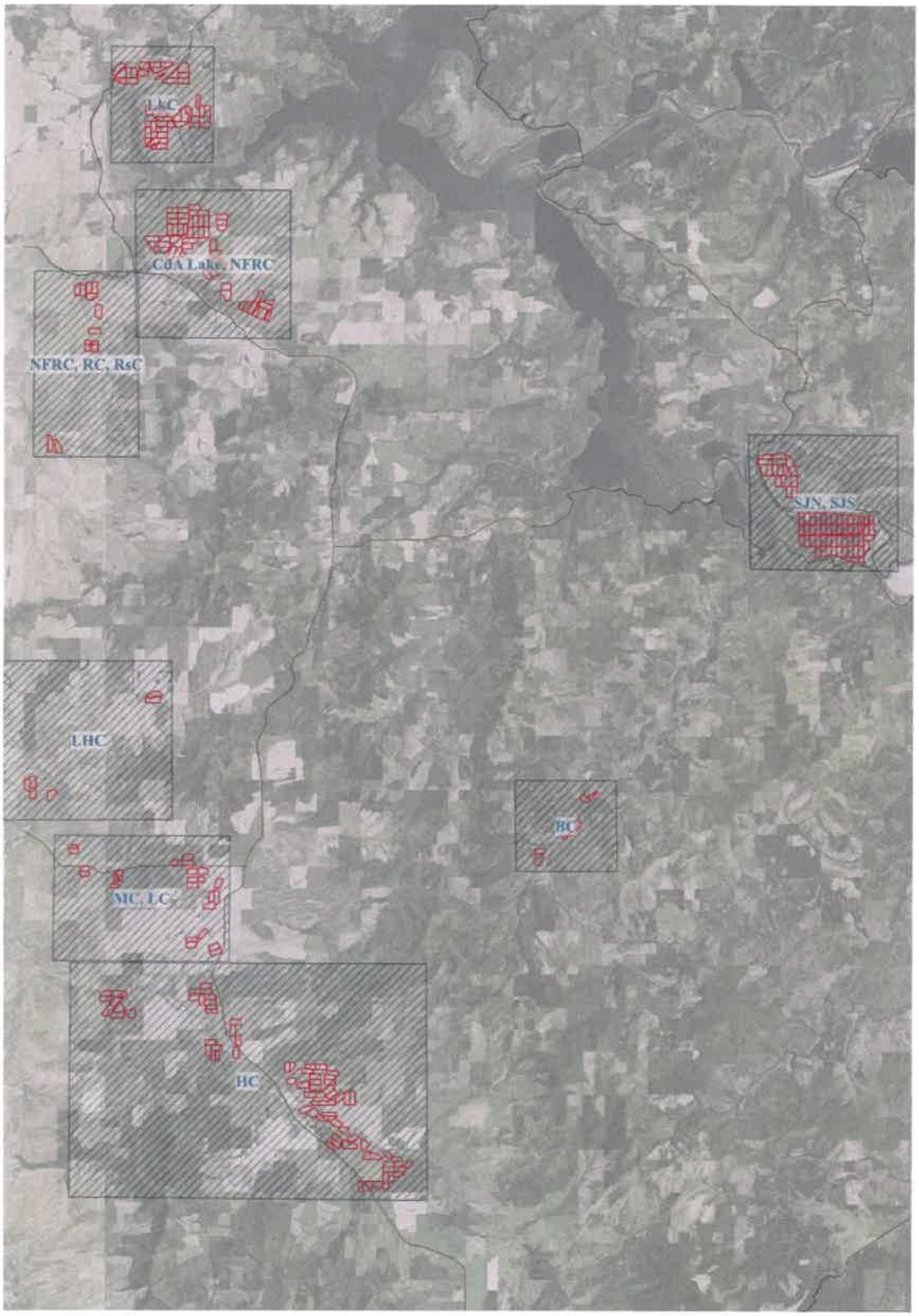
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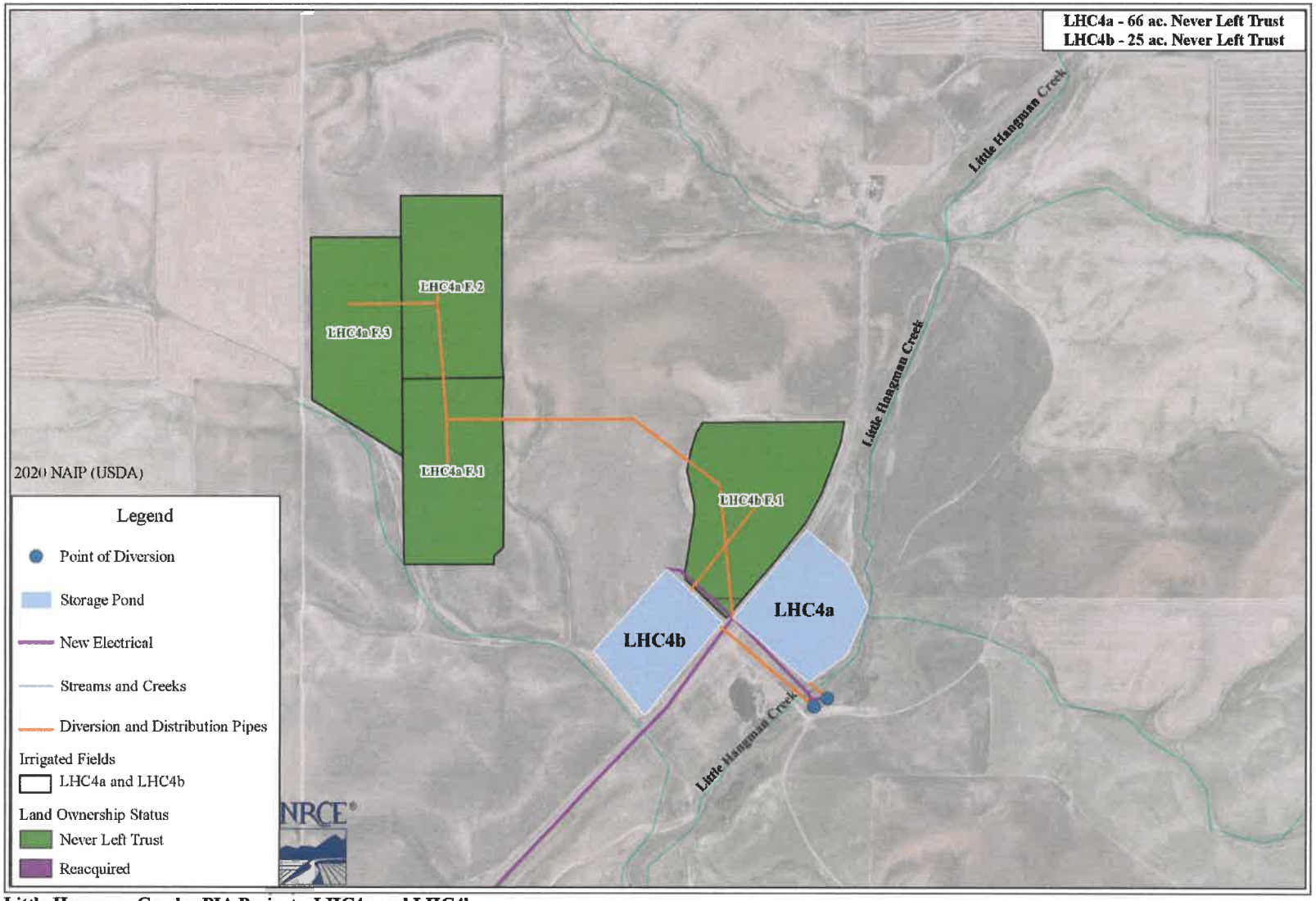
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Little Hangman Creek - PIA Projects LHC4a and LHC4b

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7497**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873

3. Source: Rose Creek (Fed. ID # RsC3a)
(Water Right # 93-7497)

4. Point of Diversion:

Township: 47N Range: 6W Section: 36 Q: NE1/4 QQ: SW1/4

Pond Storage Location –
Township: 47N Range: 6W Section: 36 Q: NE1/4 QQ: SW1/4
Township: 47N Range: 6W Section: 36 Q: SE1/4 QQ: NW1/4

5. Place of Use: Total Acres: 48

Township: 47N Range: 6W Section: 36 Q: SE1/4 QQ: NE1/4 Acres: 13.8
Township: 47N Range: 6W Section: 36 Q: SE1/4 QQ: SE1/4 Acres: 25
Township: 47N Range: 5W Section: 31 Q: SW1/4 QQ: L4 Acres: 9

See Attached Map.

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 151

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873; the date the Reservation was established by an Executive Order signed by President Ulyssess S. Grant. 1.C. Kapler, Indian Affairs: Law and Treaties 837 (1904). *In Re CSRBA Case No. 49576* 165 Idaho at 525-526, 528-529, 554-558.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and

available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

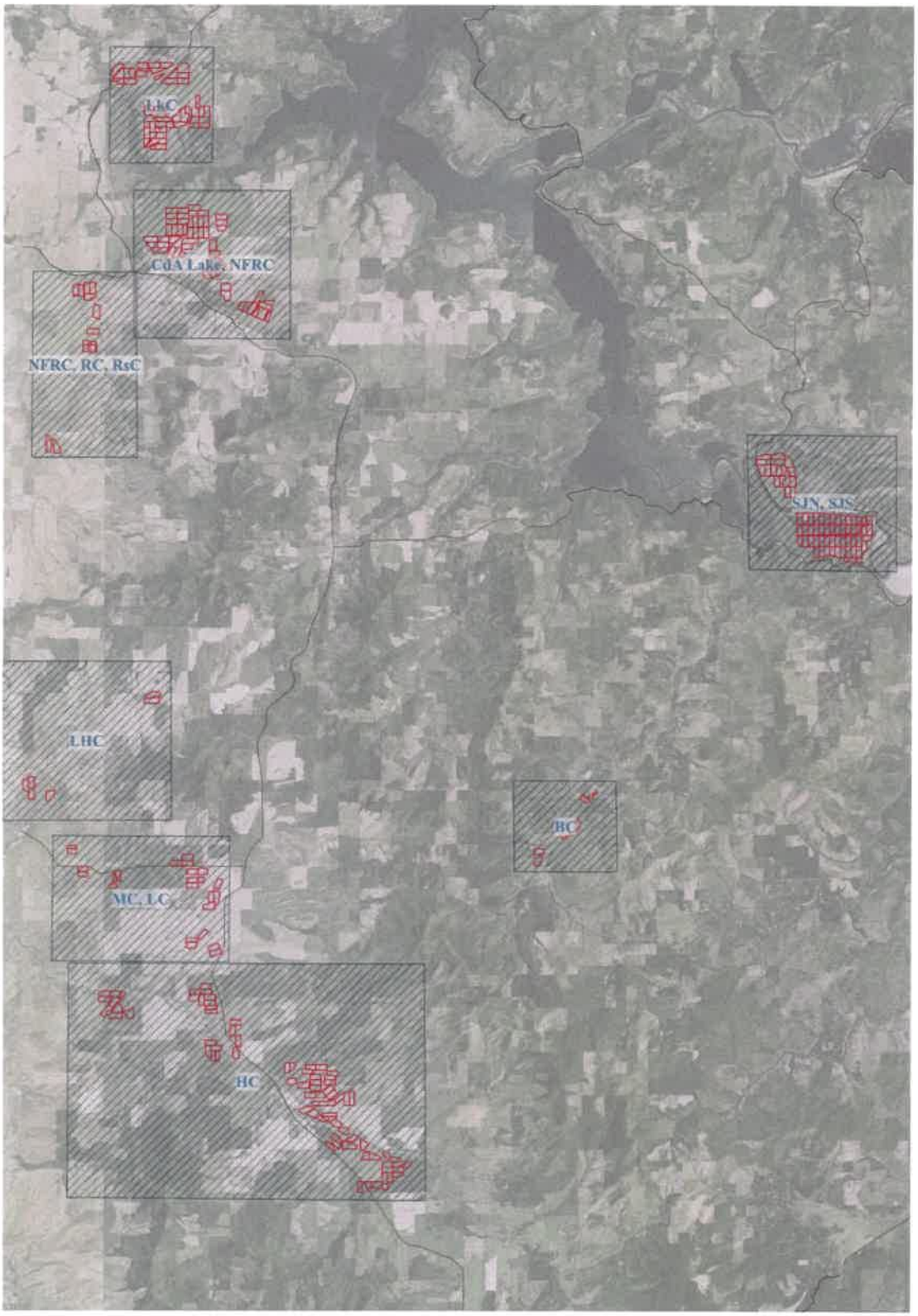
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

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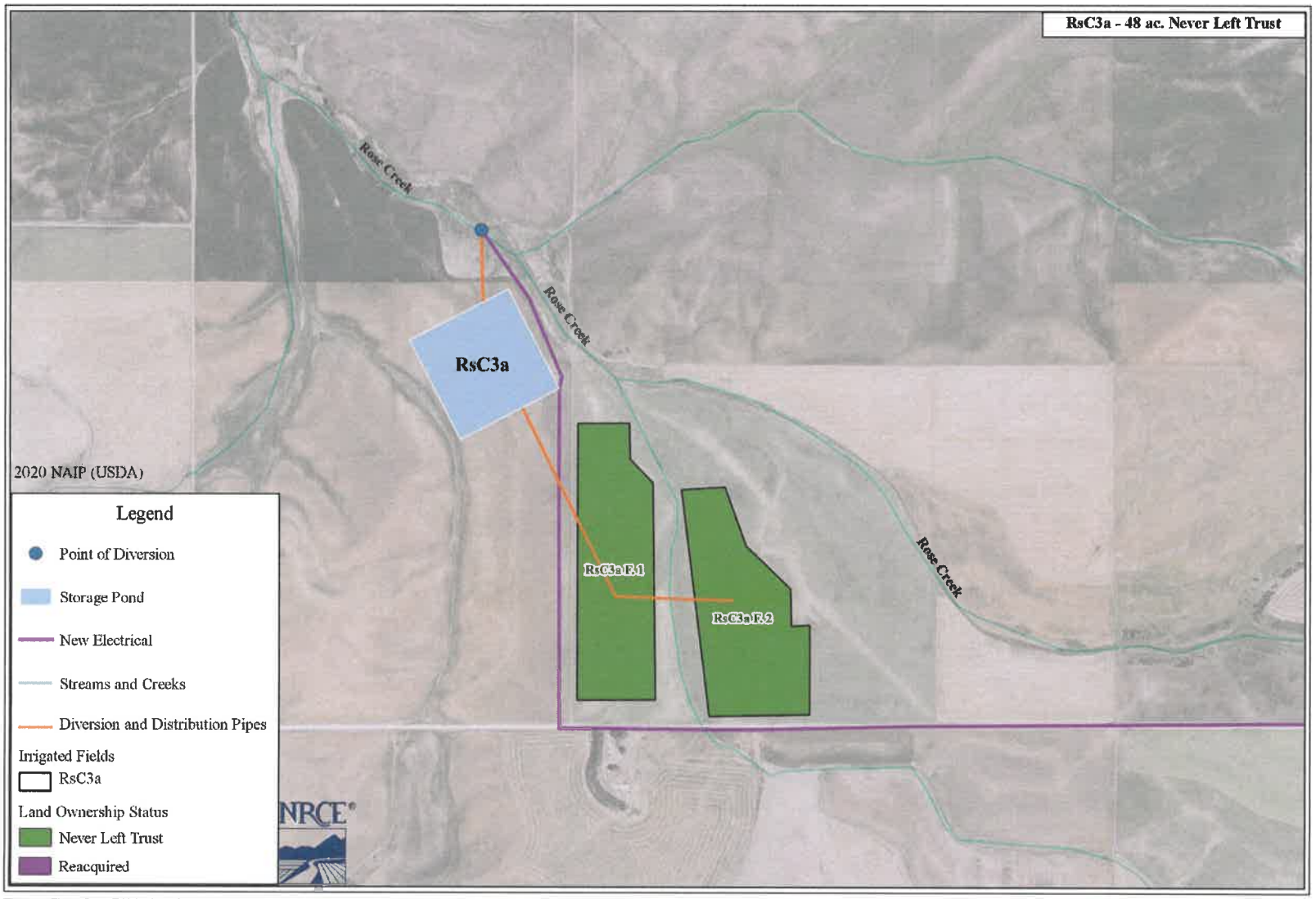
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Rose Creek - PIA Project RsC3a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7498**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873

3. Source: Rose Creek (Fed. ID # RC2a)
(Water Right # 93-7498)

4. Point of Diversion:

Township: 47N Range: 5W Section: 18 Q: SE1/4 QQ: SW1/4

Pond Storage Location –
Township: 47N Range: 5W Section: 18 Q: SE1/4 QQ: SW1/4
Township: 47N Range: 5W Section: 19 Q: NE1/4 QQ: mvNW1/4

5. Place of Use: Total Acres: 64

Township:	47N	Range:	5W	Section:	19	Q:	NE1/4	QQ:	NW1/4	Acres: 3.5
Township:	47N	Range:	5W	Section:	19	Q:	NE1/4	QQ:	NE1/4	Acres: 18.7
Township:	47N	Range:	5W	Section:	19	Q:	NE1/4	QQ:	SW1/4	Acres: 8.5
Township:	47N	Range:	5W	Section:	19	Q:	NE1/4	QQ:	SE1/4	Acres: 7.2
Township:	47N	Range:	5W	Section:	19	Q:	SE1/4	QQ:	NW1/4	Acres: 11.9
Township:	47N	Range:	5W	Section:	19	Q:	SE1/4	QQ:	NE1/4	Acres: 14.2

See Attached Map.

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 204

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873; the date the Reservation was established by an Executive Order signed by President Ulyssess S. Grant. 1.C. Kapler, Indian Affairs: Law and Treaties 837 (1904). *In Re CSRBA Case No. 49576* 165 Idaho at 525-526, 528-529, 554-558.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other

purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

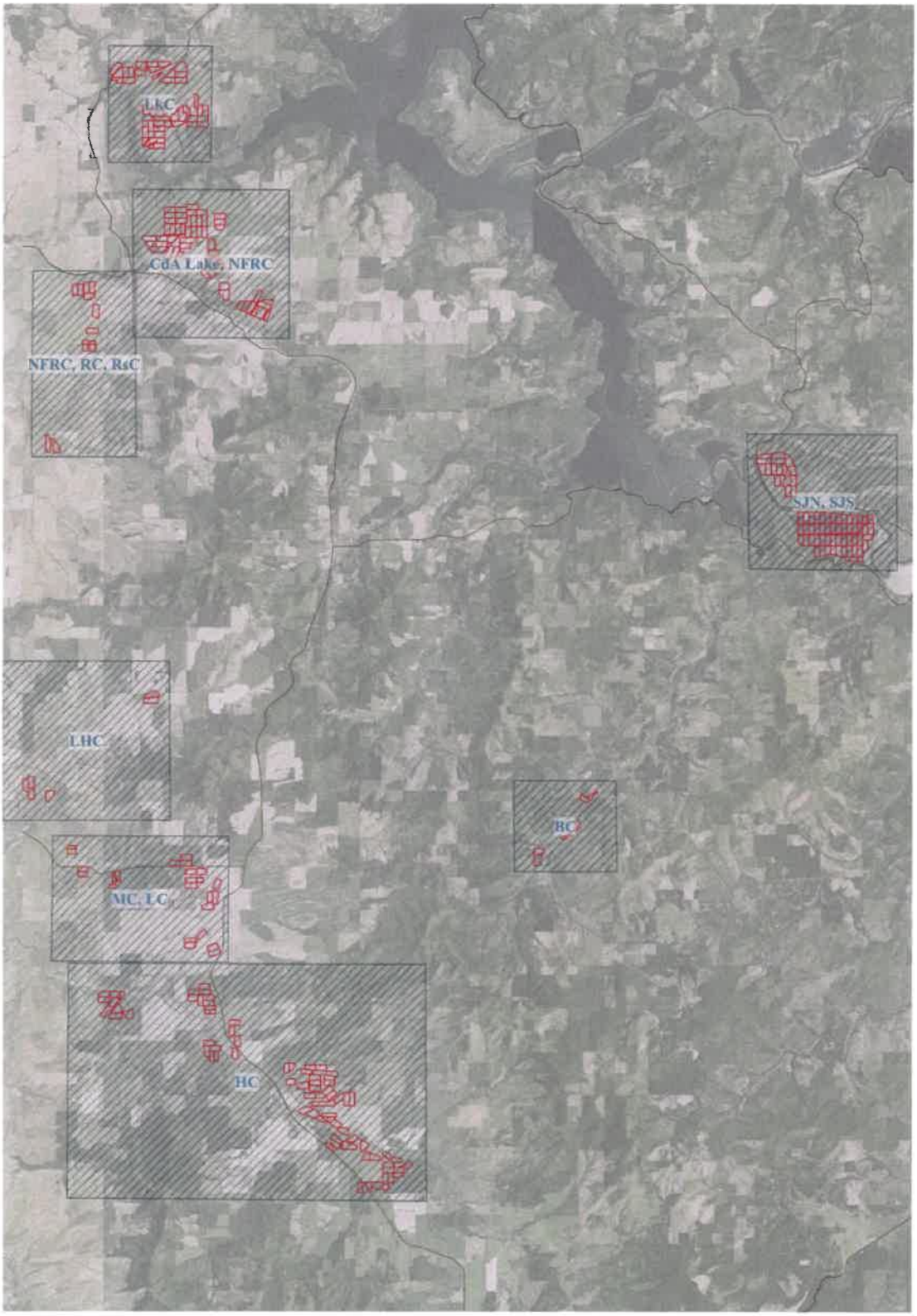
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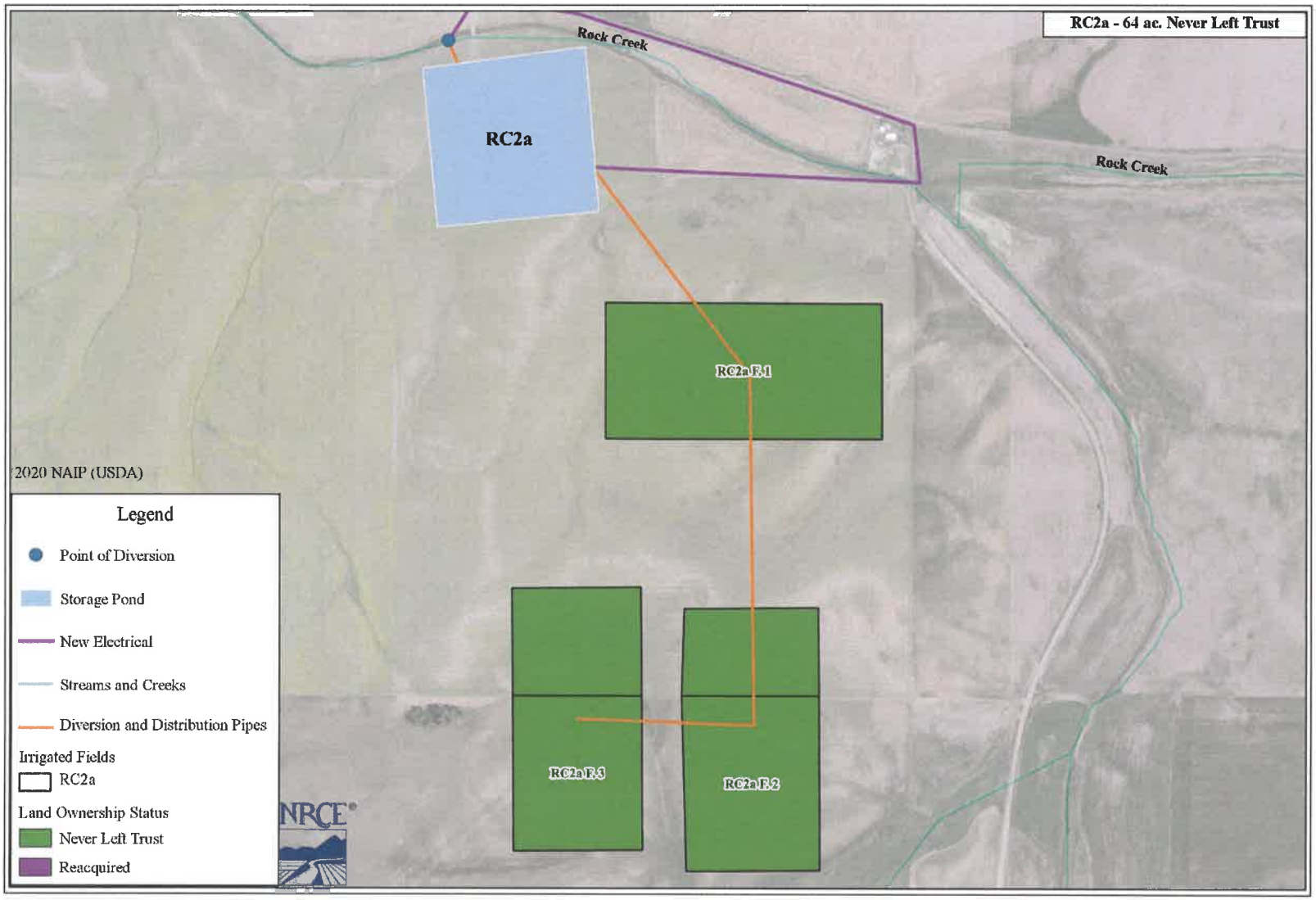
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Rock Creek - PIA Project RC2a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7499**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873

3. Source: North Fork, Rock Creek (Fed. ID # NFRC9a)
(Water Right # 93-7499)

4. Point of Diversion:

Township: 47N Range: 5W Section: 8 Q: SW1/4 QQ: SE1/4

Pond Storage Location –
Township: 47N Range: 5W Section: 8 Q: SW1/4 QQ: SW1/4
Township: 47N Range: 5W Section: 7 Q: SE1/4 QQ: SE1/4
Township: 47N Range: 5W Section: 17 Q: NW1/4 QQ: NW1/4
Township: 47N Range: 5W Section: 18 Q: NE1/4 QQ: NE1/4

5. Place of Use: Total Acres: 92

Township: 47N Range: 5W Section: 18 Q: NE1/4 QQ: NW1/4 Acres: 13.2
Township: 47N Range: 5W Section: 18 Q: NE1/4 QQ: NE1/4 Acres: 17.9
Township: 47N Range: 5W Section: 18 Q: NE1/4 QQ: SW1/4 Acres: 14.7
Township: 47N Range: 5W Section: 18 Q: NE1/4 QQ: SE1/4 Acres: 17.5
Township: 47N Range: 5W Section: 18 Q: SE1/4 QQ: NE1/4 Acres: 15.8
Township: 47N Range: 5W Section: 18 Q: SE1/4 QQ: SE1/4 Acres: 12.9

See Attached Map.

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 281

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873; the date the Reservation was established by an Executive Order signed by President Ulyssess S. Grant. 1.C. Kapler, Indian Affairs: Law and Treaties 837 (1904). *In Re CSRBA Case No. 49576* 165 Idaho at 525-526, 528-529, 554-558.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other

purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

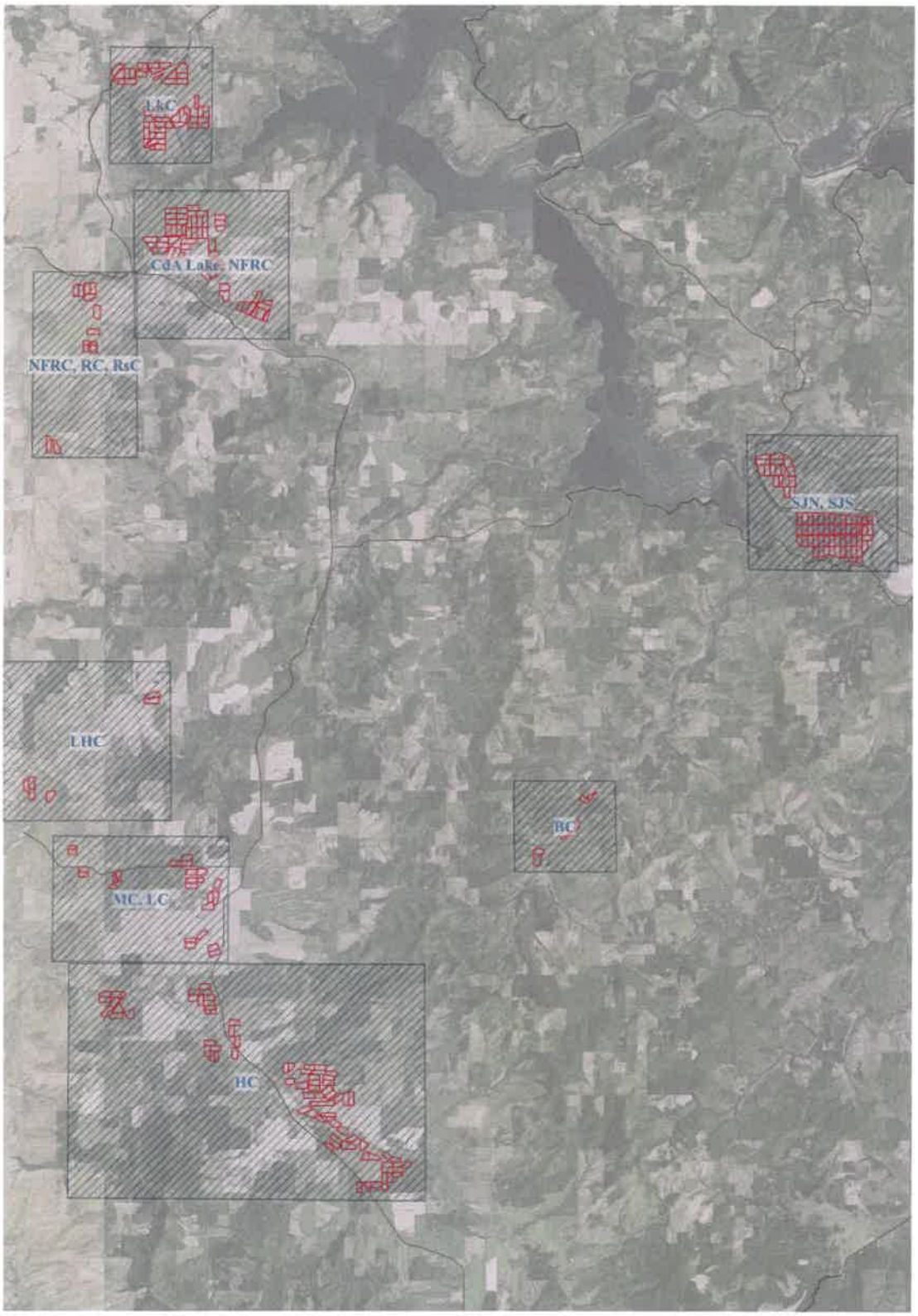
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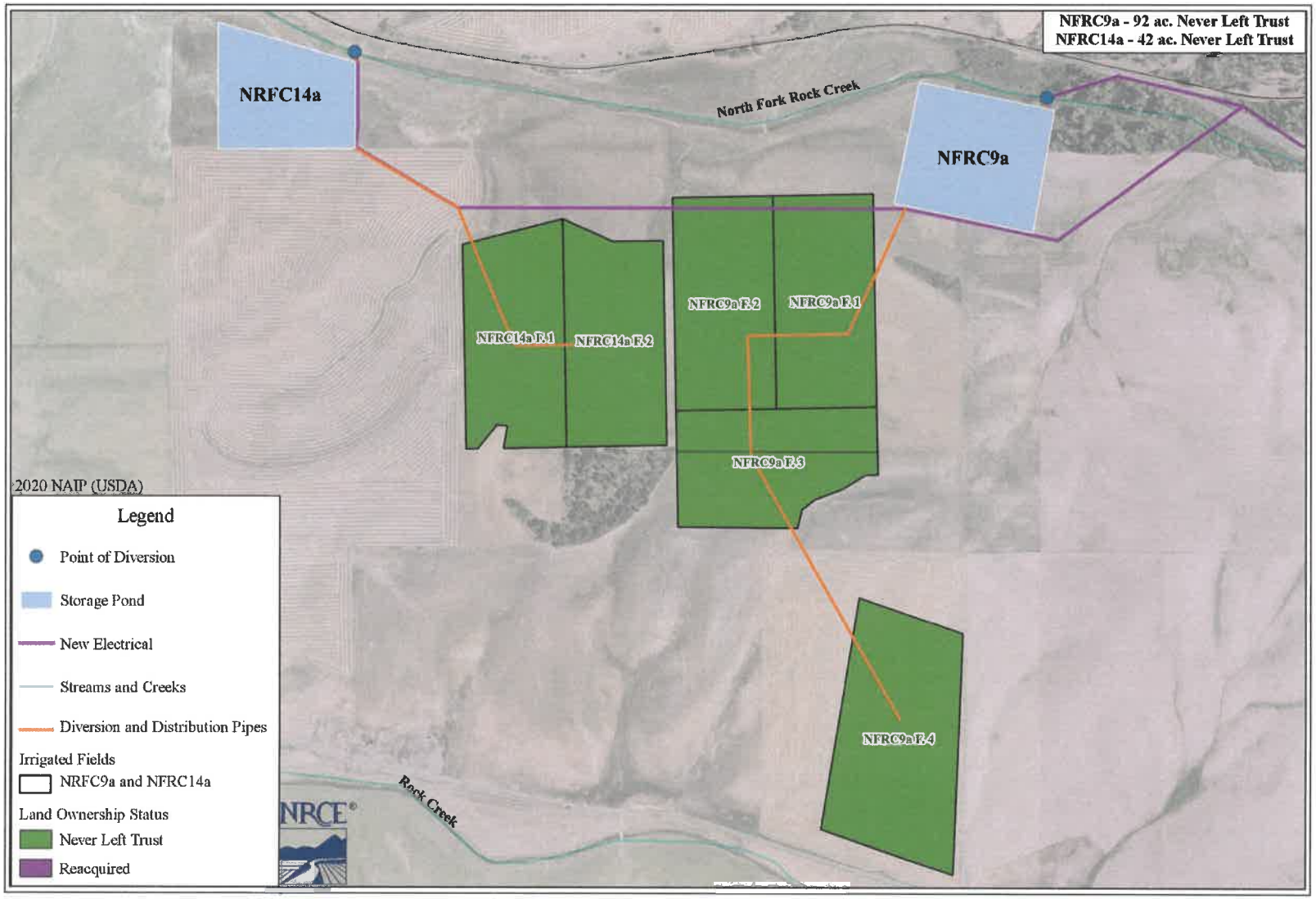
Vanessa Boyd Willard
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United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



North Fork Rock Creek - PIA Projects NFRC9a and NFRC14a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7500**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873

3. Source: North Fork, Rock Creek (Fed. ID # NFRC14a)
(Water Right # 93-7500)

4. Point of Diversion:

Township: 47N Range: 5W Section: 7 Q: SW1/4 QQ: L4

Pond Storage Location –
Township: 47N Range: 5W Section: 7 Q: SW1/4 QQ: L4

5. Place of Use: Total Acres: 42

Township:	47N	Range:	5W	Section:	18	Q:	NW1/4	QQ:	NE1/4	Acres:	11.1
Township:	47N	Range:	5W	Section:	18	Q:	NE1/4	QQ:	NW1/4	Acres:	12.2
Township:	47N	Range:	5W	Section:	18	Q:	NW1/4	QQ:	SE1/4	Acres:	8.6
Township:	47N	Range:	5W	Section:	18	Q:	NE1/4	QQ:	SW1/4	Acres:	10.1

See Attached Map.

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 145

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873; the date the Reservation was established by an Executive Order signed by President Ulyssess S. Grant. 1.C. Kapler, Indian Affairs: Law and Treaties 837 (1904). *In Re CSRBA Case No. 49576* 165 Idaho at 525-526, 528-529, 554-558.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and

available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

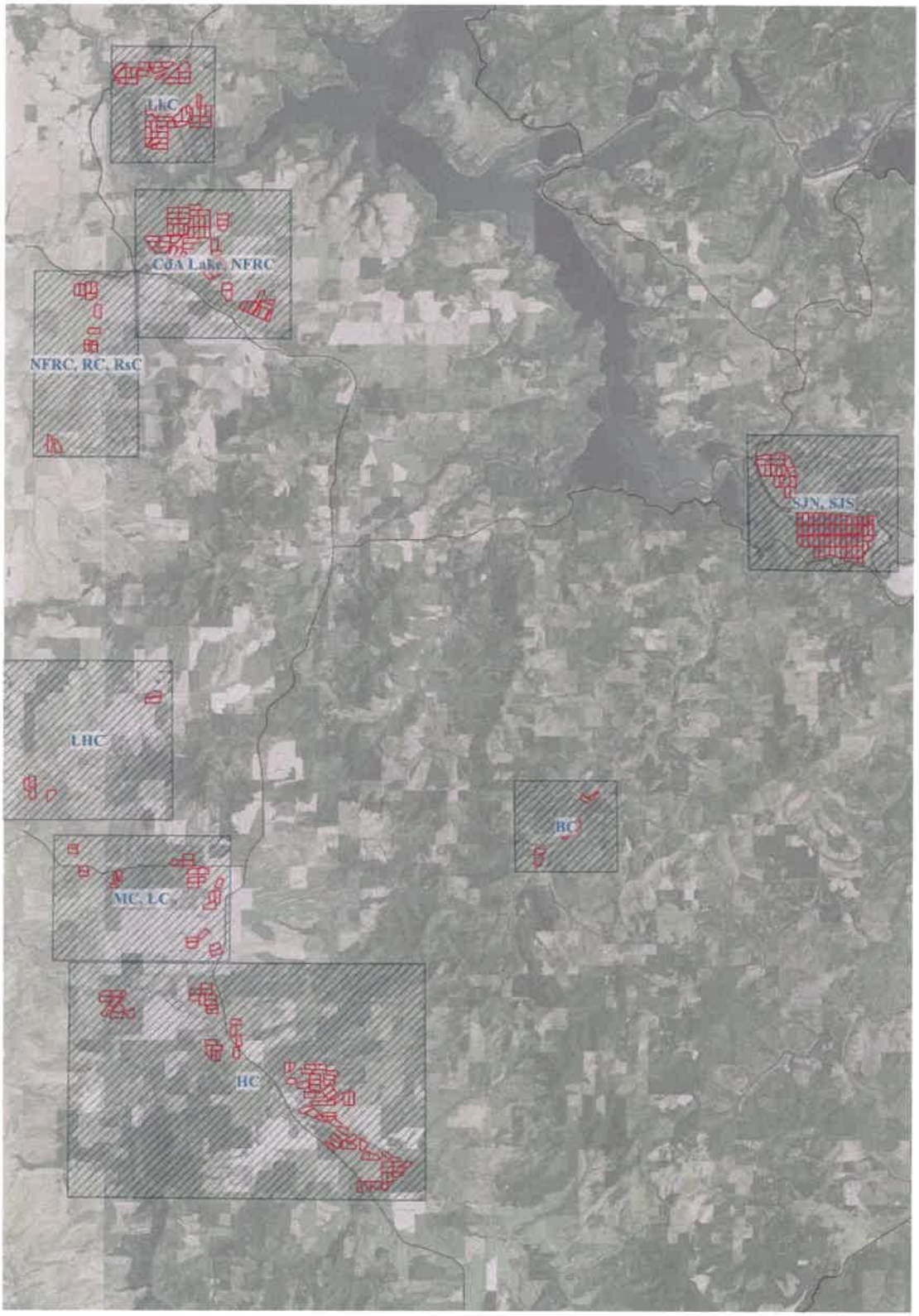
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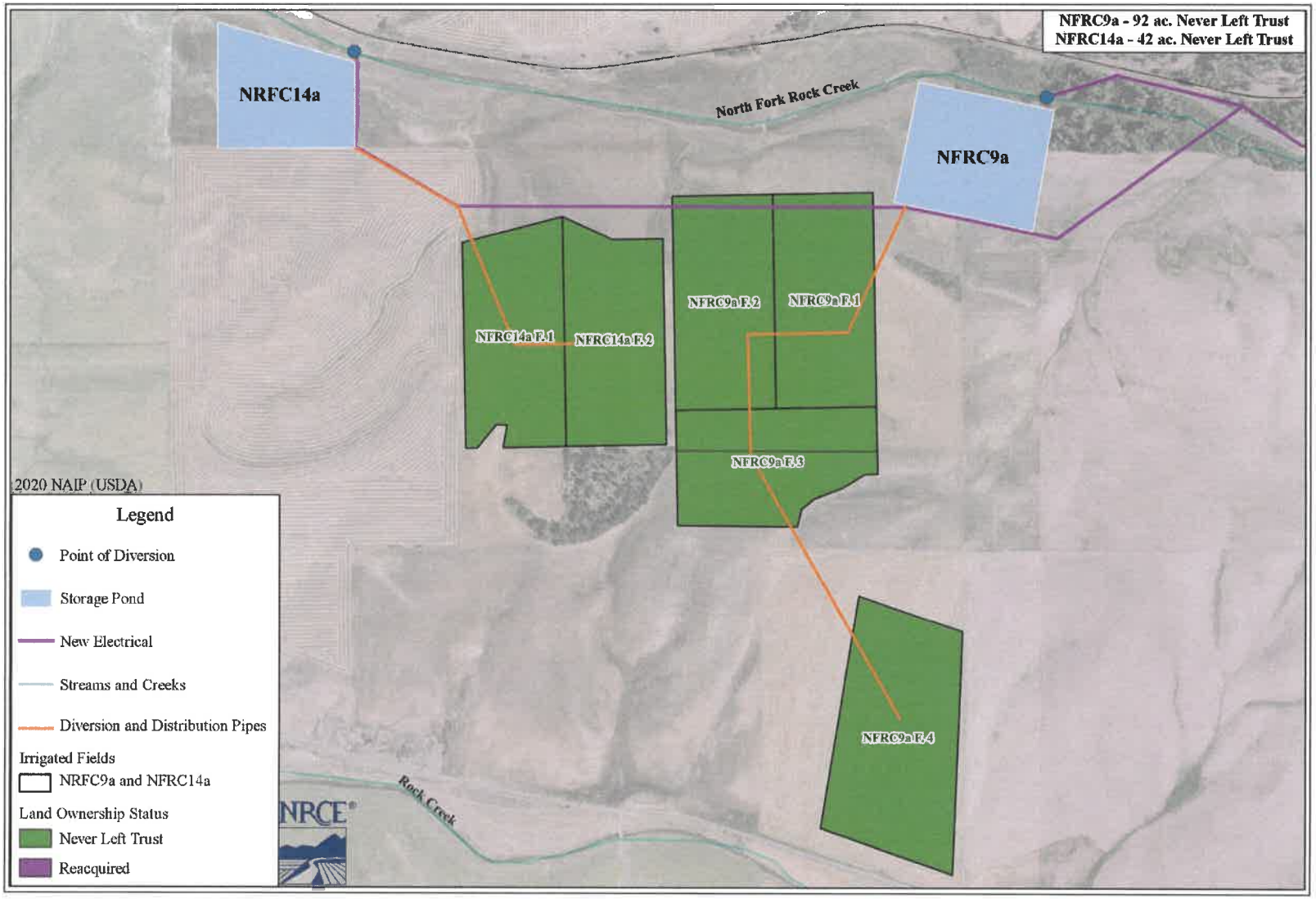
Vanessa Boyd Willard
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United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
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Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



North Fork Rock Creek - PIA Projects NFRC9a and NFRC14a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No. 93-7501**

1. **Name and address of claimant:**

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** November 8, 1873

3. **Source:** North Fork, Rock Creek (Fed. ID # NFRC1a)
(Water Right # 93-7501)

4. **Point of Diversion:**

Township: 47N Range: 5W Section: 23 Q: NE1/4 QQ: NE1/4

Pond Storage Location –
Township: 47N Range: 5W Section: 23 Q: NE1/4 QQ: SW1/4

5. **Place of Use:** Total Acres: 90

Township: 47N Range: 5W Section: 14 Q: NE1/4 QQ: SE1/4 Acres: 3.5
Township: 47N Range: 5W Section: 14 Q: SE1/4 QQ: NE1/4 Acres: 29.2
Township: 47N Range: 5W Section: 14 Q: SE1/4 QQ: NW1/4 Acres: 22.5
Township: 47N Range: 5W Section: 14 Q: SE1/4 QQ: SE1/4 Acres: 13.7
Township: 47N Range: 5W Section: 14 Q: SE1/4 QQ: SW1/4 Acres: 20.7
Township: 47N Range: 5W Section: 14 Q: SW1/4 QQ: SE1/4 Acres: 0.4

See Attached Map.

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 291

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873; the date the Reservation was established by an Executive Order signed by President Ulyssess S. Grant. 1.C. Kapler, Indian Affairs: Law and Treaties 837 (1904). *In Re CSRBA Case No. 49576* 165 Idaho at 525-526, 528-529, 554-558.

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11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

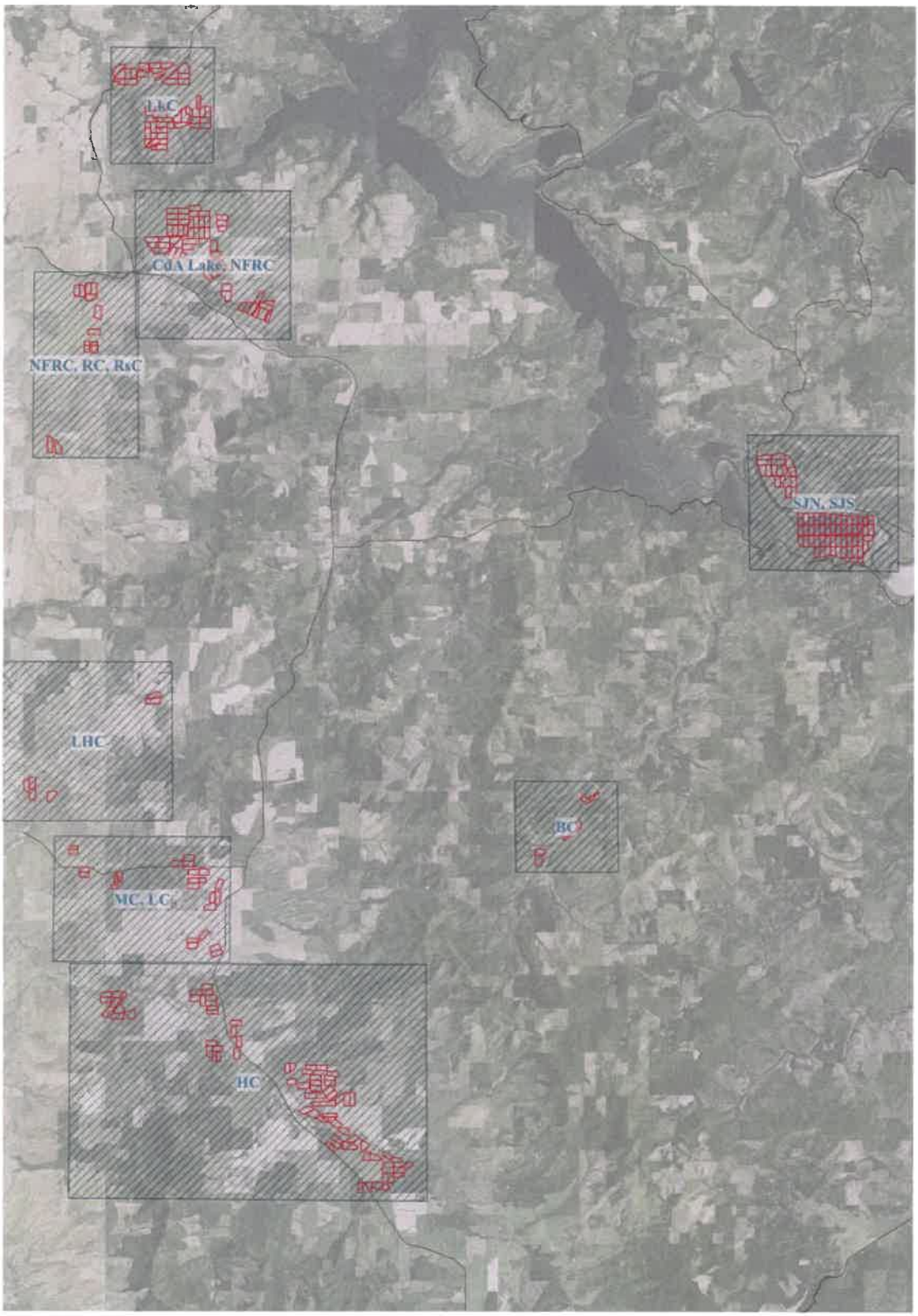
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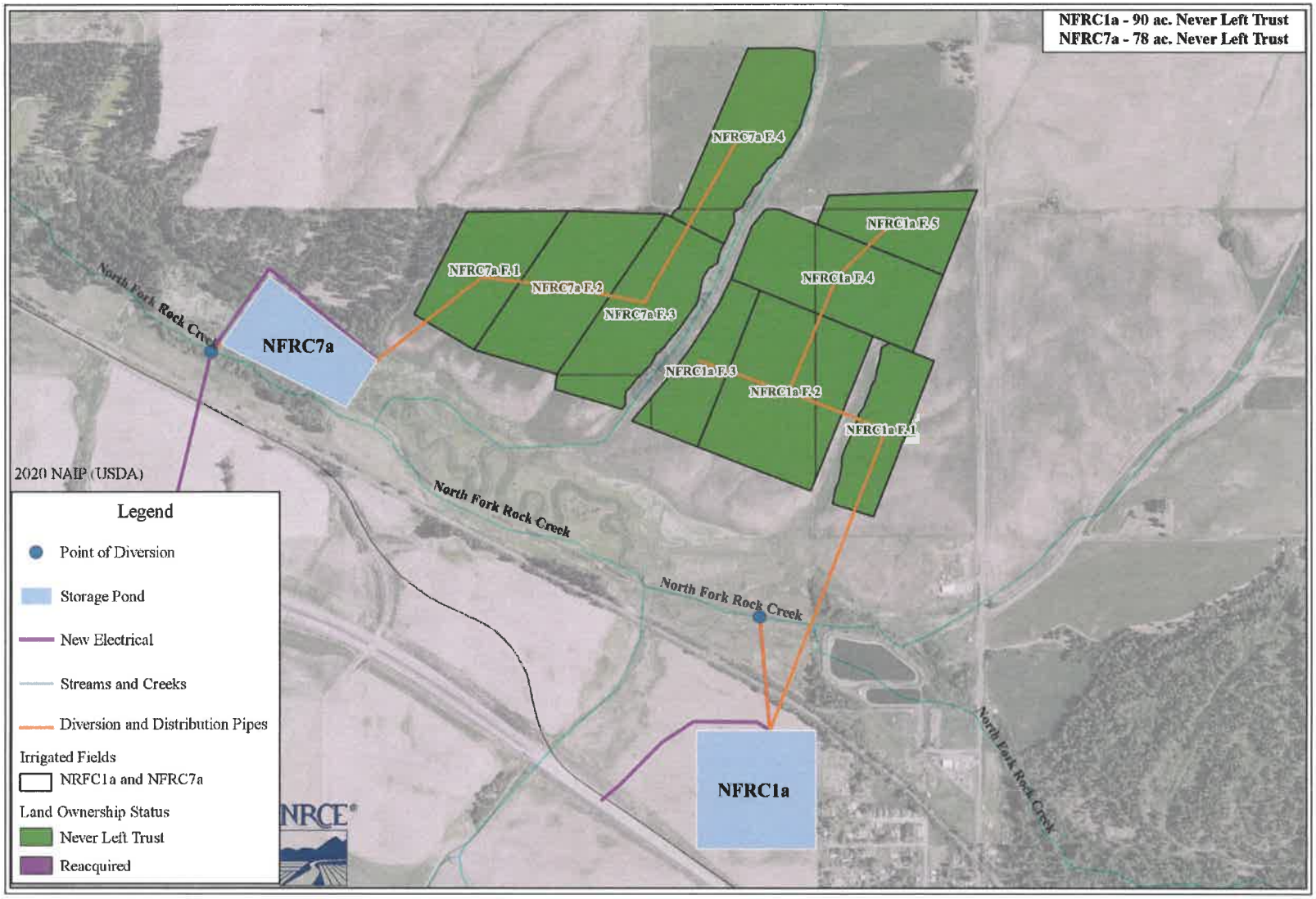
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



North Fork Rock Creek - PIA Projects NFRC1a and NFRC7a

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APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7502**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873

3. Source: North Fork, Rock Creek (Fed. ID # NFRC7a)
(Water Right # 93-7502)

4. Point of Diversion:

Township: 47N Range: 5W Section: 15 Q: SE1/4 QQ: NE1/4

Pond Storage Location –
Township: 47N Range: 5W Section: 15 Q: SE1/4 QQ: NE1/4
Township: 47N Range: 5W Section: 14 Q: SW1/4 QQ: NW1/4
Township: 47N Range: 5W Section: 15 Q: SE1/4 QQ: L1
Township: 47N Range: 5W Section: 14 Q: SW1/4 QQ: SW1/4

5. Place of Use: Total Acres: 78

Township: 47N Range: 5W Section: 14 Q: NE1/4 QQ: SW1/4 Acres: 17.7
Township: 47N Range: 5W Section: 14 Q: SE1/4 QQ: NW1/4 Acres: 10.3
Township: 47N Range: 5W Section: 14 Q: SW1/4 QQ: NE1/4 Acres: 38.1
Township: 47N Range: 5W Section: 14 Q: SW1/4 QQ: NW1/4 Acres: 9.1
Township: 47N Range: 5W Section: 14 Q: SW1/4 QQ: SE1/4 Acres: 2.8

See Attached Map.

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 241

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873; the date the Reservation was established by an Executive Order signed by President Ulyssess S. Grant. 1.C. Kapler, Indian Affairs: Law and Treaties 837 (1904). *In Re CSRBA Case No. 49576* 165 Idaho at 525-526, 528-529, 554-558.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by

IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

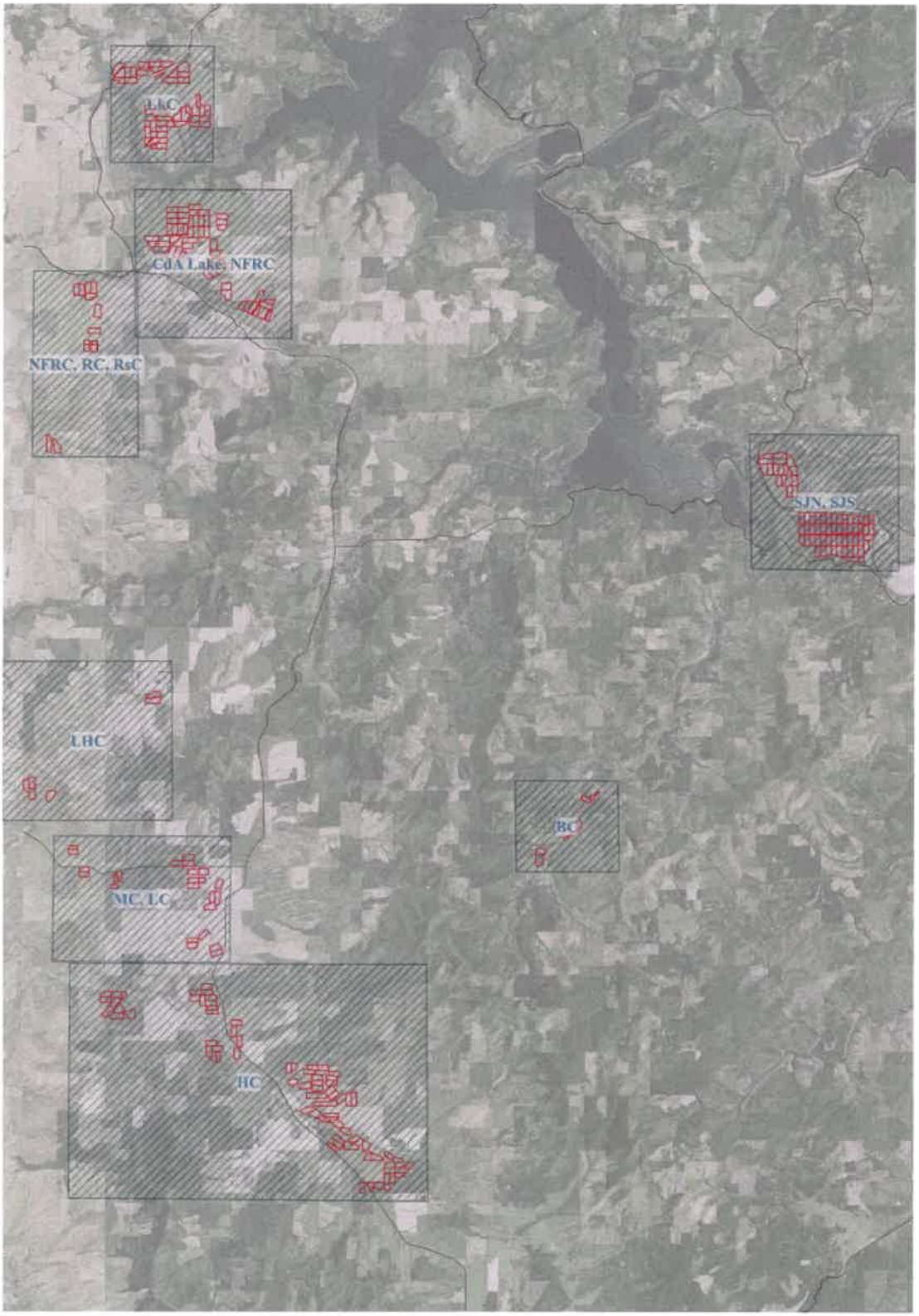
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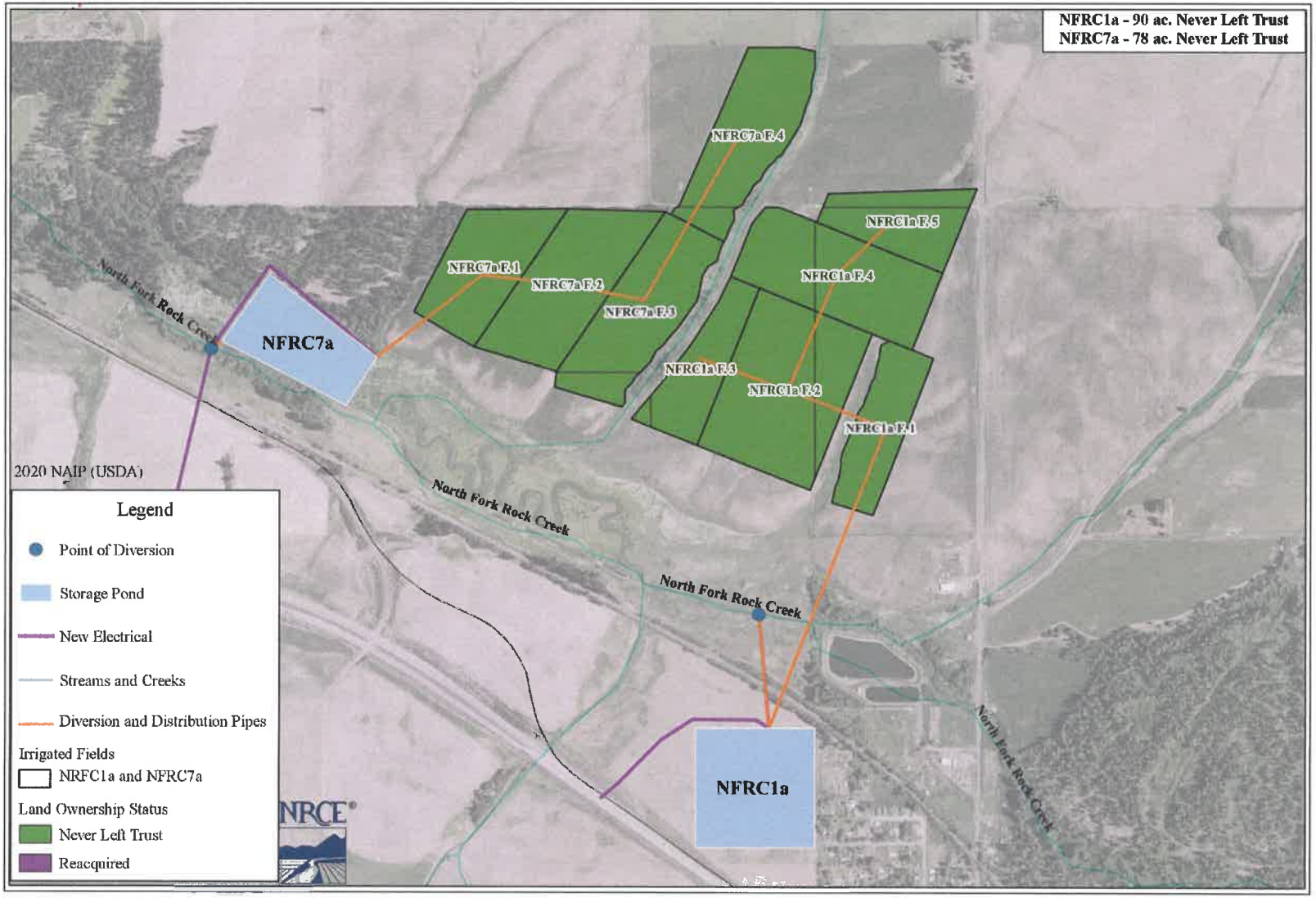
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



North Fork Rock Creek - PIA Projects NFRC1a and NFRC7a

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APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No. 93-7518**

1. **Name and address of claimant:**

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** Hangman Creek (Water Right # 93-7518)
(Fed. ID #HHC02R302)

4. **Point of Diversion:**

Not applicable – This claim is for *in situ* surface water flows to maintain functional riparian ecosystems.

5. **Place of Use:** Total Acres: 11.08

The approximate center point is located within UTM Coordinates:

Zone: 11N 514224 5216966; which is located in:

Township: 44N Range: 4W Section: 34 Q: SE QQ: SE

See Attached Map.

6. **Purpose of Water Use:**

To provide wildlife and plant habitat for hunting, gathering and cultural uses of the Tribe - as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra.*

8. **Quantity Reserved:** Annual Total 26.25 (AFY)

Monthly claim amounts are provided in the table below. For each month a minimum Riparian Baseflow (low-flow) is claimed. In addition, if the flow in the stream at the Place of Use center point reaches the High Flow Trigger as shown in column 3, then the Riparian High Flow becomes the claim for a duration of four days after the high flow is initiated. The claim reverts back to the Riparian Baseflow four days after the trigger is initiated. Once the streamflow exceeds the Riparian High Flow within the given month, no additional triggers are initiated, and the claim remains at the Riparian Baseflow for the remainder of the month. The Riparian Baseflow, the High Flow Trigger, and the Riparian High Flow all change from month to month.

Month	Riparian Baseflow (cfs)	Trigger Flow for High-Flow Claims (cfs)	High-Flow Claims (cfs)
January	1.18	12.8	17.0
February	7.00	42.5	93.0
March	18.90	42.5	93.0
April	6.47	12.8	17.0
May	0.93	12.8	17.0
June	0.67	12.8	17.0
July	0.72	8.5	8.5
August	0.27	8.5	8.5
September	0.30	8.5	8.5
October	0.36	8.5	8.5
November	0.31	12.8	17.0
December	0.71	12.8	17.0

9. Basis of Claim:

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. Other Provisions:

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755,* 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA"*).

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA,* 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

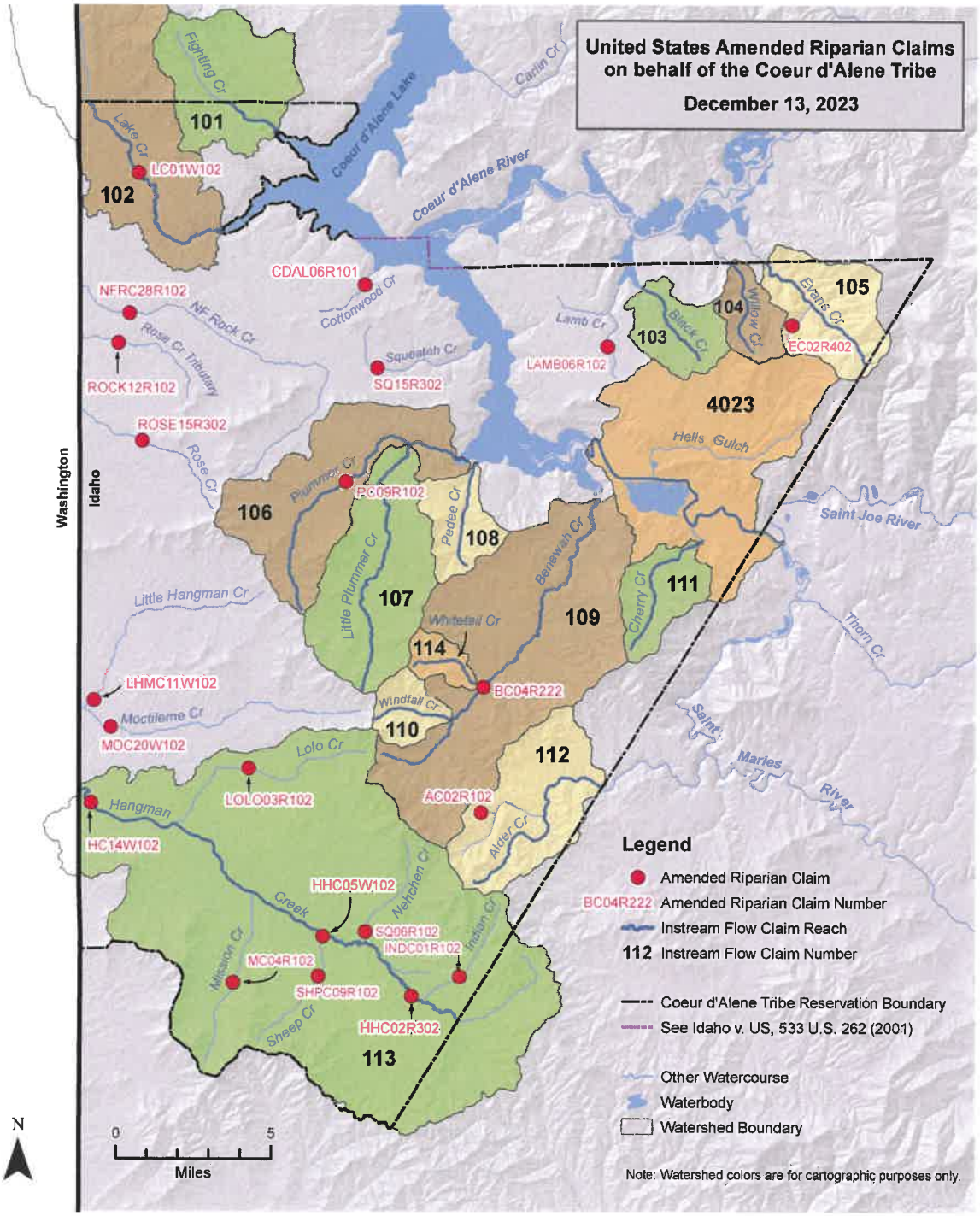
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Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.


United States Amended Riparian Claims
on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
Fighting Cr
Carlin Cr
Coeur d'Alene Lake
Coeur d'Alene River
Lake Cr
101
LC01W102
102
CDAL06R101
Cottonwood Cr
NFRC28R102
NF Rock Cr
Rose Cr Tributary
ROCK12R102
Squeelah Cr
SQ15R302
ROSE15R302
Rose Cr
Lamb Cr
LAMB06R102
103
Black Cr
104
Willow Cr
105
Evans Cr
EC02R402
4023
Hells Gulch
Saint Joe River
Plummer Cr
PC09R102
106
Little Plummer Cr
107
Pedee Cr
108
Benewah Cr
109
Cherry Cr
111
Thorn Cr
Little Hangman Cr
Whitetail Cr
114
LHMC11W102
Moctileme Cr
MOC20W102
Windfall Cr
110
BC04R222
112
Saint Maries River
Lolo Cr
LOLO03R102
AC02R102
Alder Cr
Hangman Creek
HC14W102
HHC05W102
Nenchen Cr
SQ06R102
INDC01R102
Indian Cr
MC04R102
Mission Cr
SHPC09R102
Sheep Cr
HHC02R302
113
N
0
5
Miles
Legend
Amended Riparian Claim
BC04R222 Amended Riparian Claim Number
Instream Flow Claim Reach
112 Instream Flow Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only.

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APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No. 93-7523**

1. **Name and address of claimant:**

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** Indian Creek (Water Right # 93-7523)
(Fed. ID #INDC01R102)

4. **Point of Diversion:**

Not applicable – This claim is for *in situ* surface water flows to maintain functional riparian ecosystems.

5. **Place of Use:** Total Acres: 13.31

The approximate center point is located within UTM Coordinates:

Zone: 11N 516848 5217955; which is located in:

Township: 44N Range: 4W Section: 36 Q: NE QQ: SW

See Attached Map.

6. **Purpose of Water Use:**

To provide wildlife and plant habitat for hunting, gathering and cultural uses of the Tribe - as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra.*

8. **Quantity Reserved:** Annual Total 32.04 (AFY)

Monthly claim amounts are provided in the table below. For each month a minimum Riparian Baseflow (low-flow) is claimed. In addition, if the flow in the stream at the Place of Use center point reaches the High Flow Trigger as shown in column 3, then the Riparian High Flow becomes the claim for a duration of four days after the high flow is initiated. The claim reverts back to the Riparian Baseflow four days after the trigger is initiated. Once the streamflow exceeds the Riparian High Flow within the given month, no additional triggers are initiated, and the claim remains at the Riparian Baseflow for the remainder of the month. The Riparian Baseflow, the High Flow Trigger, and the Riparian High Flow all change from month to month.

Month	Riparian BaseFlow (cfs)	Trigger Flow for High-Flow Claims (cfs)	High-Flow Claims (cfs)
January	0.88	43	57
February	3.46	57	163
March	9.43	57	163
April	4.14	43	57
May	0.78	43	57
June	0.39	43	57
July	0.87	29	29
August	0.31	29	29
September	0.29	29	29
October	0.33	29	29
November	0.17	43	57
December	0.48	43	57

9. Basis of Claim:

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. Other Provisions:

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755,* 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA"*).

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA,* 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

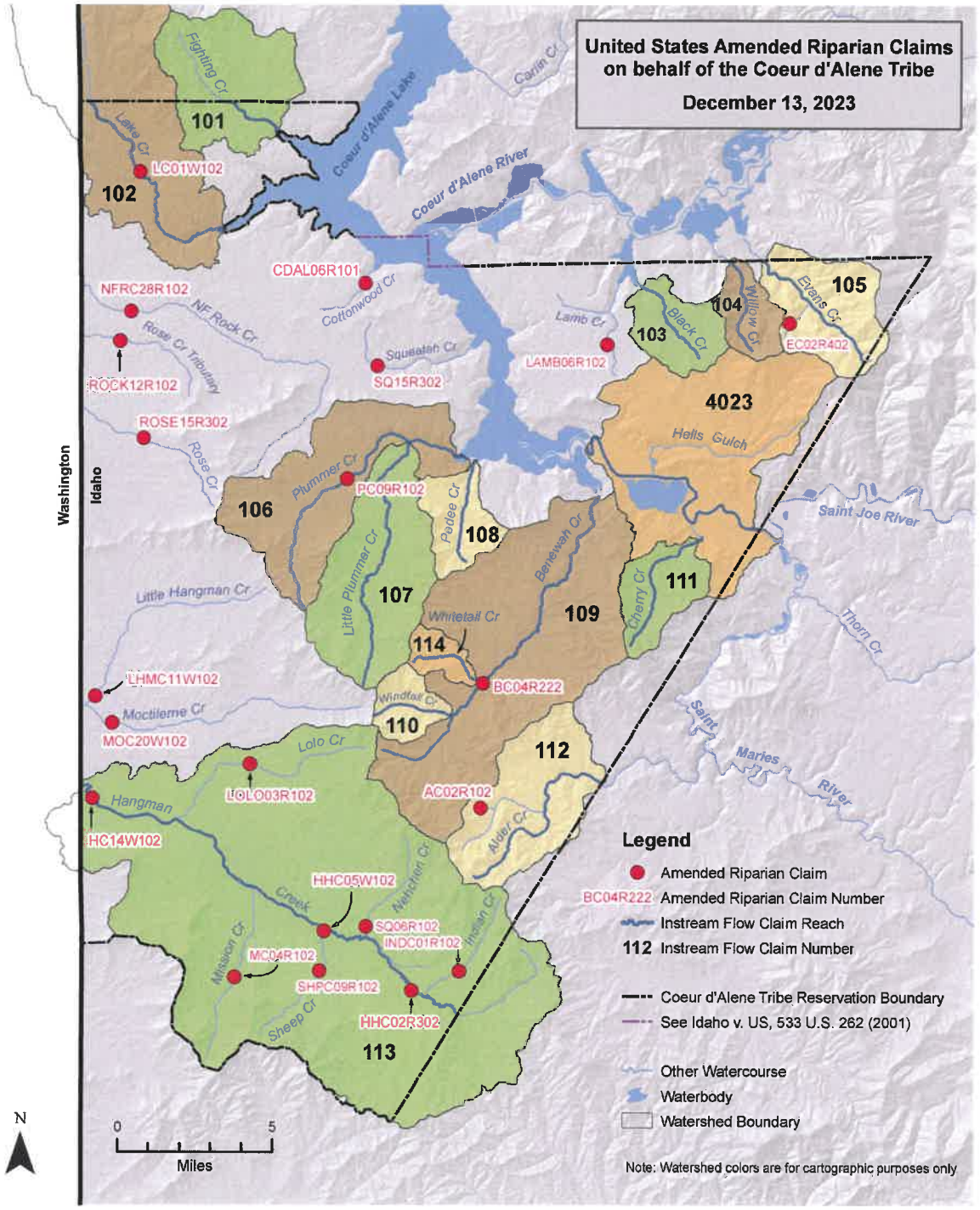
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Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.


United States Amended Riparian Claims
on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
Fighting Cr
Lake Cr
Coeur d'Alene Lake
Coeur d'Alene River
Carlin Cr
101
102
LC01W102
CDAL06R101
Cottonwood Cr
NFRC28R102
NF Rock Cr
Rose Cr Tributary
ROCK12R102
Squeatah Cr
SQ15R302
ROSE15R302
Rose Cr
Lamb Cr
LAMB06R102
103
Bleck Cr
104
Willow Cr
Evans Cr
105
EC02R402
4023
Hells Gulch
Saint Joe River
106
Plummer Cr
PC09R102
Little Plummer Cr
107
Pedee Cr
108
Benewah Cr
109
Cherry Cr
111
Little Hangman Cr
Whitetail Cr
114
Thorn Cr
LHMC11W102
Moctileme Cr
MOC20W102
BC04R222
Windfall Cr
110
112
Saint Maries River
Lolo Cr
LOLO03R102
AC02R102
Alder Cr
Hangman
HC14W102
Hangman Creek
HHC05W102
SQ06R102
INDC01R102
Antelcan Cr
Indian Cr
Mission Cr
MC04R102
SHPC09R102
HHC02R302
Sheep Cr
113
Legend
Amended Riparian Claim
BC04R222 Amended Riparian Claim Number
Instream Flow Claim Reach
112 Instream Flow Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only
N
0
5
Miles

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No. 93-7524**

1. **Name and address of claimant:**

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** Sheep Creek (Water Right # 93-7524)
(Fed. ID #SHPC09R102)

4. **Point of Diversion:**

Not applicable – This claim is for *in situ* surface water flows to maintain functional riparian ecosystems.

5. **Place of Use:** Total Acres: 15.83

The approximate center point is located within UTM Coordinates:

Zone: 11N 509422 5218104; which is located in:

Township: 44N Range: 4W Section: 31 Q: NE QQ: NE

See Attached Map.

6. **Purpose of Water Use:**

To provide wildlife and plant habitat for hunting, gathering and cultural uses of the Tribe - as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra.*

8. **Quantity Reserved:** Annual Total 38.10 (AFY)

Monthly claim amounts are provided in the table below. For each month a minimum Riparian Baseflow (low-flow) is claimed. In addition, if the flow in the stream at the Place of Use center point reaches the High Flow Trigger as shown in column 3, then the Riparian High Flow becomes the claim for a duration of four days after the high flow is initiated. The claim reverts back to the Riparian Baseflow four days after the trigger is initiated. Once the streamflow exceeds the Riparian High Flow within the given month, no additional triggers are initiated, and the claim remains at the Riparian Baseflow for the remainder of the month. The Riparian Baseflow, the High Flow Trigger, and the Riparian High Flow all change from month to month.

Month	Riparian BaseFlow (cfs)	Trigger Flow for High-Flow Claims (cfs)	High-Flow Claims (cfs)
January	0.28	72.6	96.7
February	1.15	96.7	262
March	3.19	96.7	262
April	1.39	72.6	96.7
May	0.24	72.6	96.7
June	0.11	72.6	96.7
July	0.08	48.4	48.4
August	0.05	48.4	48.4
September	0.05	48.4	48.4
October	0.05	48.4	48.4
November	0.05	72.6	96.7
December	0.14	72.6	96.7

9. Basis of Claim:

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. Other Provisions:

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755,* 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA"*).

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA,* 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

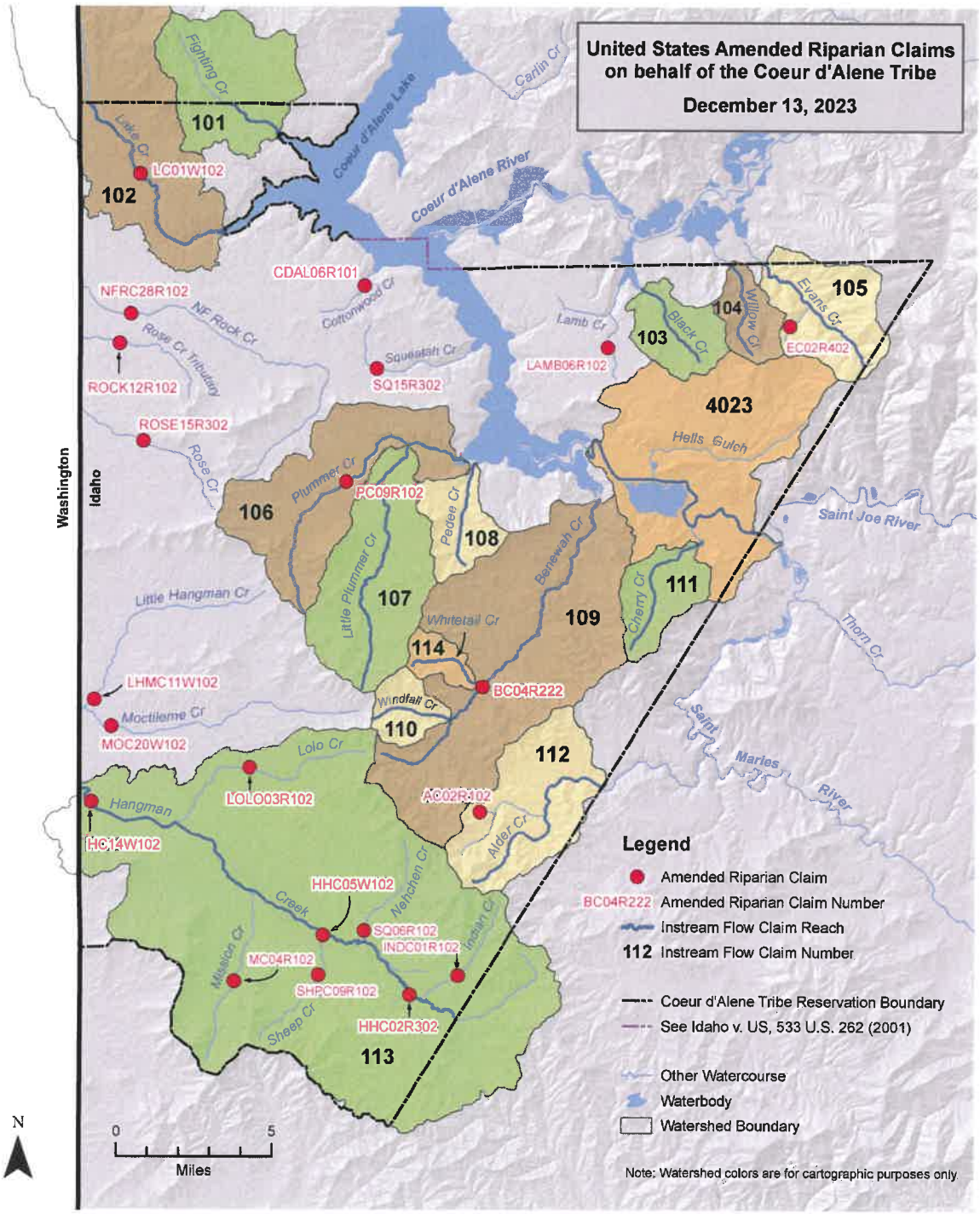
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.


United States Amended Riparian Claims
on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
Fighting Cr
Lake Cr
Coeur d'Alene Lake
Carlin Cr
Coeur d'Alene River
101
102
LC01W102
CDAL06R101
Cottonwood Cr
NFRC28R102
NF Rock Cr
Rose Cr Tributary
ROCK12R102
Squeetah Cr
SQ15R302
ROSE15R302
Rose Cr
Lamb Cr
LAMB06R102
103
Black Cr
104
Willow Cr
Evans Cr
105
EC02R402
4023
Hells Gulch
Saint Joe River
Plummer Cr
PC09R102
106
Little Plummer Cr
107
Pedee Cr
108
Benewah Cr
109
Cherry Cr
111
Thorn Cr
Little Hangman Cr
Whitetail Cr
114
LHMC11W102
Moctileme Cr
MOC20W102
Windfall Cr
110
BC04R222
112
Saint Maries River
Lolo Cr
LOLO03R102
AC02R102
Alder Cr
Hangman
HC14W102
Nenchen Cr
HHC05W102
Creek
SQ06R102
INDC01R102
Indian Cr
Mission Cr
MC04R102
SHPC09R102
Sheep Cr
HHC02R302
113
Legend
Amended Riparian Claim
BC04R222 Amended Riparian Claim Number
Instream Flow Claim Reach
112 Instream Flow Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only
N
0
5
Miles

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APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No. 93-7525**

1. **Name and address of claimant:**

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** Nehchen Creek (Water Right # 93-7525)
(Fed. ID #SQ06R102)

4. **Point of Diversion:**

Not applicable – This claim is for *in situ* surface water flows to maintain functional riparian ecosystems.

5. **Place of Use:** Total Acres: 14.39

The approximate center point is located within UTM Coordinates:

Zone: 11N 511863 5220225; which is located in:

Township: 44N Range: 4W Section: 21 Q: SW QQ: SE

See Attached Map.

6. **Purpose of Water Use:**

To provide wildlife and plant habitat for hunting, gathering and cultural uses of the Tribe - as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra*.

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra*.

8. **Quantity Reserved:** Annual Total 34.64 (AFY)

Monthly claim amounts are provided in the table below. For each month a minimum Riparian Baseflow (low-flow) is claimed. In addition, if the flow in the stream at the Place of Use center point reaches the High Flow Trigger as shown in column 3, then the Riparian High Flow becomes the claim for a duration of four days after the high flow is initiated. The claim reverts back to the Riparian Baseflow four days after the trigger is initiated. Once the streamflow exceeds the Riparian High Flow within the given month, no additional triggers are initiated, and the claim remains at the Riparian Baseflow for the remainder of the month. The Riparian Baseflow, the High Flow Trigger, and the Riparian High Flow all change from month to month.

Month	Riparian BaseFlow (cfs)	Trigger Flow for High-Flow Claims (cfs)	High-Flow Claims (cfs)
January	0.21	45.6	60.8
February	0.74	60.8	176
March	1.99	60.8	176
April	0.89	45.6	60.8
May	0.19	45.6	60.8
June	0.10	45.6	60.8
July	0.08	30.4	30.4
August	0.05	30.4	30.4
September	0.05	30.4	30.4
October	0.05	30.4	30.4
November	0.06	45.6	60.8
December	0.12	45.6	60.8

9. Basis of Claim:

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. Other Provisions:

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755,* 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA,* 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

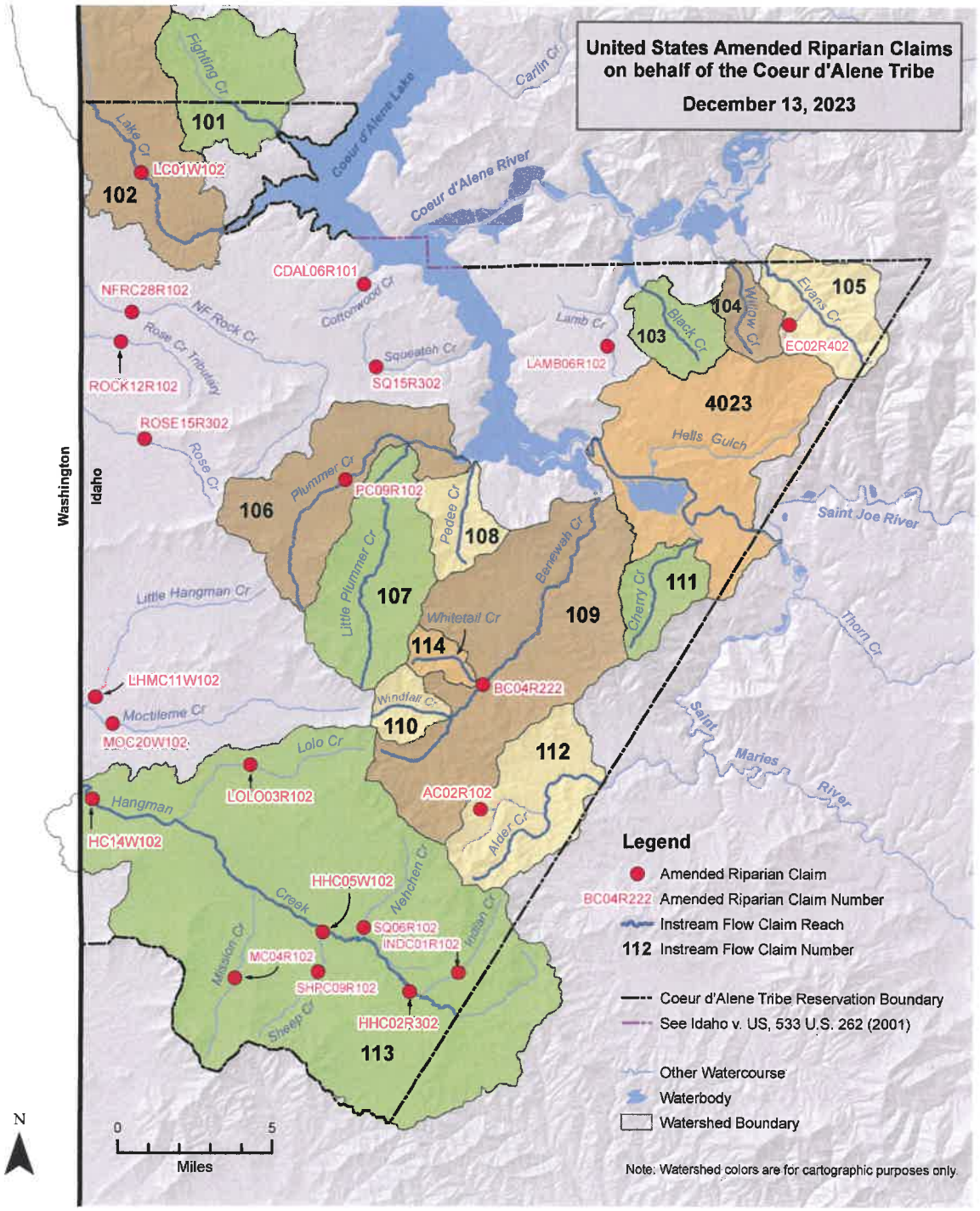
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

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Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.


United States Amended Riparian Claims
on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
Fighting Cr
Lake Cr
Coeur d'Alene Lake
Carlin Cr
Coeur d'Alene River
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102
LC01W102
CDAL06R101
Cottonwood Cr
NFRC28R102
NF Rock Cr
Rose Cr Tributary
ROCK12R102
Squeatch Cr
SQ15R302
Lamb Cr
LAMB06R102
103
Black Cr
104
Willow Cr
Evans Cr
105
EC02R402
4023
Hells Gulch
ROSE15R302
Rose Cr
106
Plummer Cr
PC09R102
Pedee Cr
108
Beneweh Cr
Saint Joe River
Little Plummer Cr
107
Little Hangman Cr
Whitetail Cr
114
109
Cherry Cr
111
Thorn Cr
LHMC11W102
Moctileme Cr
MOC20W102
Windfall Cr
BC04R222
110
112
Saint Maries River
Lolo Cr
LOLO03R102
AC02R102
Alder Cr
Hangman
HC14W102
Nenchen Cr
HHC05W102
Creek
SQ06R102
INDC01R102
Indian Cr
Mission Cr
MC04R102
SHPC09R102
Sheep Cr
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113
N
0
5
Miles
Legend
Amended Riparian Claim
BC04R222 Amended Riparian Claim Number
Instream Flow Claim Reach
112 Instream Flow Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only.

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APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 93-7536**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: Time Immemorial

3. Source: Little Hangman Creek (Water Right # 93-7536)
(Fed. ID #LHMC11W102)

4. Point of Diversion:

Not applicable – This claim is for *in situ* surface water flows to maintain functional riparian ecosystems.

5. Place of Use: Total Acres: 4.16

The approximate center point is located within UTM Coordinates:

Zone: 11N 497729 5232310; which is located in:

Township: 45N Range: 6W Section: 13 Q: NE QQ: SW

See Attached Map.

6. **Purpose of Water Use:**

To provide wildlife and plant habitat for hunting, gathering and cultural uses of the Tribe - as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra.*

8. **Quantity Reserved:** Annual Total 13.3 (AFY)

Monthly claim amounts are provided in the table below. For each month a minimum Riparian Baseflow (low-flow) is claimed. In addition, if the flow in the stream at the Place of Use center point reaches the High Flow Trigger as shown in column 3, then the Riparian High Flow becomes the claim for a duration of four days after the high flow is initiated. The claim reverts back to the Riparian Baseflow four days after the trigger is initiated. Once the streamflow exceeds the Riparian High Flow within the given month, no additional triggers are initiated, and the claim remains at the Riparian Baseflow for the remainder of the month. The Riparian Baseflow, the High Flow Trigger, and the Riparian High Flow all change from month to month.

Month	Riparian BaseFlow (cfs)	Trigger Flow for High-Flow Claims (cfs)	High-Flow Claims (cfs)
January	0.17	261	349
February	4.42	349	787
March	6.96	349	787
April	5.37	261	349
May	0.51	261	349
June	0.05	261	349
July	0.05	174	174
August	0.05	174	174
September	0.05	174	174
October	0.05	174	174
November	0.05	261	349
December	0.07	261	349

9. Basis of Claim:

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. Other Provisions:

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755,* 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA"*).

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA,* 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

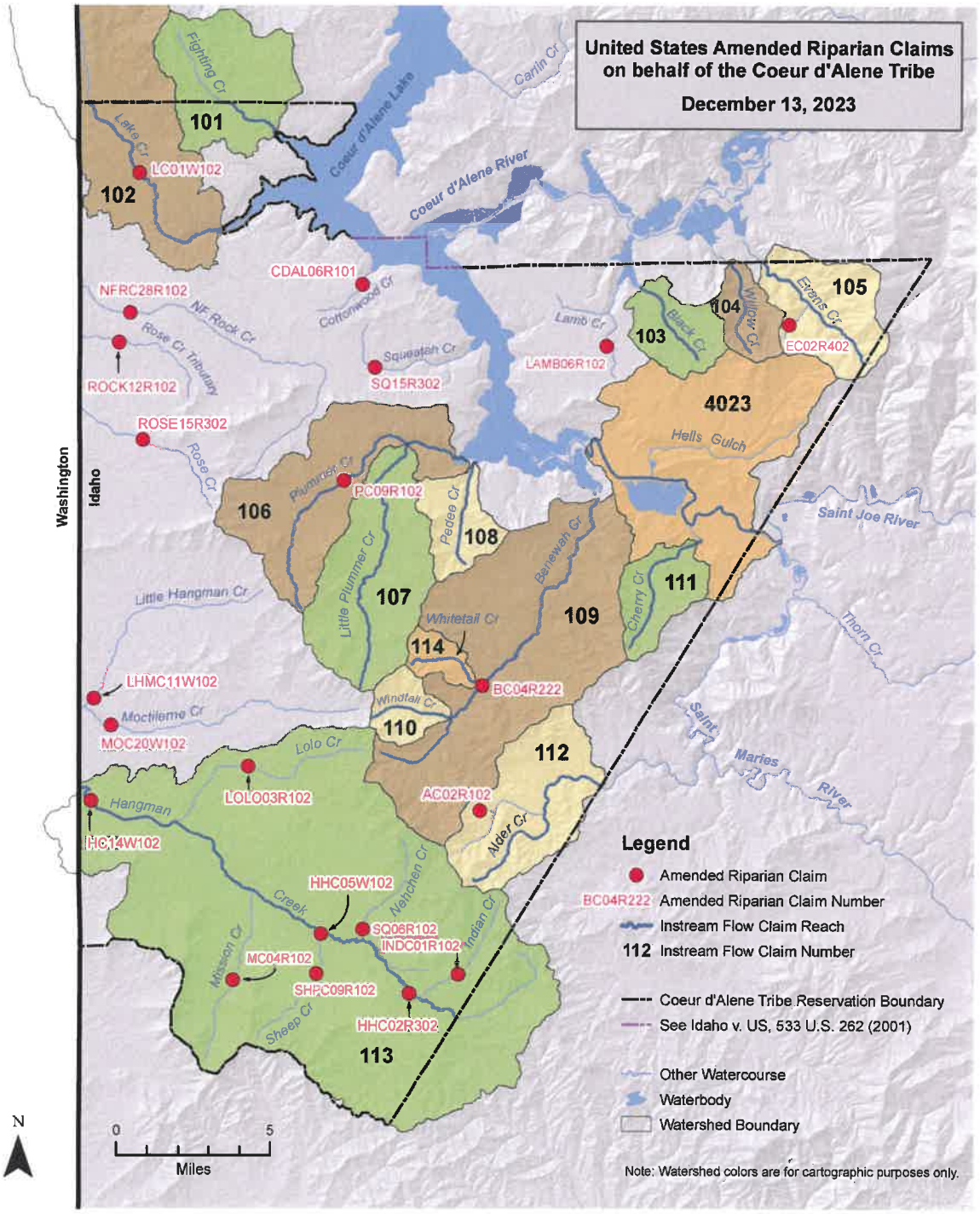
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Daniel F. McCarl
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Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.


United States Amended Riparian Claims
on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
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Fighting Cr
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Moctileme Cr
MOC20W102
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Amended Riparian Claim
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112 Instream Flow Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only.

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DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No. 93-7550**

1. **Name and address of claimant:**

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** Hangman Creek (Water Right # 93-7550)
(Fed. ID #HC14W102)

4. **Point of Diversion:**

Not applicable – This claim is for *in situ* surface water flows to maintain functional riparian ecosystems.

5. **Place of Use:** Total Acres: 19.84

The approximate center point is located within UTM Coordinates:

Zone: 11N 497904 5226722; which is located in:

Township: 45N Range: 6W Section: 36 Q: SE QQ: SE

See Attached Map.

6. **Purpose of Water Use:**

To provide wildlife and plant habitat for hunting, gathering and cultural uses of the Tribe - as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra.*

8. **Quantity Reserved:** Annual Total 62.61 (AFY)

Monthly claim amounts are provided in the table below. For each month a minimum Riparian Baseflow (low-flow) is claimed. In addition, if the flow in the stream at the Place of Use center point reaches the High Flow Trigger as shown in column 3, then the Riparian High Flow becomes the claim for a duration of four days after the high flow is initiated. The claim reverts back to the Riparian Baseflow four days after the trigger is initiated. Once the streamflow exceeds the Riparian High Flow within the given month, no additional triggers are initiated, and the claim remains at the Riparian Baseflow for the remainder of the month. The Riparian Baseflow, the High Flow Trigger, and the Riparian High Flow all change from month to month.

Month	Riparian BaseFlow (cfs)	Trigger Flow for High-Flow Claims (cfs)	High-Flow Claims (cfs)
January	4.55	67.8	90.4
February	17.90	90.4	535
March	48.90	90.4	535
April	21.50	67.8	90.4
May	4.05	67.8	90.4
June	2.03	67.8	90.4
July	1.53	45.2	45.2
August	0.41	45.2	45.2
September	0.52	45.2	45.2
October	0.77	45.2	45.2
November	0.90	67.8	90.4
December	2.47	67.8	90.4

9. Basis of Claim:

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. Other Provisions:

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755,* 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra*. *United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA,* 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

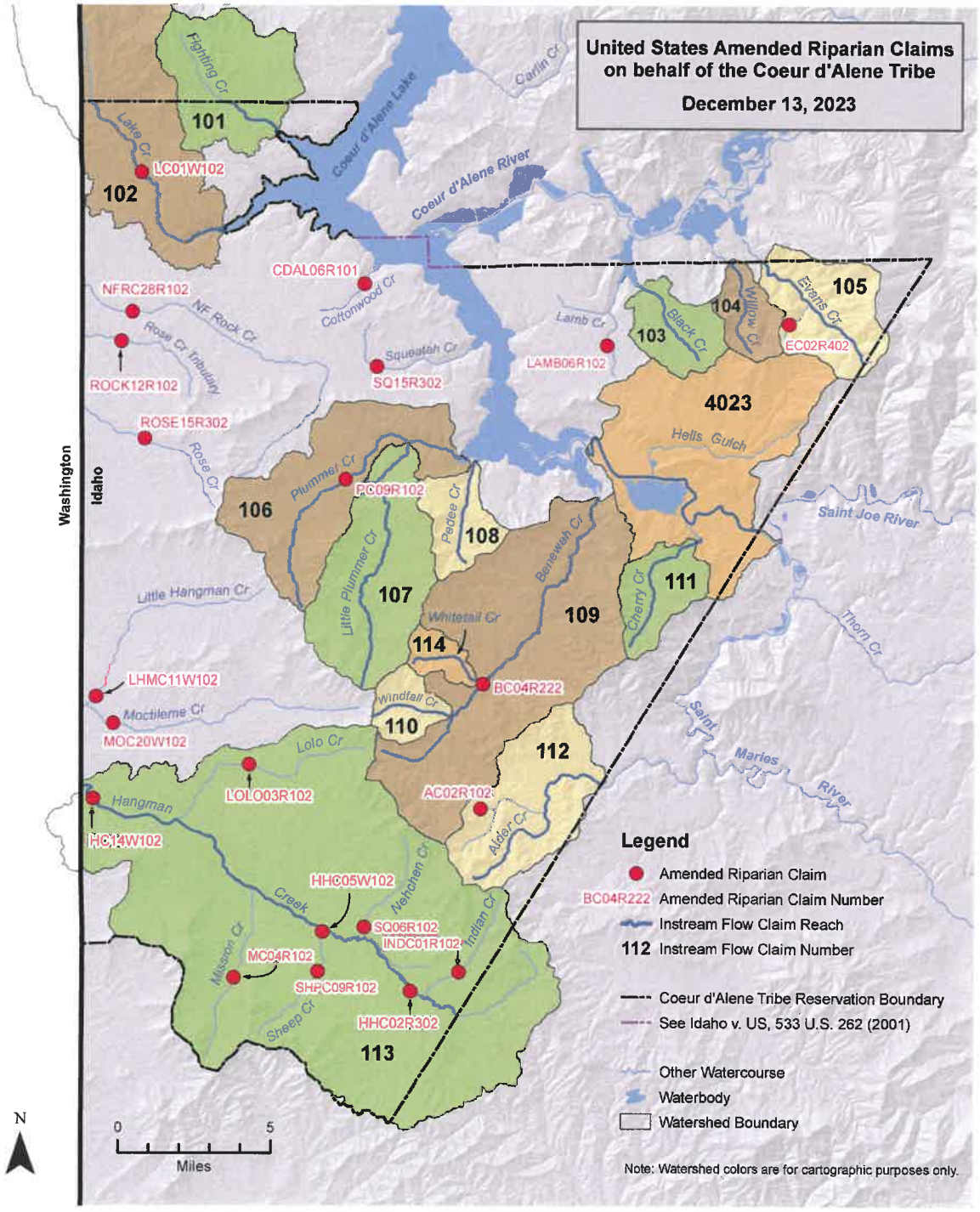
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.


United States Amended Riparian Claims
on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
Fighting Cr
Lake Cr
Carlin Cr
Coeur d'Alene Lake
Coeur d'Alene River
101
102
LC01W102
CDAL06R101
Cottonwood Cr
NFRC28R102
NF Rock Cr
Rose Cr Tributary
ROCK12R102
ROSE15R302
Rose Cr
Squeatah Cr
SQ15R302
Lamb Cr
LAMB06R102
103
Black Cr
104
Mollie Cr
Evans Cr
105
EC02R402
4023
Helis Gulch
Saint Joe River
106
Plummer Cr
PC09R102
Little Plummer Cr
107
Pedee Cr
108
Benewah Cr
109
Cherry Cr
111
Thorn Cr
Little Hangman Cr
Whitetail Cr
114
LHMC11W102
Moctileme Cr
MOC20W102
Windfall Cr
BC04R222
110
112
Lolo Cr
LOLO03R102
AC02R102
Alder Cr
Saint Maries River
Hangman
HC14W102
Nenchen Cr
HHC05W102
Creek
SQ06R102
INDC01R102
Indian Cr
Missoula Cr
MC04R102
SHPC09R102
Sheep Cr
HHC02R302
113
N
0
5
Miles
Legend
Amended Riparian Claim
BC04R222 Amended Riparian Claim Number
Instream Flow Claim Reach
112 Instream Flow Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only.

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	)	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No. 93-7553**

1. **Name and address of claimant:**

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** Lolo Creek (Water Right # 93-7553)
(Fed. ID #LOLO03R102)

4. **Point of Diversion:**

Not applicable – This claim is for *in situ* surface water flows to maintain functional riparian ecosystems.

5. **Place of Use:** Total Acres: 5.9

The approximate center point is located within UTM Coordinates:

Zone: 11N 505809 5228705; which is located in:

Township: 45N Range: 5W Section: 26 Q: SE QQ: NW

See Attached Map.

6. **Purpose of Water Use:**

To provide wildlife and plant habitat for hunting, gathering and cultural uses of the Tribe - as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra.*

8. **Quantity Reserved:** Annual Total 14.20 (AFY)

Monthly claim amounts are provided in the table below. For each month a minimum Riparian Baseflow (low-flow) is claimed. In addition, if the flow in the stream at the Place of Use center point reaches the High Flow Trigger as shown in column 3, then the Riparian High Flow becomes the claim for a duration of four days after the high flow is initiated. The claim reverts back to the Riparian Baseflow four days after the trigger is initiated. Once the streamflow exceeds the Riparian High Flow within the given month, no additional triggers are initiated, and the claim remains at the Riparian Baseflow for the remainder of the month. The Riparian Baseflow, the High Flow Trigger, and the Riparian High Flow all change from month to month.

Month	Riparian BaseFlow (cfs)	Trigger Flow for High-Flow Claims (cfs)	High-Flow Claims (cfs)
January	0.09	62.4	83.2
February	1.00	83.2	298
March	2.15	83.2	298
April	0.88	62.4	83.2
May	0.07	62.4	83.2
June	0.05	62.4	83.2
July	0.05	41.6	41.6
August	0.05	41.6	41.6
September	0.05	41.6	41.6
October	0.05	41.6	41.6
November	0.05	62.4	83.2
December	0.05	62.4	83.2

9. Basis of Claim:

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. Other Provisions:

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755,* 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA,* 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

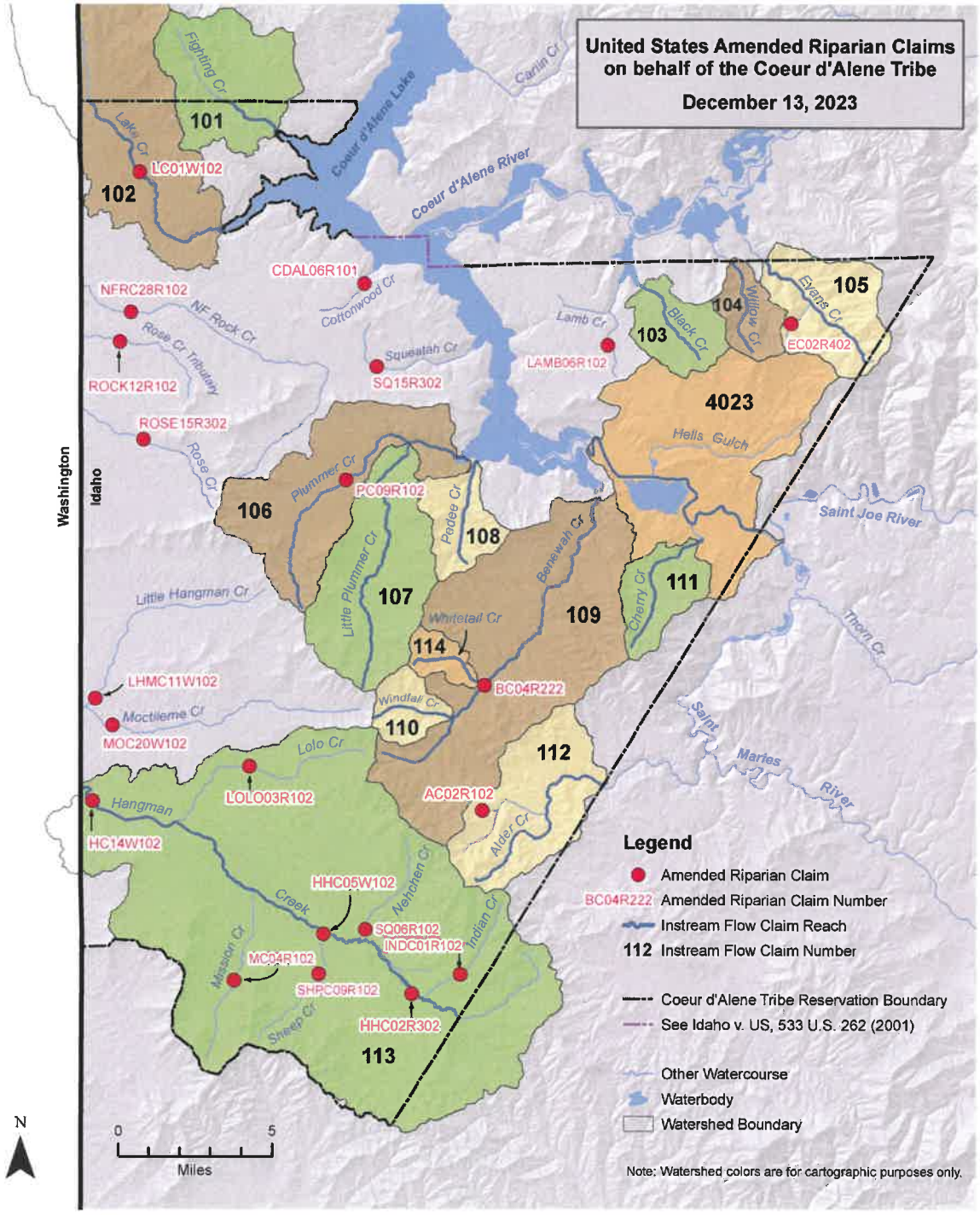
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Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.


United States Amended Riparian Claims
on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
Fighting Cr
Lake Cr
Carlin Cr
Coeur d'Alene Lake
Coeur d'Alene River
101
102
LC01W102
CDAL06R101
Cottonwood Cr
NFRC28R102
NF Rock Cr
Rose Cr Tributary
ROCK12R102
Squeatah Cr
SQ15R302
Lamb Cr
LAMB06R102
Black Cr
Willow Cr
Evans Cr
103
104
105
EC02R402
4023
Hells Gulch
ROSE15R302
Rose Cr
Plummer Cr
PC09R102
106
Little Plummer Cr
107
Podee Cr
108
Benewah Cr
109
Cherry Cr
111
Saint Joe River
Little Hangman Cr
Whitetail Cr
114
Thorn Cr
LHMC11W102
Moctileme Cr
MOC20W102
Windfall Cr
BC04R222
110
112
Saint Maries River
Lolo Cr
LOLO03R102
AC02R102
Alder Cr
Hangman
HC14W102
Nenchen Cr
HHC05W102
Creek
SQ06R102
INDC01R102
Indian Cr
Mission Cr
MC04R102
SHPC09R102
HHC02R302
Sheep Cr
113
N
0
5
Miles
Legend
Amended Riparian Claim
BC04R222 Amended Riparian Claim Number
Instream Flow Claim Reach
112 Instream Flow Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only.

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No. 93-7561**

1. **Name and address of claimant:**

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** Hangman Creek (Water Right # 93-7561)
(Fed. ID #HHC05W102)

4. **Point of Diversion:**

Not applicable – This claim is for *in situ* surface water flows to maintain functional riparian ecosystems.

5. **Place of Use:** Total Acres: 90.32

The approximate center point is located within UTM Coordinates:

Zone: 11N 509605 5220280; which is located in:

Township: 44N Range: 4W Section: 20 Q: SW QQ: SW

See Attached Map.

6. **Purpose of Water Use:**

To provide wildlife and plant habitat for hunting, gathering and cultural uses of the Tribe - as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra*.

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra*.

8. **Quantity Reserved:** Annual Total 285.05 (AFY)

Monthly claim amounts are provided in the table below. For each month a minimum Riparian Baseflow (low-flow) is claimed. In addition, if the flow in the stream at the Place of Use center point reaches the High Flow Trigger as shown in column 3, then the Riparian High Flow becomes the claim for a duration of four days after the high flow is initiated. The claim reverts back to the Riparian Baseflow four days after the trigger is initiated. Once the streamflow exceeds the Riparian High Flow within the given month, no additional triggers are initiated, and the claim remains at the Riparian Baseflow for the remainder of the month. The Riparian Baseflow, the High Flow Trigger, and the Riparian High Flow all change from month to month.

Month	Riparian BaseFlow (cfs)	Trigger Flow for High-Flow Claims (cfs)	High-Flow Claims (cfs)
January	2.38	27.0	36.0
February	11.80	36.0	219
March	32.40	36.0	219
April	12.80	27.0	36.0
May	2.00	27.0	36.0
June	1.20	27.0	36.0
July	1.06	18.0	18.0
August	0.34	18.0	18.0
September	0.40	18.0	18.0
October	0.53	18.0	18.0
November	0.54	27.0	36.0
December	1.36	27.0	36.0

9. Basis of Claim:

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. Other Provisions:

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755,* 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra*. *United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA,* 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

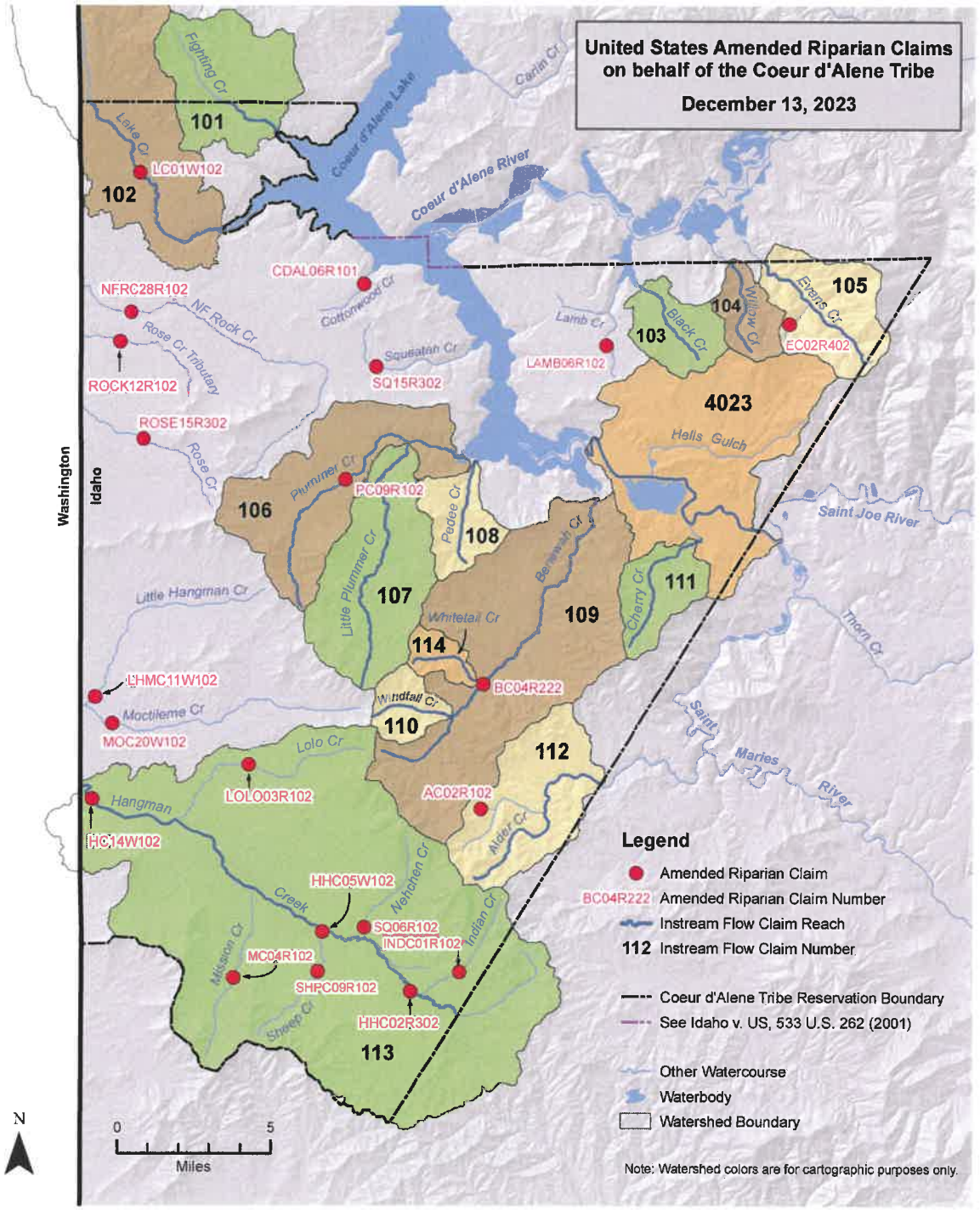
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Daniel F. McCarl
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Attorneys for the United States of America

Dates this 13th day of December 2023.


United States Amended Riparian Claims
on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
Fighting Cr
Lake Cr
Coeur d'Alene Lake
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112 Instream Flow Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only.

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APR 0 8 2024
DEPARTMENT OF
WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No. 93-7565**

1. **Name and address of claimant:**

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** Mission Creek (Water Right # 93-7565)
(Fed. ID #MC04R102)

4. **Point of Diversion:**

Not applicable – This claim is for *in situ* surface water flows to maintain functional riparian ecosystems.

5. **Place of Use:** Total Acres: 1.01

The approximate center point is located within UTM Coordinates:

Zone: 11N 505031 5217573; which is located in:

Township: 44N Range: 5W Section: 35 Q: SW QQ: NW

See Attached Map.

6. **Purpose of Water Use:**

To provide wildlife and plant habitat for hunting, gathering and cultural uses of the Tribe - as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra.*

8. **Quantity Reserved:** Annual Total 2.43 (AFY)

Monthly claim amounts are provided in the table below. For each month a minimum Riparian Baseflow (low-flow) is claimed. In addition, if the flow in the stream at the Place of Use center point reaches the High Flow Trigger as shown in column 3, then the Riparian High Flow becomes the claim for a duration of four days after the high flow is initiated. The claim reverts back to the Riparian Baseflow four days after the trigger is initiated. Once the streamflow exceeds the Riparian High Flow within the given month, no additional triggers are initiated, and the claim remains at the Riparian Baseflow for the remainder of the month. The Riparian Baseflow, the High Flow Trigger, and the Riparian High Flow all change from month to month.

Month	Riparian BaseFlow (cfs)	Trigger Flow for High-Flow Claims (cfs)	High-Flow Claims (cfs)
January	0.26	15.4	20.5
February	1.39	20.5	91.5
March	4.01	20.5	91.5
April	1.69	15.4	20.5
May	0.22	15.4	20.5
June	0.05	15.4	20.5
July	0.05	10.3	10.3
August	0.05	10.3	10.3
September	0.05	10.3	10.3
October	0.05	10.3	10.3
November	0.05	15.4	20.5
December	0.09	15.4	20.5

9. Basis of Claim:

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. Other Provisions:

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755,* 165 Idaho 517, 557-58 (2019) (*"In Re CSRBA"*).

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA,* 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

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Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

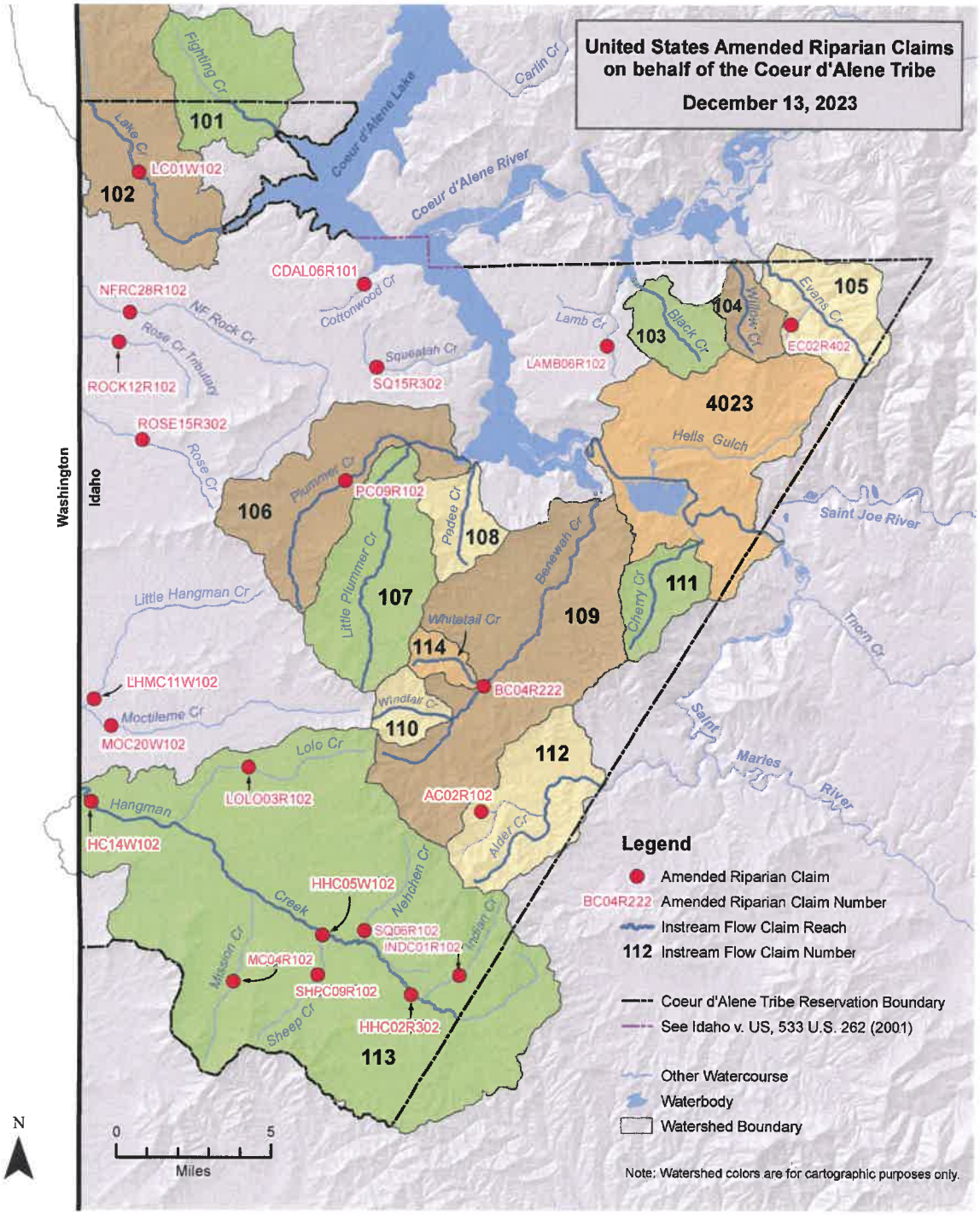
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All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.


United States Amended Riparian Claims
on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
Coeur d'Alene Lake
Coeur d'Alene River
Fighting Cr
Lake Cr
Carlin Cr
Cottonwood Cr
NF Rock Cr
Rose Cr Tributary
Rose Cr
Squeatah Cr
Lamb Cr
Black Cr
Willow Cr
Evans Cr
Hells Gulch
Plummer Cr
Little Plummer Cr
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Cherry Cr
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Little Hangman Cr
Whitetail Cr
Windfall Cr
Moctileme Cr
Lolo Cr
Hangman Creek
Nenkhen Cr
Alder Cr
Saint Maries River
Mission Cr
Sheep Cr
Indian Cr
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LC01W102
CDAL06R101
NFRC28R102
ROCK12R102
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SQ15R302
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EC02R402
PC09R102
LHMC11W102
MOC20W102
LOLO03R102
HC14W102
BC04R222
AC02R102
HHC05W102
SQ05R102
INDC01R102
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Legend
Amended Riparian Claim
BC04R222 Amended Riparian Claim Number
Instream Flow Claim Reach
112 Instream Flow Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only.
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Miles

RECEIVED
APR 0 8 2024
DEPARTMENT OF
WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No. 93-7598**

1. **Name and address of claimant:**

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** Moctileme Creek (Water Right # 93-7598)
(Fed. ID #MOC20W102)

4. **Point of Diversion:**

Not applicable – This claim is for *in situ* surface water flows to maintain functional riparian ecosystems.

5. **Place of Use:** Total Acres: 12.93

The approximate center point is located within UTM Coordinates:

Zone: 11N 498652 5230875; which is located in:

Township: 45N Range: 5W Section: 19 Q: NW QQ: SE

See Attached Map.

6. **Purpose of Water Use:**
To provide wildlife and plant habitat for hunting, gathering and cultural uses of the Tribe - as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra*.

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra*.

8. **Quantity Reserved:** Annual Total 40.81 (AFY)
Monthly claim amounts are provided in the table below. For each month a minimum Riparian Baseflow (low-flow) is claimed. In addition, if the flow in the stream at the Place of Use center point reaches the High Flow Trigger as shown in column 3, then the Riparian High Flow becomes the claim for a duration of four days after the high flow is initiated. The claim reverts back to the Riparian Baseflow four days after the trigger is initiated. Once the streamflow exceeds the Riparian High Flow within the given month, no additional triggers are initiated, and the claim remains at the Riparian Baseflow for the remainder of the month. The Riparian Baseflow, the High Flow Trigger, and the Riparian High Flow all change from month to month.

Month	Riparian BaseFlow (cfs)	Trigger Flow for High-Flow Claims (cfs)	High-Flow Claims (cfs)
January	0.80	207	276
February	4.51	276	874
March	6.69	276	874
April	5.01	207	276
May	0.92	207	276
June	0.48	207	276
July	0.38	138	138
August	0.23	138	138
September	0.25	138	138
October	0.34	138	138
November	0.38	207	276
December	0.59	207	276

9. Basis of Claim:

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. Other Provisions:

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755,* 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA,* 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director
Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

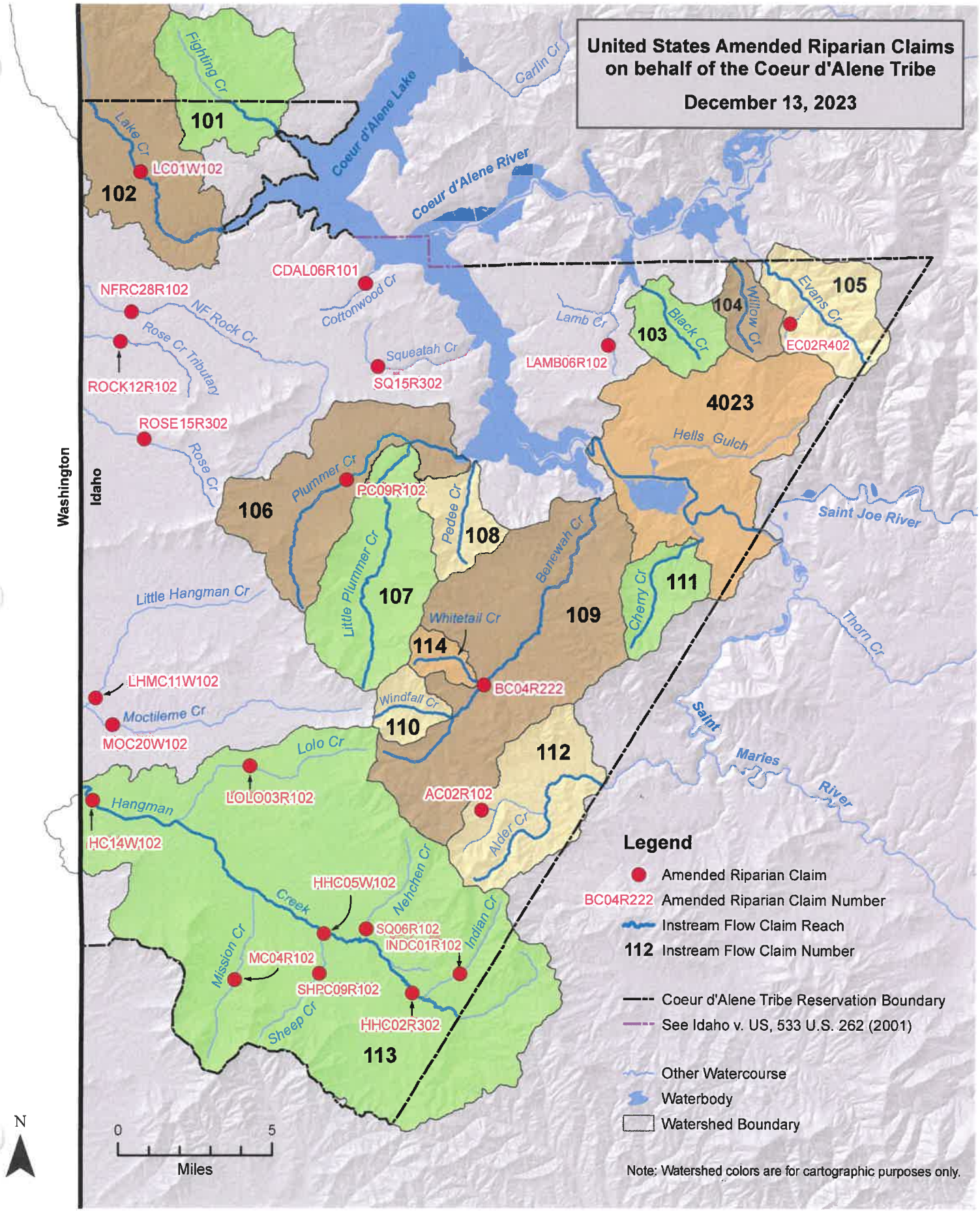
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Attorneys for the United States of America

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on behalf of the Coeur d'Alene Tribe
December 13, 2023
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NF Rock Cr
Rose Cr Tributary
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112
Lolo Cr
LOLO03R102
AC02R102
Alder Cr
Hangman
HC14W102
HHC05W102
Nehchen Cr
Creek
SQ06R102
INDC01R102
Indian Cr
Mission Cr
MC04R102
SHPC09R102
Sheep Cr
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Miles
N
Legend
Amended Riparian Claim
BC04R222 Amended Riparian Claim Number
Instream Flow Claim Reach
112 Instream Flow Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only.

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DEPARTMENT OF
WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No. 93-7626**

1. **Name and address of claimant:**

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** North Fork Rock Creek (Water Right # 93-7626)
(Fed. ID #NFRC28R102)

4. **Point of Diversion:**

Not applicable – This claim is for *in situ* surface water flows to maintain functional riparian ecosystems.

5. **Place of Use:** Total Acres: 1.77

The approximate center point is located within UTM Coordinates:

Zone: 11N 499635 5252384; which is located in:

Township: 47N Range: 5W Section: 7 Q: SE QQ: SE

See Attached Map.

6. **Purpose of Water Use:**

To provide wildlife and plant habitat for hunting, gathering and cultural uses of the Tribe - as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra.*

8. **Quantity Reserved:** Annual Total 4.26 (AFY)

Monthly claim amounts are provided in the table below. For each month a minimum Riparian Baseflow (low-flow) is claimed. In addition, if the flow in the stream at the Place of Use center point reaches the High Flow Trigger as shown in column 3, then the Riparian High Flow becomes the claim for a duration of four days after the high flow is initiated. The claim reverts back to the Riparian Baseflow four days after the trigger is initiated. Once the streamflow exceeds the Riparian High Flow within the given month, no additional triggers are initiated, and the claim remains at the Riparian Baseflow for the remainder of the month. The Riparian Baseflow, the High Flow Trigger, and the Riparian High Flow all change from month to month.

Month	Riparian BaseFlow (cfs)	Trigger Flow for High-Flow Claims (cfs)	High-Flow Claims (cfs)
January	1.25	228	304
February	4.89	304	953
March	7.19	304	953
April	5.42	228	304
May	0.47	228	304
June	0.14	228	304
July	0.09	152	152
August	0.05	152	152
September	0.08	152	152
October	0.25	152	152
November	0.44	228	304
December	0.76	228	304

9. Basis of Claim:

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. Other Provisions:

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755,* 165 Idaho 517, 557-58 (2019) (*"In Re CSRBA"*).

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA,* 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

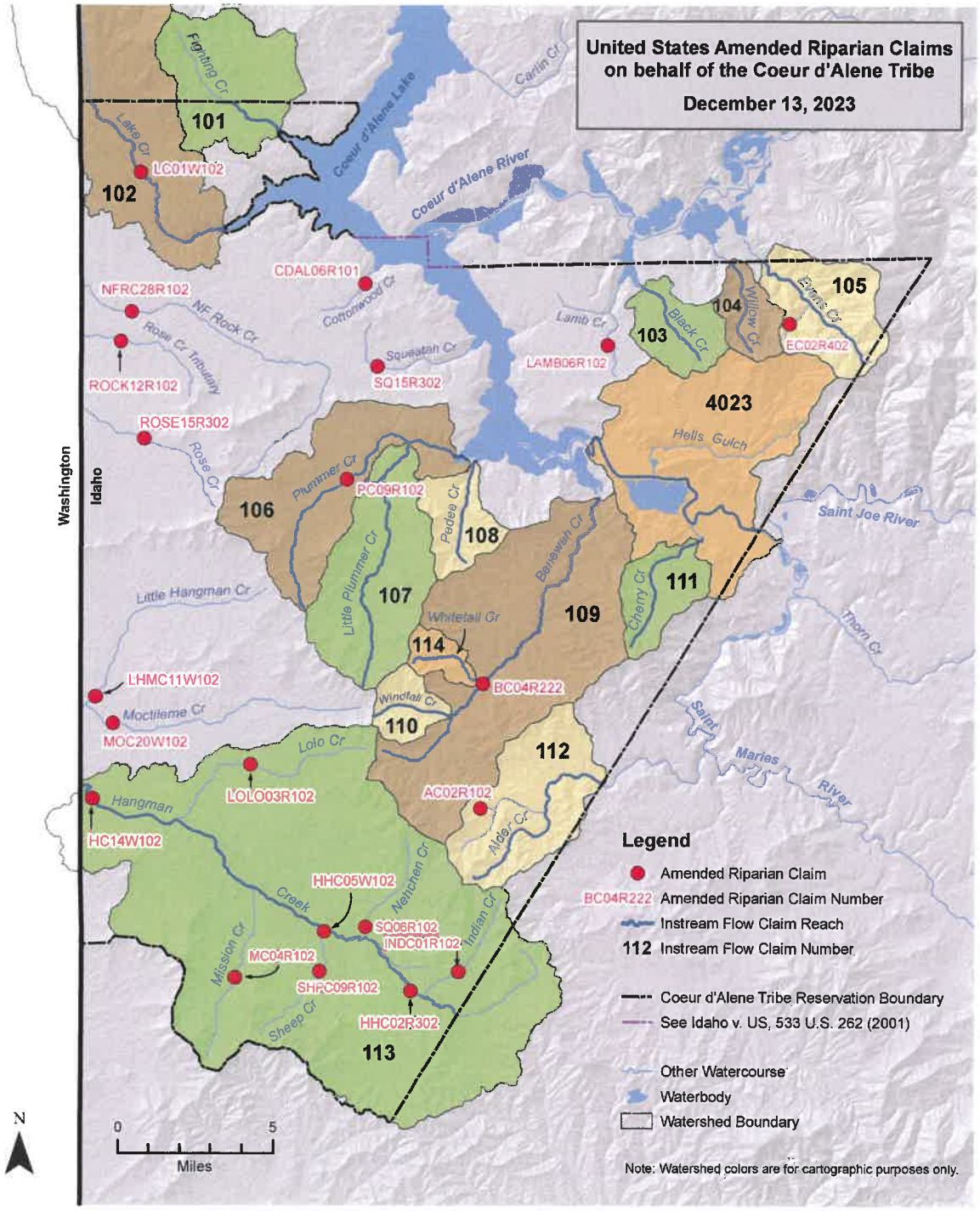
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Attorneys for the United States of America

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on behalf of the Coeur d'Alene Tribe
December 13, 2023
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INDC01R102
Mission Cr
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Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only.

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WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No. 93-7643**

1. **Name and address of claimant:**

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** Rose Creek Tributary (Water Right # 93-7643)
(Fed. ID #ROCK12R102)

4. **Point of Diversion:**

Not applicable – This claim is for *in situ* surface water flows to maintain functional riparian ecosystems.

5. **Place of Use:** Total Acres: 8.63

The approximate center point is located within UTM Coordinates:

Zone: 11N 499005 5250885; which is located in:

Township: 47N Range: 5W Section: 18 Q: SW QQ: SE

See Attached Map.

6. **Purpose of Water Use:**

To provide wildlife and plant habitat for hunting, gathering and cultural uses of the Tribe - as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra.*

8. **Quantity Reserved:** Annual Total 20.77 (AFY)

Monthly claim amounts are provided in the table below. For each month a minimum Riparian Baseflow (low-flow) is claimed. In addition, if the flow in the stream at the Place of Use center point reaches the High Flow Trigger as shown in column 3, then the Riparian High Flow becomes the claim for a duration of four days after the high flow is initiated. The claim reverts back to the Riparian Baseflow four days after the trigger is initiated. Once the streamflow exceeds the Riparian High Flow within the given month, no additional triggers are initiated, and the claim remains at the Riparian Baseflow for the remainder of the month. The Riparian Baseflow, the High Flow Trigger, and the Riparian High Flow all change from month to month.

Month	Riparian BaseFlow (cfs)	Trigger Flow for High-Flow Claims (cfs)	High-Flow Claims (cfs)
January	0.08	2.0	2.6
February	0.36	2.6	49
March	0.98	2.6	49
April	0.32	2.0	2.6
May	0.05	2.0	2.6
June	0.05	2.0	2.6
July	0.05	1.3	1.3
August	0.05	1.3	1.3
September	0.05	1.3	1.3
October	0.05	1.3	1.3
November	0.05	2.0	2.6
December	0.05	2.0	2.6

9. Basis of Claim:

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. Other Provisions:

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b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA,* 165 Idaho at 557-58.

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For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

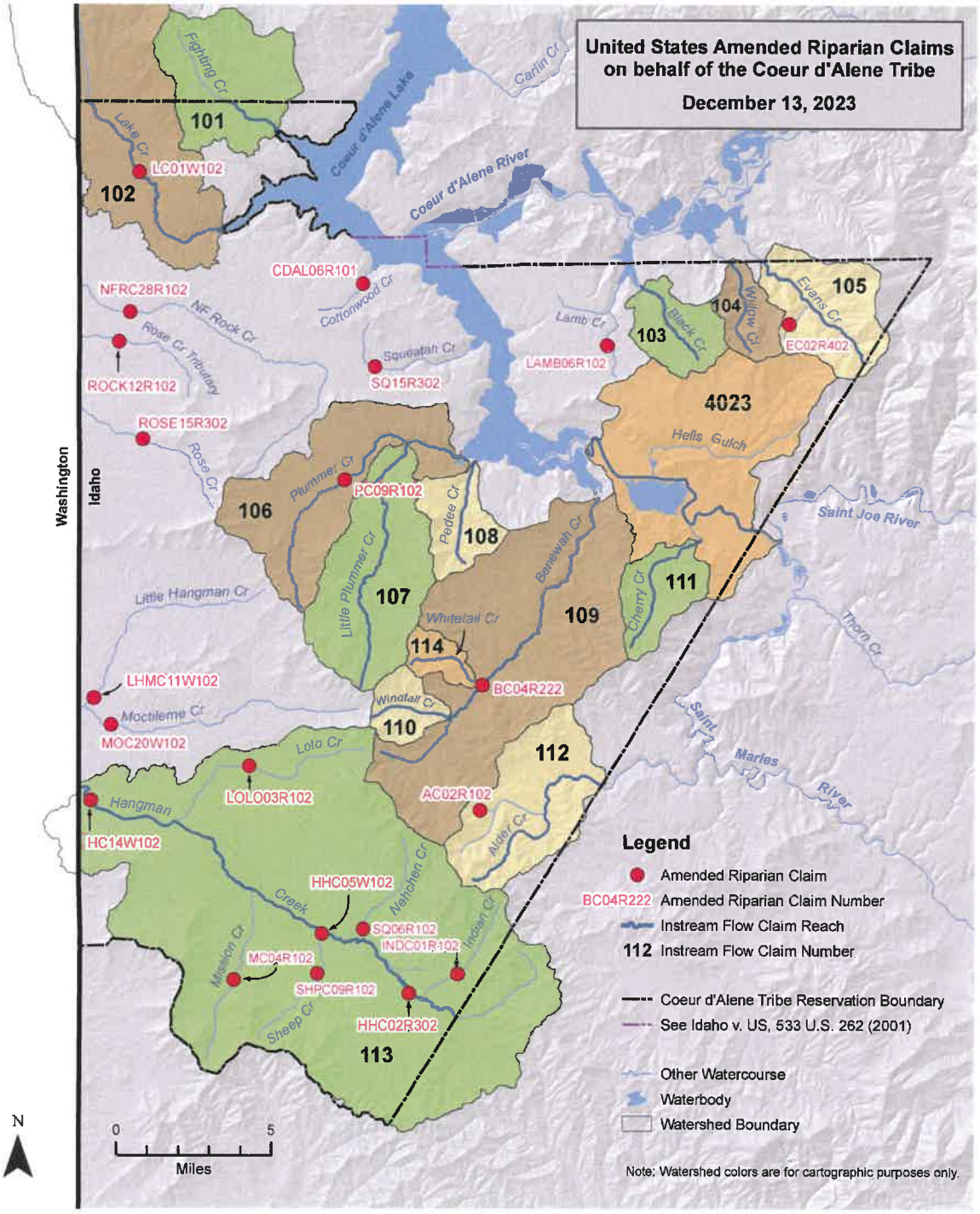
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HC14W102
Nethchen Cr
HHC05W102
Creek
SQ06R102
INDC01R102
Indian Cr
Mission Cr
MC04R102
SHPC09R102
Sheep Cr
HHC02R302
113
Legend
Amended Riparian Claim
BC04R222 Amended Riparian Claim Number
Instream Flow Claim Reach
112 Instream Flow Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only.
N
0
5
Miles

RECEIVED
APR 0 8 2024
DEPARTMENT OF
WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No. 93-7646**

1. **Name and address of claimant:**

   UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
   Department of the Interior
   Bureau of Indian Affairs
   911 N.E. 11th Ave
   Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** Rose Creek (Water Right # 93-7646)
   (Fed. ID #ROSE15R302)

4. **Point of Diversion:**

   Not applicable – This claim is for *in situ* surface water flows to maintain functional riparian ecosystems.

5. **Place of Use:** Total Acres: 12.32

   The approximate center point is located within UTM Coordinates:

   Zone: 11N 500424 5245638; which is located in:

   Township: 46N Range: 5W Section: 5 Q: NW QQ: NW

   See Attached Map.

6. **Purpose of Water Use:**

To provide wildlife and plant habitat for hunting, gathering and cultural uses of the Tribe - as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra*.

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra*.

8. **Quantity Reserved:** Annual Total 29.19 (AFY)

Monthly claim amounts are provided in the table below. For each month a minimum Riparian Baseflow (low-flow) is claimed. In addition, if the flow in the stream at the Place of Use center point reaches the High Flow Trigger as shown in column 3, then the Riparian High Flow becomes the claim for a duration of four days after the high flow is initiated. The claim reverts back to the Riparian Baseflow four days after the trigger is initiated. Once the streamflow exceeds the Riparian High Flow within the given month, no additional triggers are initiated, and the claim remains at the Riparian Baseflow for the remainder of the month. The Riparian Baseflow, the High Flow Trigger, and the Riparian High Flow all change from month to month.

Month	Riparian BaseFlow (cfs)	Trigger Flow for High-Flow Claims (cfs)	High-Flow Claims (cfs)
January	0.05	7.3	9.8
February	0.14	9.8	134
March	0.36	9.8	134
April	0.09	7.3	9.8
May	0.05	7.3	9.8
June	0.05	7.3	9.8
July	0.05	4.9	4.9
August	0.05	4.9	4.9
September	0.05	4.9	4.9
October	0.05	4.9	4.9
November	0.05	7.3	9.8
December	0.05	7.3	9.8

9. Basis of Claim:

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. Other Provisions:

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755,* 165 Idaho 517, 557-58 (2019) (*"In Re CSRBA"*).

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA,* 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

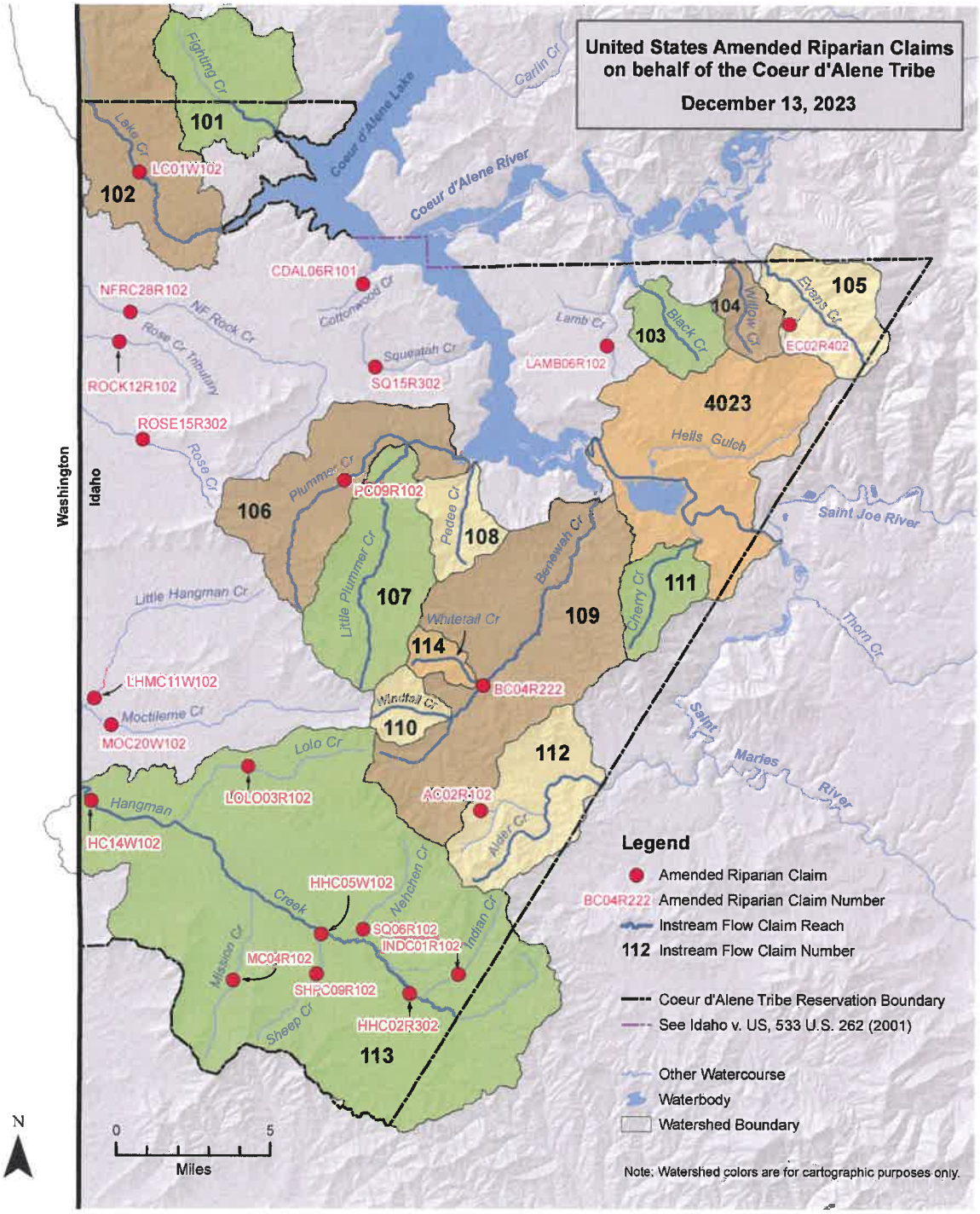
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.


United States Amended Riparian Claims
on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
Fighting Cr
Carlin Cr
Coeur d'Alene Lake
Coeur d'Alene River
Lake Cr
101
102
LC01W102
CDAL06R101
Cottonwood Cr
NFRC28R102
NF Rock Cr
Rose Cr Tributary
ROCK12R102
ROSE15R302
Rose Cr
Squeatah Cr
SQ15R302
Lamb Cr
LAMB06R102
103
Black Cr
104
Willow Cr
105
Evans Cr
EC02R402
4023
Hells Gulch
Saint Joe River
106
Plummer Cr
PC09R102
Little Plummer Cr
107
Pedee Cr
108
Beneweh Cr
109
Cherry Cr
111
Little Hangman Cr
Whitetail Cr
114
Thorn Cr
LHMC11W102
Moctileme Cr
MOC20W102
Windfall Cr
110
BC04R222
112
Saint Maries River
Lolo Cr
LOLO03R102
AC02R102
Alder Cr
Hangman Creek
HC14W102
Nehchen Cr
HHC05W102
SQ06R102
INDC01R102
Indian Cr
Mission Cr
MC04R102
SHPC09R102
Sheep Cr
HHC02R302
113
N
0
5
Miles
Legend
Amended Riparian Claim
BC04R222 Amended Riparian Claim Number
Instream Flow Claim Reach
112 Instream Flow Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only.

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DEPARTMENT OF
WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No.** 94-9244

1. **Name and address of claimant:**
UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** Black Creek (Water Right # 94-9244)
(Fed. ID # 103)

4. **Point of Diversion:** Not applicable; Instream Flow

5. **Place of Use:**

At all points along the stream reach located between the following boundaries:

Upstream Boundary – Headwaters

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
94-9244	103	47N	2W	20	SESE	BM	Kootenai

Downstream Boundary – Mouth

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
94-9244	103	47N	3W	12	NESE	BM	Kootenai

Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

6. **Purpose of Water Use:**
Fish habitat for fish species harvested within the Reservation - as a component of a water right necessary to fulfill the homeland purpose of the Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra.*

8. **Quantity Reserved (In cfs):**

January	February	March	April	May	June
6.3	6.3	14	8.3	2.9	1.0
July	August	September	October	November	December
0.19	0.04	0.04	0.06	0.45	2.3

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755*, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Ca Re CSRBA*, 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

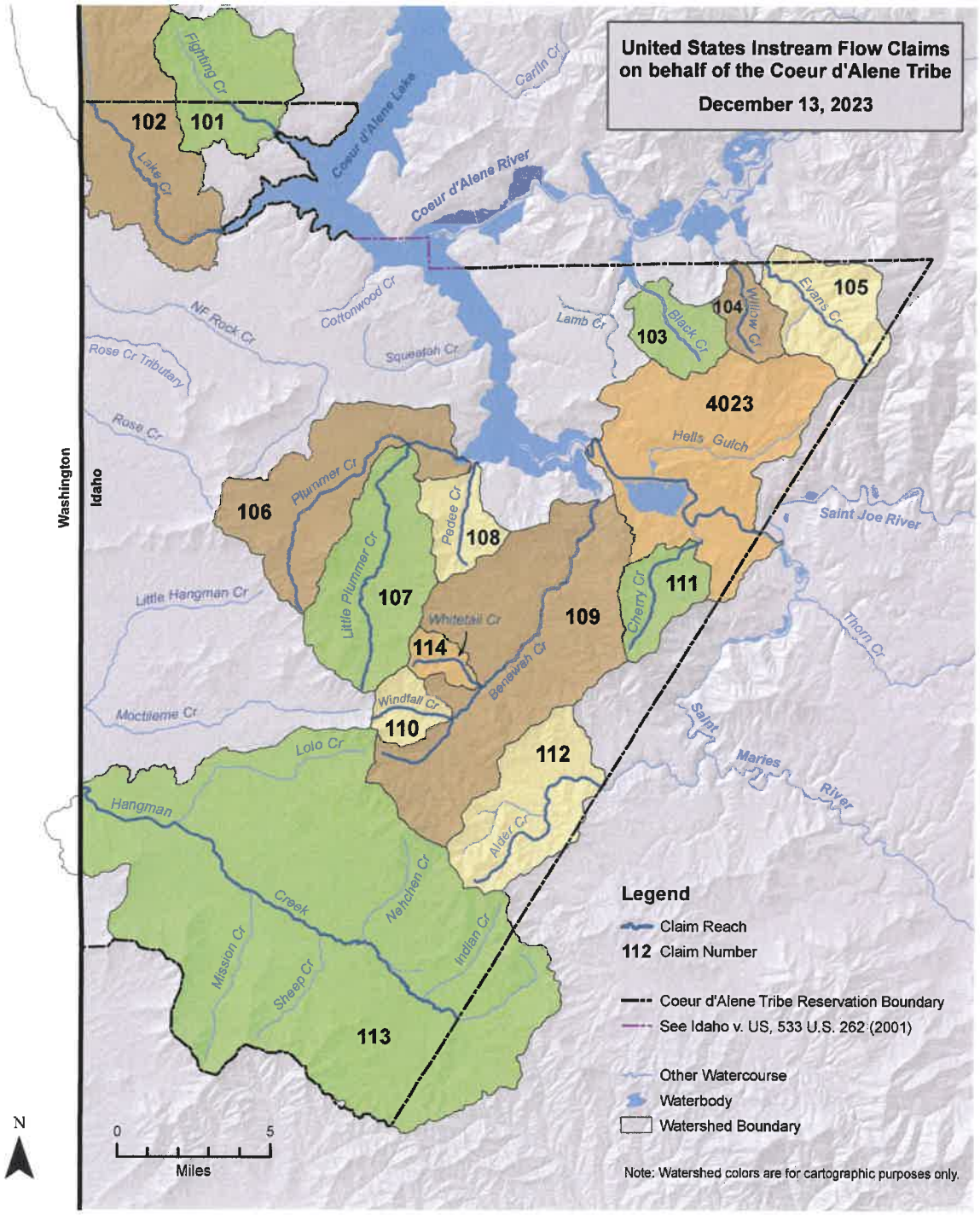
Bryan K. Mercier, Regional Director
Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication. All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice Environment and Natural Resources Division Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202
Attorneys for the United States of America

Dated this 13th day of December 2023.


United States Instream Flow Claims
on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
102
101
103
104
105
106
107
108
109
110
111
112
113
114
4023
Fighting Cr
Lake Cr
Coeur d'Alene Lake
Coeur d'Alene River
Carlin Cr
NF Rock Cr
Cottonwood Cr
Squeetah Cr
Lamb Cr
Black Cr
Willis Cr
Evans Cr
Rose Cr Tributary
Rose Cr
Hells Gulch
Saint Joe River
Plummer Cr
Little Plummer Cr
Pedee Cr
Little Hangman Cr
Whitetail Cr
Cherry Cr
Thorn Cr
Benewah Cr
Windfall Cr
Moctileme Cr
Saint Maries River
Lolo Cr
Hangman Creek
Alder Cr
Nehchen Cr
Indian Cr
Mission Cr
Sheep Cr
Legend
Claim Reach
112 Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only.
N
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5
Miles

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DEPARTMENT OF
WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No.** 94-9245

1. **Name and address of claimant:**
UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** Willow Creek (Water Right # 94-9245)
(Fed. ID # 104)

4. **Point of Diversion:** Not applicable; Instream Flow

5. **Place of Use:**

At all points along the stream reach located between the following boundaries:

Upstream Boundary – Headwaters

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
94-9245	104	47N	2W	22	NWSE	BM	Benewah

Downstream Boundary – Mouth

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
94-9245	104	47N	2W	4	SWNW	BM	Kootenai

Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

6. **Purpose of Water Use:**
Fish habitat for fish species harvested within the Reservation - as a component of a water right necessary to fulfill the homeland purpose of the Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra.*

8. **Quantity Reserved (In cfs):**

January	February	March	April	May	June
13	21	20	7.0	6.5	2.1
July	August	September	October	November	December
0.64	0.37	0.44	0.43	2.4	5.3

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755*, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair,* 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA*, 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

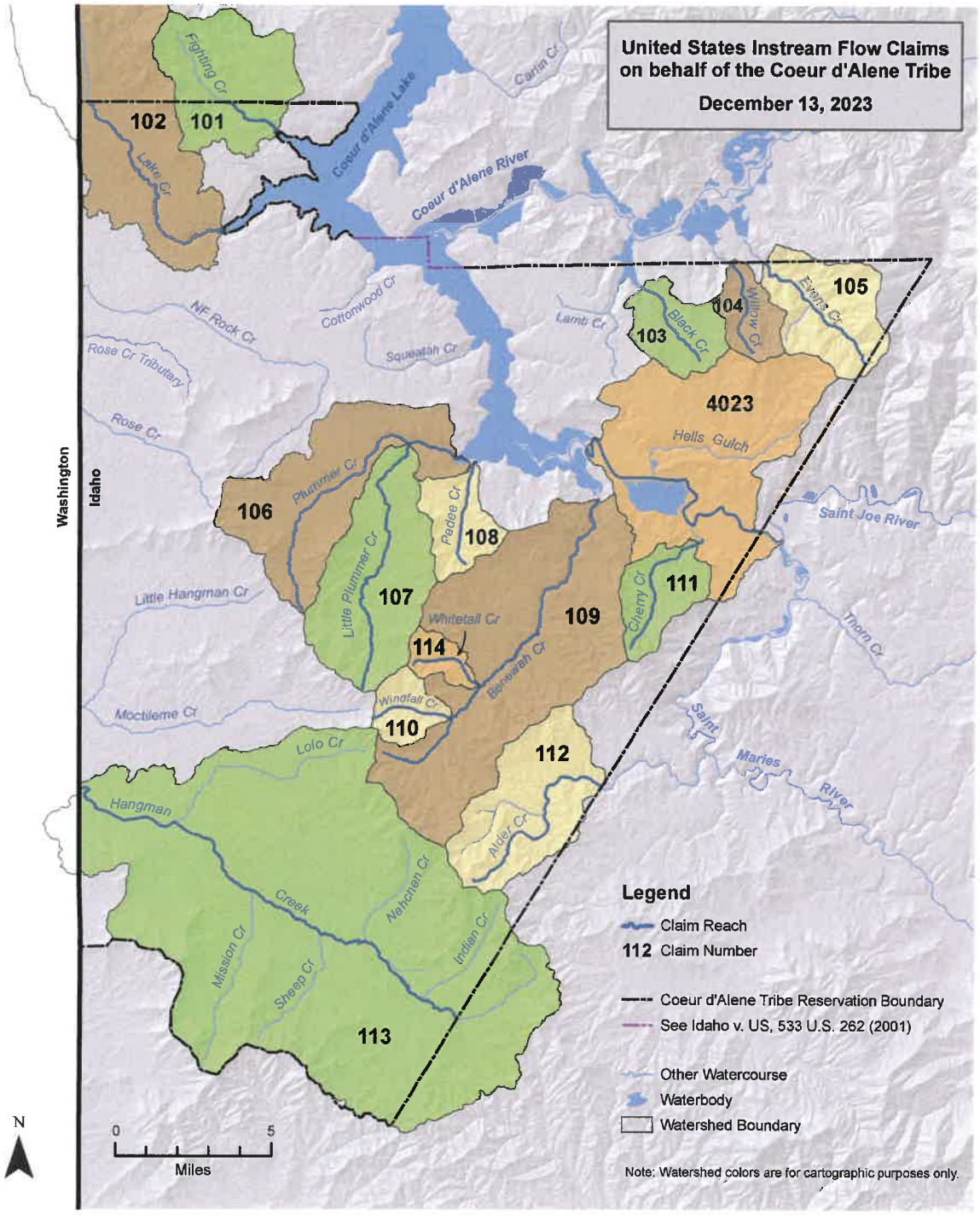
Bryan K. Mercier, Regional Director
Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication. All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice Environment and Natural Resources Division Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202
Attorneys for the United States of America

Dated this 13th day of December 2023.


United States Instream Flow Claims
on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
102
101
104
105
103
4023
106
108
107
109
111
114
110
112
113
Fighting Cr
Lake Cr
Coeur d'Alene Lake
Carlin Cr
Coeur d'Alene River
Cottonwood Cr
NF Rock Cr
Rose Cr Tributary
Rose Cr
Squeatish Cr
Lamb Cr
Black Cr
McMillan Cr
Evans Cr
Hells Gulch
Saint Joe River
Plummer Cr
Little Plummer Cr
Pedee Cr
Cherry Cr
Little Hangman Cr
Whitetail Cr
Benewah Cr
Thorn Cr
Windfall Cr
Moctileme Cr
Lolo Cr
Saint Maries River
Hangman Creek
Alder Cr
Nehonen Cr
Indian Cr
Mission Cr
Sheep Cr
Legend
Claim Reach
112 Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only.
N
0
5
Miles

RECEIVED
APR 08 2024
DEPARTMENT OF
WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No.** 94-9246

1. **Name and address of claimant:**
UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** Evans Creek (Water Right # 94-9246)
(Fed. ID # 105)

4. **Point of Diversion:** Not applicable; Instream Flow

5. **Place of Use:**

At all points along the stream reach located between the following boundaries:

Upstream Boundary – Headwaters

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
94-9246	105	47N	1W	20	SESW	BM	Benewah

Downstream Boundary – Mouth

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
94-9246	105	47N	2W	3	SENW	BM	Kootenai

Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

6. **Purpose of Water Use:**
Fish habitat for fish species harvested within the Reservation - as a component of a water right necessary to fulfill the homeland purpose of the Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra*.

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra*.

8. **Quantity Reserved (In cfs):**

January	February	March	April	May	June
35	35	35	35	35	28
July	August	September	October	November	December
8.7	4.0	3.7	4.0	12	22

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755*, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair,* 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Ca Re CSRBA*, 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

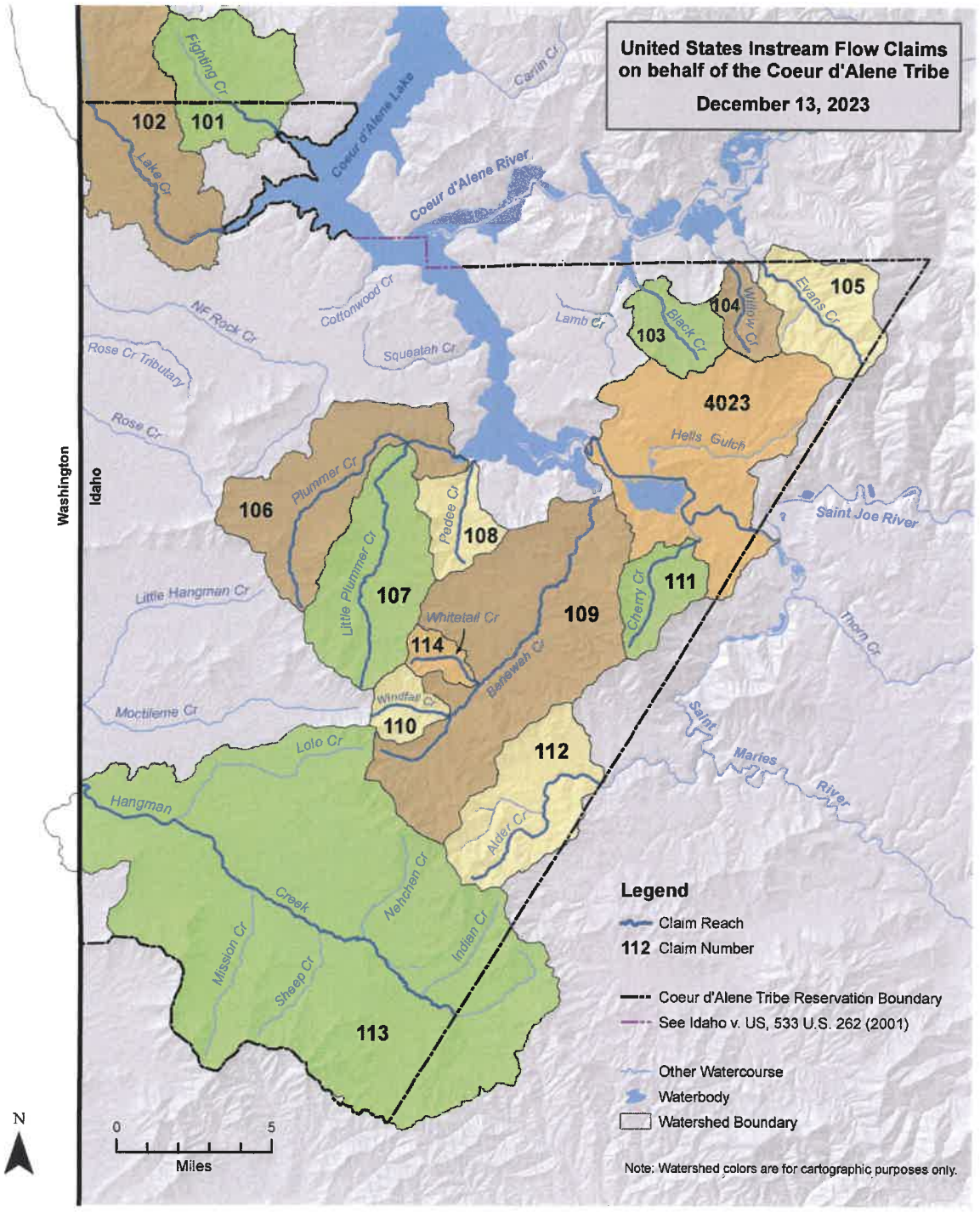
Bryan K. Mercier, Regional Director
Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication. All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice Environment and Natural Resources Division Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202
Attorneys for the United States of America

Dated this 13th day of December 2023.


United States Instream Flow Claims
on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
Fighting Cr
Carlin Cr
Coeur d'Alene Lake
Coeur d'Alene River
Lake Cr
102
101
NF Rock Cr
Cottonwood Cr
Squeatah Cr
Lamb Cr
Rose Cr Tributary
Rose Cr
Willow Cr
Black Cr
Evans Cr
104
103
105
4023
Hells Gulch
Saint Joe River
Plummer Cr
106
Little Plummer Cr
107
Pedee Cr
108
Little Hangman Cr
Whitetail Cr
109
Cherry Cr
111
114
Benewah Cr
Thorn Cr
Windfall Cr
Moctileme Cr
110
112
Lolo Cr
Saint Maries River
Hangman
Alder Cr
Creek
Nehchen Cr
Indian Cr
Mission Cr
Sheep Cr
113
N
0
5
Miles
Legend
Claim Reach
112 Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only.

RECEIVED
APR 0 8 2024
DEPARTMENT OF
WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No. 94-9275**

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: Time Immemorial

3. Source: Evans Creek Tributary (Water Right # 94-9275)
(Fed. ID #EC02R402)

4. Point of Diversion:

Not applicable – This claim is for *in situ* surface water flows to maintain functional riparian ecosystems.

5. Place of Use: Total Acres: 18.13

The approximate center point is located within UTM Coordinates:

Zone: 11N 534274 5251807; which is located in:

Township: 47N Range: 2W Section: 14 Q: SE QQ: NE

See Attached Map.

6. **Purpose of Water Use:**

To provide wildlife and plant habitat for hunting, gathering and cultural uses of the Tribe - as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra*.

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra*.

8. **Quantity Reserved:** Annual Total 44.49 (AFY)

Monthly claim amounts are provided in the table below. For each month a minimum Riparian Baseflow (low-flow) is claimed. In addition, if the flow in the stream at the Place of Use center point reaches the High Flow Trigger as shown in column 3, then the Riparian High Flow becomes the claim for a duration of four days after the high flow is initiated. The claim reverts back to the Riparian Baseflow four days after the trigger is initiated. Once the streamflow exceeds the Riparian High Flow within the given month, no additional triggers are initiated, and the claim remains at the Riparian Baseflow for the remainder of the month. The Riparian Baseflow, the High Flow Trigger, and the Riparian High Flow all change from month to month.

Month	Riparian BaseFlow (cfs)	Trigger Flow for High-Flow Claims (cfs)	High-Flow Claims (cfs)
January	0.81	18.6	24.8
February	0.78	24.8	35.6
March	1.79	24.8	35.6
April	3.42	18.6	24.8
May	2.30	18.6	24.8
June	0.55	18.6	24.8
July	0.62	12.4	12.4
August	0.50	12.4	12.4
September	0.43	12.4	12.4
October	0.27	12.4	12.4
November	0.24	18.6	24.8
December	0.49	18.6	24.8

9. Basis of Claim:

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. Other Provisions:

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755,* 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA"*).

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA,* 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

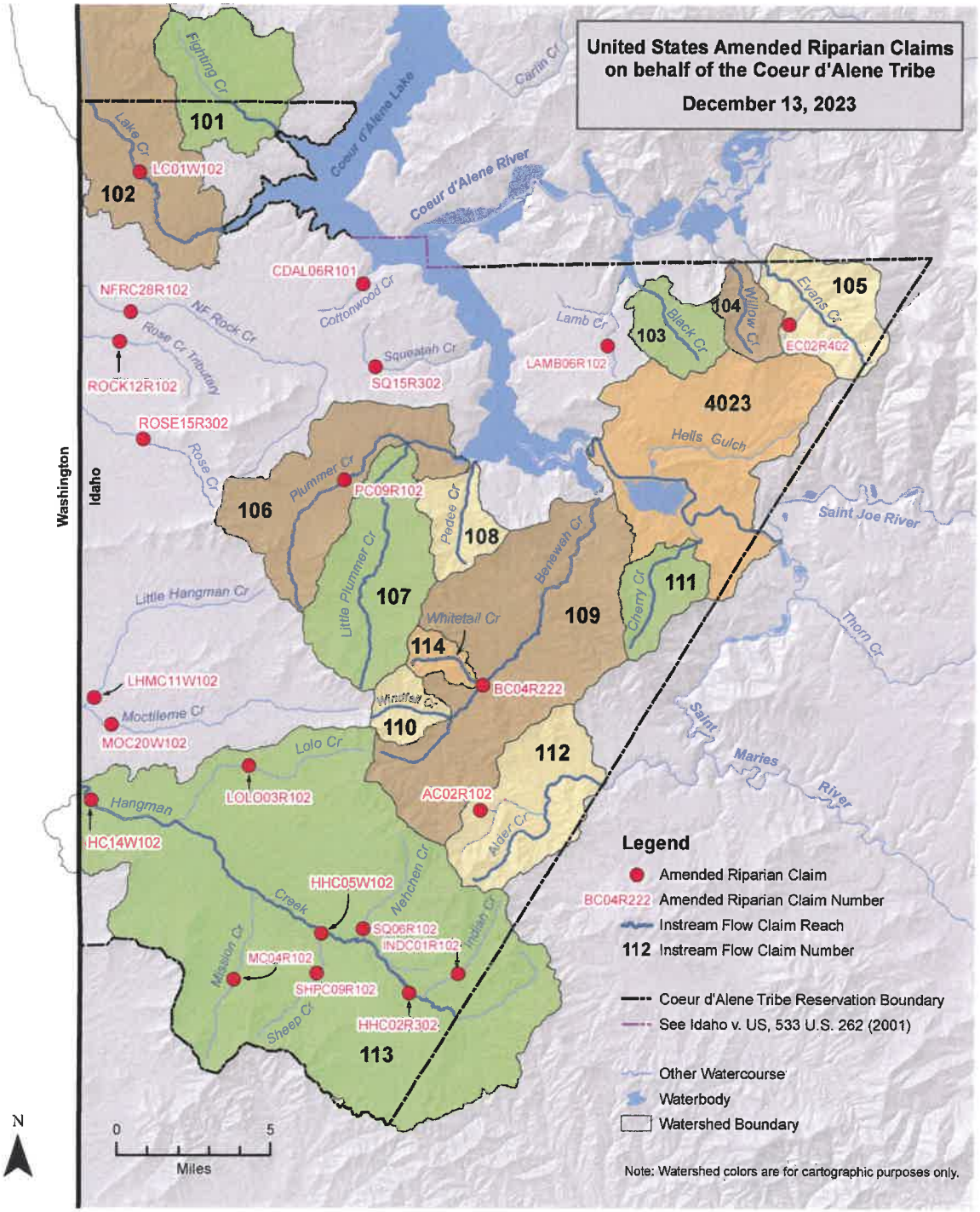
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.


United States Amended Riparian Claims
on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
Fighting Cr
Carlin Cr
Coeur d'Alene Lake
Coeur d'Alene River
Lake Cr
101
102
LC01W102
CDAL06R101
Cottonwood Cr
NFRC28R102
NF Rock Cr
Rose Cr Tributary
ROCK12R102
Squeatah Cr
SQ15R302
ROSE15R302
Rose Cr
Lamb Cr
LAMB06R102
103
Black Cr
104
Willow Cr
105
Evans Cr
EC02R402
4023
Hells Gulch
Saint Joe River
106
Plummer Cr
PC09R102
Pedee Cr
108
Benewah Cr
109
Cherry Cr
111
Little Plummer Cr
107
Little Hangman Cr
Whitetail Cr
114
LHMC11W102
Moctileme Cr
MOC20W102
BC04R222
Whitetail Cr
110
112
Lolo Cr
LOLO03R102
AC02R102
Alder Cr
Hangman
HC14W102
Nenchen Cr
HHC05W102
Creek
SQ06R102
INDC01R102
Indian Cr
MC04R102
Mission Cr
SHPC09R102
Sheep Cr
HHC02R302
113
Thorn Cr
Saint Maries River
Legend
Amended Riparian Claim
BC04R222 Amended Riparian Claim Number
Instream Flow Claim Reach
112 Instream Flow Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only.
N
0
5
Miles

RECEIVED
APR 08 2024
DEPARTMENT OF
WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 94-9279**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: Time Immemorial

3. Source: Lamb Creek Tributary (Water Right # 94-9279)
(Fed. ID #LAMB06R102)

4. Point of Diversion:

Not applicable – This claim is for *in situ* surface water flows to maintain functional riparian ecosystems.

5. Place of Use: Total Acres: 4.48

The approximate center point is located within UTM Coordinates:

Zone: 11N 524543 5250661; which is located in:

Township: 47N Range: 3W Section: 23 Q: NE QQ: SE

See Attached Map.

6. **Purpose of Water Use:**

To provide wildlife and plant habitat for hunting, gathering and cultural uses of the Tribe - as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra.*

8. **Quantity Reserved:** Annual Total 10.78 (AFY)

Monthly claim amounts are provided in the table below. For each month a minimum Riparian Baseflow (low-flow) is claimed. In addition, if the flow in the stream at the Place of Use center point reaches the High Flow Trigger as shown in column 3, then the Riparian High Flow becomes the claim for a duration of four days after the high flow is initiated. The claim reverts back to the Riparian Baseflow four days after the trigger is initiated. Once the streamflow exceeds the Riparian High Flow within the given month, no additional triggers are initiated, and the claim remains at the Riparian Baseflow for the remainder of the month. The Riparian Baseflow, the High Flow Trigger, and the Riparian High Flow all change from month to month.

Month	Riparian BaseFlow (cfs)	Trigger Flow for High-Flow Claims (cfs)	High-Flow Claims (cfs)
January	0.05	10.1	13.5
February	0.33	13.5	45
March	0.66	13.5	45
April	0.26	10.1	13.5
May	0.05	10.1	13.5
June	0.05	10.1	13.5
July	0.05	6.75	6.75
August	0.05	6.75	6.75
September	0.05	6.75	6.75
October	0.05	6.75	6.75
November	0.05	10.1	13.5
December	0.05	10.1	13.5

9. Basis of Claim:

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. Other Provisions:

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755,* 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA,* 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

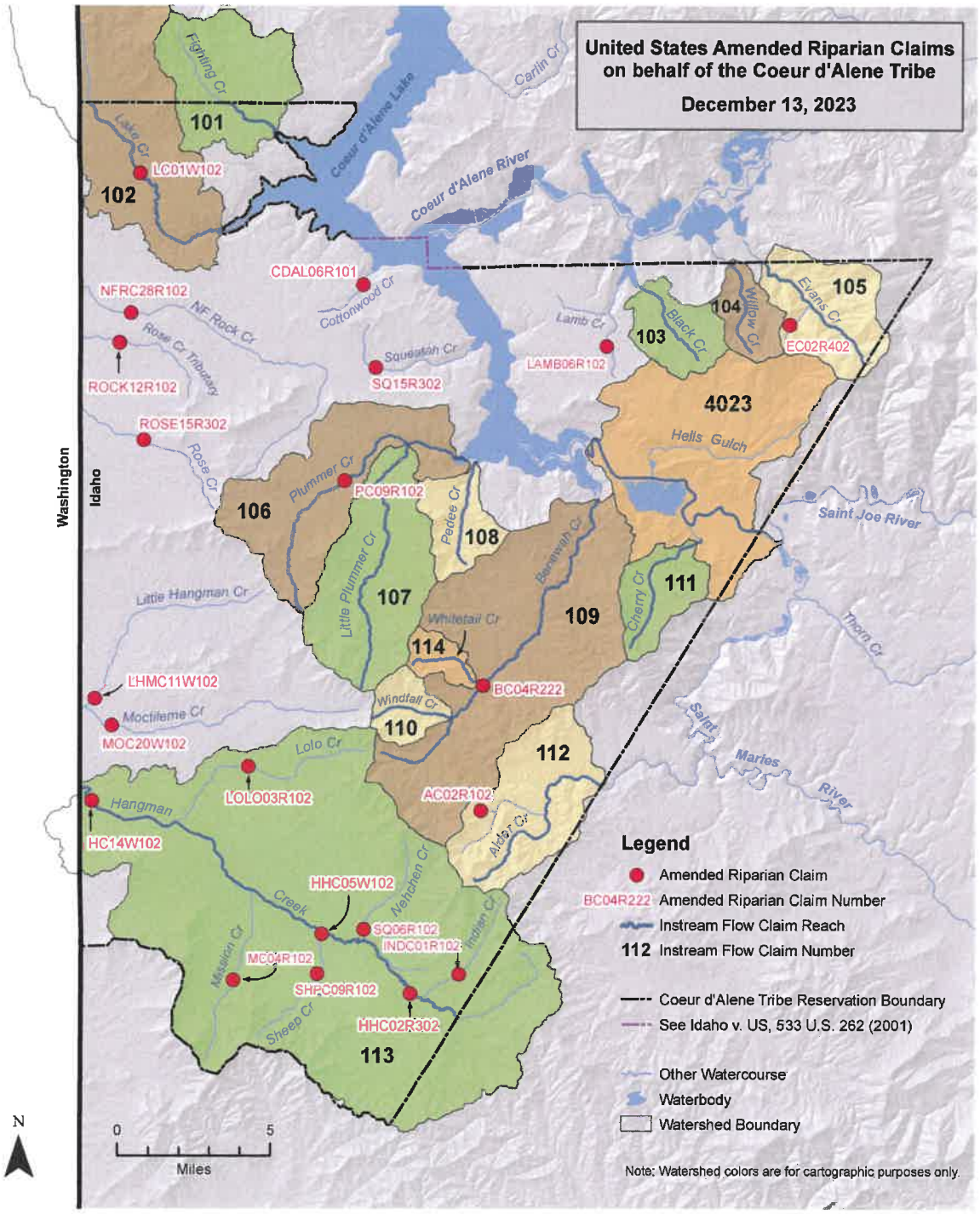
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.


United States Amended Riparian Claims
on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
Fighting Cr
Lake Cr
Carlin Cr
Coeur d'Alene Lake
Coeur d'Alene River
101
102
LC01W102
CDAL06R101
Cottonwood Cr
NFRC28R102
NF Rock Cr
Rose Cr Tributary
ROCK12R102
ROSE15R302
Rose Cr
Squeezum Cr
SQ15R302
Lamb Cr
LAMB06R102
103
Black Cr
104
Willow Cr
Evans Cr
105
EC02R402
4023
Hells Gulch
Saint Joe River
106
Plummer Cr
PC09R102
Little Plummer Cr
107
Peavine Cr
108
Benewah Cr
109
Cherry Cr
111
Thorn Cr
Little Hangman Cr
Whitetail Cr
114
LHMC11W102
Moctileme Cr
MOC20W102
Windfall Cr
BC04R222
110
112
Saint Maries River
Lolo Cr
LOLO03R102
AC02R102
Alder Cr
Hangman
HC14W102
Nenchen Cr
HHC05W102
Creek
SQ06R102
INDC01R102
Indian Cr
MC04R102
Missin Cr
SHPC09R102
HHC02R302
Sheep Cr
113
N
0
5
Miles
Legend
Amended Riparian Claim
BC04R222 Amended Riparian Claim Number
Instream Flow Claim Reach
112 Instream Flow Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only.

RECEIVED
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DEPARTMENT OF
WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No. 95-16672**

1. **Name and address of claimant:**

   UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
   Department of the Interior
   Bureau of Indian Affairs
   911 N.E. 11th Ave
   Portland, OR 97232

2. **Date of Priority:** November 8, 1873

3. **Source:** Groundwater (Self-Supplied Rural Residential Households (future))

4. **Point of Diversion:**

   Undetermined Current and Future Locations in Kootenai and Benewah Counties within the boundary of the Coeur d'Alene Reservation

5. **Place of Use:**

   Undetermined Current and Future Locations in Kootenai and Benewah Counties within the boundary of the Coeur d'Alene Reservation

6. **Purpose of Water Use:** Domestic - as a component of a water right necessary to fulfill the homeland purpose of the Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet sufficient to service the equivalent of 631 wells at statutory limit of 13,000 gpd (0.04 cfs for each well)

9. Basis of Claim:

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. Other Provisions:

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("In Re CSRBA").

b. The priority date of this water right claim is November 8, 1873, the date the Reservation was established. *In Re CSRBA* Case No. 49576, 165 Idaho at 525-26, 528-29, 554-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.

RECEIVED
APR 08 2024
DEPARTMENT OF
WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No. 95-16677**

1. **Name and address of claimant:**

   UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
   Department of the Interior
   Bureau of Indian Affairs
   911 N.E. 11th Ave
   Portland, OR 97232

2. **Date of Priority:** November 8, 1873

3. **Source:** Groundwater (Municipal Wells (future))

4. **Point of Diversion:**

   Undetermined Locations in Kootenai and Benewah Counties within the boundary of the Coeur d'Alene Reservation

5. **Place of Use:**

   Undetermined Locations in Kootenai and Benewah Counties within the boundary of the Coeur d'Alene Reservation

6. **Purpose of Water Use:** Future municipal delivery for domestic use - as a component of a water right necessary to fulfill the homeland purpose of the Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** 6.86 cfs subject to an annual volumetric limit of 2,483 AF

9. Basis of Claim:

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. Other Provisions:

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("In Re CSRBA").

b. The priority date of this water right claim is November 8, 1873, the date the Reservation was established. *In Re CSRBA* Case No. 49576 165 Idaho at 525-26, 528-29, 554-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X__ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No.** 95-16678

1. **Name and address of claimant:**
UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** Fighting Creek (Water Right # 95-16678)
(Fed. ID # 101)

4. **Point of Diversion:** Not applicable; Instream Flow

5. **Place of Use:**

At all points along the stream reach located between the following boundaries:

Upstream Boundary – Headwaters

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
95-16678	101	49N	5W	27	SESW	BM	Kootenai

Downstream Boundary – Mouth

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
95-16678	101	48N	4W	18	NWNE	BM	Kootenai

Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

6. **Purpose of Water Use:**
Fish habitat for fish species harvested within the Reservation - as a component of a water right necessary to fulfill the homeland purpose of the Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra*.

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra*.

8. **Quantity Reserved (In cfs):**

January	February	March	April	May	June
22.7	22.7	22.7	22.7	18	12
July	August	September	October	November	December
4.1	1.7	1.4	1.7	4.3	11

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755*, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, supra. *United States v. Adair,* 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA,* 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

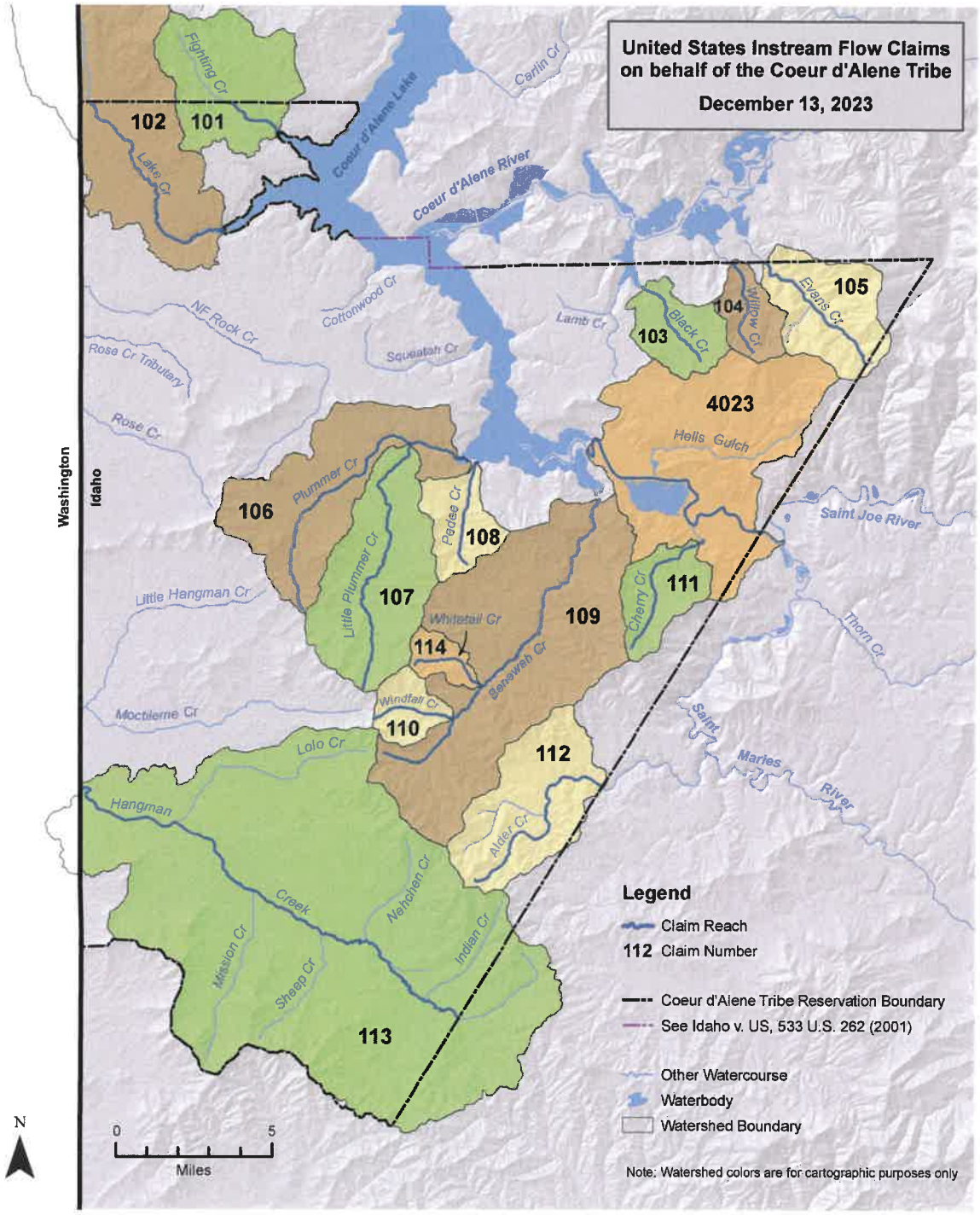
Bryan K. Mercier, Regional Director
Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication. All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice Environment and Natural Resources Division Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202
Attorneys for the United States of America

Dated this 13th day of December 2023.


United States Instream Flow Claims
on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
Fighting Cr
Carlin Cr
Coeur d'Alene Lake
Coeur d'Alene River
Lake Cr
102
101
NF Rock Cr
Cottonwood Cr
Squeatah Cr
Lamb Cr
Rose Cr Tributary
Rose Cr
Plummer Cr
Little Plummer Cr
Pedee Cr
106
107
108
109
114
Whitetail Cr
Little Hangman Cr
Moctlerne Cr
Windfall Cr
110
Lolo Cr
Hangman
Creek
Nehchen Cr
Indian Cr
Mission Cr
Sheep Cr
113
112
Alder Cr
103
Black Cr
104
Willow Cr
105
Evans Cr
4023
Hells Gulch
Saint Joe River
Cherry Cr
111
Benewah Cr
Thorn Cr
Saint Maries River
N
0
5
Miles
Legend
Claim Reach
112 Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only

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DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No.** 95-16679

1. **Name and address of claimant:**
UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** Lake Creek (Water Right # 95-16679) (Fed. ID # 102)

4. **Point of Diversion:** Not applicable; Instream Flow

5. **Place of Use:**

At all points along the stream reach located between the following boundaries:

Upstream Boundary – WA State Line

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
95-16679	102	49N	6W	25	SWSW	BM	Kootenai

Downstream Boundary – Mouth

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
95-16679	102	48N	5W	35	NENE	BM	Kootenai

Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

6. **Purpose of Water Use:**
Fish habitat for fish species harvested within the Reservation - as a component of a water right necessary to fulfill the homeland purpose of the Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra*.

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra*.

8. **Quantity Reserved (In cfs):**

January	February	March	April	May	June
69	75	75	65.8	33	23
July	August	September	October	November	December
8.2	2.9	2.5	5.1	14	24

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755,* 165 Idaho 517, 557-58 (2019) ("In Re CSRBA").

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra*. *United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA*, 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

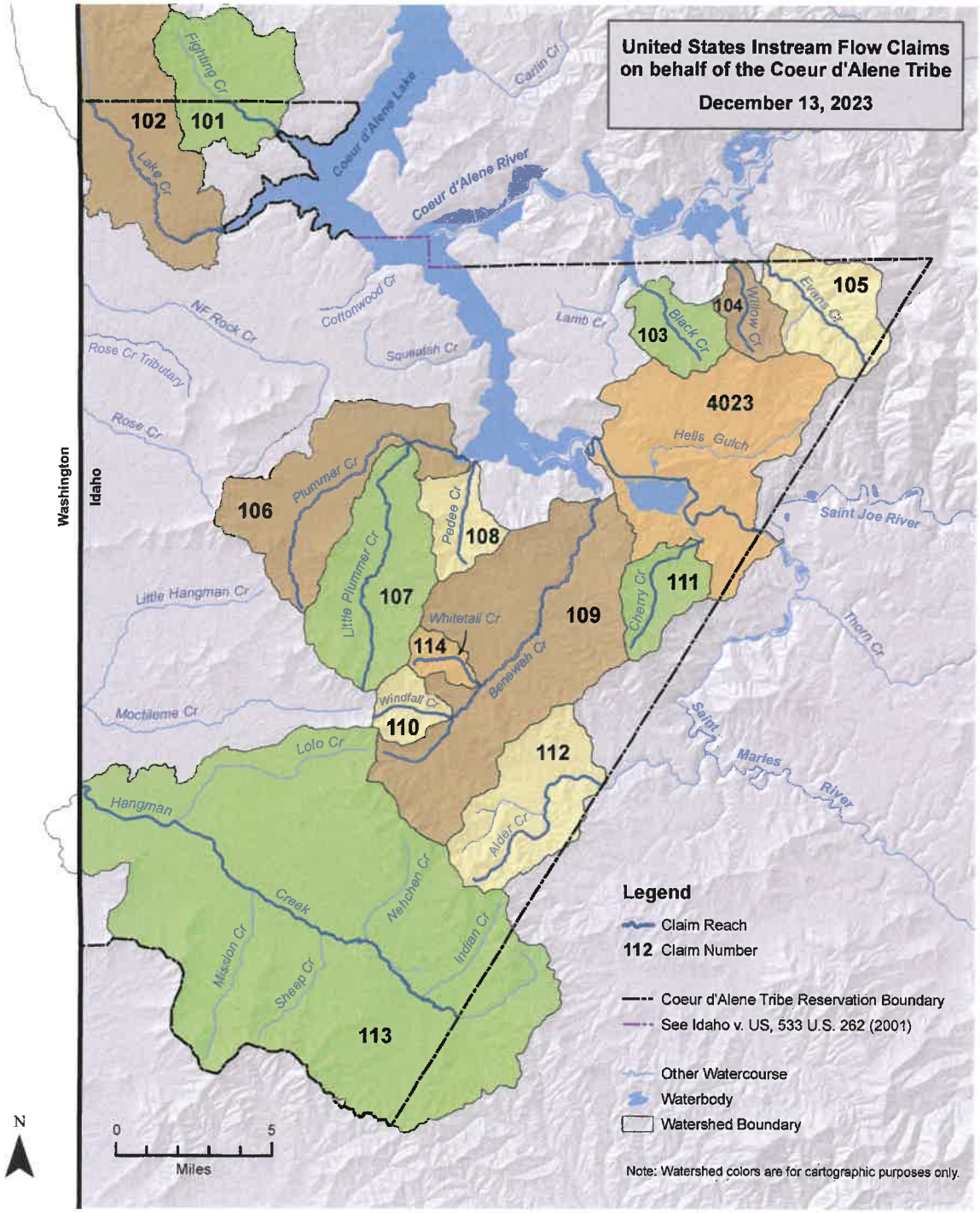
Bryan K. Mercier, Regional Director
Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication. All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice Environment and Natural Resources Division Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202
Attorneys for the United States of America

Dated this 13th day of December 2023.


United States Instream Flow Claims on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
Fighting Cr
Carlin Cr
Coeur d'Alene Lake
Coeur d'Alene River
Lake Cr
102
101
NF Rock Cr
Cottonwood Cr
Squeatish Cr
Lamb Cr
Rose Cr Tributary
Rose Cr
Willow Cr
Evans Cr
Black Cr
105
104
103
4023
Hells Gulch
Saint Joe River
Plummer Cr
106
Little Plummer Cr
107
Pedee Cr
108
Little Hangman Cr
Whitetail Cr
114
109
Cherry Cr
111
Thorn Cr
Benewah Cr
Windfall Cr
110
Moctileme Cr
Lolo Cr
112
Saint Maries River
Hangman
Alder Cr
Creek
Nehchen Cr
Indian Cr
Mission Cr
Sheep Cr
113
Legend
Claim Reach
112 Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only.
N
0
5
Miles

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APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No.** 95-16680

1. **Name and address of claimant:**
UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** Plummer Creek (Water Right # 95-16680)
(Fed. ID # 106)

4. **Point of Diversion:** Not applicable; Instream Flow

5. **Place of Use:**

At all points along the stream reach located between the following boundaries:

Upstream Boundary – Headwaters

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
95-16680	106	46N	4W	31	NESW	BM	Benewah

Downstream Boundary – Mouth

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
95-16680	106	46N	4W	1	SESE	BM	Benewah

Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

6. **Purpose of Water Use:**
Fish habitat for fish species harvested within the Reservation - as a component of a water right necessary to fulfill the homeland purpose of the Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra*.

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra*.

8. **Quantity Reserved (In cfs):**

January	February	March	April	May	June
45	45	45	50	31	9.5
July	August	September	October	November	December
1.6	0.58	0.93	1.4	13	37

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755,* 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA,* 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

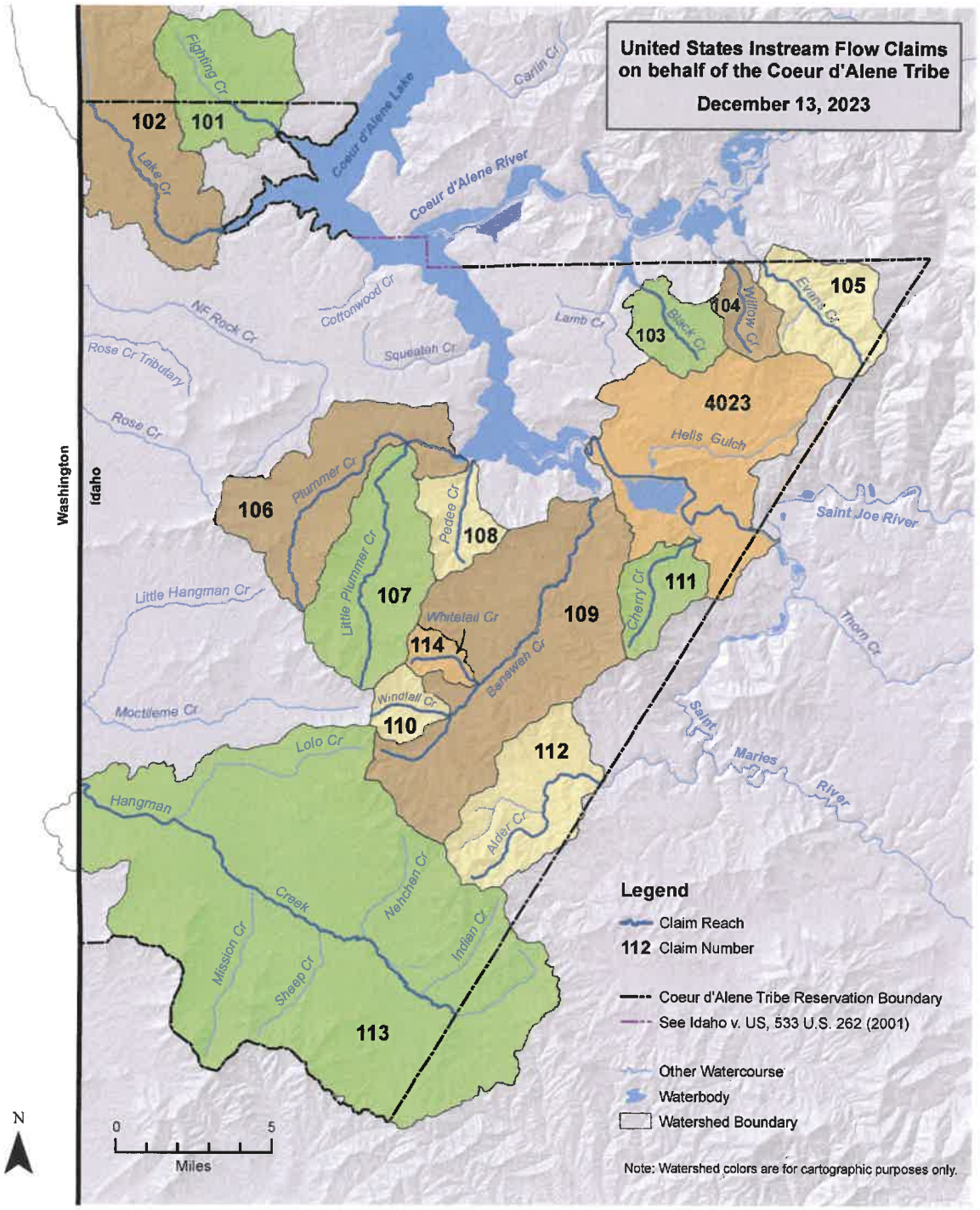
Bryan K. Mercier, Regional Director
Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication. All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice Environment and Natural Resources Division Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202
Attorneys for the United States of America

Dated this 13th day of December 2023.


United States Instream Flow Claims
on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
Fighting Cr
Carlin Cr
Coeur d'Alene Lake
Coeur d'Alene River
Lake Cr
102
101
NF Rock Cr
Cottonwood Cr
Squeatah Cr
Lamb Cr
Rose Cr Tributary
Rose Cr
103
Black Cr
104
Mullan Cr
Evans Cr
105
4023
Hells Gulch
Saint Joe River
106
Plummer Cr
Pedee Cr
108
Little Plummer Cr
107
Little Hangman Cr
Whitetail Cr
109
Cherry Cr
111
114
Benewah Cr
Thorn Cr
Moctileme Cr
Windfall Cr
110
Saint Maries River
Lolo Cr
112
Hangman
Alder Cr
Creek
Nehchen Cr
Indian Cr
Mission Cr
Sheep Cr
113
Legend
Claim Reach
112 Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only.
N
0
5
Miles

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No.** 95-16681

1. **Name and address of claimant:**
UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** Little Plummer Creek (Water Right # 95-16681)
(Fed ID # 107)

4. **Point of Diversion:** Not applicable; Instream Flow

5. **Place of Use:**

At all points along the stream reach located between the following boundaries:

Upstream Boundary – Headwaters

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
95-16681	107	45N	4W	16	NENW	BM	Benewah

Downstream Boundary – Mouth

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
95-16681	107	46N	4W	3	NENE	BM	Benewah

Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

6. **Purpose of Water Use:**
Fish habitat for fish species harvested within the Reservation - as a component of a water right necessary to fulfill the homeland purpose of the Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra*.

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra.*

8. **Quantity Reserved (In cfs):**

January	February	March	April	May	June
43	43	43	6.0	6.0	4.8
July	August	September	October	November	December
0.81	0.31	0.49	0.70	6.2	18

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755*, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA*, 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

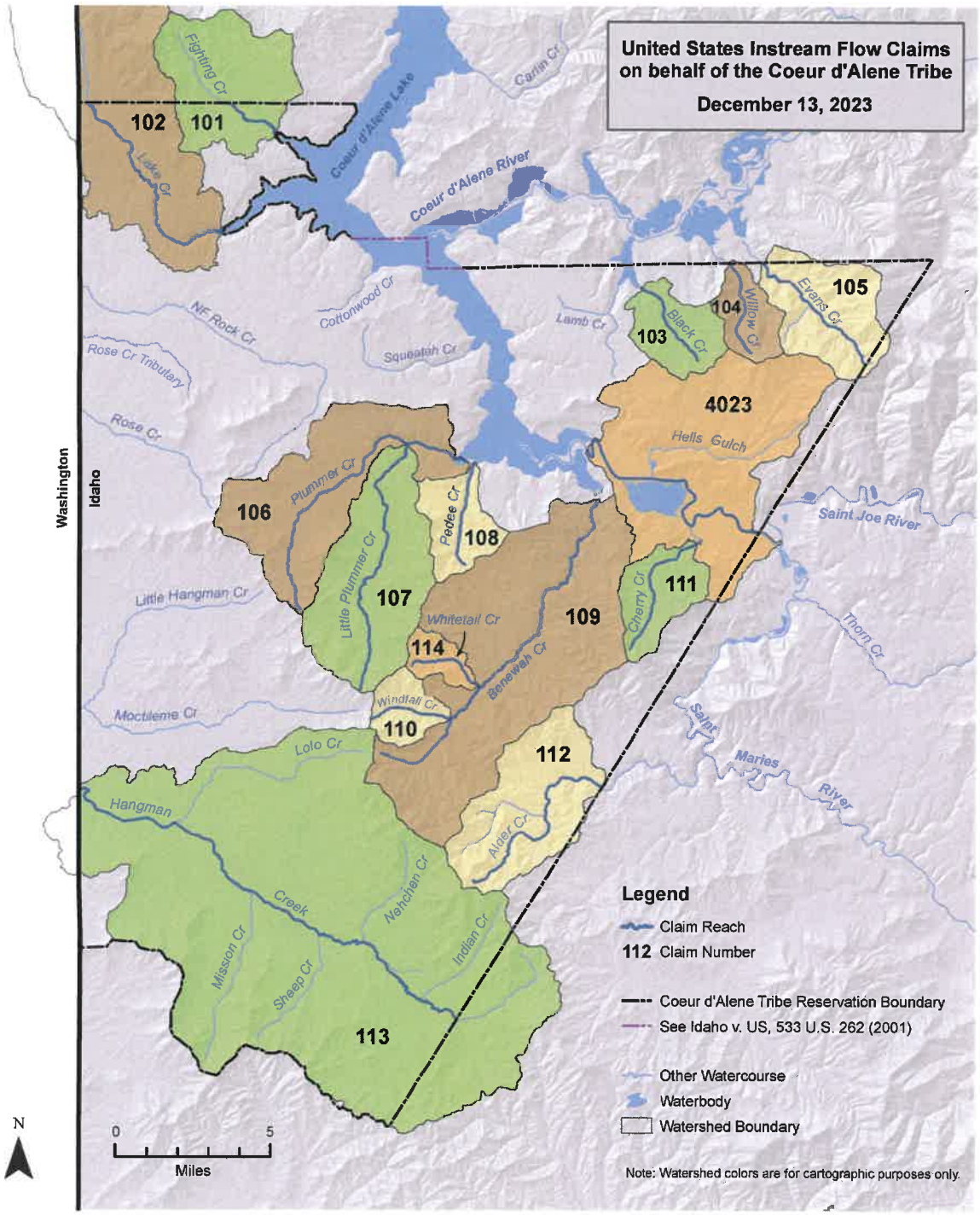
Bryan K. Mercier, Regional Director
Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication. All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice Environment and Natural Resources Division Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202
Attorneys for the United States of America

Dated this 13th day of December 2023.


United States Instream Flow Claims
on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
102
101
Fighting Cr
Lake Cr
Coeur d'Alene Lake
Coeur d'Alene River
Carlin Cr
Cottonwood Cr
NF Rock Cr
Rose Cr Tributary
Rose Cr
Squeatah Cr
Lamb Cr
103
104
105
Black Cr
Willow Cr
Evans Cr
4023
Hells Gulch
Saint Joe River
106
Plummer Cr
Little Plummer Cr
107
Pedee Cr
108
109
Cherry Cr
111
Whitetail Cr
114
Benewah Cr
Little Hangman Cr
Windfall Cr
110
Moctileme Cr
112
Lolo Cr
Hangman
Creek
Nehchen Cr
Indian Cr
Alder Cr
Mission Cr
Sheep Cr
113
Thorn Cr
Saint Maries River
N
0
5
Miles
Legend
Claim Reach
112 Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only.

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DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No.** 95-16682
CASE NO. 49576	)	

1. **Name and address of claimant:**
UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** Pedee Creek (Water Right # 95-16682)
(Fed. ID # 108)

4. **Point of Diversion:** Not applicable; Instream Flow

5. **Place of Use:**

At all points along the stream reach located between the following boundaries:

Upstream Boundary – Headwaters

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
95-16682	108	46N	4W	25	NWNE	BM	Benewah

Downstream Boundary – Mouth

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
95-16682	108	46N	3W	7	NWNE	BM	Benewah

Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

6. **Purpose of Water Use:**
Fish habitat for fish species harvested within the Reservation - as a component of a water right necessary to fulfill the homeland purpose of the Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra*.

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra*.

8. **Quantity Reserved (In cfs):**

January	February	March	April	May	June
8.0	8.0	15.6	11	4.3	1.0
July	August	September	October	November	December
0.05	0.05	0.05	0.05	1.5	5.1

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755*, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA*, 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

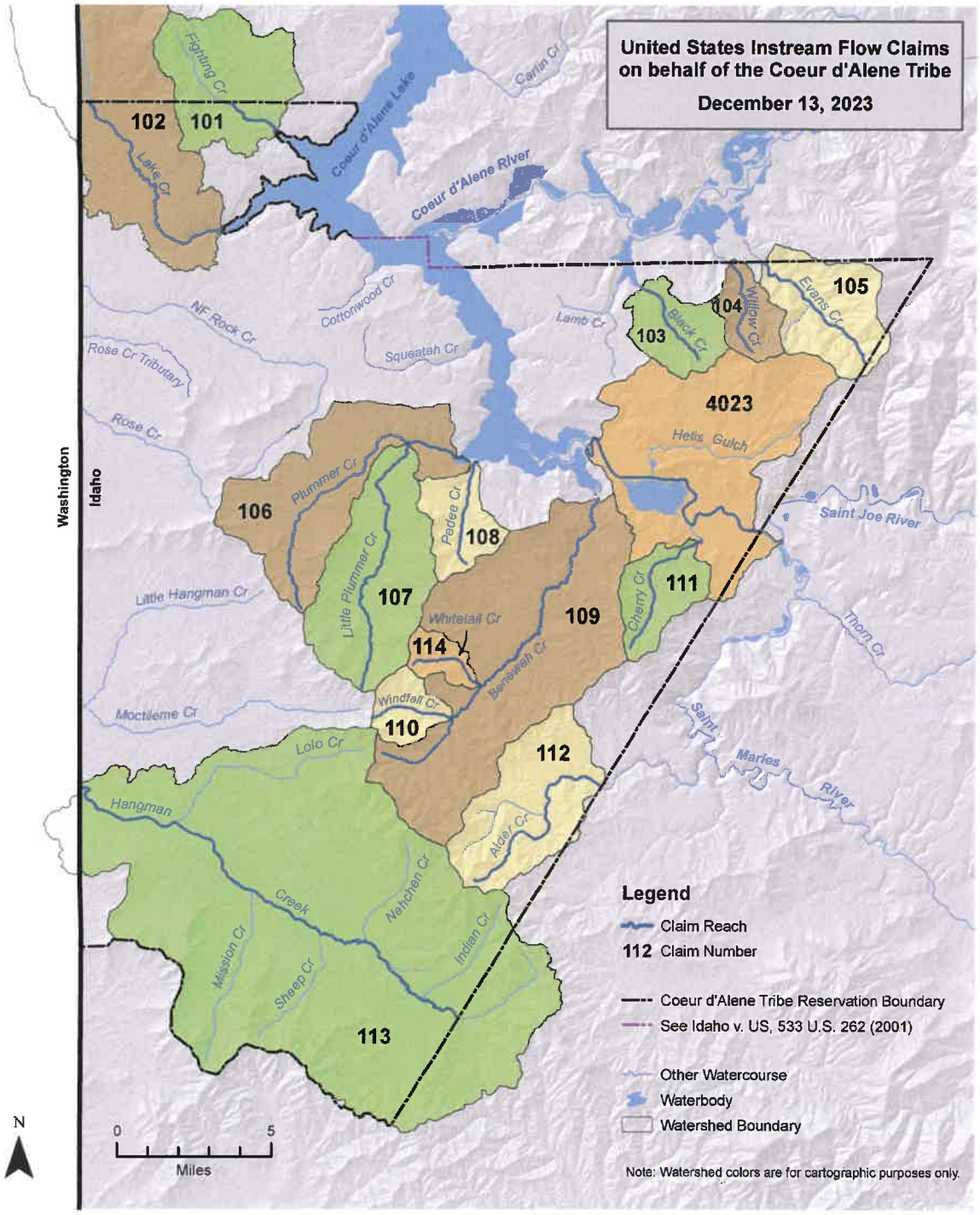
Bryan K. Mercier, Regional Director
Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication. All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice Environment and Natural Resources Division Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202
Attorneys for the United States of America

Dated this 13th day of December 2023.


United States Instream Flow Claims
on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
Fighting Cr
Carlin Cr
Coeur d'Alene Lake
Coeur d'Alene River
Lake Cr
102
101
NF Rock Cr
Cottonwood Cr
Lamb Cr
Squeatah Cr
Rose Cr Tributary
Rose Cr
Black Cr
Williams Cr
Evans Cr
105
104
103
4023
Hells Gulch
Saint Joe River
Plummer Cr
106
Pedee Cr
108
Little Plummer Cr
107
Little Hangman Cr
Whitetail Cr
109
Cherry Cr
111
114
Benewah Cr
Thorn Cr
Moctileme Cr
Windfall Cr
110
Saint Maries River
Lolo Cr
112
Hangman
Alder Cr
Creek
Nehchen Cr
Indian Cr
Mission Cr
Sheep Cr
113
Legend
Claim Reach
112 Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only.
N
0
5
Miles

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DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No.** 95-16683

1. **Name and address of claimant:**
UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** Benewah Creek (Water Right # 95-16683)
(Fed. ID # 109)

4. **Point of Diversion:** Not applicable; Instream Flow

5. **Place of Use:**

At all points along the stream reach located between the following boundaries:

Upstream Boundary – Headwaters

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
95-16683	109	45N	4W	27	NWNW	BM	Benewah

Downstream Boundary – Mouth

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
95-16683	109	46N	3W	14	NWNE	BM	Benewah

Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

6. **Purpose of Water Use:**
Fish habitat for fish species harvested within the Reservation - as a component of a water right necessary to fulfill the homeland purpose of the Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra.*

8. **Quantity Reserved (In cfs):**

January	February	March	April	May	June
137	140	140	62.8	62.8	27
July	August	September	October	November	December
8.3	4.2	5.1	5.5	29	57

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755*, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA*, 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

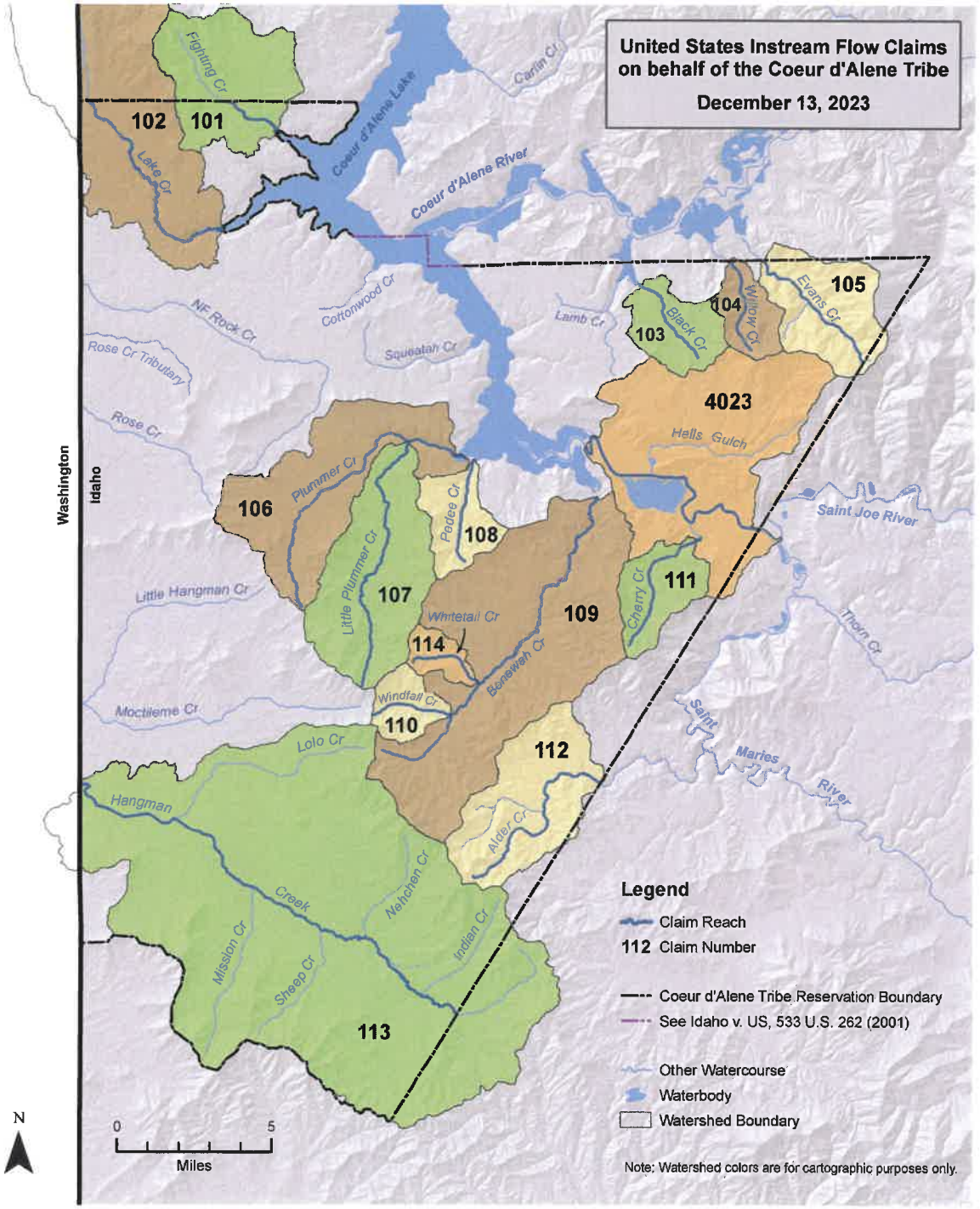
Bryan K. Mercier, Regional Director
Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

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Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice Environment and Natural Resources Division Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202
Attorneys for the United States of America

Dated this 13th day of December 2023.


United States Instream Flow Claims
on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
Fighting Cr
Carlin Cr
Coeur d'Alene Lake
Coeur d'Alene River
102
101
Lake Cr
NF Rock Cr
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Squeaton Cr
Lamb Cr
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Sheep Cr
Nehchen Cr
Indian Cr
113
Legend
Claim Reach
112 Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only.
N
0
5
Miles

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No.** 95-16684

1. **Name and address of claimant:**
UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** Windfall Creek (Water Right # 95-16684)
(Fed. ID # 110)

4. **Point of Diversion:** Not applicable; Instream Flow

5. **Place of Use:**

At all points along the stream reach located between the following boundaries:

Upstream Boundary – Headwaters

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
95-16684	110	45N	4W	21	NWNE	BM	Benewah

Downstream Boundary – Mouth

Water Right	Federal I.D.	Township	Range	Section	Q in the Q	Meridian	County
95-16684	110	45N	4W	24	NENW	BM	Benewah

Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

6. **Purpose of Water Use:**
Fish habitat for fish species harvested within the Reservation - as a component of a water right necessary to fulfill the homeland purpose of the Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra.*

8. **Quantity Reserved (In cfs):**

January	February	March	April	May	June
12	19	18	7.0	6.0	2.1
July	August	September	October	November	December
0.55	0.27	0.35	0.34	2.3	4.9

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755*, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair,* 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA*, 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

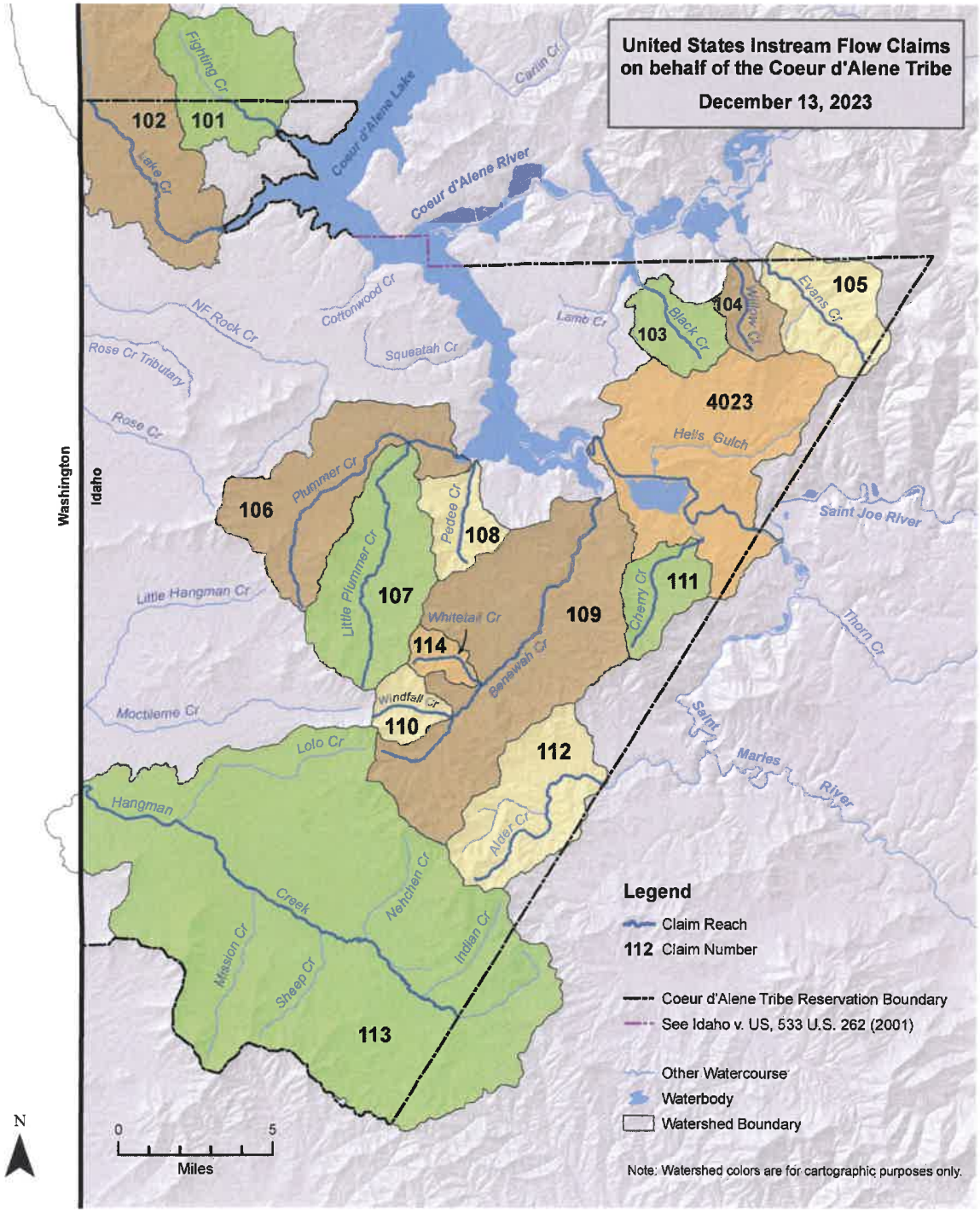
Bryan K. Mercier, Regional Director
Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication. All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice Environment and Natural Resources Division Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202
Attorneys for the United States of America

Dated this 13th day of December 2023.


United States Instream Flow Claims
on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
102
101
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103
4023
106
108
107
109
111
114
110
112
113
Fighting Cr
Lake Cr
Coeur d'Alene Lake
Carlin Cr
Coeur d'Alene River
NF Rock Cr
Cottonwood Cr
Squeatah Cr
Lamb Cr
Black Cr
Evans Cr
Rose Cr Tributary
Rose Cr
Hells Gulch
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Plummer Cr
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Little Hangman Cr
Whitetail Cr
Cherry Cr
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Saint Maries River
Hangman
Alder Cr
Creek
Nehchen Cr
Indian Cr
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Miles
Legend
Claim Reach
112 Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only.

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DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 95-16693**
CASE NO. 49576	)	

1. **Name and address of claimant:**

   UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
   Department of the Interior
   Bureau of Indian Affairs
   911 N.E. 11th Ave
   Portland, OR 97232

2. **Date of Priority:** November 8, 1873 (Date of Reservation) or, if applicable, Date of Reacquisition by Tribe.

3. **Source:** Benewah Creek (Fed. ID # BC3a)
   (Water Right # 95-16693)

4. **Point of Diversion:**

   Township: 45N Range: 4W Section: 24 Q: NW1/4 QQ: NE1/4

5. **Place of Use:** Total Acres: 44

   The legal descriptions in italics below include reacquired lands as shown in purple on the attached map.

Township: 45N	*Range: 4W*	*Section: 24*	*Q: NW1/4*	*QQ: NW1/4*	*Acres: 20.5*
Township: 45N	*Range: 4W*	*Section: 24*	*Q: NW1/4*	*QQ: SW1/4*	*Acres: 23.5*

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** March 1 through November 30.

8. **Quantity Reserved:** Acre Feet: 105

9. **Basis of Claim:**

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873 (the date the Reservation was established), or, if applicable, the date of Reacquisition by the Tribe, subject to carryover of any homesteader's priority date. *In Re CSRBA*, 165 Idaho at 525-26, 528-29, 554-58.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. **Signatures:**

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

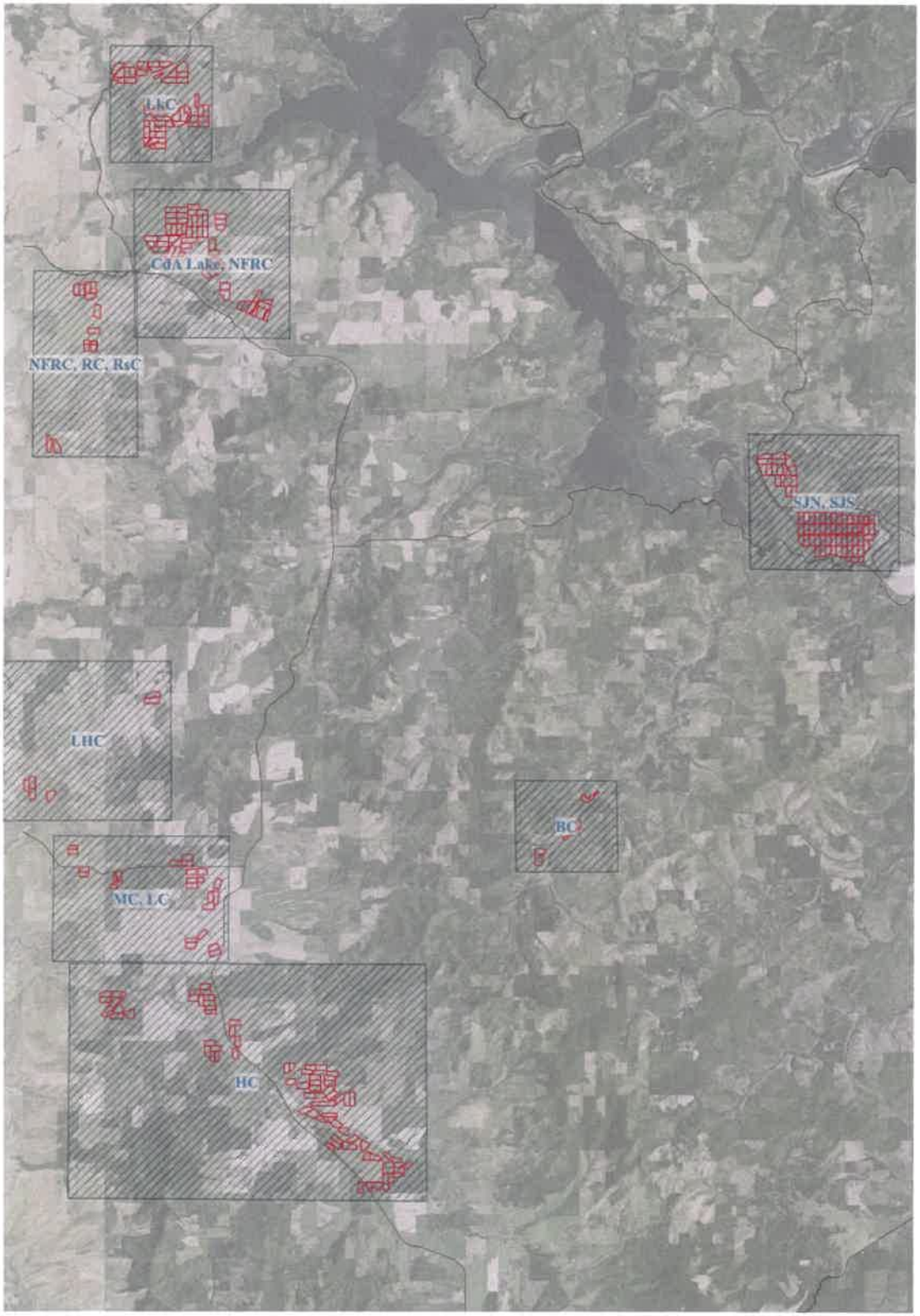
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

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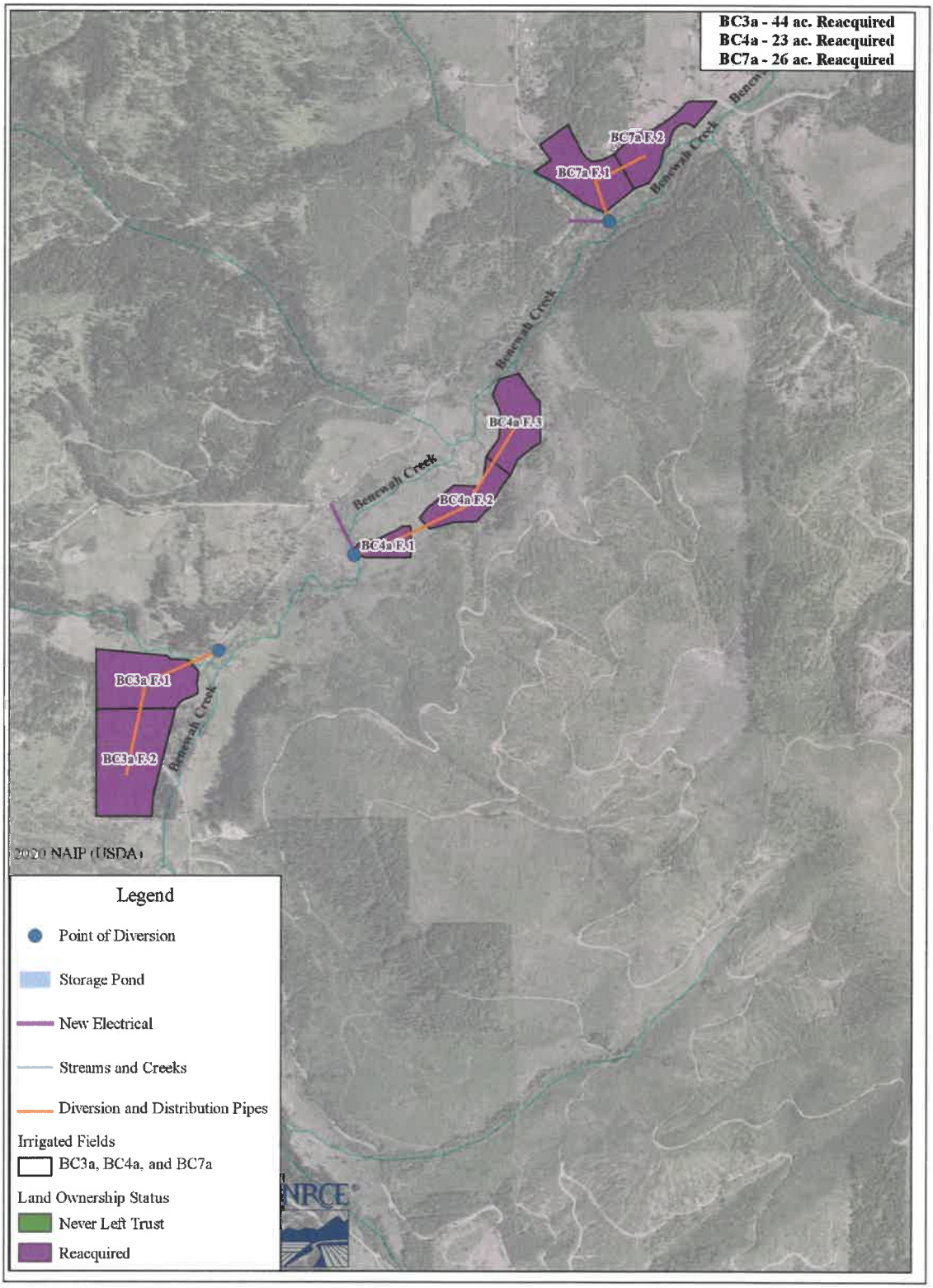
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Benewah Creek - PIA Projects BC3a, BC4a, and BC7a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 95-16694**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873 (Date of Reservation) or, if applicable, Date of Reacquisition by Tribe.

3. Source: Benewah Creek (Fed. ID # BC4a)
(Water Right # 95-16694)

4. Point of Diversion:

Township: 45N Range: 4W Section: 13 Q: SE1/4 QQ: SW1/4

5. Place of Use: Total Acres: 23

The legal descriptions in italics below include reacquired lands as shown in purple on the attached map.

Township: 45N	*Range: 4W*	*Section: 13*	*Q: SE1/4*	*QQ: SW1/4*	*Acres: 4.3*
Township: 45N	*Range: 4W*	*Section: 13*	*Q: SE1/4*	*QQ: SE1/4*	*Acres: 4.0*
Township: 45N	*Range: 4W*	*Section: 13*	*Q: SE1/4*	*QQ: NE1/4*	*Acres: 10.6*
Township: 45N	*Range: 3W*	*Section: 18*	*Q: SW1/4*	*QQ: L4*	*Acres: 1.2*
Township: 45N	*Range: 3W*	*Section: 18*	*Q: SW1/4*	*QQ: L3*	*Acres: 1.2*
Township: 45N	*Range: 4W*	*Section: 13*	*Q:NE1/4*	*QQ: SE1/4*	*Acres: 1.7*

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** March 1 through November 30.

8. **Quantity Reserved:** Acre Feet: 40

9. **Basis of Claim:**

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873 (the date the Reservation was established), or, if applicable, the date of Reacquisition by the Tribe, subject to carryover of any homesteader's priority date. *In Re CSRBA*, 165 Idaho at 525-26, 528-29, 554-58.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way

constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director
Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

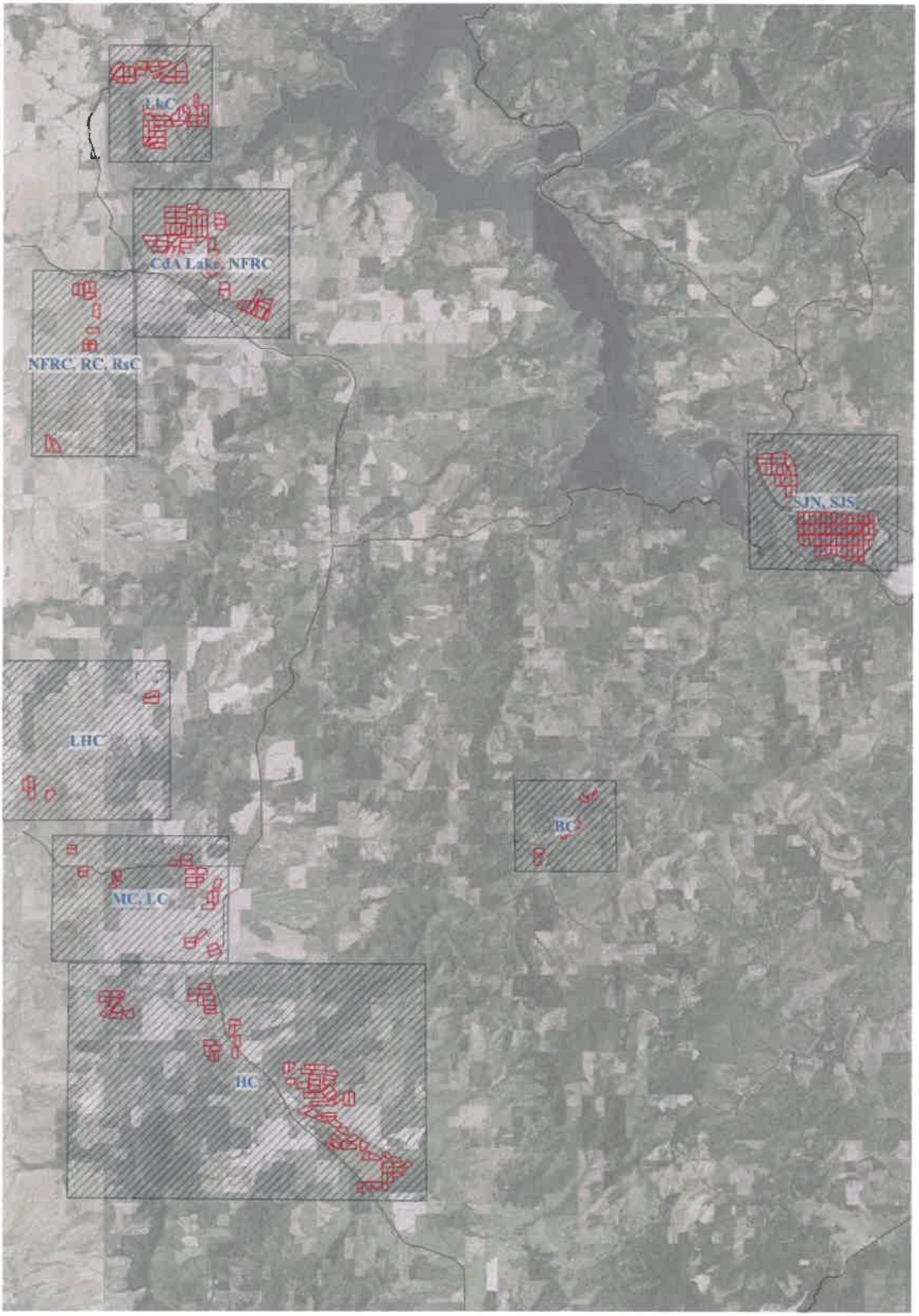
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

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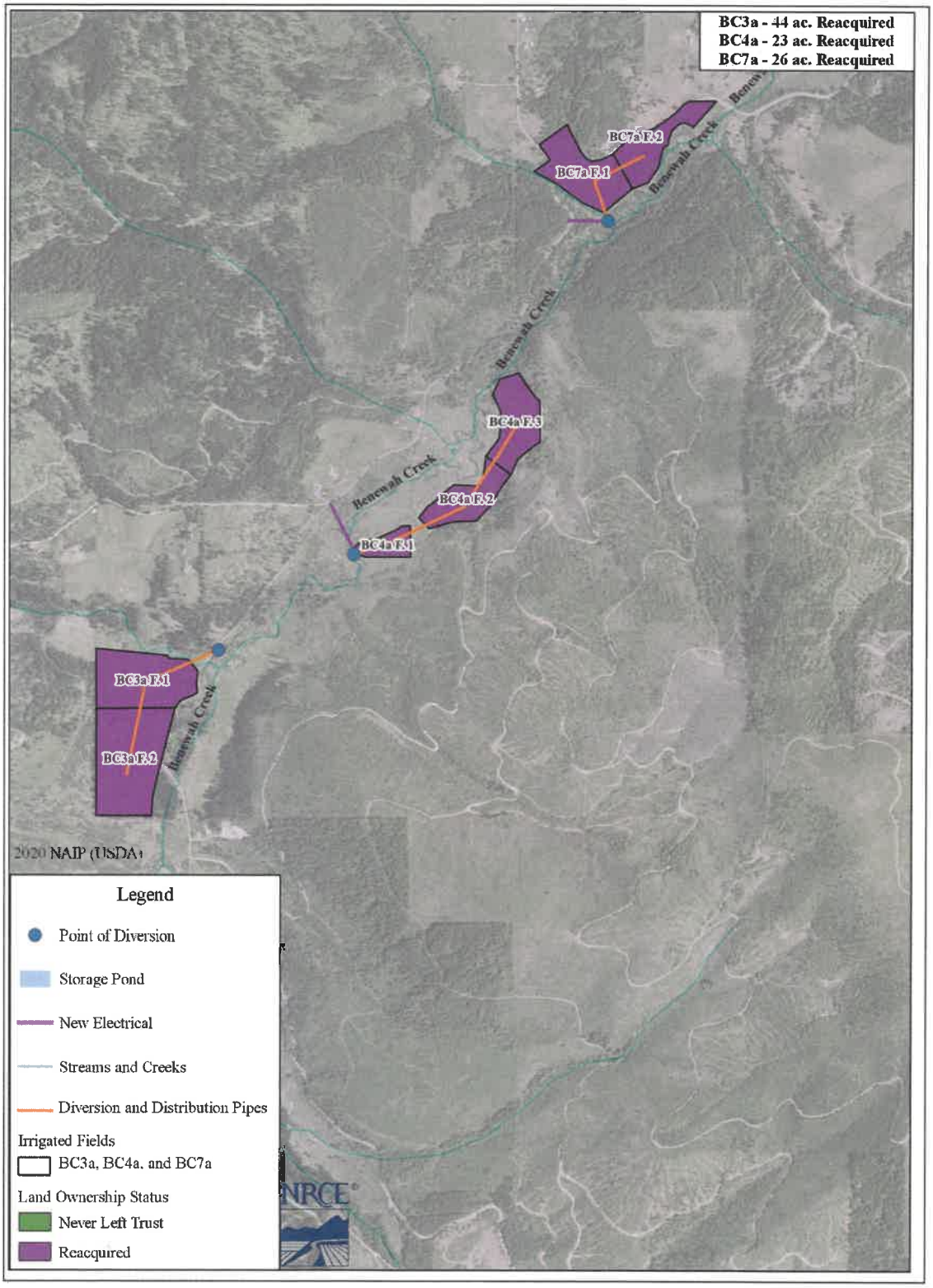
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Benewah Creek - PIA Projects BC3a, BC4a, and BC7a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	)	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No. 95-16695**

1. **Name and address of claimant:**

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** November 8, 1873 (Date of Reservation) or, if applicable, Date of Reacquisition by Tribe.

3. **Source:** Benewah Creek (Fed. ID # BC7a)
(Water Right # 95-16695)

4. **Point of Diversion:**

Township: 45N Range: 3W Section: 18 Q: NE1/4 QQ: L2

5. **Place of Use:** Total Acres: 26

The legal descriptions in italics below include reacquired lands as shown in purple on the attached map.

Township: 45N	*Range: 3W*	*Section: 18*	*Q: NE1/4*	*QQ: L1*	*Acres: 18.8*
Township: 45N	*Range: 3W*	*Section: 18*	*Q: NW1/4*	*QQ: L1*	*Acres: 0.1*
Township: 45N	*Range: 3W*	*Section: 18*	*Q: NE1/4*	*QQ: NE1/4*	*Acres: 6.9*
Township: 45N	*Range: 3W*	*Section: 18*	*Q: NE1/4*	*QQ: L2*	*Acres: 0.2*

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** March 1 through November 30.

8. **Quantity Reserved:** Acre Feet: 69

9. **Basis of Claim:**

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873 (the date the Reservation was established), or, if applicable, the date of Reacquisition by the Tribe, subject to carryover of any homesteader's priority date. *In Re CSRBA*, 165 Idaho at 525-26, 528-29, 554-58.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

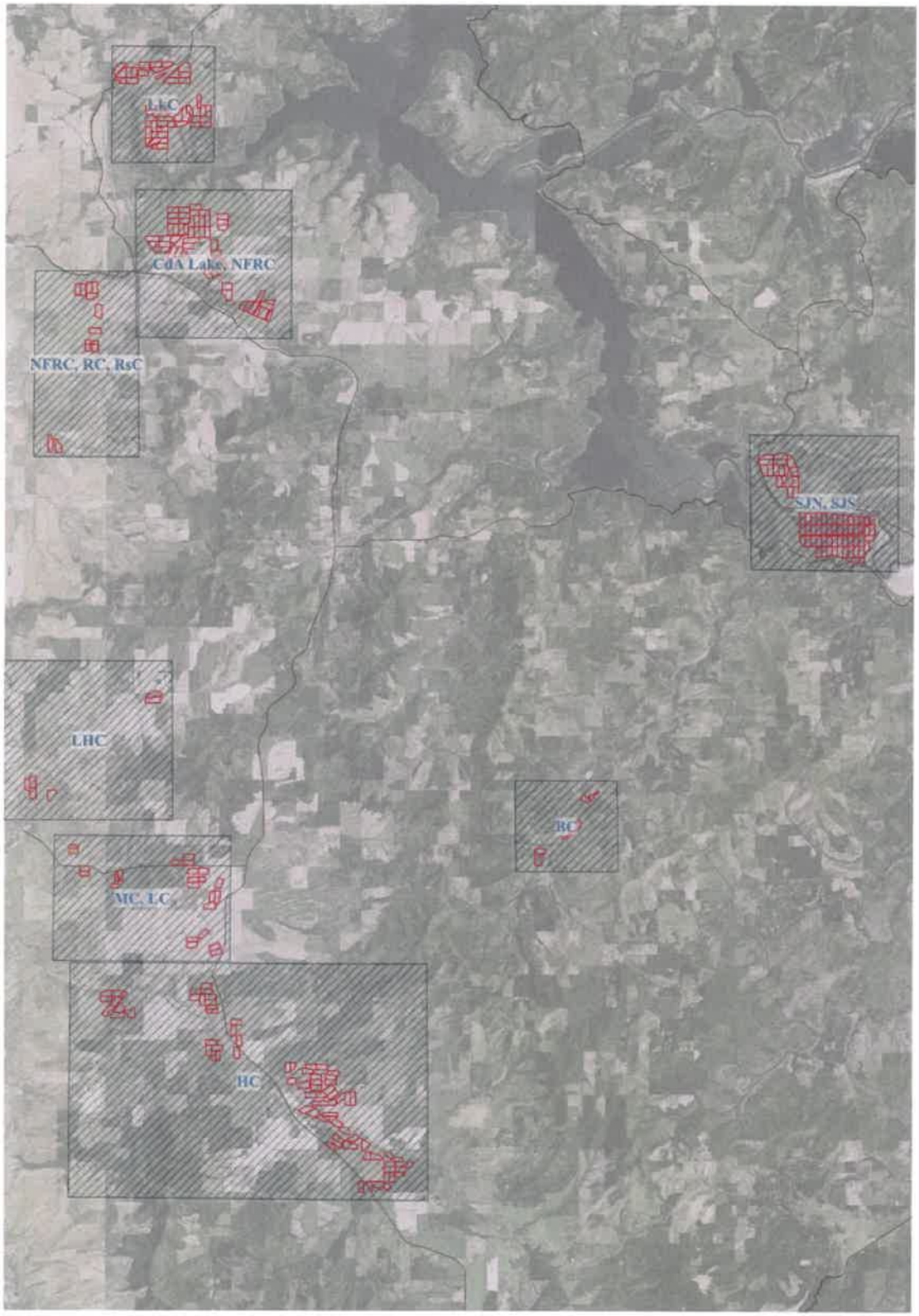
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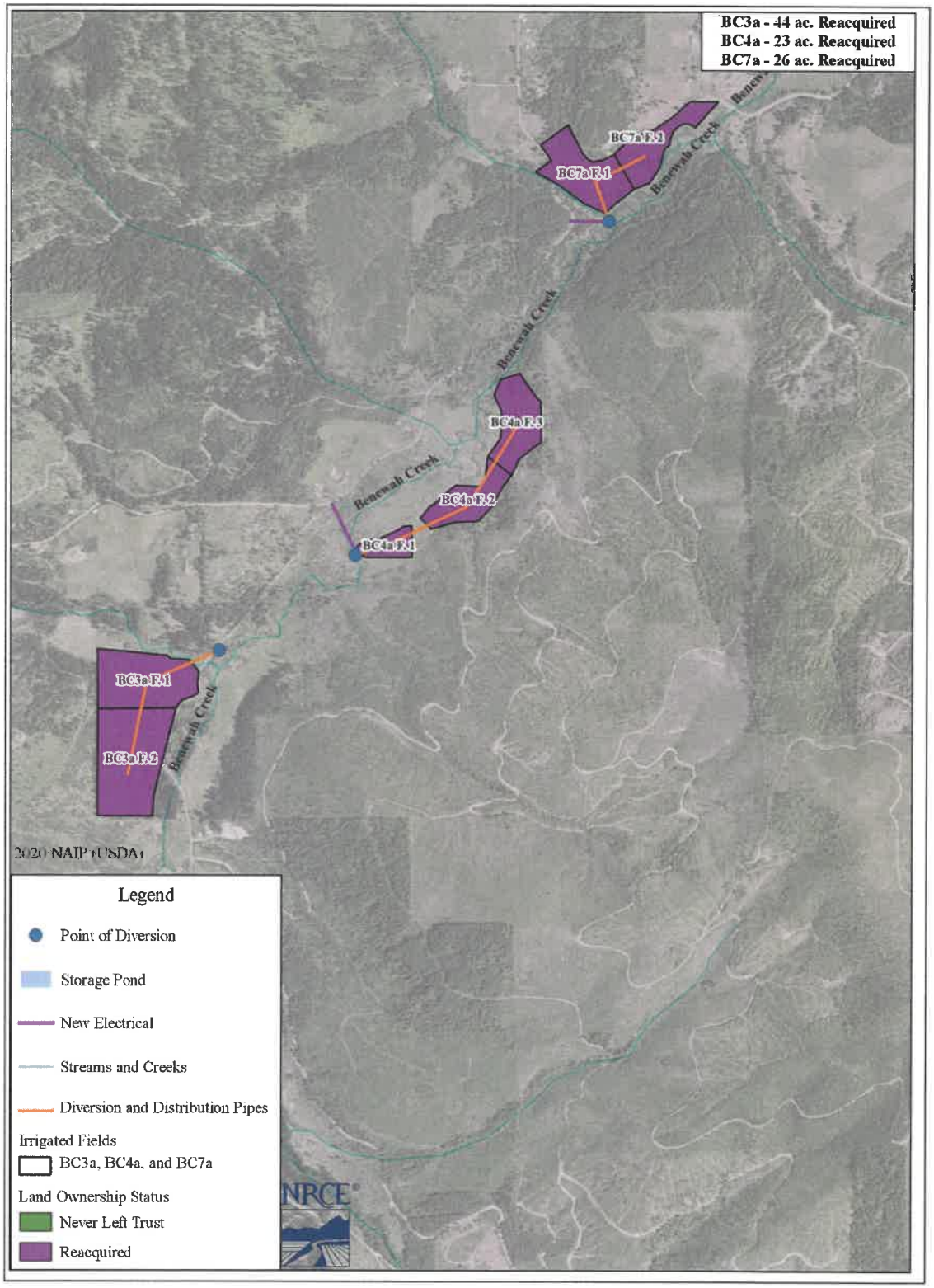
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Benewah Creek - PIA Projects BC3a, BC4a, and BC7a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 95-16696**
CASE NO. 49576	)	

1. **Name and address of claimant:**

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** November 8, 1873

3. **Source:** Lake Creek (Fed. ID # LkC0a)
(Water Right # 95-16696)

4. **Point of Diversion:**

Township: 48N Range: 5W Section: 21 Q: SW1/4 QQ: SE1/4

5. **Place of Use:** Total Acres: 126

Township:	48N	Range:	5W	Section:	21	Q:	NE1/4	QQ:	NE1/4	Acres: 2.7
Township:	48N	Range:	5W	Section:	21	Q:	NE1/4	QQ:	NW1/4	Acres: 18.4
Township:	48N	Range:	5W	Section:	21	Q:	NE1/4	QQ:	SE1/4	Acres: 8.2
Township:	48N	Range:	5W	Section:	21	Q:	NE1/4	QQ:	SW1/4	Acres: 39.9
Township:	48N	Range:	5W	Section:	21	Q:	NW1/4	QQ:	NE1/4	Acres: 25.2
Township:	48N	Range:	5W	Section:	21	Q:	NW1/4	QQ:	SE1/4	Acres: 31.2
Township:	48N	Range:	5W	Section:	21	Q:	NW1/4	QQ:	SW1/4	Acres: 0.4

See Attached Map.

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** March 1 through November 30.

8. **Quantity Reserved:** Acre Feet: 301

9. **Basis of Claim:**

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873; the date the Reservation was established by an Executive Order signed by President Ulyssess S. Grant. 1.C. Kapler, Indian Affairs: Law and Treaties 837 (1904). *In Re CSRBA Case No. 49576* 165 Idaho at 525-526, 528-529, 554-558.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and

available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director
Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

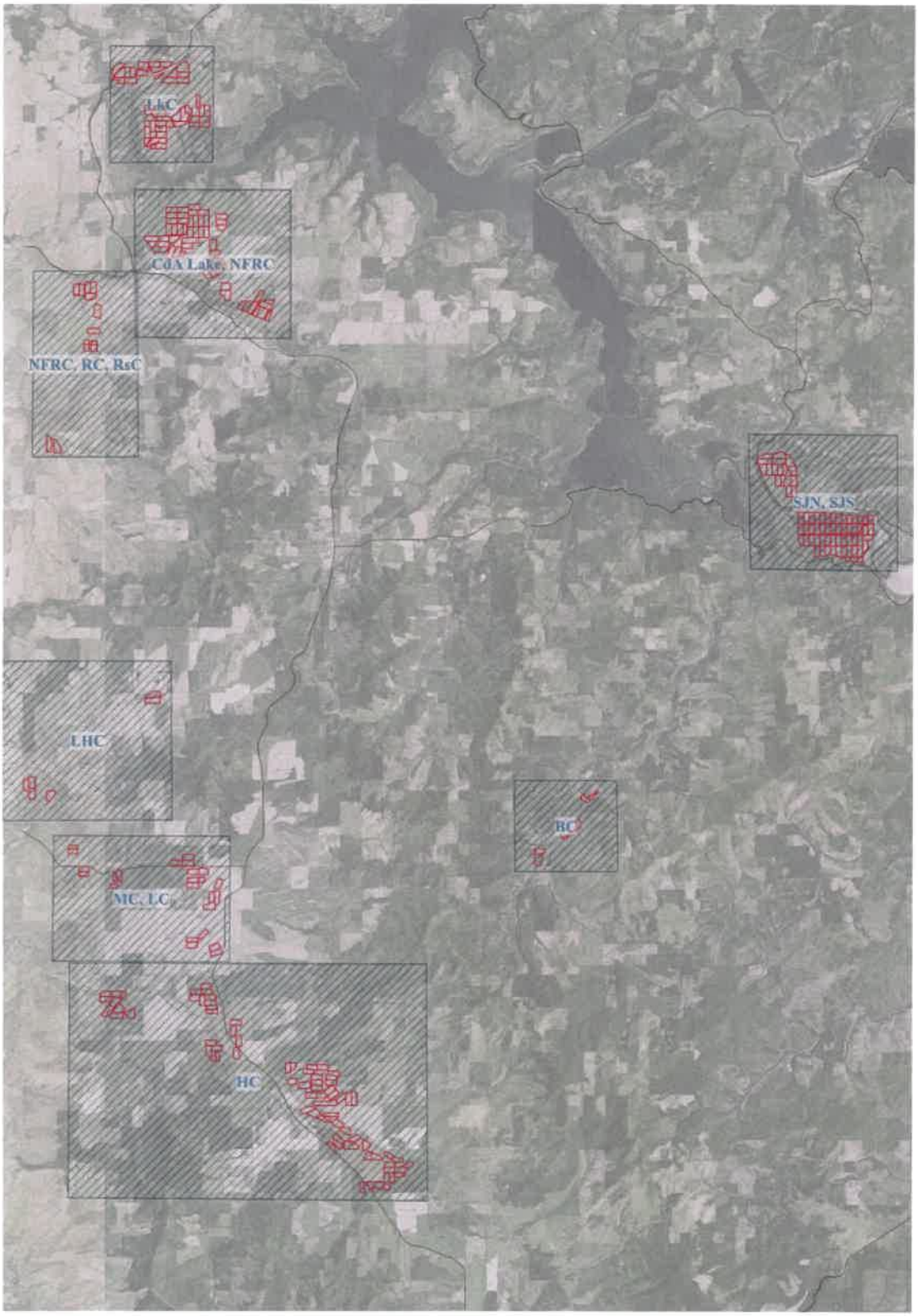
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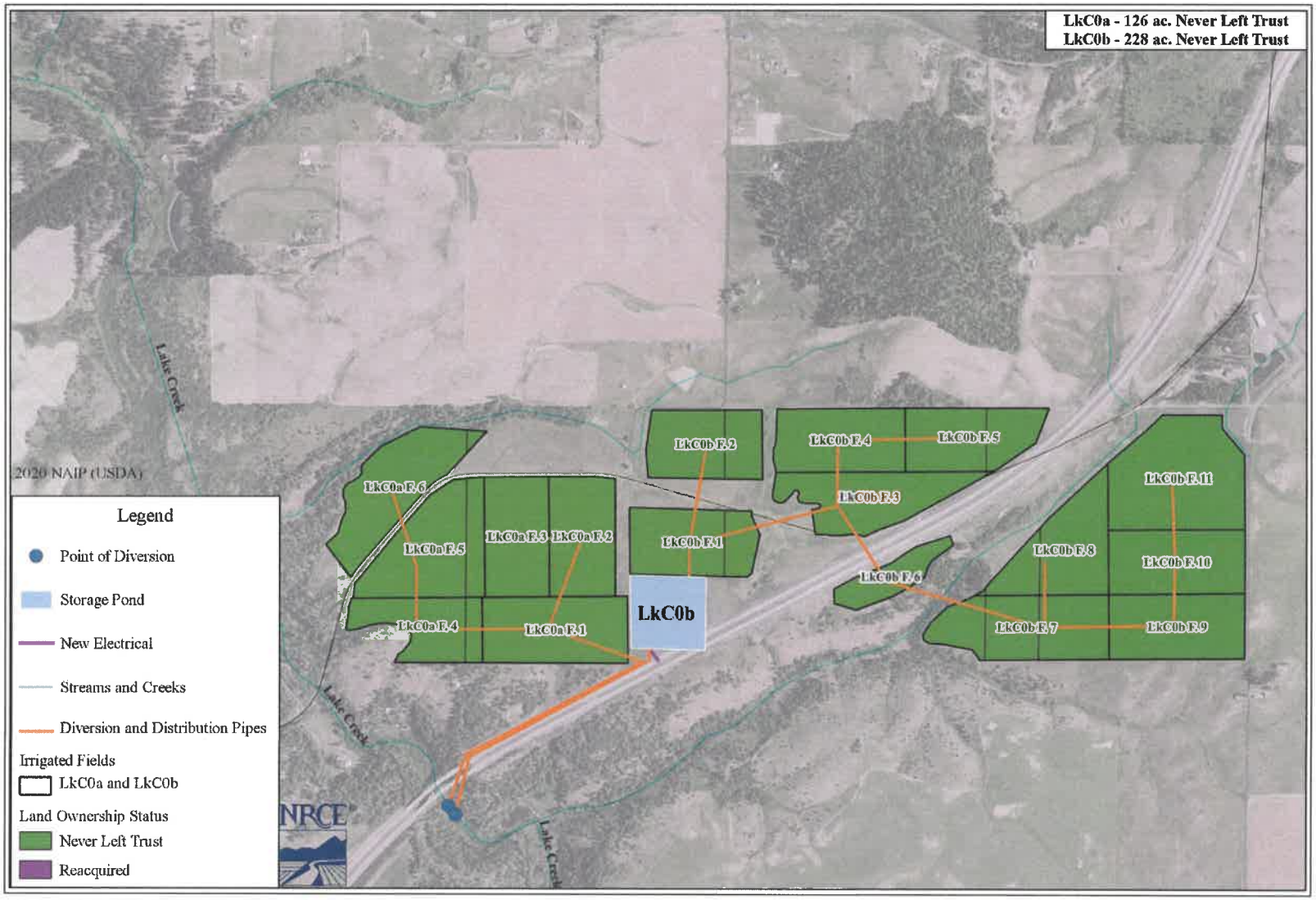
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Lake Creek - PIA Projects LkC0a and LkC0b

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 95-16698**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873

3. Source: Lake Creek (Fed. ID # LkC0b)
(Water Right # 95-16698)

4. Point of Diversion:

Township: 48N Range: 5W Section: 21 vQ: SW1/4 QQ: SE1/4

Pond Storage Location –
Township: 48N Range: 5W Section: 21 Q: NE1/4 QQ: SE1/4

5. Place of Use: Total Acres: 228

Township: 48N Range: 5W Section: 22 Q: NE1/4 QQ: NE1/4 Acres: 32.3
Township: 48N Range: 5W Section: 22 Q: NE1/4 QQ: NW1/4 Acres: 14.7
Township: 48N Range: 5W Section: 22 Q: NE1/4 QQ: SE1/4 Acres: 38.5
Township: 48N Range: 5W Section: 22 Q: NE1/4 QQ: SW1/4 Acres: 36.2
Township: 48N Range: 5W Section: 22 Q: NW1/4 QQ: NE1/4 Acres: 32.2
Township: 48N Range: 5W Section: 22 Q: NW1/4 QQ: NW1/4 Acres: 29.2
Township: 48N Range: 5W Section: 22 Q: NW1/4 QQ: SE1/4 Acres: 12.9
Township: 48N Range: 5W Section: 22 Q: NW1/4 QQ: SW1/4 Acres: 4.2
Township: 48N Range: 5W Section: 21 Q: NE1/4 QQ: NE1/4 Acres: 18.6
Township: 48N Range: 5W Section: 21 Q: NE1/4 QQ: SE1/4 Acres: 9.2

See Attached Map.

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 644

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873; the date the Reservation was established by an Executive Order signed by President Ulyssess S. Grant. 1.C. Kapler, Indian Affairs: Law and Treaties 837 (1904). *In Re CSRBA Case No. 49576* 165 Idaho at 525-526, 528-529, 554-558.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and

available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

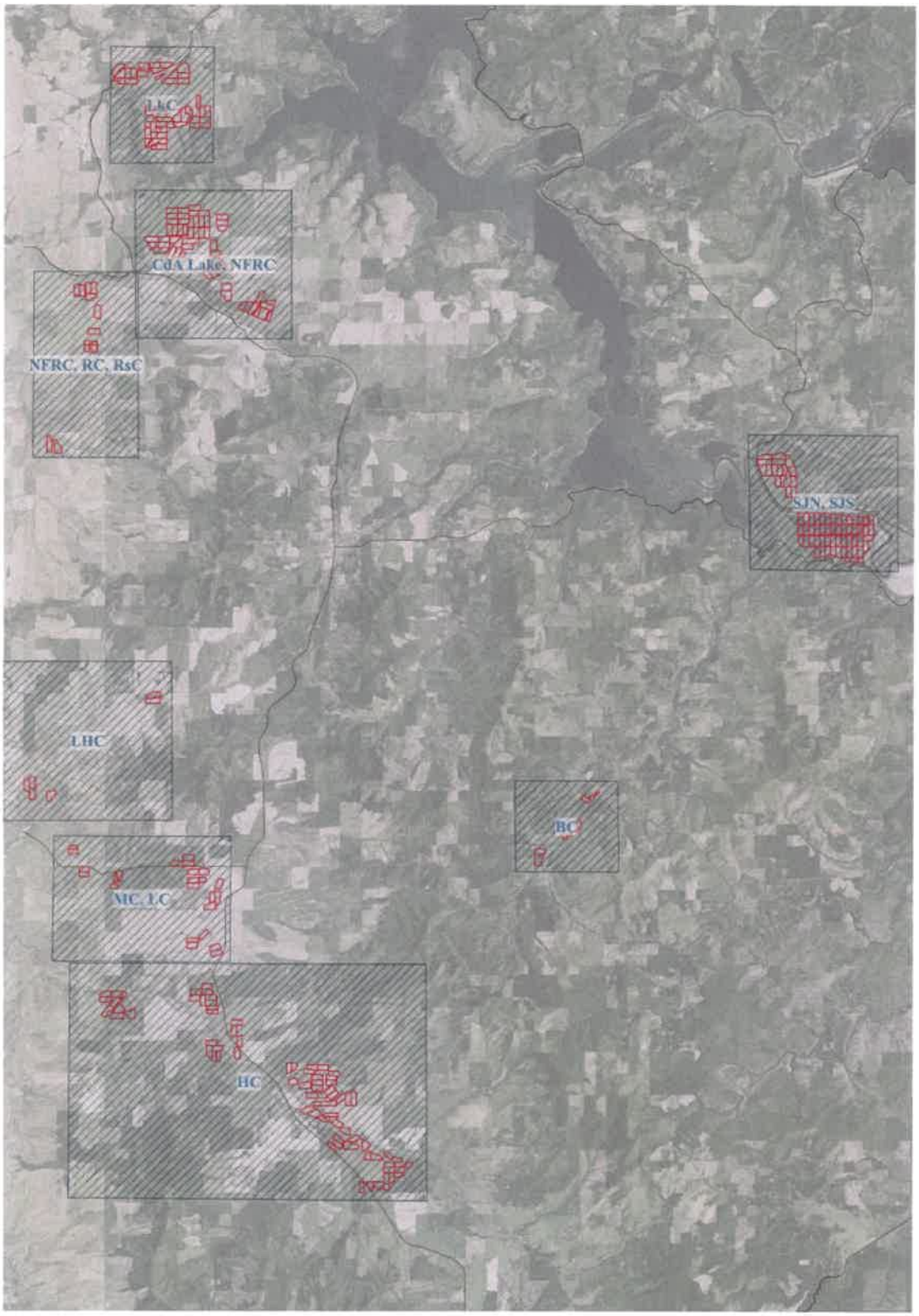
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

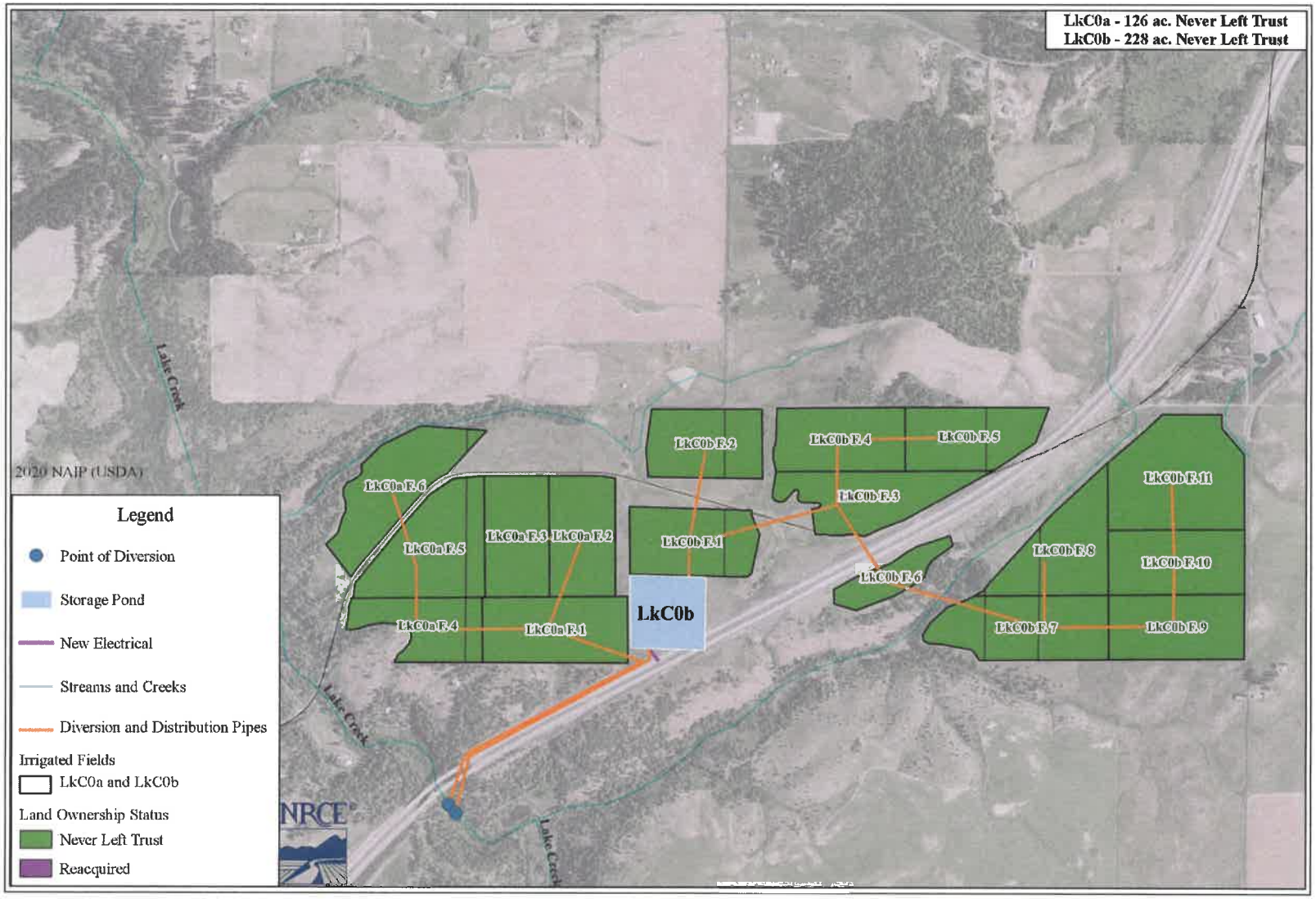
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Lake Creek - PIA Projects LkC0a and LkC0b

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 95-16699**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873

3. Source: Lake Creek (Fed. ID # LkC2a)
(Water Right # 95-16699)

4. Point of Diversion:

Township: 48N Range: 5W Section: 28 Q: NE1/4 QQ: NW1/4

Pond Storage Location –
Township: 48N Range: 5W Section: 23 Q: SW1/4 QQ: SW1/4

5. Place of Use: Total Acres: 126

Township: 48N Range: 5W Section: 26 Q: NW1/4 QQ: NE1/4 Acres: 37.6
Township: 48N Range: 5W Section: 26 Q: NW1/4 QQ: NW1/4 Acres: 4.9
Township: 48N Range: 5W Section: 26 Q: NW1/4 QQ: SE1/4 Acres: 39
Township: 48N Range: 5W Section: 26 Q: NW1/4 QQ: SW1/4 Acres: 31.9
Township: 48N Range: 5W Section: 23 Q: SW1/4 QQ: SW1/4 Acres: 12.6

See Attached Map.

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 392

9. **Basis of Claim:**
The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873; the date the Reservation was established by an Executive Order signed by President Ulyssess S. Grant. 1.C. Kapler, Indian Affairs: Law and Treaties 837 (1904). *In Re CSRBA Case No. 49576* 165 Idaho at 525-526, 528-529, 554-558.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on

the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

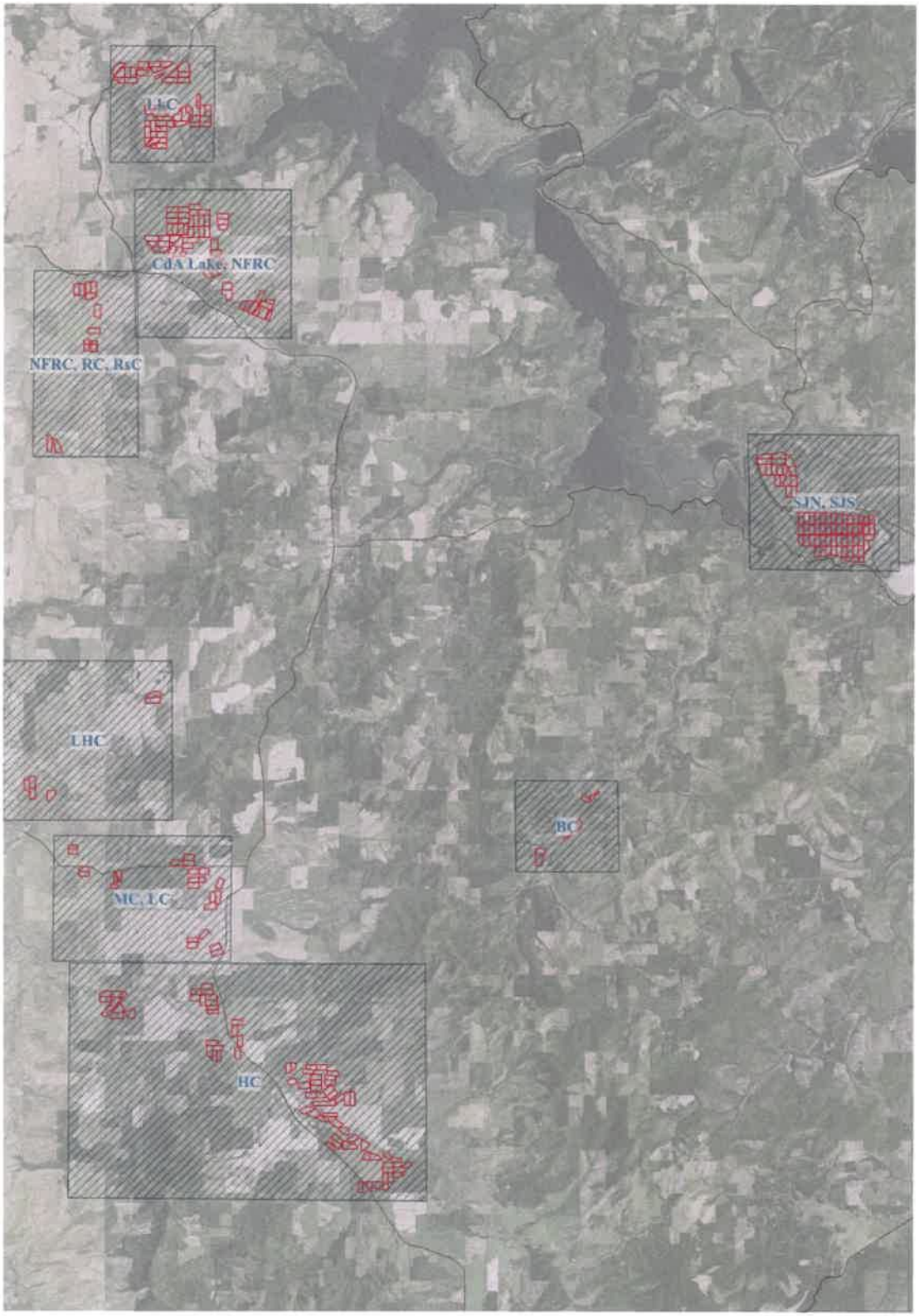
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

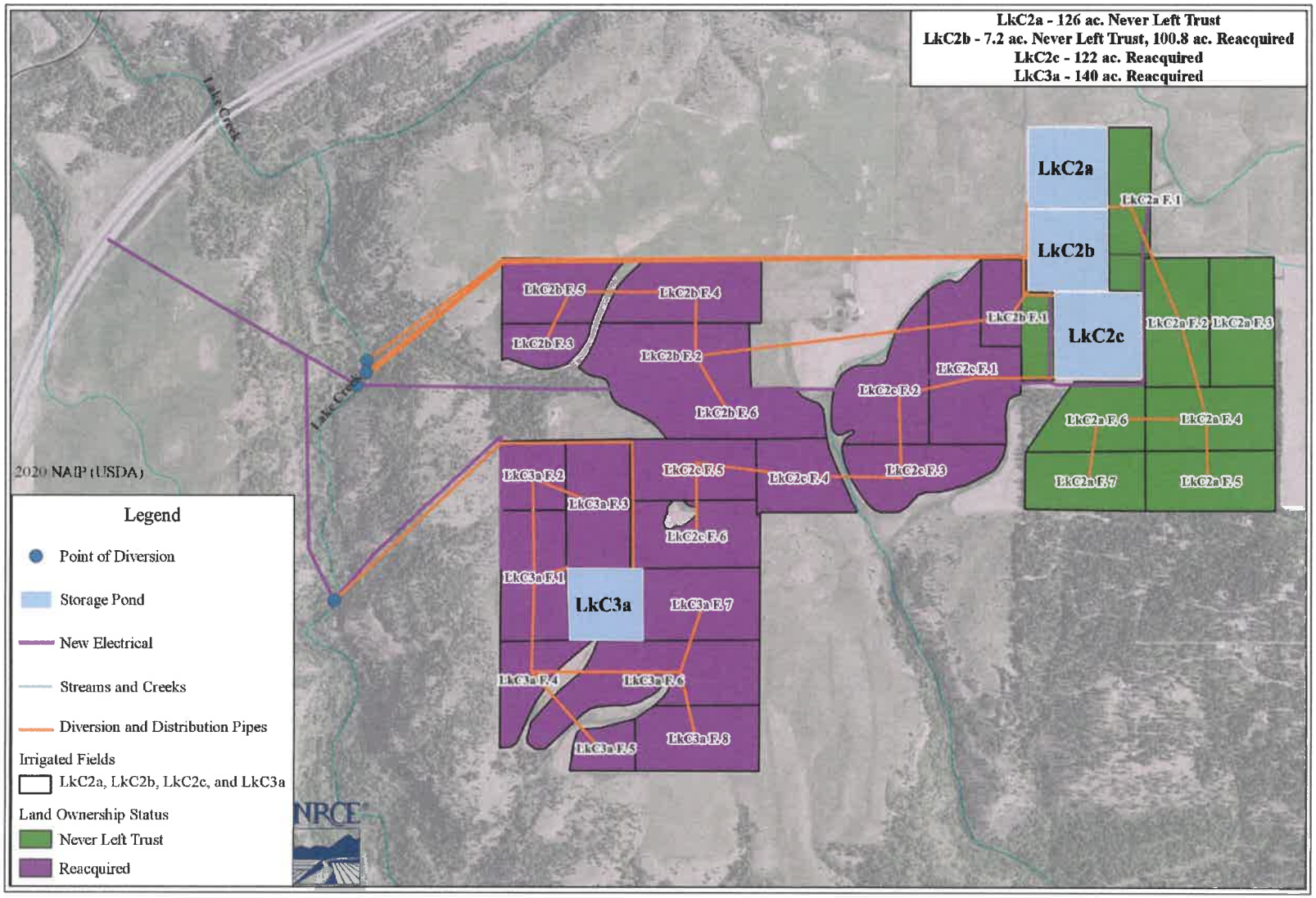
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Lake Creek - PIA Projects LkC2a, LkC2b, LkC2c, and LkC3a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 95-16700**
CASE NO. 49576	)	

1. **Name and address of claimant:**
UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** November 8, 1873 (Date of Reservation) or, if applicable, Date of Reacquisition by Tribe.

3. **Source:** Lake Creek (Fed. ID # LkC2b)
(Water Right # 95-16700)

4. **Point of Diversion:**

Township: 48N Range: 5W Section: 28 Q: NE1/4 QQ: NW1/4

Pond Storage Location –
Township: 48N Range: 5W Section: 23 Q: SW1/4 QQ: SW1/4
Township: 48N Range: 5W Section: 26 Q: NW1/4 QQ: NW1/4

5. **Place of Use:** Total Acres: 108

The legal descriptions in italics below include reacquired lands as shown in purple on the attached map.

Township: 48N	*Range: 5W*	*Section: 27*	*Q: NE1/4*	*QQ: NE1/4*	*Acres: 8.4*
Township: 48N	Range: 5W	Section: 26	Q: NW1/4	QQ: NW1/4	Acres: 7.2
Township: 48N	*Range: 5W*	*Section: 27*	*Q: NE1/4*	*QQ: SW1/4*	*Acres: 6.9*
Township: 48N	*Range: 5W*	*Section: 27*	*Q: NW1/4*	*QQ: NE1/4*	*Acres: 37*

Township: 48N	*Range: 5W*	*Section: 27*	*Q: NW1/4*	*QQ: SW1/4*	*Acres: 1.1*
Township: 48N	*Range: 5W*	*Section: 27*	*Q: NW1/4*	*QQ: SE1/4*	*Acres: 15.3*
Township: 48N	*Range: 5W*	*Section: 27*	*Q:NW1/4*	*QQ: NW1/4*	*Acres: 32.1*

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31.

8. **Quantity Reserved:** Acre Feet: 341

9. **Basis of Claim:**

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873 (the date the Reservation was established), or, if applicable, the date of Reacquisition by the Tribe, subject to carryover of any homesteader's priority date. *In Re CSRBA*, 165 Idaho at 525-26, 528-29, 554-58.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points

of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

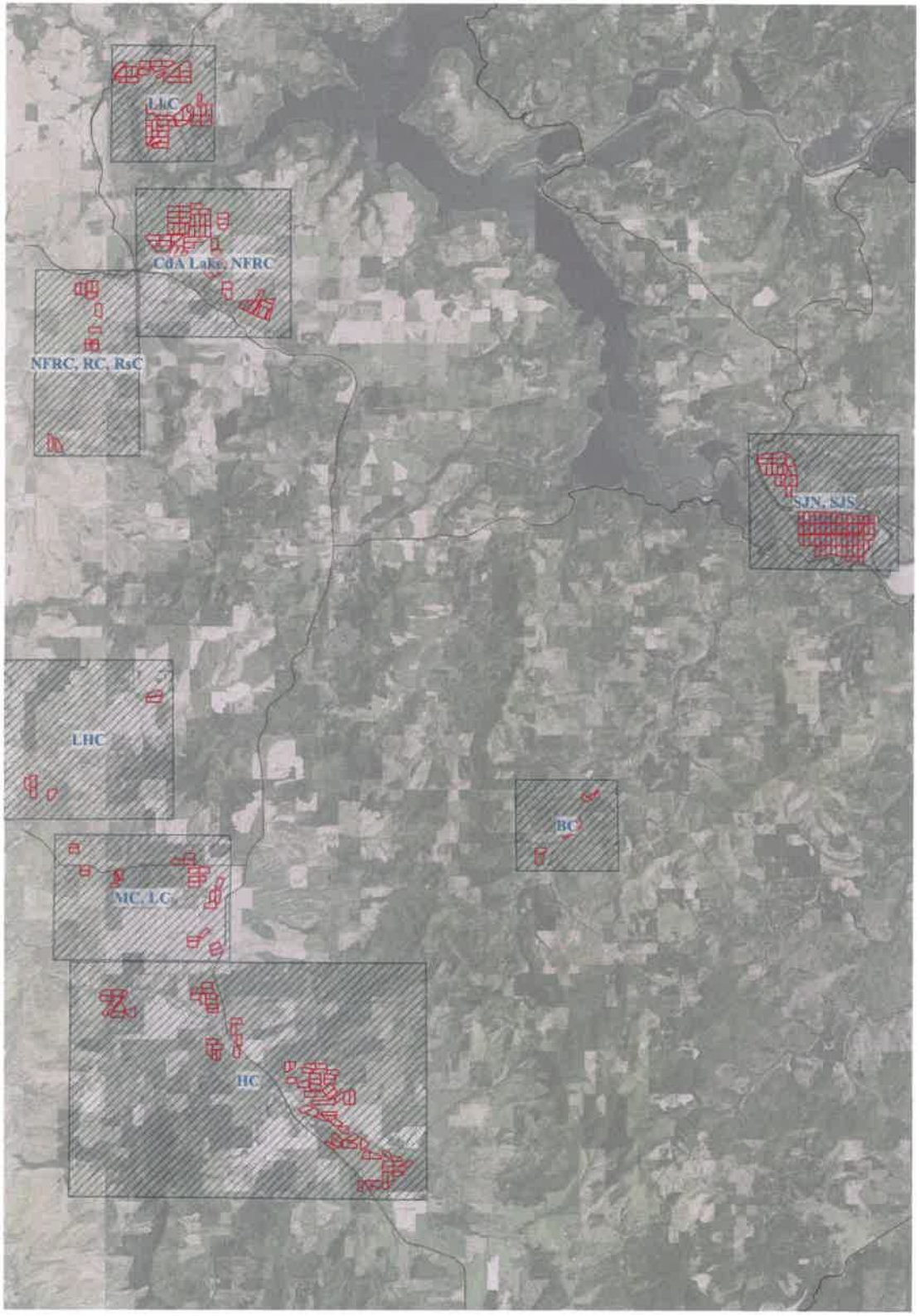
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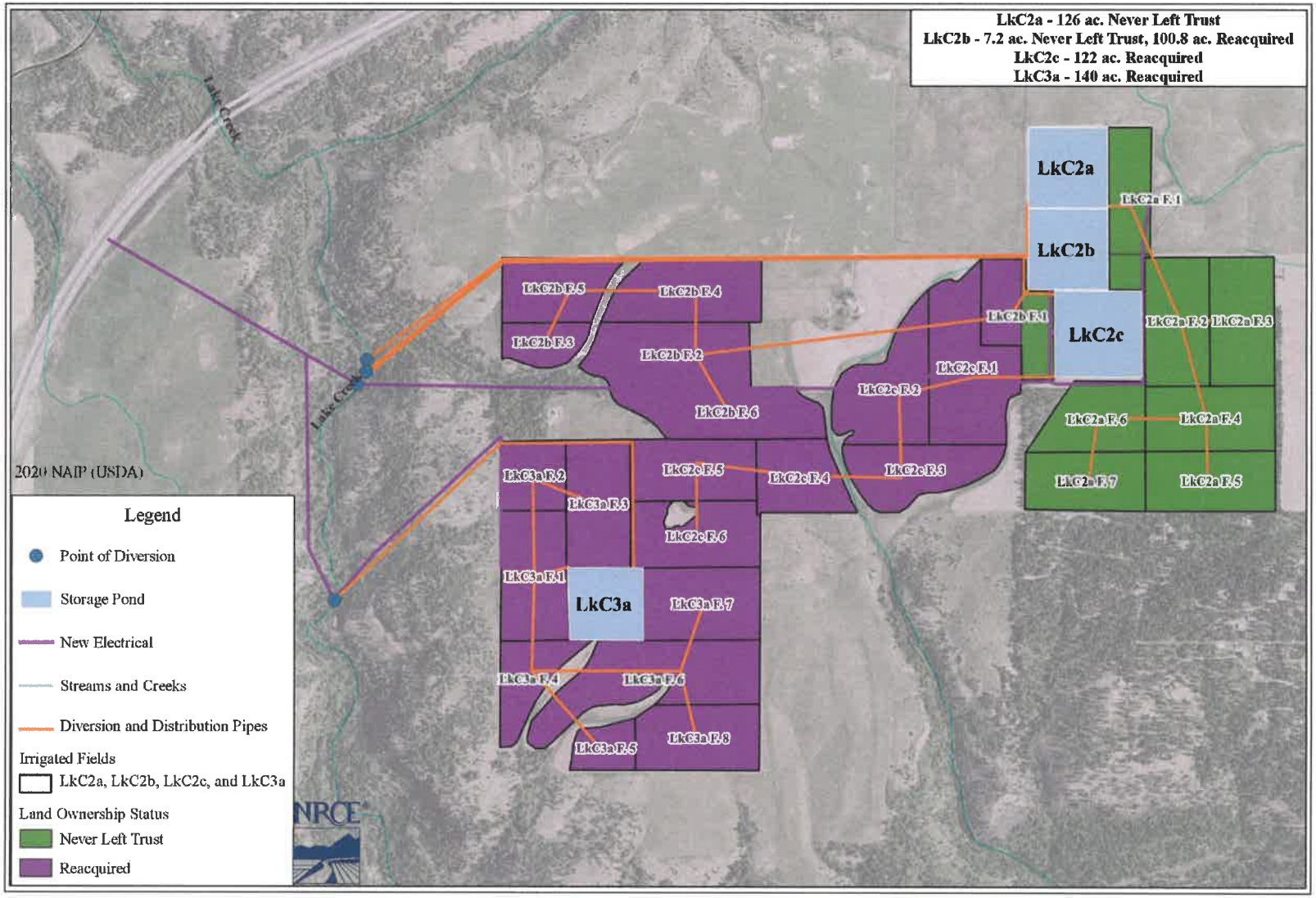
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Lake Creek - PIA Projects LkC2a, LkC2b, LkC2c, and LkC3a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 95-16701**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: November 8, 1873 (Date of Reservation) or, if applicable, Date of Reacquisition by Tribe.

3. Source: Lake Creek (Fed. ID # LkC2c)
(Water Right # 95-16701)

4. Point of Diversion:

Township: 48N Range: 5W Section: 28 Q: NE1/4 QQ: SW1/4

Pond Storage Location –
Township: 48N Range: 5W Section: 26 Q: NW1/4 QQ: NW1/4

5. Place of Use: Total Acres: 122

The legal descriptions in italics below include reacquired lands as shown in purple on the attached map.

Township: 48N	*Range: 5W*	*Section: 27*	*Q: NE1/4*	*QQ: NE1/4*	*Acres: 23.3*
Township: 48N	*Range: 5W*	*Section: 27*	*Q: NE1/4*	*QQ: SE1/4*	*Acres: 29.8*
Township: 48N	*Range: 5W*	*Section: 27*	*Q: NE1/4*	*QQ: SW1/4*	*Acres: 28.2*
Township: 48N	*Range: 5W*	*Section: 27*	*Q: NW1/4*	*QQ: SE1/4*	*Acres: 22.1*
Township: 48N	*Range: 5W*	*Section: 27*	*Q: NE1/4*	*QQ: NW1/4*	*Acres: 2.3*

Township: 48N Range: 5W Section: 27 Q: SW1/4 QQ: NE1/4 Acres: 16.3

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31

8. **Quantity Reserved:** Acre Feet: 360

9. **Basis of Claim:**

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873 (the date the Reservation was established), or, if applicable, the date of Reacquisition by the Tribe, subject to carryover of any homesteader's priority date. *In Re CSRBA*, 165 Idaho at 525-26, 528-29, 554-58.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is

necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

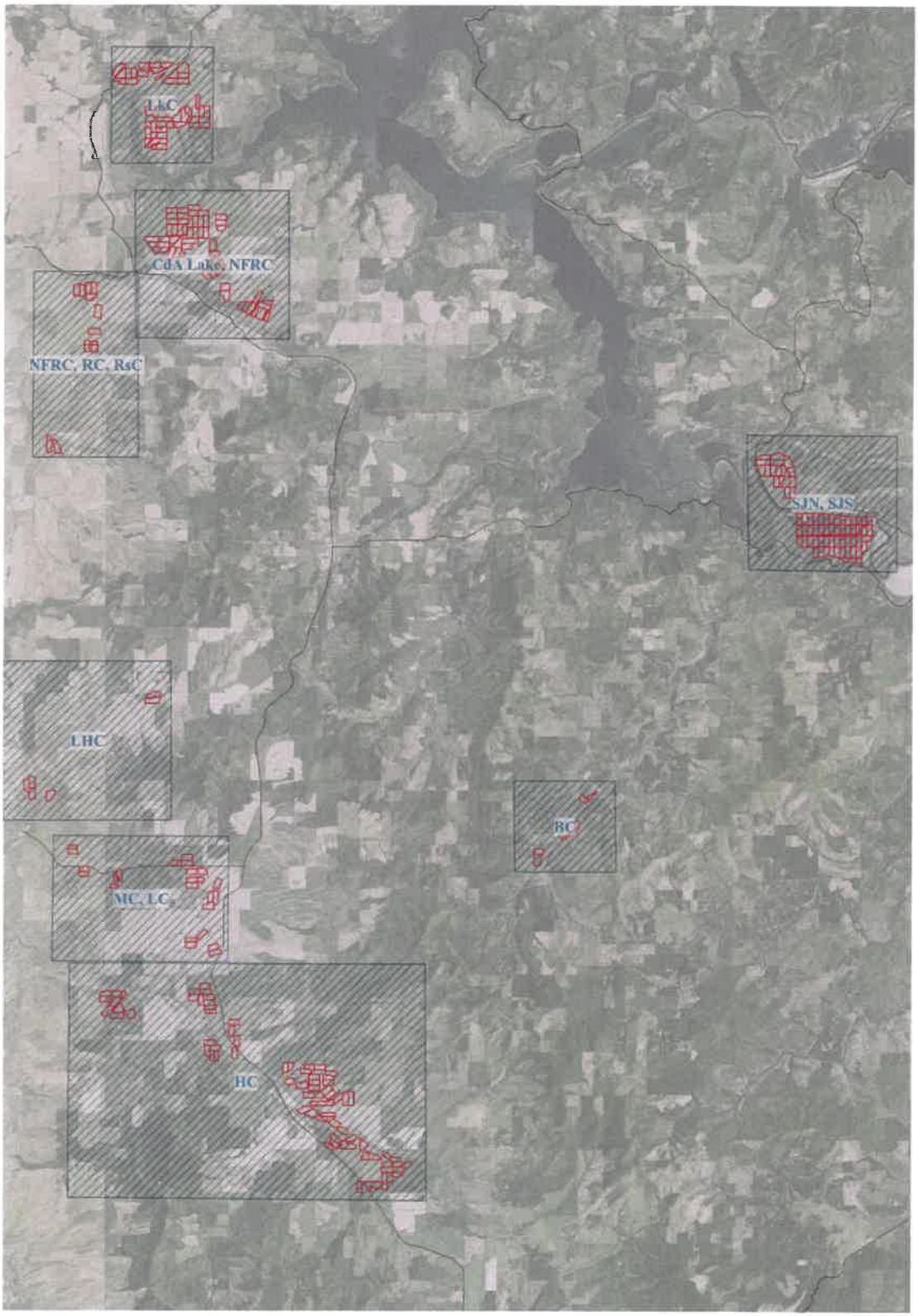
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

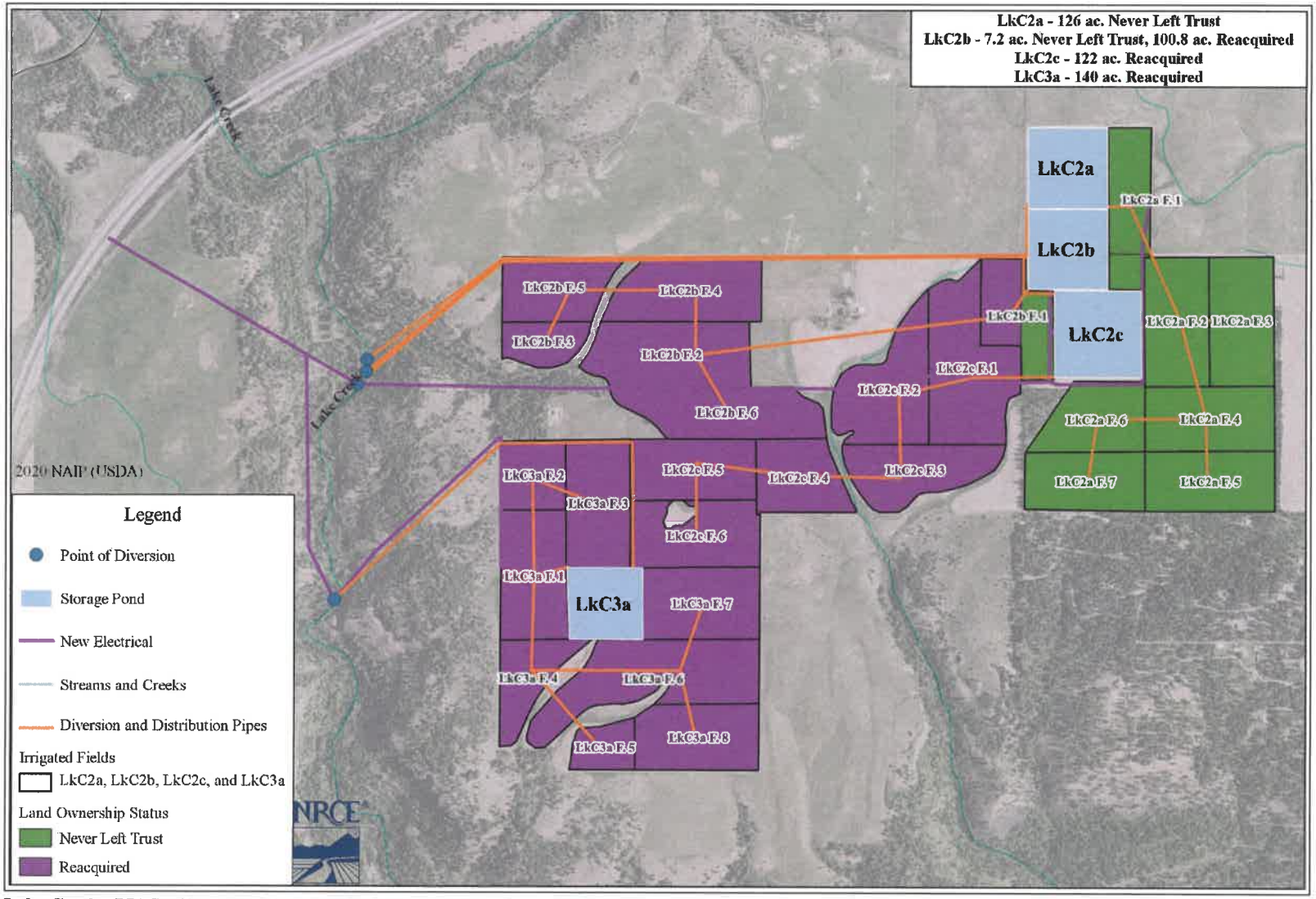
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Lake Creek - PIA Projects LkC2a, LkC2b, LkC2c, and LkC3a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 95-16702**
CASE NO. 49576	)	

1. **Name and address of claimant:**

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** November 8, 1873 (Date of Reservation) or, if applicable, Date of Reacquisition by Tribe.

3. **Source:** Lake Creek (Fed. ID # LkC3a)
(Water Right # 95-16702)

4. **Point of Diversion:**

Township: 48N Range: 5W Section: 28 Q: SE1/4 QQ: NW1/4

Pond Storage Location –
Township: 48N Range: 5W Section: 27 Q: SW1/4 QQ: NE1/4
Township: 48N Range: 5W Section: 27 Q: SW1/4 QQ: NW1/4

5. **Place of Use:** Total Acres: 140

The legal descriptions in italics below include reacquired lands as shown in purple on the attached map.

Township: 48N	*Range: 5W*	*Section: 27*	*Q: NW1/4*	*QQ: SW1/4*	*Acres: 22.2*
Township: 48N	*Range: 5W*	*Section: 27*	*Q: SW1/4*	*QQ: NE1/4*	*Acres: 20.9*
Township: 48N	*Range: 5W*	*Section: 27*	*Q: SW1/4*	*QQ: NW1/4*	*Acres: 29.1*
Township: 48N	*Range: 5W*	*Section: 27*	*Q: SW1/4*	*QQ: SE1/4*	*Acres: 38.4*

Township: 48N Range: 5W Section: 27 Q: SW1/4 QQ: SW1/4 Acres: 29.4

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31

8. **Quantity Reserved:** Acre Feet: 409

9. **Basis of Claim:**

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. **Other Provisions:**

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873 (the date the Reservation was established), or, if applicable, the date of Reacquisition by the Tribe, subject to carryover of any homesteader's priority date. *In Re CSRBA*, 165 Idaho at 525-26, 528-29, 554-58.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is

necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

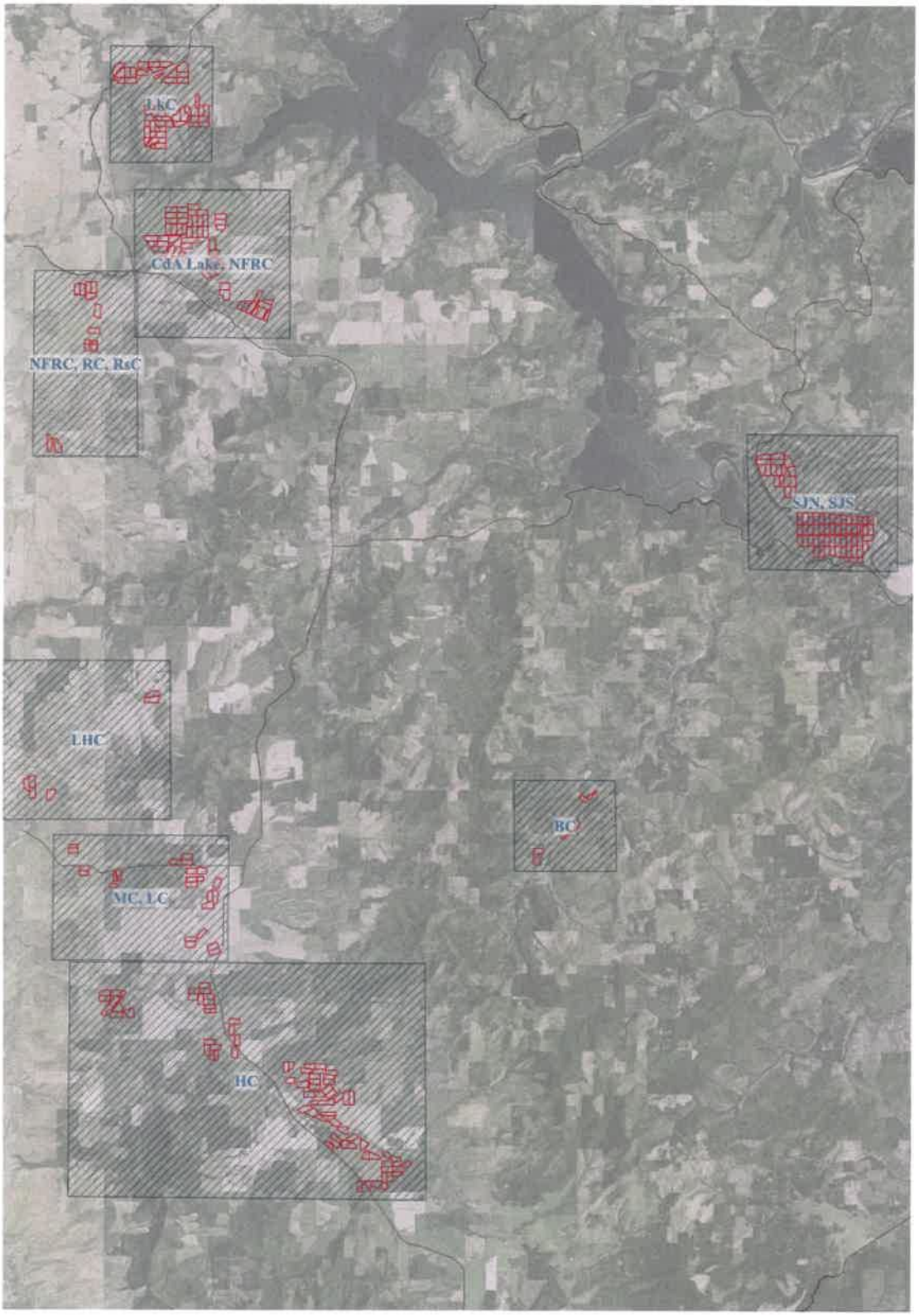
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

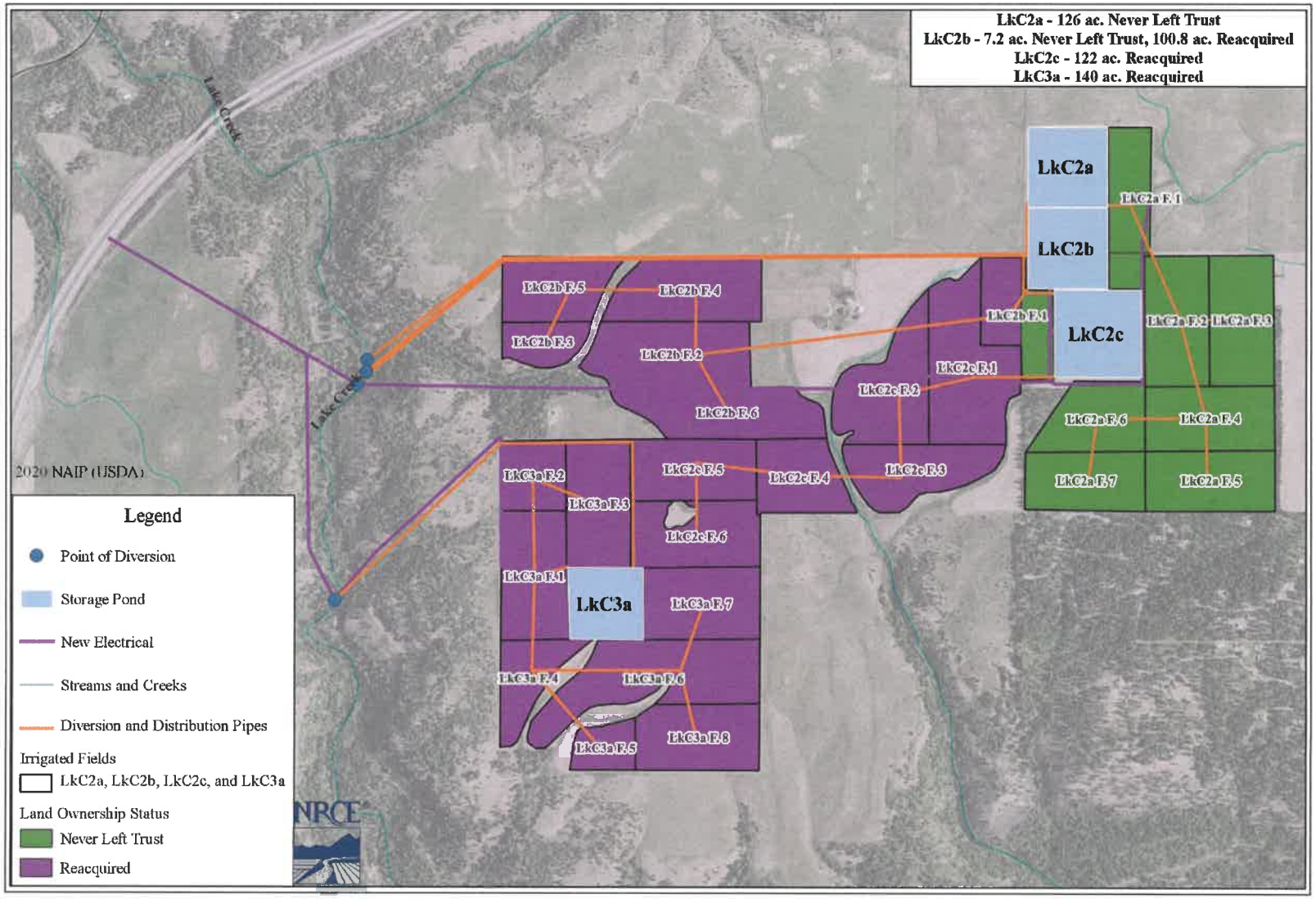
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Lake Creek - PIA Projects LkC2a, LkC2b, LkC2c, and LkC3a

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 95-16703**
CASE NO. 49576	)	

1. **Name and address of claimant:**

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** November 8, 1873 (Date of Reservation) or, if applicable, Date of Reacquisition by Tribe.

3. **Source:** Coeur d'Alene Lake (Fed. ID # CdALk2)
(Water Right # 95-16703)

4. **Point of Diversion:**

Township: 48N Range: 5W Section: 35 Q: NE1/4 QQ: SE1/4

5. **Place of Use:** Total Acres: 888

The legal descriptions in italics below include reacquired lands as shown in purple on the attached map.

Township: 47N	*Range: 5W*	*Section: 3*	*Q: NW1/4*	*QQ: SE1/4*	*Acres: 16.1*
Township: 47N	*Range: 5W*	*Section: 3*	*Q: NW1/4*	*QQ: SW1/4*	*Acres: 33.9*
Township: 47N	*Range: 5W*	*Section: 4*	*Q: NE1/4*	*QQ: SE1/4*	*Acres: 24.4*
Township: 47N	*Range: 5W*	*Section: 4*	*Q: NE1/4*	*QQ: SW1/4*	*Acres: 23.6*
Township: 47N	*Range: 5W*	*Section: 4*	*Q: SE1/4*	*QQ: NW1/4*	*Acres: 38.7*
Township: 47N	*Range: 5W*	*Section: 4*	*Q: SE1/4*	*QQ: NE1/4*	*Acres: 39.6*
Township: 47N	*Range: 5W*	*Section: 3*	*Q:SW1/4*	*QQ: NW1/4*	*Acres: 26.5*
Township: 47N	*Range: 5W*	*Section: 3*	*Q: SW1/4*	*QQ: NE1/4*	*Acres: 38*

Township: 47N	Range: 5W	Section: 3	Q: SE1/4	QQ: NW1/4	Acres: 15.4
Township: 47N	*Range: 5W*	*Section: 3*	*Q: SE1/4*	*QQ: NE1/4*	*Acres: 24.3*
Township: 47N	*Range: 5W*	*Section: 3*	*Q: SE1/4*	*QQ: SE1/4*	*Acres: 10.3*
Township: 47N	*Range: 5W*	*Section: 3*	*Q: SE1/4*	*QQ: SW1/4*	*Acres: 5.9*
Township: 47N	*Range: 5W*	*Section: 3*	*Q: SW1/4*	*QQ: SE1/4*	*Acres: 38.3*
Township: 47N	*Range: 5W*	*Section: 3*	*Q: SW1/4*	*QQ: SW1/4*	*Acres: 37.1*
Township: 47N	*Range: 5W*	*Section: 4*	*Q: SE1/4*	*QQ: SE1/4*	*Acres: 34.7*
Township: 47N	*Range: 5W*	*Section: 4*	*Q: SE1/4*	*QQ: SW1/4*	*Acres: 35.1*
Township: 47N	Range: 5W	Section: 9	Q: NW1/4	QQ: NW1/4	Acres: 30.5
Township: 47N	Range: 5W	Section: 9	Q: NW1/4	QQ: NE1/4	Acres: 40
Township: 47N	Range: 5W	Section: 9	Q: NE1/4	QQ: NW1/4	Acres: 30.1
Township: 47N	Range: 5W	Section: 9	Q: NE1/4	QQ: NE1/4	Acres: 21.7
Township: 47N	*Range: 5W*	*Section: 10*	*Q: NW1/4*	*QQ: NW1/4*	*Acres: 31.6*
Township: 47N	*Range: 5W*	*Section: 10*	*Q: NW1/4*	*QQ: NE1/4*	*Acres: 6.7*
Township: 47N	Range: 5W	Section: 10	Q: NE1/4	QQ: NW1/4	Acres: 16.7
Township: 47N	Range: 5W	Section: 10	Q: NE1/4	QQ: SW1/4	Acres: 27.7
Township: 47N	*Range: 5W*	*Section: 10*	*Q: NW1/4*	*QQ: SW1/4*	*Acres: 2.9*
Township: 47N	Range: 5W	Section: 9	Q: NE1/4	QQ: SE1/4	Acres: 24.8
Township: 47N	Range: 5W	Section: 9	Q: NE1/4	QQ: SW1/4	Acres: 31.1
Township: 47N	Range: 5W	Section: 9	Q: NW1/4	QQ: SE1/4	Acres: 19.7
Township: 47N	Range: 5W	Section: 9	Q: NW1/4	QQ: SW1/4	Acres: 4.2
Township: 47N	*Range: 5W*	*Section: 9*	*Q: SE1/4*	*QQ: NW1/4*	*Acres: 4.1*
Township: 47N	*Range: 5W*	*Section: 10*	*Q: SW1/4*	*QQ: NE1/4*	*Acres: 1.7*
Township: 47N	Range: 5W	Section: 10	Q: SE1/4	QQ: NW1/4	Acres: 35.7
Township: 47N	Range: 5W	Section: 10	Q: SE1/4	QQ: NE1/4	Acres: 13.9
Township: 47N	Range: 5W	Section: 10	Q: SE1/4	QQ: SE1/4	Acres: 5.2
Township: 47N	Range: 5W	Section: 10	Q: SE1/4	QQ: SW1/4	Acres: 29.3
Township: 47N	*Range: 5W*	*Section: 10*	*Q: SW1/4*	*QQ: SE1/4*	*Acres: 16.7*
Township: 47N	Range: 5W	Section: 15	Q: NE1/4	QQ: NE1/4	Acres: 23.3
Township: 47N	Range: 5W	Section: 15	Q: NE1/4	QQ: SE1/4	Acres: 28.5

6. **Purpose of Water Use:** Irrigation – as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** March 1 through November 30.

8. **Quantity Reserved:** Acre Feet: 2,241

9. **Basis of Claim:**

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe,

the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. Other Provisions:

a. This claim is for irrigation on tribal land and individually owned trust land subject to 25 U.S.C. § 381.

b. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

c. The priority date of this water right claim is November 8, 1873 (the date the Reservation was established), or, if applicable, the date of Reacquisition by the Tribe, subject to carryover of any homesteader's priority date. *In Re CSRBA*, 165 Idaho at 525-26, 528-29, 554-58.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

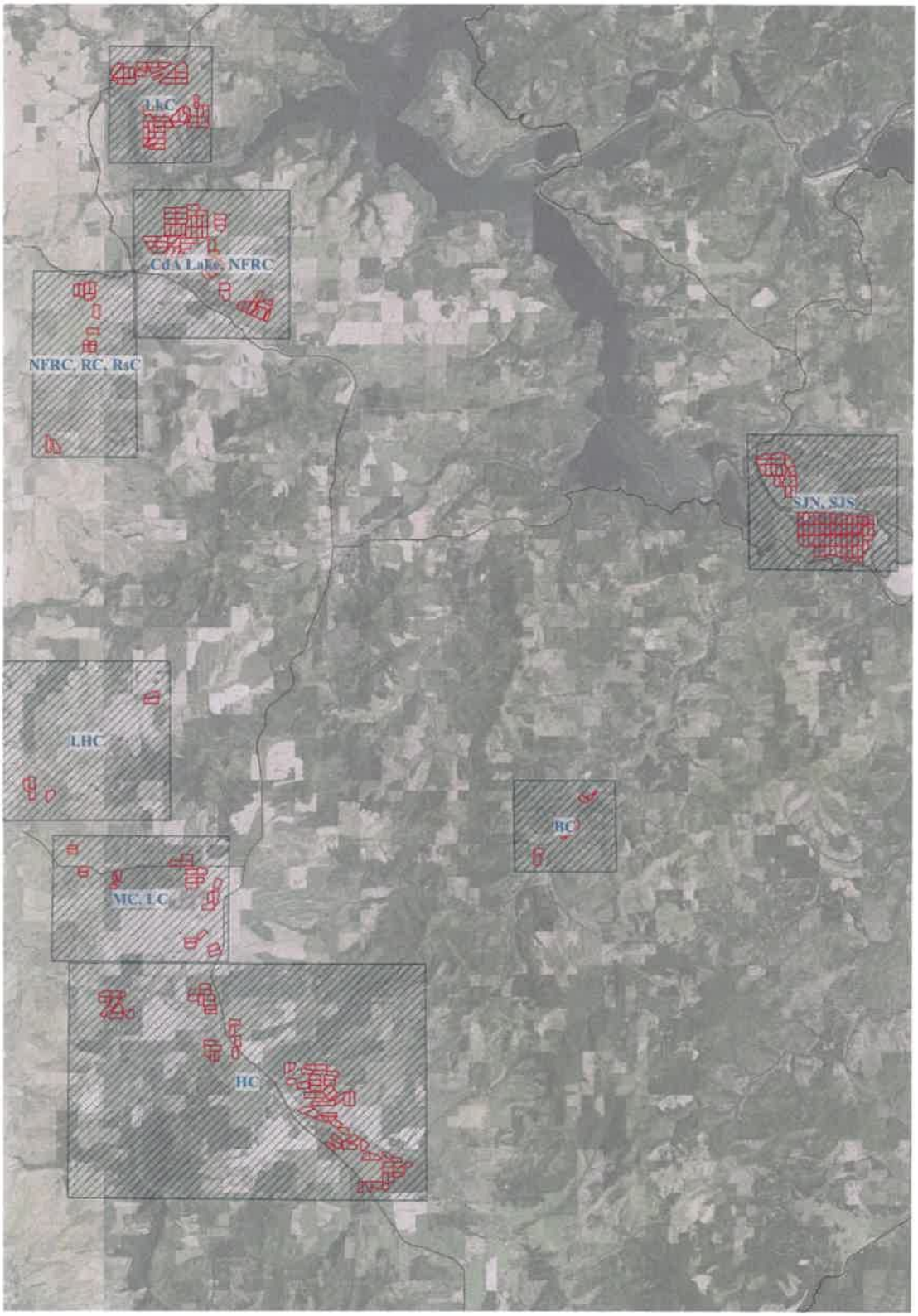
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

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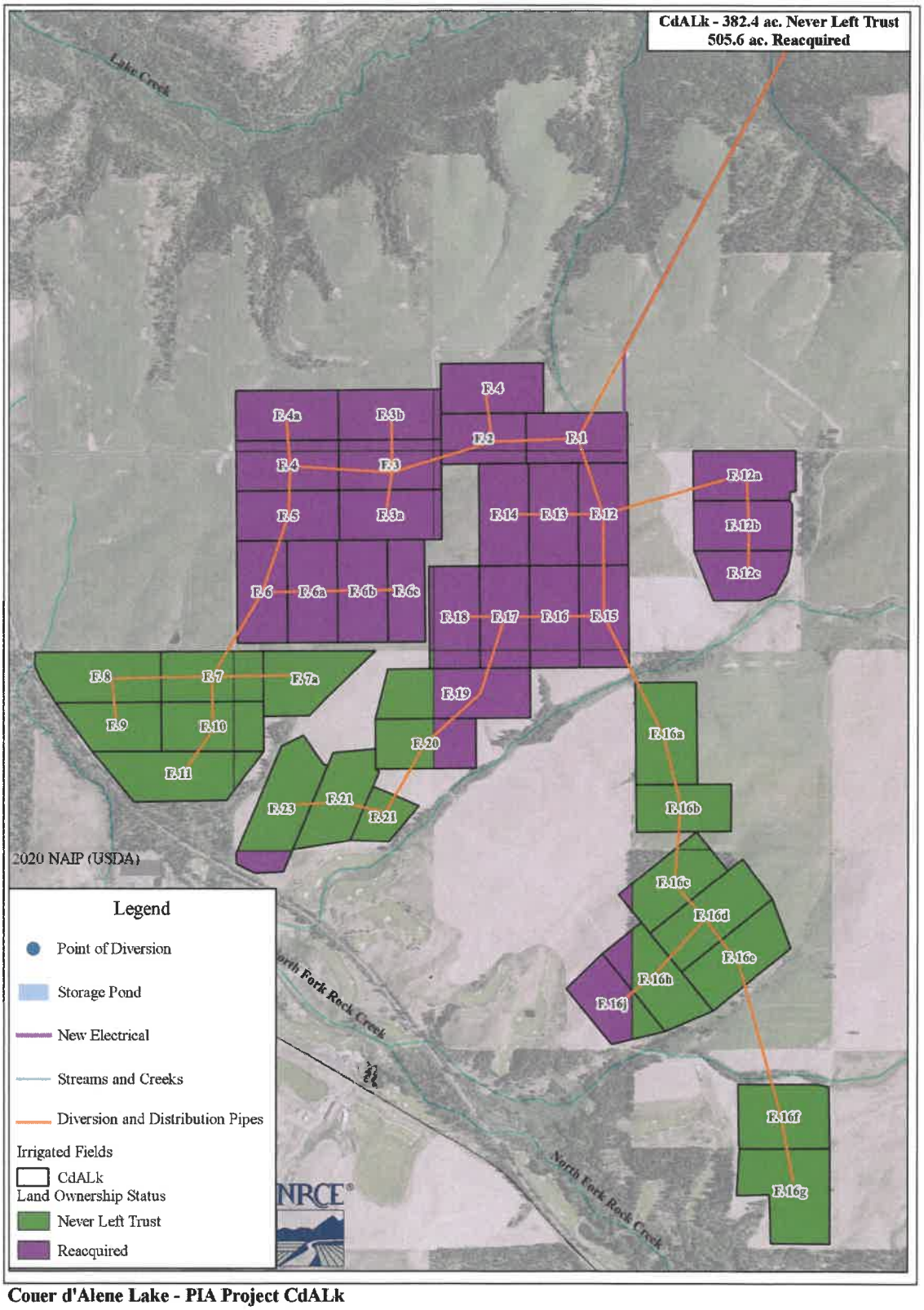
Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.



PIA Projects Overview Map, Coeur d'Alene Reservation



Couer d'Alene Lake - PIA Project CdALk

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APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No. 95-16704**

1. **Name and address of claimant:**

   UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
   Department of the Interior
   Bureau of Indian Affairs
   911 N.E. 11th Ave
   Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** Lake Coeur d'Alene and its tributary sources, including surface water and groundwater.

4. **Point of Diversion:** Not applicable – This claim is for inflows to and *in situ* water in the Lake.

5. **Place of Use:** That portion of Lake Coeur d'Alene and its related waters that are located within the boundary of the Coeur d'Alene Reservation.

   See Section 10 below for further discussion of Place of Use.

6. **Purpose of Water Use:** To provide fish, wildlife, and plant habitat for fishing, hunting, gathering, and cultural uses of the Tribe - as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra*.

7. **Period of Use:** January 1 through December 31.

8. Quantity Reserved:

A sufficient flow into and through Lake Coeur d'Alene to meet the monthly elevations, inflows, and volumes in the table below, subject to Sec. 10.b *infra*.

Month	Elevation (ft)[1]	Inflow (cfs)	Volume (ac-ft)[2]
Jan	2124.6	4,347	267,287
Feb	2124.9	5,528	307,010
Mar	2126.0	8,789	540,415
Apr	2129.4	15,282	909,342
May	2129.6	15,969	981,896
Jun	2128.4	8,211	488,588
Jul	2123.6	2,282	140,315
Aug	2121.1	980	60,258
Sep	2120.5	936	55,696
Oct	2120.9	1,303	80,118
Nov	2122.7	2,524	150,188
Dec	2124.6	3,681	226,336

9. Basis of Claim:

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. Other Provisions:

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA* Case No. 49576 Subcase No. 91-7755, 165 Idaho 517, 557-58 (2019) ("In Re CSRBA").

---

[1] Local datum of 2100 feet plus gage height as measured by the United States Geological Survey Gage located on Coeur d'Alene Lake at Coeur d'Alene, Idaho (site no. 12415500).

[2] The water below the ordinary low water mark is included in the claim but not displayed as part of the inflows or volumes claimed; it is included as part of the measured monthly elevations.

b. The United States recognizes that Lake elevation is currently regulated by dam operations at Post Falls, Idaho which is governed by Federal Energy Regulatory Commission (FERC) License No 2545-091. This Claim does not seek to affect present licensed operations at Post Falls. Since the water rights claim must address the possibility that the dam will be removed or altered, the intent is to claim sufficient water to reflect the natural lake processes prior to Post Falls Dam consistent with the federal and tribal intent as it was understood in 1873. This water right has no artificial means of diversion that can be used to control the Lake level.

c. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id., In Re CSRBA,* 165 Idaho at 557-58.

d. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director
Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No. 95-16712**

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: Time Immemorial

3. Source: Benewah Creek (Water Right # 95-16712)
(Fed. ID #BC04R222)

4. Point of Diversion:

Not applicable – This claim is for *in situ* surface water flows to maintain functional riparian ecosystems.

5. Place of Use: Total Acres: 26.53

The approximate center point is located within UTM Coordinates:

Zone: 11N 517738 5232637; which is located in:

Township: 45N Range: 3W Section: 18 Q: NE QQ: SW

See Attached Map.

6. **Purpose of Water Use:**

To provide wildlife and plant habitat for hunting, gathering and cultural uses of the Tribe - as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra.*

8. **Quantity Reserved:** Annual Total 60.20 (AFY)

Monthly claim amounts are provided in the table below. For each month a minimum Riparian Baseflow (low-flow) is claimed. In addition, if the flow in the stream at the Place of Use center point reaches the High Flow Trigger as shown in column 3, then the Riparian High Flow becomes the claim for a duration of four days after the high flow is initiated. The claim reverts back to the Riparian Baseflow four days after the trigger is initiated. Once the streamflow exceeds the Riparian High Flow within the given month, no additional triggers are initiated, and the claim remains at the Riparian Baseflow for the remainder of the month. The Riparian Baseflow, the High Flow Trigger, and the Riparian High Flow all change from month to month.

Month	Riparian BaseFlow (cfs)	Trigger Flow for High-Flow Claims (cfs)	High-Flow Claims (cfs)
January	5.09	31.5	42.0
February	10.60	42.0	309
March	19.20	42.0	309
April	10.20	31.5	42.0
May	2.85	31.5	42.0
June	2.01	31.5	42.0
July	2.15	21.0	21.0
August	0.80	21.0	21.0
September	1.22	21.0	21.0
October	0.90	21.0	21.0
November	2.16	31.5	42.0
December	3.87	31.5	42.0

9. Basis of Claim:

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. Other Provisions:

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755,* 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA,* 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

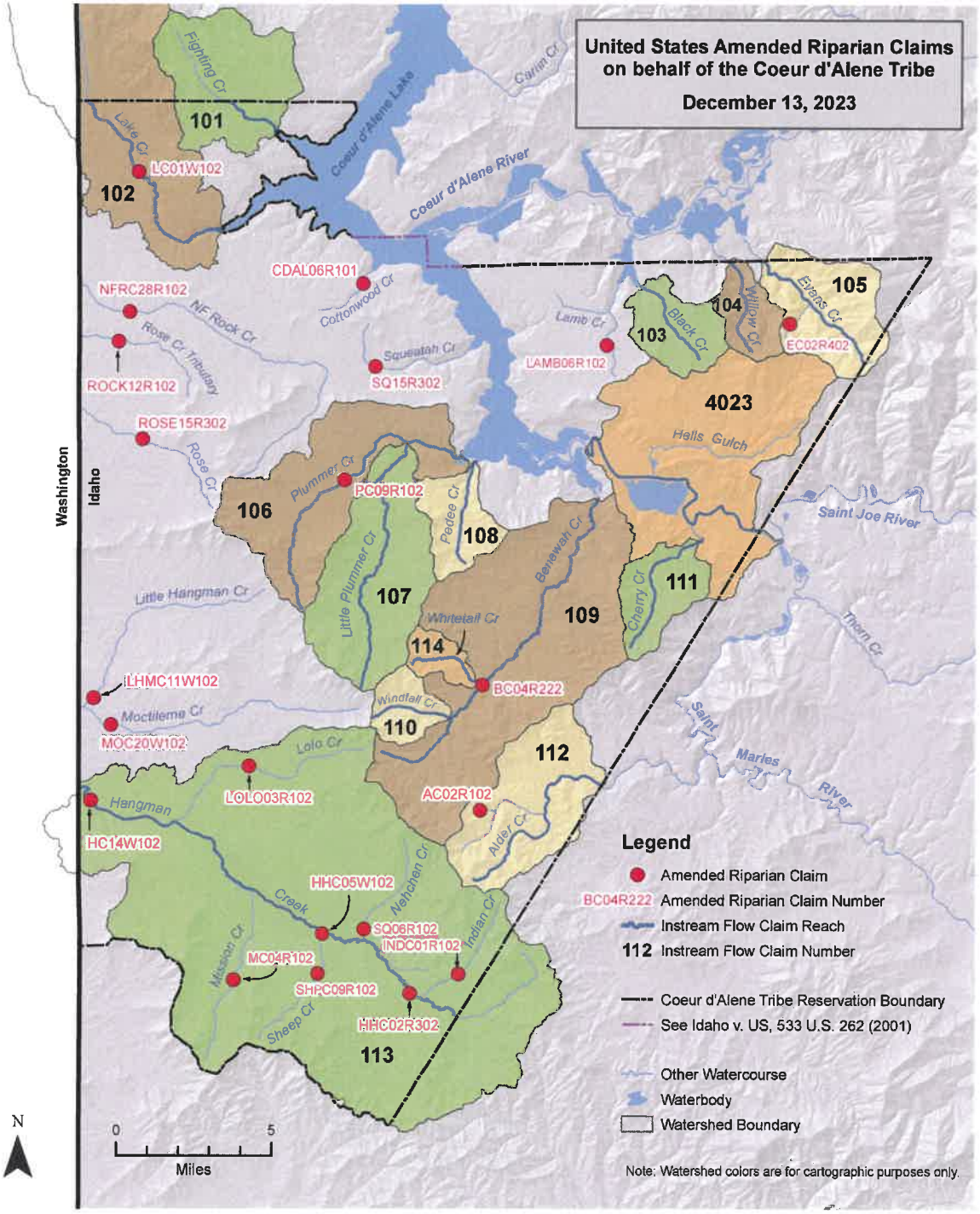
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.


United States Amended Riparian Claims
on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
Fighting Cr
Lake Cr
Coeur d'Alene Lake
Coeur d'Alene River
Carlin Cr
101
102
LC01W102
CDAL06R101
Cottonwood Cr
NFRC28R102
NF Rock Cr
Rose Cr Tributary
ROCK12R102
ROSE15R302
Rose Cr
Squeatah Cr
SQ15R302
Lamb Cr
LAMB06R102
103
Black Cr
104
Willow Cr
105
Evans Cr
EC02R402
4023
Hells Gulch
Saint Joe River
106
Plummer Cr
PC09R102
Pedee Cr
108
Little Plummer Cr
107
Benewah Cr
109
Cherry Cr
111
Thorn Cr
Little Hangman Cr
Whitetail Cr
114
LHMC11W102
Moctileme Cr
MOC20W102
Windfall Cr
BC04R222
110
112
Lolo Cr
LOLO03R102
AC02R102
Alder Cr
Saint Maries River
Hangman
HC14W102
Nehchen Cr
HHC05W102
Creek
SQ06R102
INDC01R102
Indian Cr
Mission Cr
MC04R102
SHPC09R102
HHC02R302
Sheep Cr
113
Legend
Amended Riparian Claim
BC04R222 Amended Riparian Claim Number
Instream Flow Claim Reach
112 Instream Flow Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only.
N
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Miles

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM	)	**AMENDED NOTICE OF CLAIM**
	)	**Federal Reserved Water Right**
	)	**Subcase No. 95-16718**
CASE NO. 49576	)	

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: Time Immemorial

3. Source: Cottonwood Creek (Water Right # 95-16718)
(Fed. ID #CDAL06R101)

4. Point of Diversion:

Not applicable – This claim is for *in situ* surface water flows to maintain functional riparian ecosystems.

5. Place of Use: Total Acres: 1.01

The approximate center point is located within UTM Coordinates:

Zone: 11N 511814 5253862; which is located in:

Township: 47N Range: 4W Section: 9 Q: NW QQ: NE

See Attached Map.

6. **Purpose of Water Use:**

To provide wildlife and plant habitat for hunting, gathering and cultural uses of the Tribe - as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra.*

8. **Quantity Reserved:** Annual Total 2.43 (AFY)

Monthly claim amounts are provided in the table below. For each month a minimum Riparian Baseflow (low-flow) is claimed. In addition, if the flow in the stream at the Place of Use center point reaches the High Flow Trigger as shown in column 3, then the Riparian High Flow becomes the claim for a duration of four days after the high flow is initiated. The claim reverts back to the Riparian Baseflow four days after the trigger is initiated. Once the streamflow exceeds the Riparian High Flow within the given month, no additional triggers are initiated, and the claim remains at the Riparian Baseflow for the remainder of the month. The Riparian Baseflow, the High Flow Trigger, and the Riparian High Flow all change from month to month.

Month	Riparian BaseFlow (cfs)	Trigger Flow for High-Flow Claims (cfs)	High-Flow Claims (cfs)
January	0.32	138	138
February	1.07	138	138
March	2.01	138	138
April	0.98	138	138
May	0.28	138	138
June	0.16	138	138
July	0.17	138	138
August	0.05	138	138
September	0.05	138	138
October	0.06	138	138
November	0.12	138	138
December	0.23	138	138

9. Basis of Claim:

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. Other Provisions:

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755,* 165 Idaho 517, 557-58 (2019) (*"In Re CSRBA"*).

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA,* 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

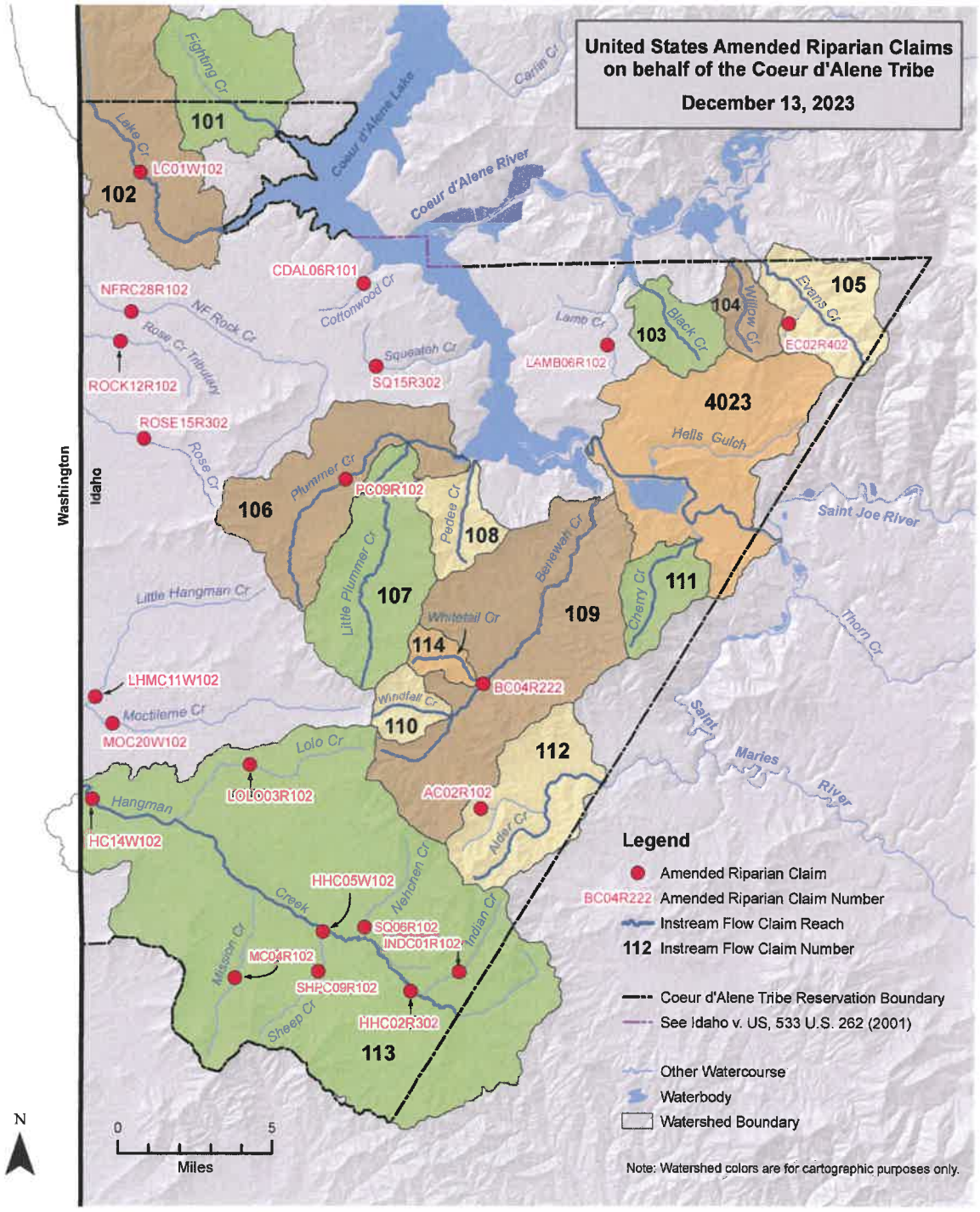
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Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.


United States Amended Riparian Claims on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
Fighting Cr
Lake Cr
Coeur d'Alene Lake
Coeur d'Alene River
Carlin Cr
101
102
LC01W102
CDAL06R101
NFRC28R102
NF Rock Cr
Rose Cr Tributary
ROCK12R102
Cottonwood Cr
Squeaton Cr
SQ15R302
Lamb Cr
LAMB06R102
103
Black Cr
104
Willow Cr
Evans Cr
105
EC02R402
4023
Hells Gulch
ROSE15R302
Rose Cr
106
Plummer Cr
PC09R102
Little Plummer Cr
107
Perdue Cr
108
Benewah Cr
109
Cherry Cr
111
Saint Joe River
Thorn Cr
Little Hangman Cr
Whitetail Cr
114
LHMC11W102
Moctileme Cr
MOC20W102
Windfall Cr
110
BC04R222
112
Lolo Cr
LOLO03R102
AC02R102
Alder Cr
Saint Maries River
Hangman
HC14W102
Nemoten Cr
HHC05W102
Creek
SQ06R102
INDC01R102
Indian Cr
Mission Cr
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SHPC09R102
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112 Instream Flow Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only.
N
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Miles

RECEIVED
APR 08 2024
DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No. 95-16725**

1. **Name and address of claimant:**

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** Squeatah Creek (Water Right # 95-16725)
(Fed. ID #SQ15R302)

4. **Point of Diversion:**

Not applicable – This claim is for *in situ* surface water flows to maintain functional riparian ecosystems.

5. **Place of Use:** Total Acres: 2

The approximate center point is located within UTM Coordinates:

Zone: 11N 512450 5249541; which is located in:

Township: 47N Range: 4W Section: 21 Q: SE QQ: NE

See Attached Map.

6. **Purpose of Water Use:**

To provide wildlife and plant habitat for hunting, gathering and cultural uses of the Tribe - as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra*.

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra*.

8. **Quantity Reserved:** Annual Total 4.74 (AFY)

Monthly claim amounts are provided in the table below. For each month a minimum Riparian Baseflow (low-flow) is claimed. In addition, if the flow in the stream at the Place of Use center point reaches the High Flow Trigger as shown in column 3, then the Riparian High Flow becomes the claim for a duration of four days after the high flow is initiated. The claim reverts back to the Riparian Baseflow four days after the trigger is initiated. Once the streamflow exceeds the Riparian High Flow within the given month, no additional triggers are initiated, and the claim remains at the Riparian Baseflow for the remainder of the month. The Riparian Baseflow, the High Flow Trigger, and the Riparian High Flow all change from month to month.

Month	Riparian BaseFlow (cfs)	Trigger Flow for High-Flow Claims (cfs)	High-Flow Claims (cfs)
January	0.17	10.1	13.5
February	0.56	13.5	54
March	1.06	13.5	54
April	0.52	10.1	14
May	0.15	10.1	14
June	0.08	10.1	14
July	0.09	6.8	6.8
August	0.05	6.8	6.8
September	0.05	6.8	6.8
October	0.05	6.8	6.8
November	0.06	10.1	13.5
December	0.12	10.1	13.5

9. Basis of Claim:

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. Other Provisions:

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755,* 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra*. *United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA,* 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

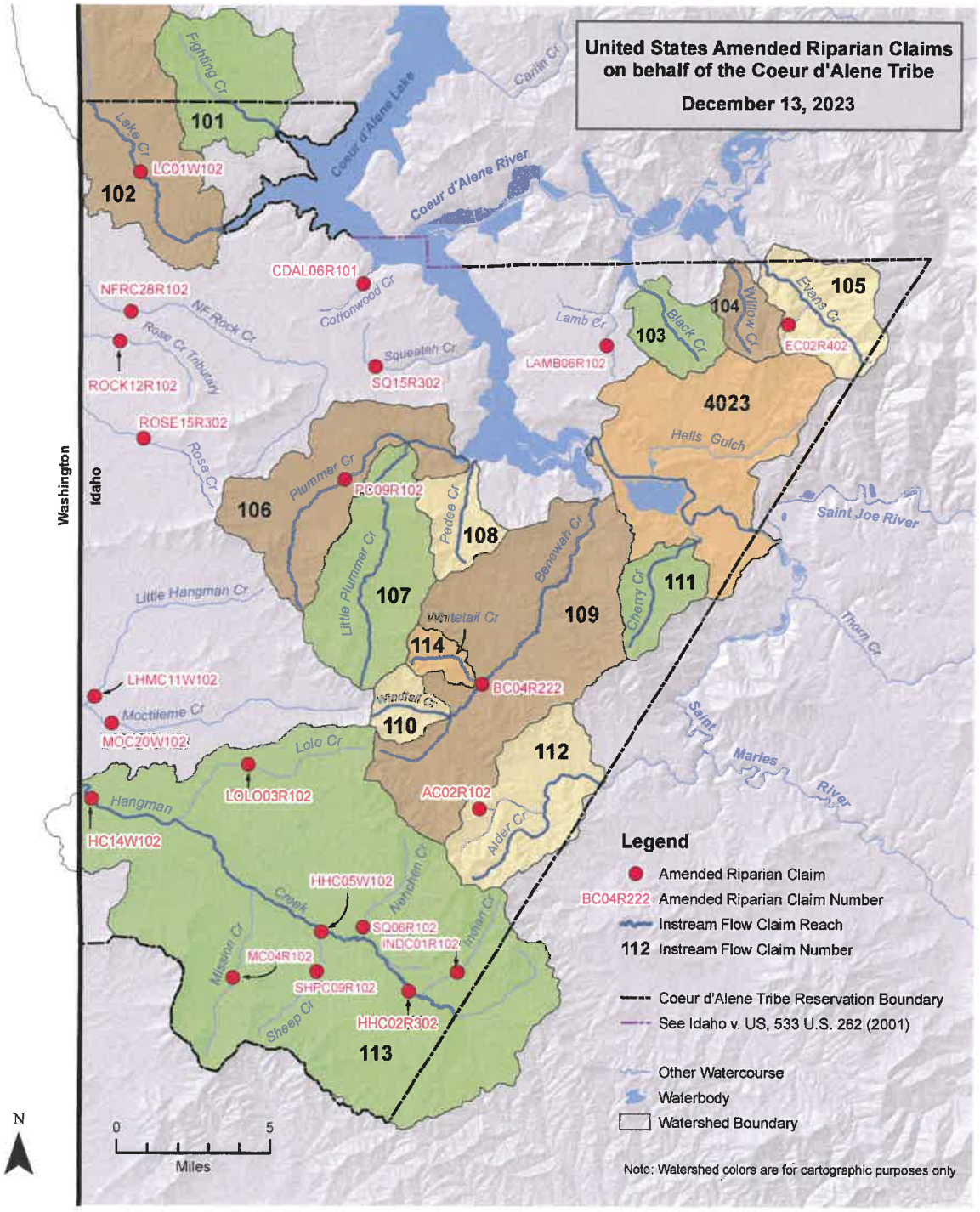
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Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
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999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.


United States Amended Riparian Claims
on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
Fighting Cr
Lake Cr
Carlin Cr
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BC04R222
Mandell Cr
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Amended Riparian Claim
BC04R222 Amended Riparian Claim Number
Instream Flow Claim Reach
112 Instream Flow Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only

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DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	)	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No. 95-16730**

1. **Name and address of claimant:**

   UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
   Department of the Interior
   Bureau of Indian Affairs
   911 N.E. 11th Ave
   Portland, OR 97232

2. **Date of Priority:** Time Immemorial

3. **Source:** Lake Creek (Water Right # 95-16730)
   (Fed. ID #LC01W102)

4. **Point of Diversion:**

   Not applicable – This claim is for *in situ* surface water flows to maintain functional riparian ecosystems.

5. **Place of Use:** Total Acres: 4.32

   The approximate center point is located within UTM Coordinates:

   Zone: 11N 500043 5259707; which is located in:

   Township: 48N Range: 5W Section: 21 Q: NW QQ: SW

   See Attached Map.

6. **Purpose of Water Use:**

To provide wildlife and plant habitat for hunting, gathering and cultural uses of the Tribe - as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra.*

8. **Quantity Reserved:** Annual Total 13.63 (AFY)

Monthly claim amounts are provided in the table below. For each month a minimum Riparian Baseflow (low-flow) is claimed. In addition, if the flow in the stream at the Place of Use center point reaches the High Flow Trigger as shown in column 3, then the Riparian High Flow becomes the claim for a duration of four days after the high flow is initiated. The claim reverts back to the Riparian Baseflow four days after the trigger is initiated. Once the streamflow exceeds the Riparian High Flow within the given month, no additional triggers are initiated, and the claim remains at the Riparian Baseflow for the remainder of the month. The Riparian Baseflow, the High Flow Trigger, and the Riparian High Flow all change from month to month.

Month	Riparian BaseFlow (cfs)	Trigger Flow for High-Flow Claims (cfs)	High-Flow Claims (cfs)
January	5.63	109	145
February	15.10	145	505
March	24.00	145	505
April	17.10	109	145
May	6.10	109	145
June	3.33	109	145
July	3.90	73	73
August	0.58	73	73
September	0.66	73	73
October	1.39	73	73
November	2.11	109	145
December	4.05	109	145

9. Basis of Claim:

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. Other Provisions:

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755,* 165 Idaho 517, 557-58 (2019) ("*In Re CSRBA*").

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA,* 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

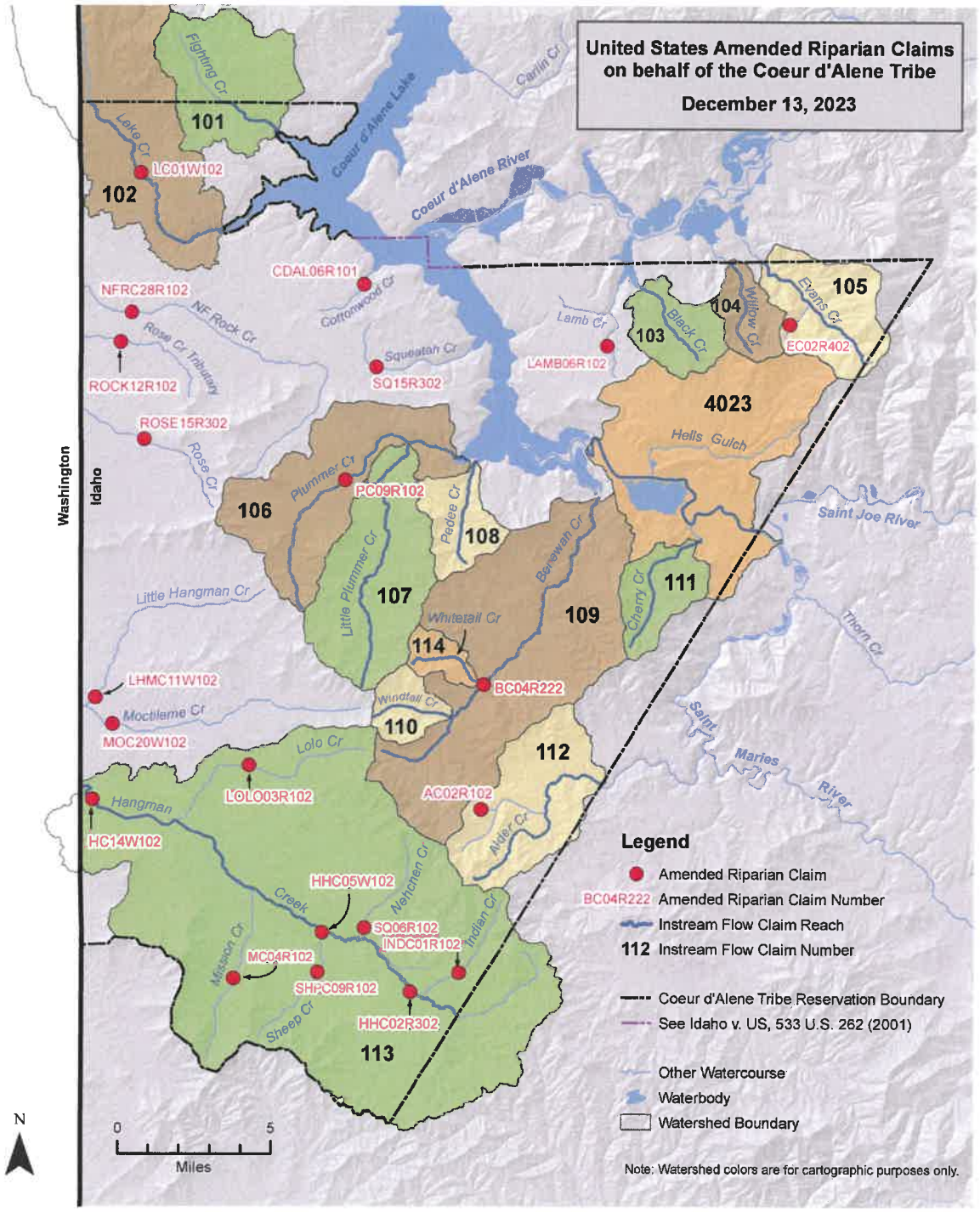
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard
Daniel F. McCarl
United States Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999 18th Street, Suite 370
Denver, CO 80202

Attorneys for the United States of America

Dates this 13th day of December 2023.


United States Amended Riparian Claims
on behalf of the Coeur d'Alene Tribe
December 13, 2023
Washington
Idaho
Fighting Cr
Carlin Cr
Coeur d'Alene Lake
Coeur d'Alene River
Lake Cr
101
LC01W102
102
CDAL06R101
Cottonwood Cr
NFRC28R102
NF Rock Cr
Rose Cr Tributary
ROCK12R102
Squeatan Cr
SQ15R302
Lamb Cr
LAMB06R102
103
Black Cr
104
Willow Cr
Evans Cr
105
EC02R402
4023
Hells Gulch
ROSE15R302
Rose Cr
106
Plummer Cr
PC09R102
Little Plummer Cr
107
Pedee Cr
108
Benewah Cr
109
Cherry Cr
111
Saint Joe River
Little Hangman Cr
Whitetail Cr
114
LHMC11W102
Moctileme Cr
MOC20W102
Windfall Cr
110
BC04R222
112
Lolo Cr
LOLO03R102
Hangman
HC14W102
AC02R102
Alder Cr
Thorn Cr
Saint Maries River
Nenchen Cr
HHC05W102
Creek
SQ06R102
INDC01R102
Indian Cr
Mission Cr
MC04R102
SHPC09R102
Sheep Cr
HHC02R302
113
Legend
Amended Riparian Claim
BC04R222 Amended Riparian Claim Number
Instream Flow Claim Reach
112 Instream Flow Claim Number
Coeur d'Alene Tribe Reservation Boundary
See Idaho v. US, 533 U.S. 262 (2001)
Other Watercourse
Waterbody
Watershed Boundary
Note: Watershed colors are for cartographic purposes only.
N
0
5
Miles

APR 08 2024

DEPT. OF WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM CASE NO. 49576	**AMENDED NOTICE OF CLAIM** **Federal Reserved Water Right** **Subcase No. 95-16742**

1. Name and address of claimant:

UNITED STATES OF AMERICA, as trustee on behalf of the COEUR D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION acting through the NORTHWEST REGIONAL DIRECTOR
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave
Portland, OR 97232

2. Date of Priority: Time Immemorial

3. Source: Plummer Creek (Water Right # 95-16742)
(Fed. ID #PC09R102)

4. Point of Diversion:

Not applicable – This claim is for *in situ* surface water flows to maintain functional riparian ecosystems.

5. Place of Use: Total Acres: 7.41

The approximate center point is located within UTM Coordinates:

Zone: 11N 510833 5243623; which is located in:

Township: 46N Range: 4W Section: 8 Q: NE QQ: SE

See Attached Map.

6. **Purpose of Water Use:**

To provide wildlife and plant habitat for hunting, gathering and cultural uses of the Tribe - as a component of a water right necessary to fulfill the homeland purpose of Coeur d'Alene Reservation pursuant to the documents referenced in Section 9 and the provisions in Section 10, *infra.*

7. **Period of Use:** January 1 through December 31, as further detailed in Section 8 *infra.*

8. **Quantity Reserved:** Annual Total 17.84 (AFY)

Monthly claim amounts are provided in the table below. For each month a minimum Riparian Baseflow (low-flow) is claimed. In addition, if the flow in the stream at the Place of Use center point reaches the High Flow Trigger as shown in column 3, then the Riparian High Flow becomes the claim for a duration of four days after the high flow is initiated. The claim reverts back to the Riparian Baseflow four days after the trigger is initiated. Once the streamflow exceeds the Riparian High Flow within the given month, no additional triggers are initiated, and the claim remains at the Riparian Baseflow for the remainder of the month. The Riparian Baseflow, the High Flow Trigger, and the Riparian High Flow all change from month to month.

Month	Riparian BaseFlow (cfs)	Trigger Flow for High-Flow Claims (cfs)	High-Flow Claims (cfs)
January	0.42	1.5	2.0
February	1.74	5.0	140
March	4.02	5.0	140
April	0.90	1.5	2.0
May	0.18	1.5	2.0
June	0.09	1.5	2.0
July	0.13	1.0	1.0
August	0.05	1.0	1.0
September	0.05	1.0	1.0
October	0.11	1.0	1.0
November	0.33	1.5	2.0
December	0.41	1.5	2.0

9. Basis of Claim:

The legal basis for this water right claim stems from the doctrine of federal reserved water rights articulated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908) and its progeny, as well as the operative documents and circumstances surrounding the creation of the Coeur d'Alene Reservation, including but not limited to, the Agreement dated July 28, 1873 between the United States and the Coeur d'Alene Tribe, the Executive Order signed by President Grant on November 8, 1873, 1 C. Kapler, Indian Affairs: Laws and Treaties 837 (1904), and the Agreement dated March 26, 1887 between the United States and the Coeur d'Alene Tribe, ratified by Act of Congress dated March 3, 1891, 26 Stat. 1027.

10. Other Provisions:

a. This claim is one in a series the United States is making for waters from groundwater and surface water sources within the North Idaho Adjudication in the State of Idaho to fulfill the permanent homeland purpose of the Coeur d'Alene Indian Reservation. The recognized uses and purposes for water rights are confirmed in *In Re CSRBA Case No. 49576 Subcase No. 91-7755,* 165 Idaho 517, 557-58 (2019) (*"In Re CSRBA"*).

b. This water right claim is for a traditional use of water that predates the creation of the Coeur d'Alene Reservation. This right was not created but was instead confirmed by the agreements and executive order outlined in section 9, *supra. United States v. Adair*, 723 F.2d 1394, 1414 (9th Cir. 1984). Therefore, pursuant to federal law, the priority date of this water right is time immemorial. *Id.; In Re CSRBA,* 165 Idaho at 557-58.

c. In order to comply with Idaho Code § 42-1409(1), the United States has designated "places of use," "points of diversion," and "purposes of use" in submitting this water rights claim. This proposed water right claim form has been developed in conjunction with, and at the request of the Idaho Department of Water Resources ("IDWR"). The use of this format as required by Idaho Code, and as requested by IDWR, should not be construed to limit either the United States or the Coeur d'Alene Tribe's future use of water at other points of diversion, places of use or for other purposes within the boundaries of the Reservation. The statute's terminology has been employed to demonstrate that the amount claimed is necessary, justifiable, and available to achieve the purpose of the Reservation as a homeland for the Coeur d'Alene Tribe. The quantification standards used in no way constitute a limitation on the use of the water by the United States or the Coeur d'Alene Tribe.

11. Signatures:

(a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will received notices in the Coeur d'Alene-Spokane River Basin Adjudication."

(b) I do ___ do not __X_ wish to received and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear and affirm that I am Bryan Mercier, Regional Director, U.S. Bureau of Indian Affairs, that I have signed the foregoing document in the space below as Regional Director, U.S. Bureau of Indian Affairs, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent:

Bryan K. Mercier, Regional Director

Northwest Regional Director
U.S. Bureau of Indian Affairs

Dated this 13th day of December 2023.

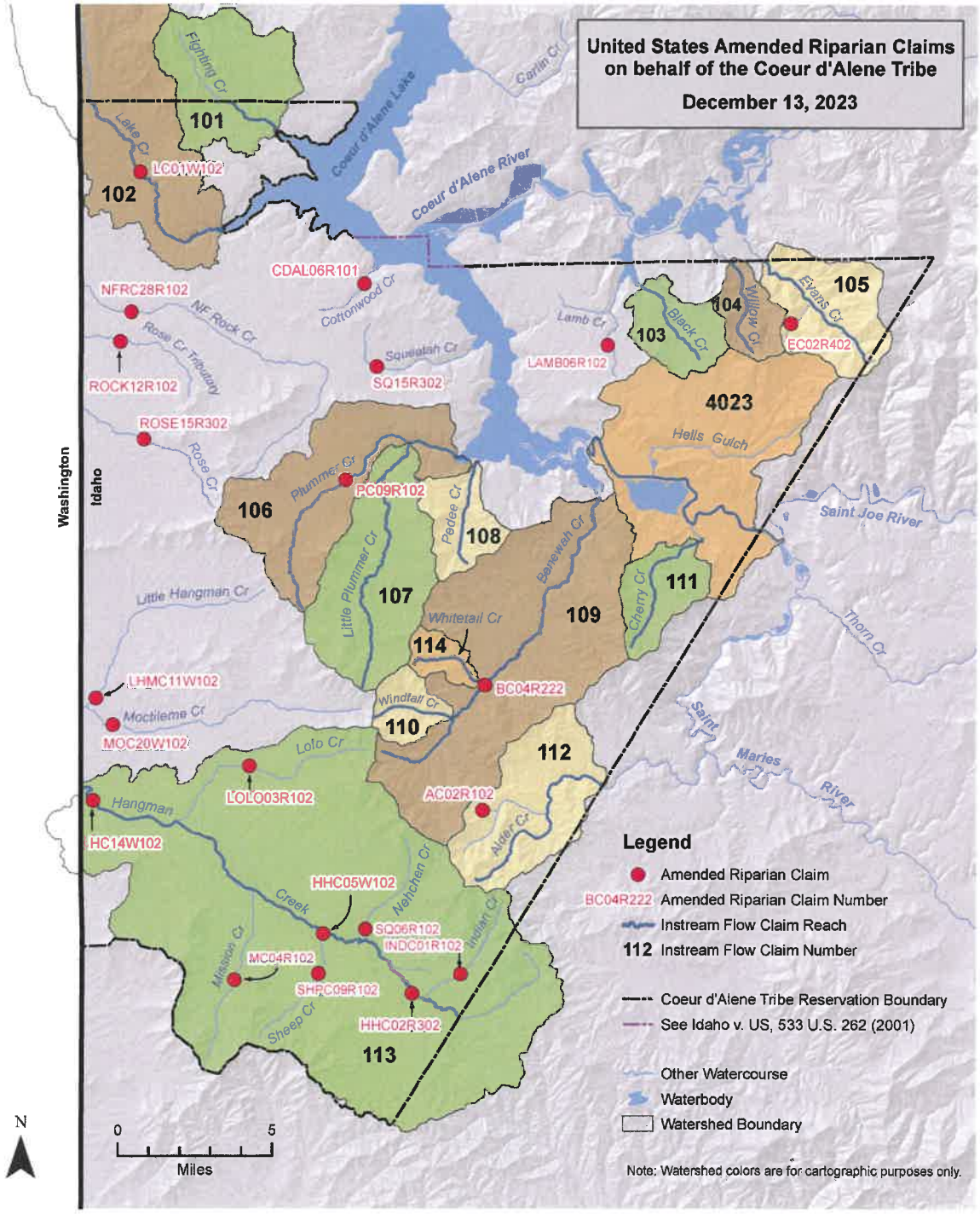
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