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IDSC Opinion - Homeland Determination

Justice John Stegner Idaho Supreme Court

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Instream

Vanessa Boyd Willard

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IN RE	THE GENERAL ADJUDICATION) NOTICE OF CLAIM
OF RIC	GHTS TO THE USE OF WATER)
FROM	THE COEUR D'ALENE-) Federal Reserved Water Right
	ANE RIVER BASIN)
WATE	CR SYSTEM)
)
CASE	NO. 49576)
1.	Nome and address of all the suit
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 (Fed ID #101)
1.	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
	Township: 49N Range:5W Section: 27 QQ (1/4 of1/4): SESW
	B.M., County of Kootenai
	Downstream Boundary - Mouth
	Township: 48N Range: 4W Section: 18 QQ (1/4 of1/4): NWNE
	B.M., County of Kootenai
	Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
23	23	23	23	20	16
July	August	September	October	November	December
7.9	3.7	3.1	4.7	10	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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not __X __ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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.

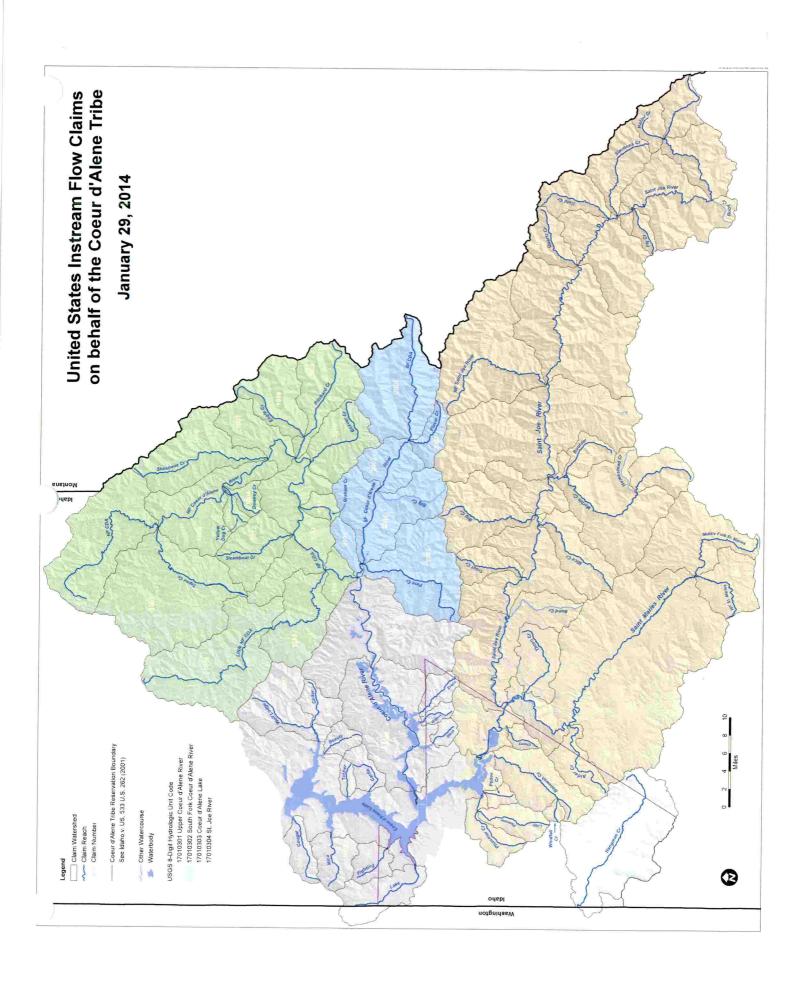
All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard

United States Department of Justice Environment and Natural Resources Division

Indian Resources Section 550 W. Fort Street, MSC 033

(Kenena Box) Willa



	THE GENERAL ADJUDICATION) NOTICE OF CLAIM
	GHTS TO THE USE OF WATER)
	I THE COEUR D'ALENE-) Federal Reserved Water Right
	ANE RIVER BASIN)
WAI	ER SYSTEM)
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: Lake Creek (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
	Township: 49N Range:6W Section: 25 QQ (_1/4 of 1/4): SWSW
	B.M., County of Kootenai
	Downstream Boundary - Mouth
	Township: 48N Range:5W Section: 35 QQ (1/4 of1/4): NENE
	B.M., County of Kootenai
·	Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map

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	Februrary	March	April	May	June
63	74	75	66	29	22
July	August	September	October	November	December
8.2	2.6	2	4.7	13	23

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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.*
- f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not _X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

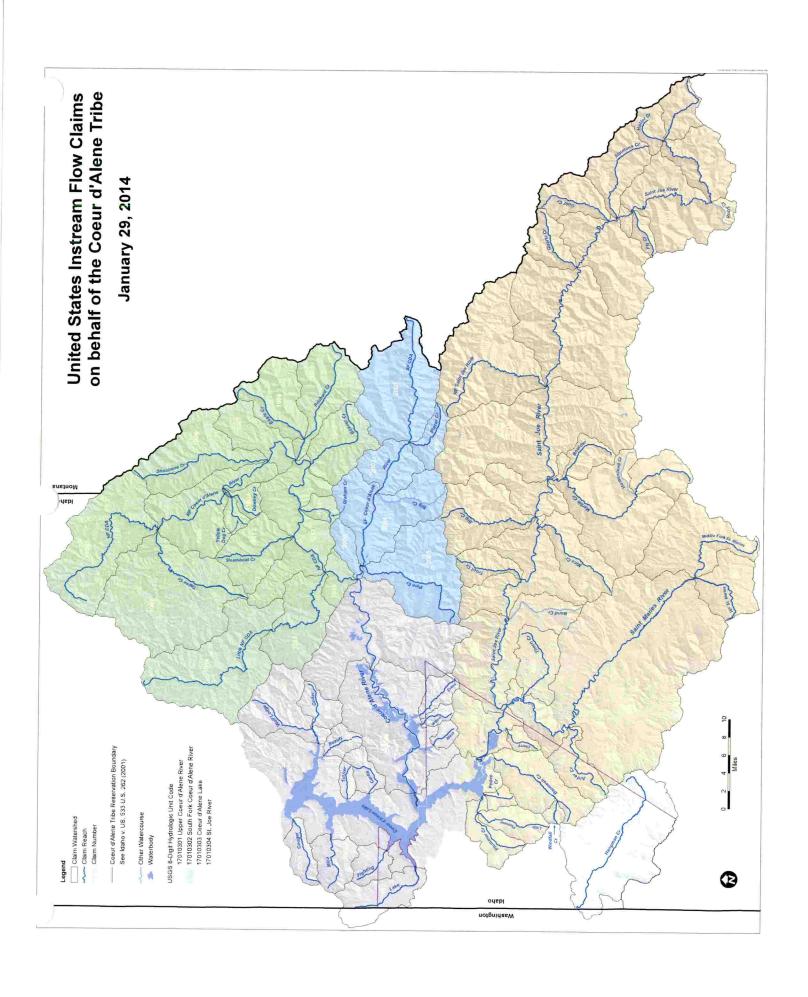
United States Department of Justice

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033

(Kenena Boy Willa



IN RE	THE GENERAL ADJUDICATION) NOTICE OF CLAIM
OF RIC	GHTS TO THE USE OF WATER)
	THE COEUR D'ALENE-) Federal Reserved Water Right
	ANE RIVER BASIN)
WATE	R SYSTEM)
CACE) NO 40576
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: Black Creek (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
	Township: 47N Range: 2W Section: 20 QQ (_1/4 of _1/4): SESE
	B.M., County of Kootenai
	Downstream Boundary - Mouth
	Township: 47N Range 3W Section: 12 QQ (1/4 of1/4): NESE
	B.M., County of Kootenai
	Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
6.3	6.3	14	7	2.7	1.2
July	August	September	October	November	December
0.4	0.19	0.19	0.22	0.48	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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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.*

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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.

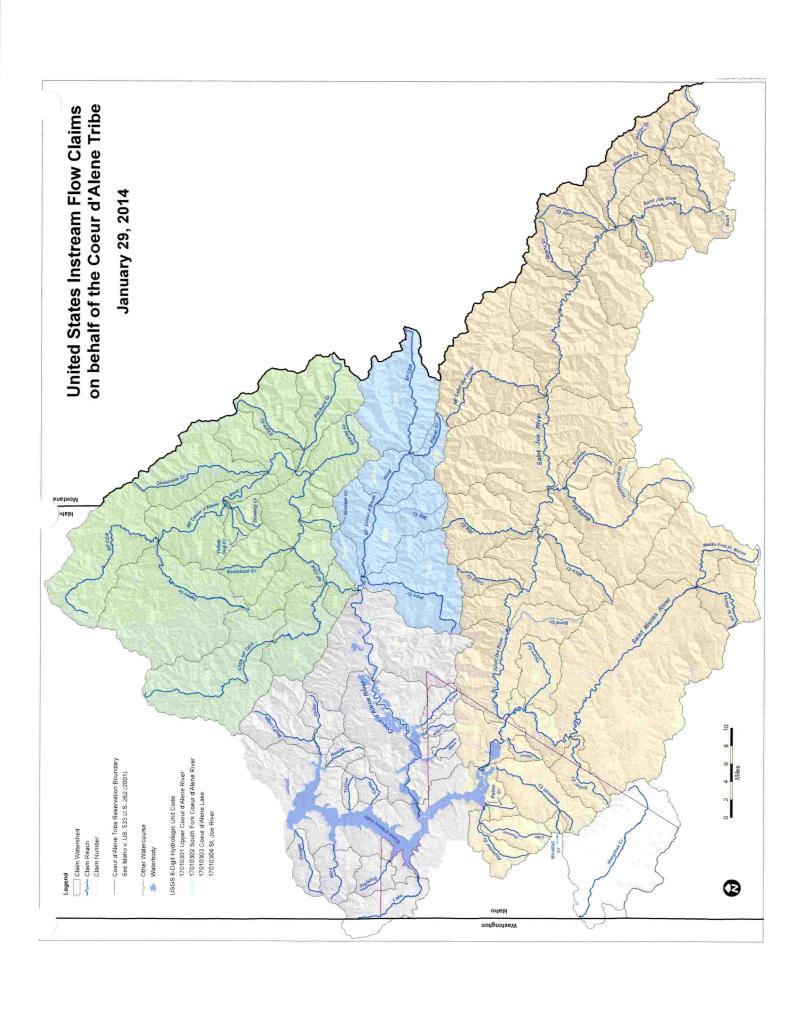
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Vanessa Boyd Willard

United States Department of Justice Environment and Natural Resources Division Indian Resources Section

550 W. Fort Street, MSC 033

(Janena Boe Willa



	THE GENERAL ADJUDICATION THTS TO THE USE OF WATER	(NOTICE OF CLAIM	
FROM SPOK.	THE COEUR D'ALENE- ANE RIVER BASIN R SYSTEM)))	Federal Reserved Water Right	
CASE 1	NO. 49576)		
1.	Name and address of claimant:			
	UNITED STATES OF AMERICA D'ALENE TRIBE of the COEUR through the NORTHWEST REGIO Department of the Interior Bureau of Indian Affairs 911 N.E. 11th Ave. Portland, OR 97232	D'ALEN	ENE INDIAN RESERVATION acting	
2.	Date of Priority: Time Immemor	ial		
3.	Source: Willow Creek (Fed ID	#104)		
4.	Point of Diversion: Not applicable	e; Instrea	eam flow	
5.	Place of Use:			
	At all points along the stream reach Upstream Boundary - Headwaters		d between the following boundaries:	
	Township: 47N Range 2W B.M., County of Benewah	Section:	n: 22 QQ (1/4 of1/4): NWSE	
	Downstream Boundary - Mouth			
	Township: 47N Range:2W B.M., County of Kootenai	Section:	u: 4 QQ (1/4 of1/4): SWNW	
	Legal descriptions are based on cur reflect on-the-ground stream location		apping but are subject to refinement to best e Attached Map.	t

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	Februrary	March	April	May	June
7.4	11	14	7	7	6.8
July	August	September	October	November	December
2.1	0.89	0.9	0.83	2.9	4.8

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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.

b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).

c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
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f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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.

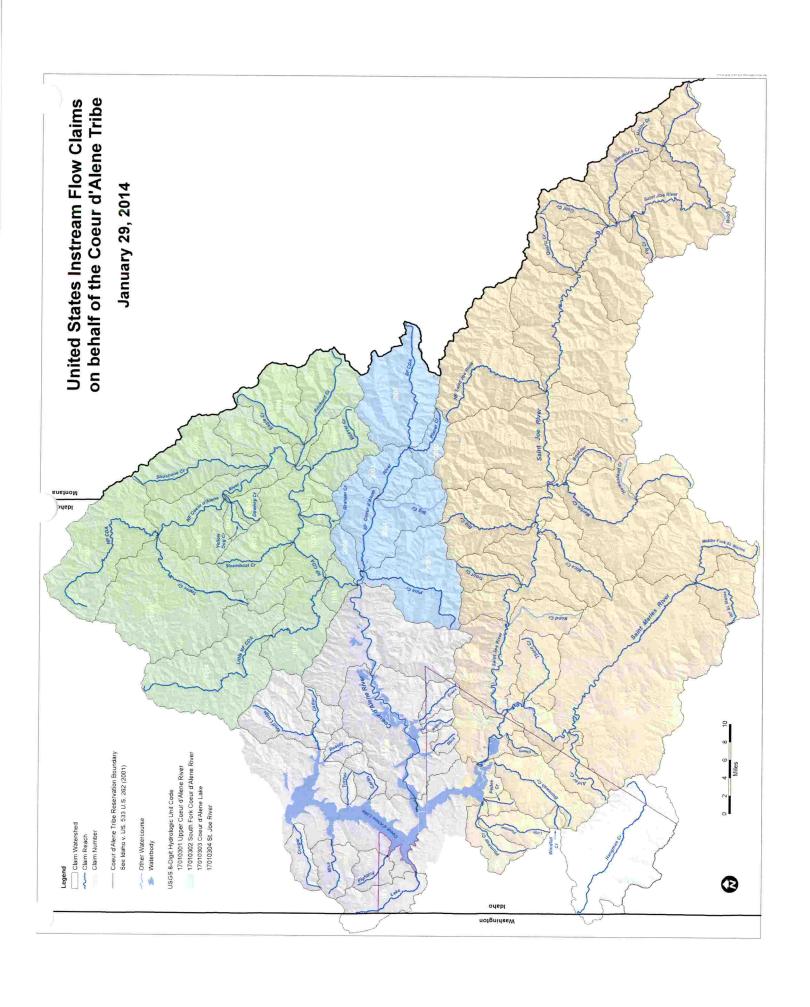
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Vanessa Boyd Willard

United States Department of Justice Environment and Natural Resources Division Indian Resources Section

550 W. Fort Street, MSC 033

Kenena Bow Willa



	E THE GENERAL ADJUDICATION) NOTICE OF CLAIM IGHTS TO THE USE OF WATER)
FRON SPOK	M THE COEUR D'ALENE- ANE RIVER BASIN ER SYSTEM (ANE RIVER BASIN)
CASE	E 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: Evans Creek (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
	Township: 47N Range 1W Section: 20 QQ (1/4 of1/4): SESW B.M., County of Benewah
	Downstream Boundary - Mouth
	Township: 47N Range 2W Section: 3 QQ (_1/4 of _1/4): SENW B.M., County of Kootenai
	Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
28	35	35	35	35	28
July	August	September	October	November	December
8.3	4	3.9	3.5	11	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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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.*

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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:

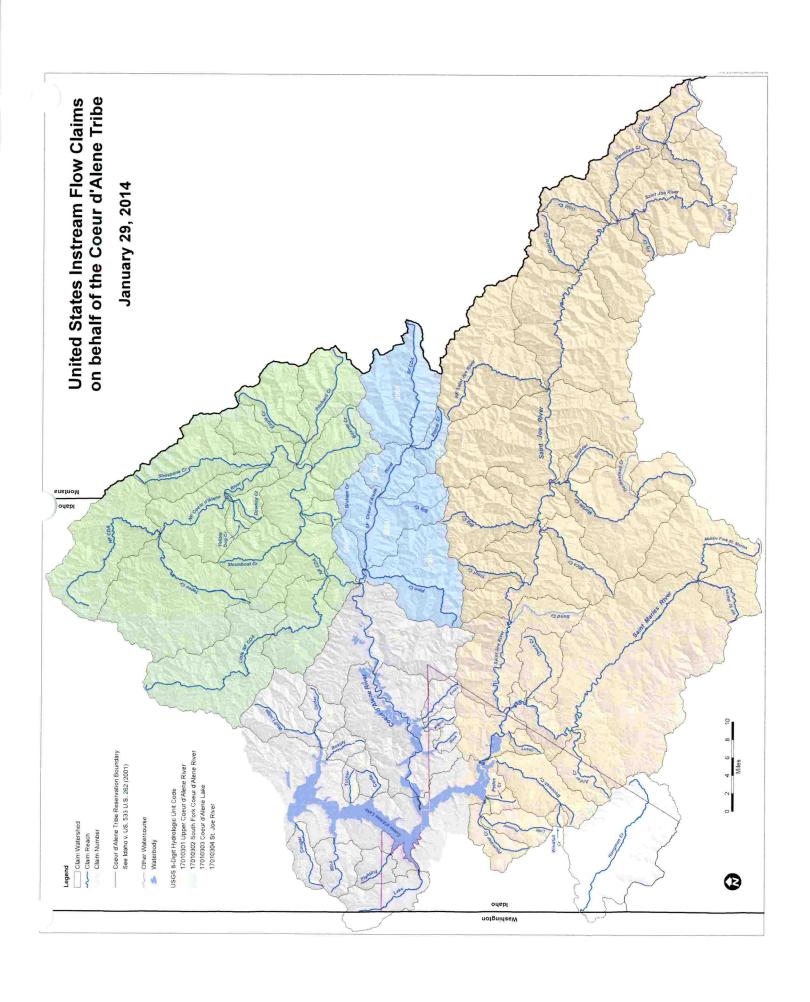
Vanessa Boyd Willard

United States Department of Justice Environment and Natural Resources Division

Indian Resources Section

(Kenena Box Willa

550 W. Fort Street, MSC 033



OF RIC FROM SPOKA	THE GENERAL ADJUDICATION) GHTS TO THE USE OF WATER) THE COEUR D'ALENE-) ANE RIVER BASIN) CR SYSTEM)
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: Plummer Creek (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 Township: 46N Range: 4W Section: 31 QQ (1/4 of1/4): NESW B.M., County of Benewah Downstream Boundary - Mouth
	Township: 46N Range 4W Section: 1 QQ (1/4 of1/4): SESE B.M., County of Benewah
	Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
45	45	45	50	33	9.9
July	August	September	October	November	December
1.6	0.58	0.99	1.2	10	41

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.
- f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

> Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

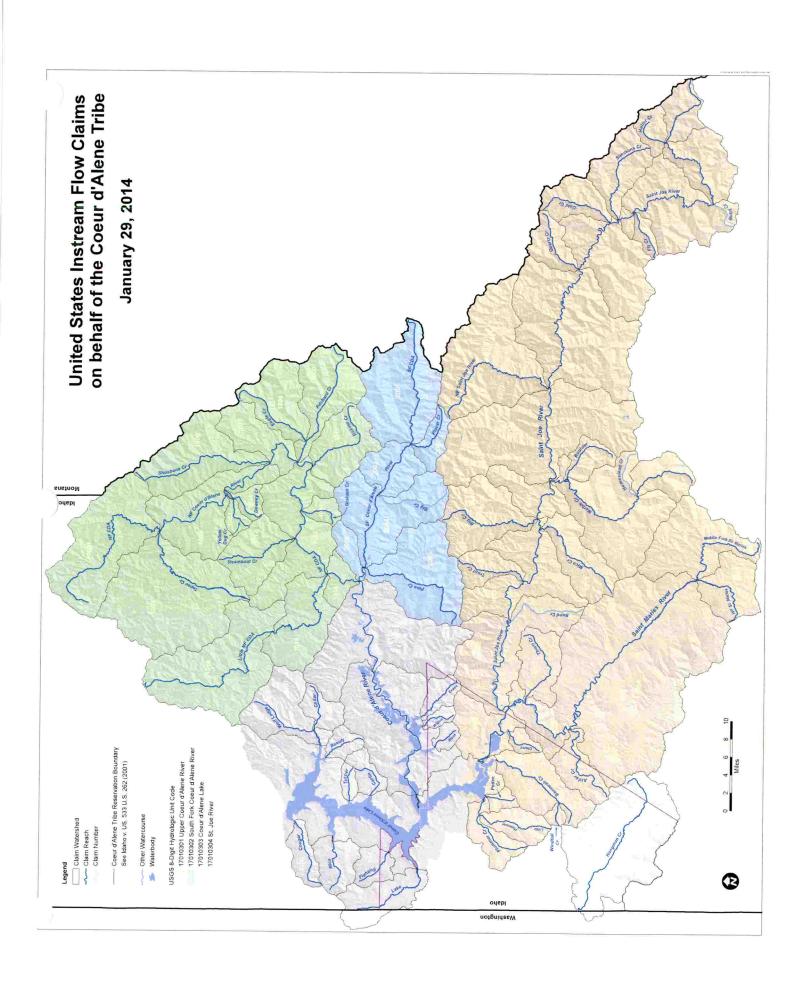
United States Department of Justice

(Kerena Boy) Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



	THE GENERAL ADJUDICATION	()	NOTICE OF CLAIM						
FROM SPOK	GHTS TO THE USE OF WATER THE COEUR D'ALENE- ANE RIVER BASIN ER SYSTEM)))	Federa	al Reserved Water Right					
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 Plummer Creek (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 Township: 45N Range 4W Section: 16 QQ (1/4 of1/4): NENW								
	B.M., County of Benewah Downstream Boundary - Mouth								
	Township: 46N Range 4W B.M., County of Benewah	Section:		QQ (1/4 of1/4): NENE					
	Legal descriptions are based on current mapping but are subject to refinement to best								

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	Februrary	March	April	May	June
43	43	43	6	6	5.8
July	August	September	October	November	December
0.86	0.28	0.51	0.63	5.9	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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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:

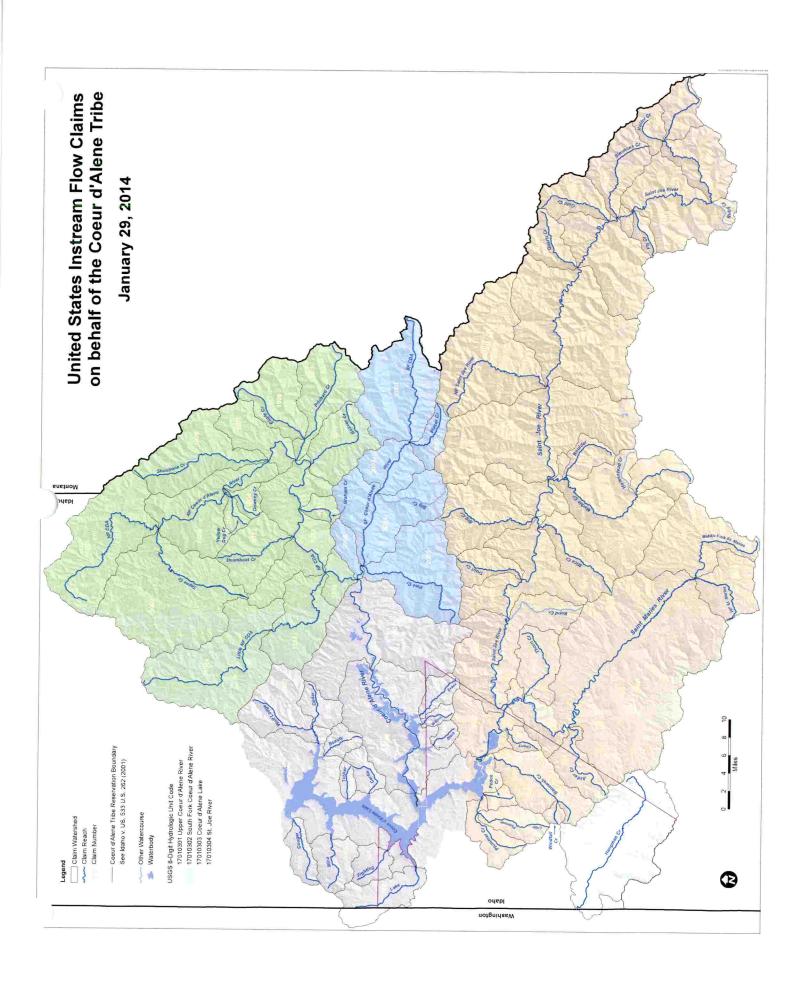
Vanessa Boyd Willard

United States Department of Justice

Environment and Natural Resources Division Indian Resources Section

550 W. Fort Street, MSC 033

Kerena Bow Willa



	THE GENERAL ADJUDICATION GHTS TO THE USE OF WATER	()	NOTICE OF CLAIM
FROM SPOKA	THE COEUR D'ALENE- ANE RIVER BASIN R SYSTEM	,	Federal Reserved Water Right
CASE 1	NO. 49576)	
1.	Name and address of claimant:		
	UNITED STATES OF AMERICA D'ALENE TRIBE of the COEUR through the NORTHWEST REGIO Department of the Interior Bureau of Indian Affairs 911 N.E. 11th Ave. Portland, OR 97232	D'ALEN	IE INDIAN RESERVATION acting
2.	Date of Priority: Time Immemor	ial	
3.	Source: Pedee Creek (Fed ID #1	108)	
4.	Point of Diversion: Not applicable	e; Instrear	m flow
5.	Place of Use:		
	At all points along the stream reach Upstream Boundary - Headwaters		between the following boundaries:
	Township: 46N Range: 4W	Section: 2	25 QQ (1/4 of1/4): NWNE
	B.M., County of Benewah		
	Downstream Boundary - Mouth		
	Township: 46N Range:3W	Section: 7	7 QQ (1/4 of1/4): NWNE
	B.M., County of Benewah		
	Legal descriptions are based on cur reflect on-the-ground stream location	rent mappons. See A	ping but are subject to refinement to best Attached Map.

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	Februrary	March	April	May	June
8	8	16	11	4.7	1.3
July	August	September	October	November	December
0.1	0.1	0.1	0.1	1.3	5.9

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.
- f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

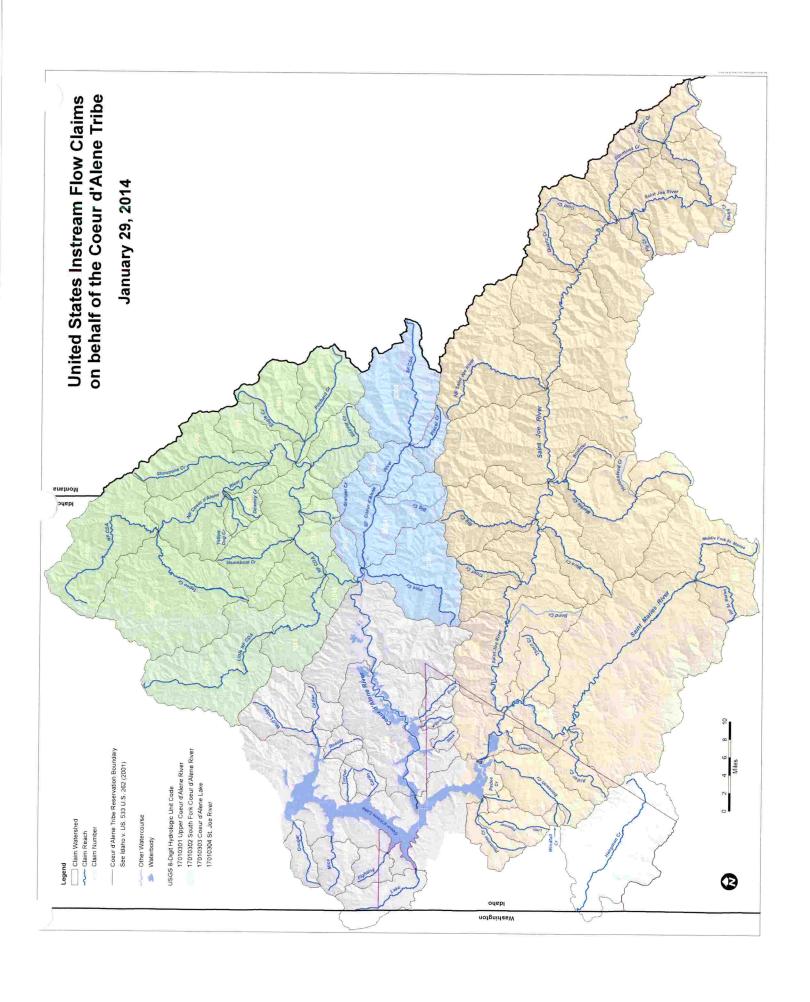
United States Department of Justice

(Kenena Box) 1 sella

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



	THE GENERAL ADJUDICATION) NOTICE OF CLAIM
FROM SPOKA	THE COEUR D'ALENE- NE RIVER BASIN R SYSTEM THE USE OF WATER Federal Reserved Water Right Federal Reserved Water Right
CASE 1	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: Benewah Creek (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
	Township: 45N Range 4W Section: 27 QQ (1/4 of1/4): NWNW
	B.M., County of Benewah
	Downstream Boundary - Mouth
	Township: 46N Range 3W Section: 14 QQ (1/4 of1/4): NWNE
	B.M., County of Benewah
	Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
114	140	140	63	56	26
July	August	September	October	November	December
8.3	3.6	3.2	5.1	15	50

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

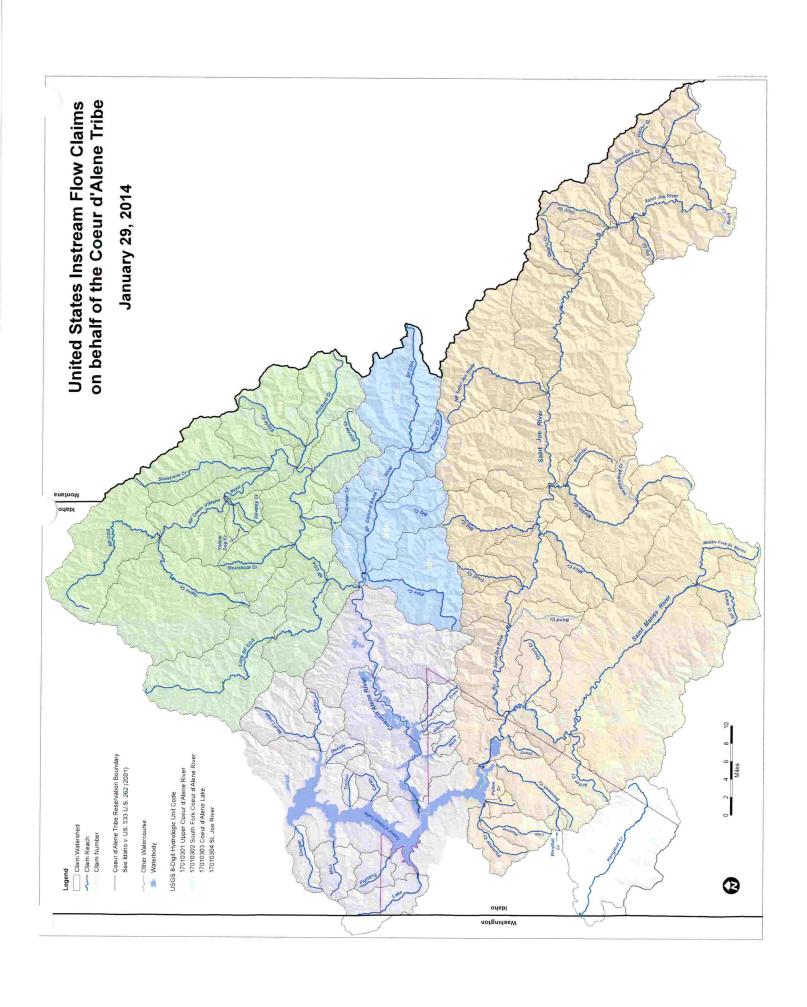
United States Department of Justice

(Kenena Box) 1, 2000

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



	THE GENERAL ADJUDICATION	()	NOTI	CE OF CLAIM
	GHTS TO THE USE OF WATER)		15
	THE COEUR D'ALENE- ANE RIVER BASIN)	Federa	al Reserved Water Right
	ER SYSTEM)		
)		
CASE	NO. 49576)		
4	N			
1.	Name and address of claimant:			
	UNITED STATES OF AMERICA	A, as trust	tee on b	ehalf of the COEUR
	D'ALENE TRIBE of the COEUR through the NORTHWEST REGIONAL CONTROL OF TRIBE OF THE COEUR PARTIES OF THE COEUR PARTI			
	Department of the Interior	ONAL D	IKECI	OK
	Bureau of Indian Affairs			
	911 N.E. 11th Ave.			
	Portland, OR 97232			
2.	Date of Priority: Time Immemor	ial		
3.	Source: Windfall Creek (Fed ID	#110)		
4.	Point of Diversion: Not applicable	e; Instrea	m flow	
5.	Place of Use:			
	At all points along the stream reach	h located	betwee	n the following boundaries:
	Upstream Boundary - Headwaters	1		
	Township: 45N Range:4W	Section:	21	QQ (1/4 of 1/4): NWNE
	B.M., County of Benewah			_ ,
	Downstream Boundary - Mouth			
	Township: 45N Range:4W	Section:	24	QQ (1/4 of1/4): NENW
	B.M., County of Benewah			
	Legal descriptions are based on cur			

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	Februrary	March	April	May	June
12	16	20	7	6.1	2.4
July	August	September	October	November	December
0.64	0.22	0.18	0.34	1.4	5.2

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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.

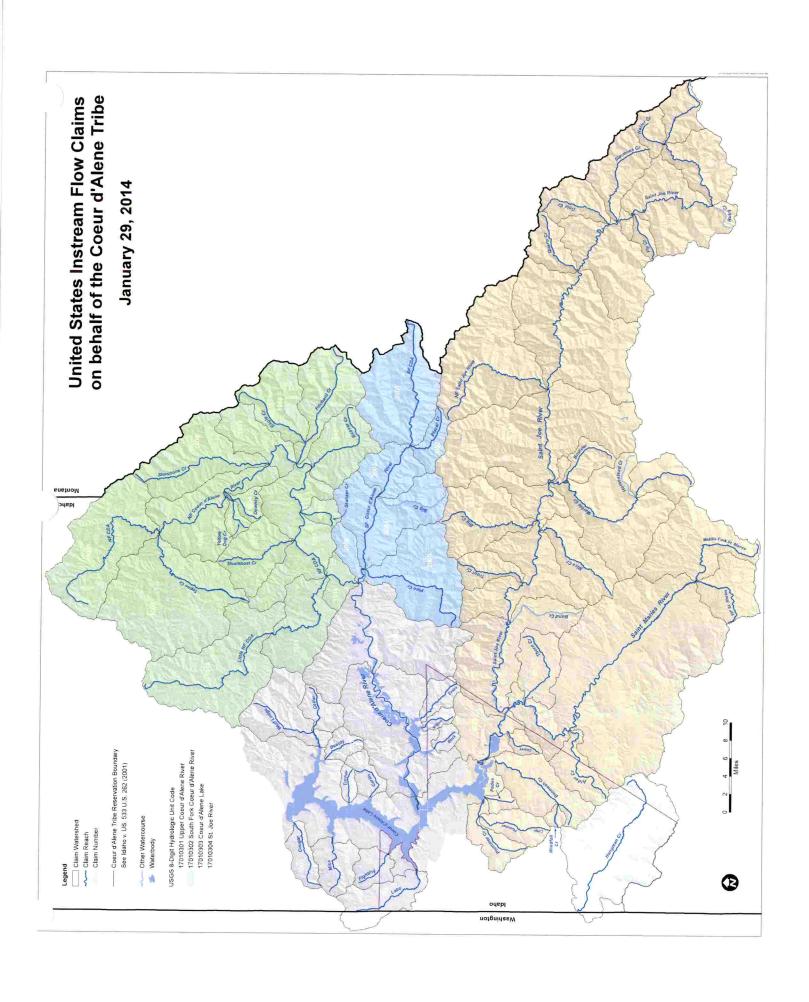
All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard

United States Department of Justice Environment and Natural Resources Division

Indian Resources Section 550 W. Fort Street, MSC 033

(Kenena Boe) Willa



		OTICE OF CLAIM
FROM SPOKA	GHTS TO THE USE OF WATER) M THE COEUR D'ALENE-) FOR ANE RIVER BASIN) ER SYSTEM)	ederal Reserved Water Right
CASE 1	NO. 49576	
1.	Name and address of claimant: UNITED STATES OF AMERICA, as trustee D'ALENE TRIBE of the COEUR D'ALENE through the NORTHWEST REGIONAL DIRI Department of the Interior Bureau of Indian Affairs 911 N.E. 11th Ave. Portland, OR 97232	INDIAN RESERVATION acting
2.	Date of Priority: Time Immemorial	
3.	Source: Cherry Creek (Fed ID #111)	
4.	Point of Diversion: Not applicable; Instream	flow
5.	Place of Use:	
	At all points along the stream reach located be Upstream Boundary - Headwaters Township: 45N Range:3W Section: 12	·
	B.M., County of Benewah	QQ (1/4 of1/4): NWNE
	Downstream Boundary - Mouth	
	Township: 46N Range 2W Section: 20 B.M., County of Benewah	QQ (1/4 of1/4): NWSE
	Legal descriptions are based on current mapping reflect on-the-ground stream locations. See Att	

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	Februrary	March	April	May	June
8	8	8	5	5	2.4
July	August	September	October	November	December
0.84	0.48	0.48	0.53	0.98	5.6

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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.

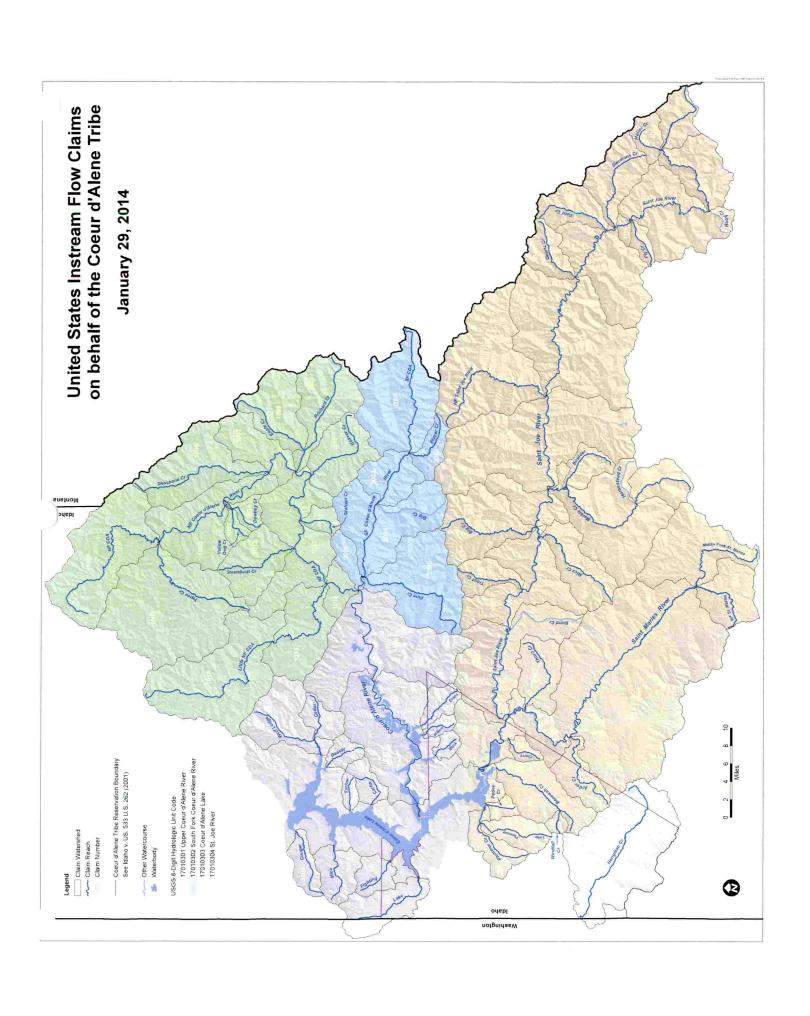
All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard

United States Department of Justice Environment and Natural Resources Division Indian Resources Section

550 W. Fort Street, MSC 033

(Kenena Boe Willa



IN RE	THE GENERAL ADJUDICATION) NOTICE OF CLAIM
OF RIC	GHTS TO THE USE OF WATER)
FROM	THE COEUR D'ALENE-) Federal Reserved Water Right
	ANE RIVER BASIN)
WATE	R SYSTEM)
CASE) NO. 49576
CASE	110. 49370
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 (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
	Township: 44N Range: 4W Section: 13 QQ (1/4 of1/4): SENE
	B.M., County of Benewah
	Downstream Boundary - Mouth
	Township: 45N Range 2W Section: 29 QQ (1/4 of1/4): SENE
	B.M., County of Benewah
	Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
24	24	24	24	24	24
July	August	September	October	November	December
8.8	3.1	4.4	7.8	23	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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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:

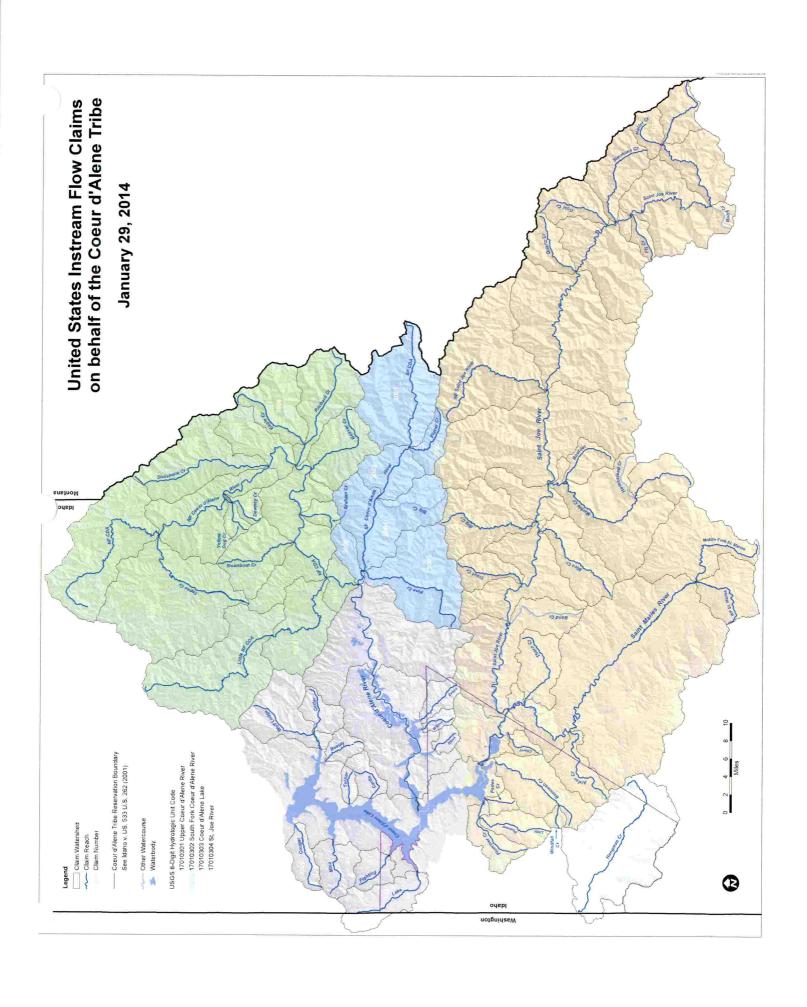
Vanessa Boyd Willard

United States Department of Justice

Kenena Bow Willa

Environment and Natural Resources Division

Indian Resources Section 550 W. Fort Street, MSC 033



FROM THE COEUR D'ALENE- SPOKANE RIVER BASIN WATER SYSTEM 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: Hangman Creek (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 Township: 44N Range 3W Section: 29 QQ (1/4 of1/4): SESE B.M., County of Benewah Downstream Boundary - ID State Line Township: 45N Range 6W Section: 36 QQ (1/4 of1/4): SENW B.M., County of Benewah		THE GENERAL ADJUDICATION) NOTICE OF CLAIM
 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 Date of Priority: Time Immemorial Source: Hangman Creek (Fed ID #113.1) Point of Diversion: Not applicable; Instream flow Place of Use: At all points along the stream reach located between the following boundaries: Upstream Boundary - Headwaters Township: 44N Range 3W Section: 29 QQ (1/4 of1/4): SESE B.M., County of Benewah Downstream Boundary - ID State Line Township: 45N Range 6W Section: 36 QQ (1/4 of1/4): SENW B.M., County of Benewah 	FROM SPOK	I THE COEUR D'ALENE-) Federal Reserved Water Right ANE RIVER BASIN)
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 (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 Township: 44N Range 3W Section: 29 QQ (1/4 of1/4): SESE B.M., County of Benewah Downstream Boundary - ID State Line Township: 45N Range 6W Section: 36 QQ (1/4 of1/4): SENW B.M., County of Benewah	CASE	NO. 49576)
3. Source: Hangman Creek (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 Township: 44N Range: 3W Section: 29 QQ (1/4 of1/4): SESE B.M., County of Benewah Downstream Boundary - ID State Line Township: 45N Range: 6W Section: 36 QQ (1/4 of1/4): SENW B.M., County of Benewah	1.	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.
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 Township: 44N Range:3W Section: 29 QQ (1/4 of1/4): SESE B.M., County of Benewah Downstream Boundary - ID State Line Township: 45N Range:6W Section: 36 QQ (1/4 of1/4): SENW B.M., County of Benewah	2.	Date of Priority: Time Immemorial
At all points along the stream reach located between the following boundaries: Upstream Boundary - Headwaters Township: 44N Range:3W Section: 29 QQ (1/4 of1/4): SESE B.M., County of Benewah Downstream Boundary - ID State Line Township: 45N Range:6W Section: 36 QQ (1/4 of1/4): SENW B.M., County of Benewah	3.	Source: Hangman Creek (Fed ID #113.1)
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Upstream Boundary - Headwaters Township: 44N Range:3W Section: 29 QQ (1/4 of1/4): SESE B.M., County of Benewah Downstream Boundary - ID State Line Township: 45N Range:6W Section: 36 QQ (1/4 of1/4): SENW B.M., County of Benewah	5.	Place of Use:
Downstream Boundary - ID State Line Township: 45N Range:6W Section: 36 QQ (1/4 of1/4): SENW B.M., County of Benewah		Upstream Boundary - Headwaters Township: 44N Range 3W Section: 29 QQ (1/4 of1/4): SESE
Township: 45N Range:6W Section: 36 QQ (1/4 of1/4): SENW B.M., County of Benewah		•
Legal descriptions are based on current mapping but are subject to refinement to bes		Township: 45N Range 6W Section: 36 QQ (1/4 of1/4): SENW

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 45	Februrary 45	March 40	April 40	May 40	June 23
July	August	September	October	November	December
4.9	2.3	2	2	9.7	39

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.
- f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

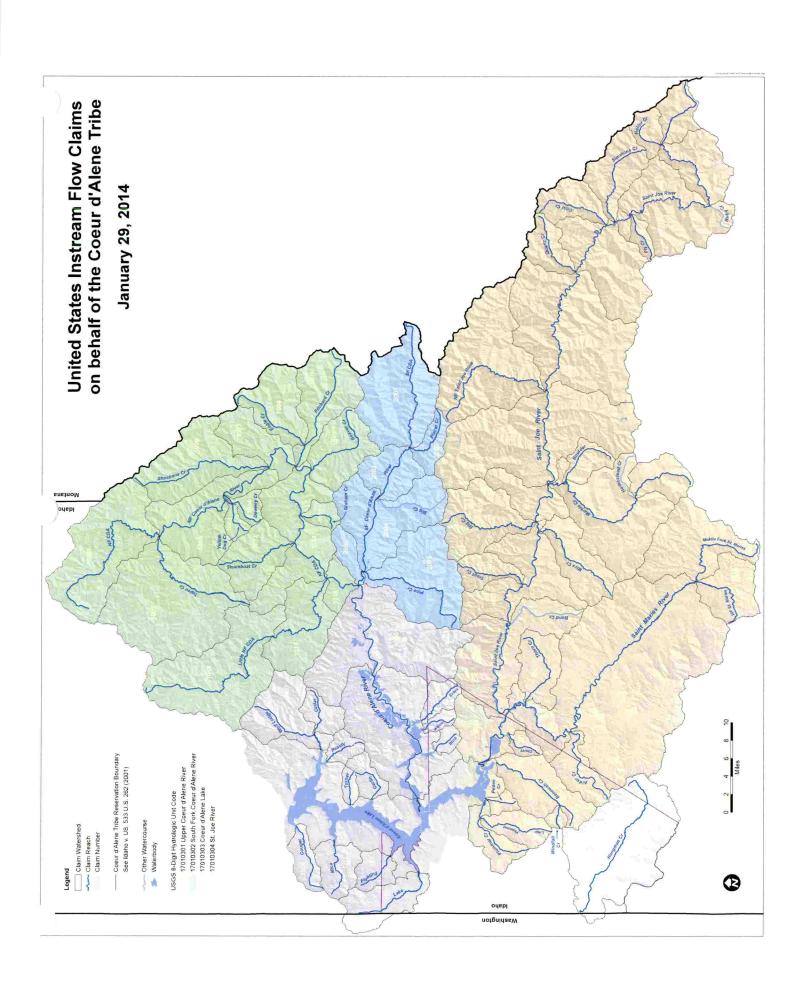
United States Department of Justice

Kinena Bow Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



IN RE	THE GENERAL ADJUDICATION	()	NOTICE OF C	LAIM					
OF RIC	GHTS TO THE USE OF WATER)							
FROM	THE COEUR D'ALENE-)	Federal Reserv	ed Water Right					
	ANE RIVER BASIN)							
WATE	R SYSTEM)							
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: Hangman Creek (Conditional) (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 an	d those i	ish return to Han	gman Claim to spav	√n.				
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								
	Township: 44N Range:3W	Section:	29 QQ (_1	/4 of1/4): SESE					
	B.M., County of Benewah								
	Downstream Boundary - ID State Line								
	Township: 45N Range:6W	Section:	36 QQ (_1	/4 of1/4): SENW	V				

B.M., County of 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	Februrary	March	April	May	June
169	169	110	110	65	23
July	August	September	October	November	December
4.9	2.3	2	2	9.7	39

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United*

States and Coeur d'Alene Tribe v. Idaho, 95 F.Supp.2d 1094 (D. Idaho 1998).

- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262 (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.
- f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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:

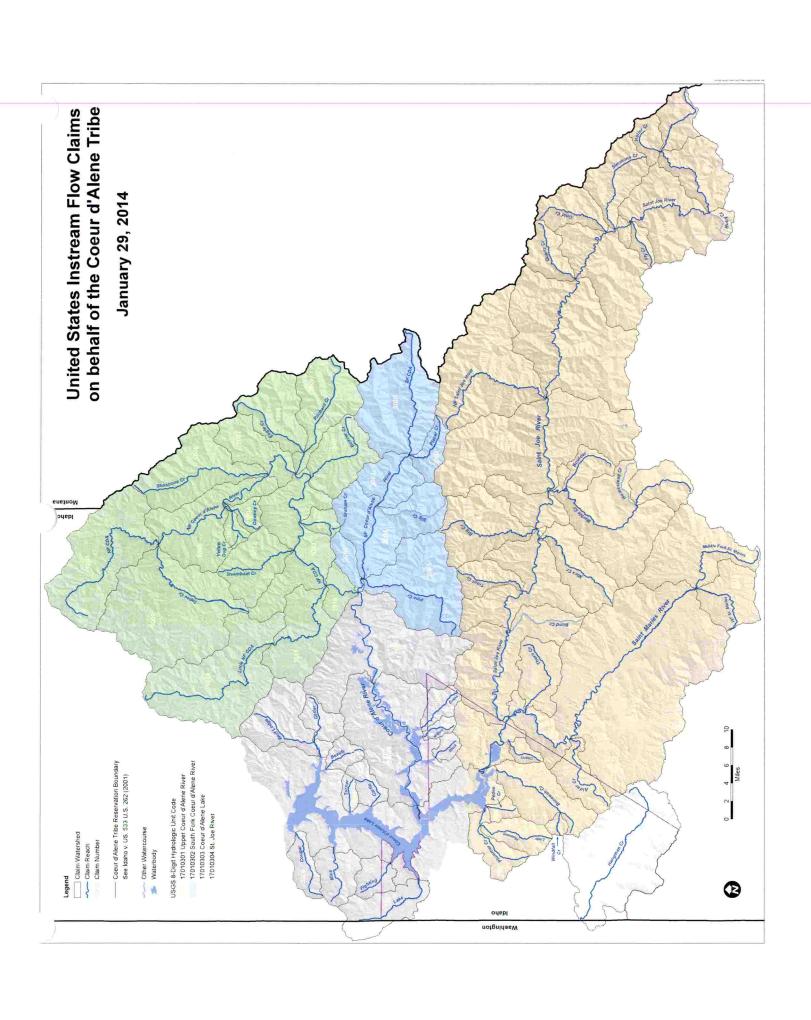
Vanessa Boyd Willard

United States Department of Justice

Environment and Natural Resources Division Indian Resources Section

550 W. Fort Street, MSC 033

(Kenena Bos Willa



IN RE	THE GENERAL ADJUDICATION) NOTICE OF CLAIM						
OF RIG	GHTS TO THE USE OF WATER)						
FROM	THE COEUR D'ALENE-) Federal Reserved Water Right						
SPOK	ANE RIVER BASIN)						
WATE	ER SYSTEM)						
)						
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: North Fork Coeur d'Alene River (Fed ID #1001)						
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						
	m - 11 - 12 - 12 - 12 - 12 - 12 - 12 - 1						
	\$ (
	B.M., County of Shoshone						
	Downstream Boundary - Tepee Creek						
	Township: 52N Range 3E Section: 6 QQ (1/4 of1/4): NWSW						
	B.M., County of Shoshone						
	Legal descriptions are based on current mapping but are subject to refinement to best						
	reflect on-the-ground stream locations. See Attached Map.						

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	Februrary	March	April	May	June
112	112	150	190	190	190
July	August	September	October	November	December
119	63	48	47	112	112

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

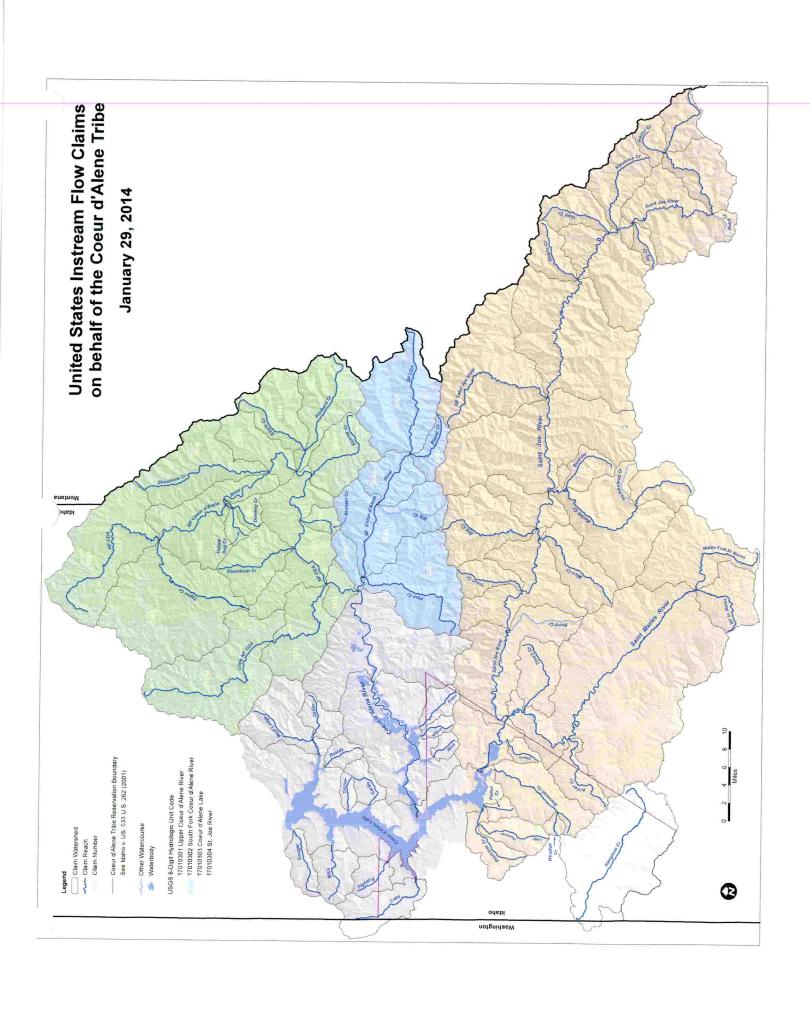
United States Department of Justice

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033

(Kenena Box Willa



IN RE	THE GENERAL ADJUDICATION) NOTICE OF CLAIM
	GHTS TO THE USE OF WATER)
	THE COEUR D'ALENE-) Federal Reserved Water Right
	ANE RIVER BASIN)
WATE	R SYSTEM)
CACE) NO 40576
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: Tepee Creek (Fed ID #1002)
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
	Township: 51N Range 1E Section: 26 QQ (1/4 of1/4): SESW
	B.M., County of Shoshone
	Downstream Boundary - Mouth
	Township: 52N Range:3E Section: 6 QQ (1/4 of1/4): NWSW
	B.M., County of Shoshone
	Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
136	136	184	230	230	230
July	August	September	October	November	December
103	70	56	52	136	136

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

(2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).

- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

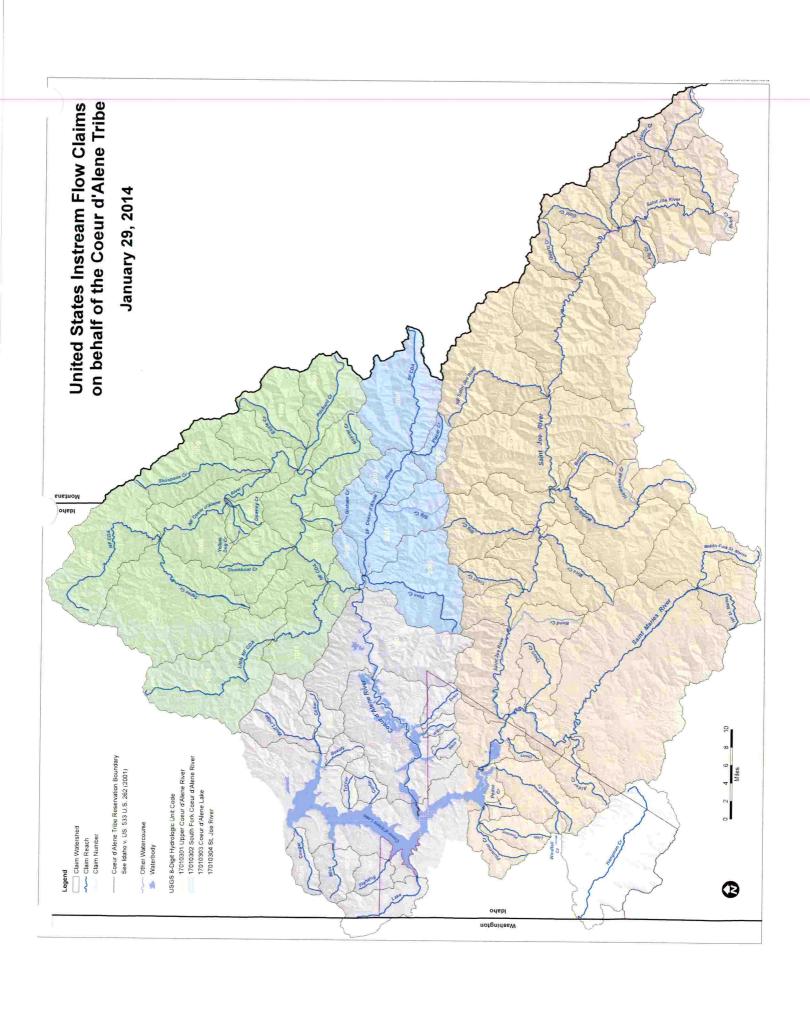
United States Department of Justice

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033

(Kerena Box Willa



	THE GENERAL ADJUDICATION) NOTICE OF CLAIM GHTS TO THE USE OF WATER)
	THE COEUR D'ALENE-) Federal Reserved Water Right
	ANE RIVER BASIN
	ER SYSTEM
)
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: Yellow Dog Creek (Fed ID #1003)
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
	Township: 51N Range 3E Section: 30 QQ (_1/4 of _1/4): NWSE
	B.M., County of Shoshone
	Downstream Boundary - Mouth
	Township: 51N Range 3E Section: 14 QQ (1/4 of1/4): NWNW
	B.M., County of Shoshone
	Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
8.5	14	17	29	29	13
July	August	September	October	November	December
6.7	2.6	2.3	3.4	8.1	7.3

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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.

b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).

c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not __X __ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

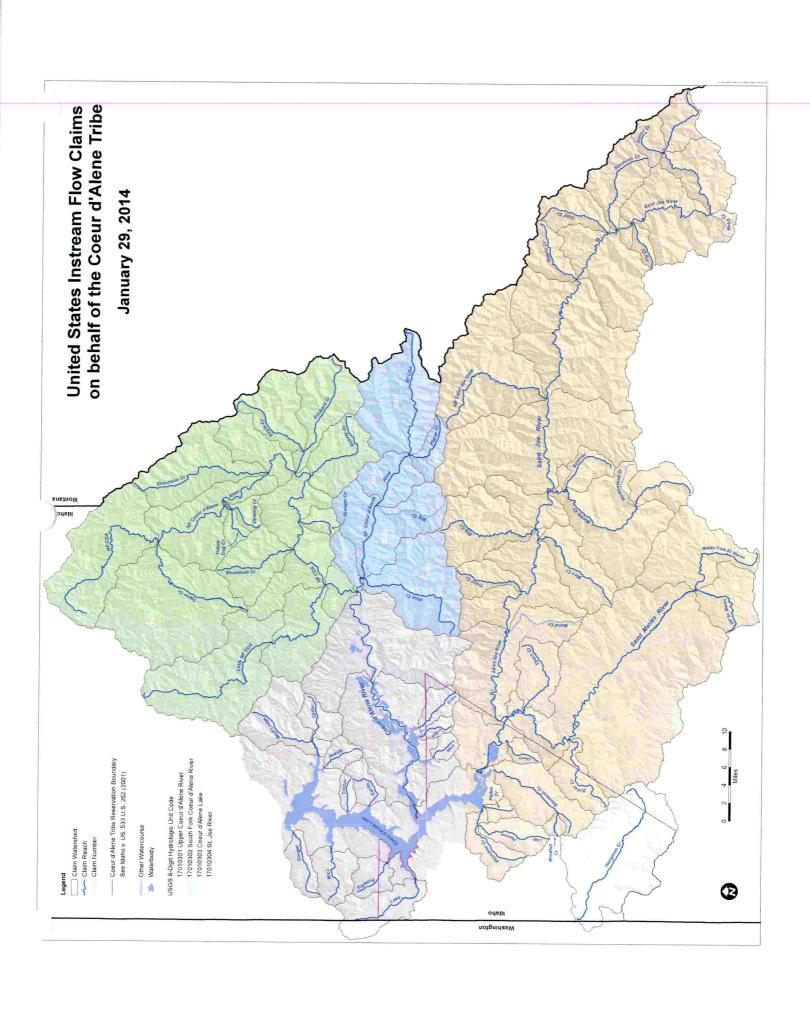
United States Department of Justice

(Kenena Boe) Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



	THE GENERAL ADJUDICATION) NOTICE OF CLAIM SHTS TO THE USE OF WATER)
FROM	THE COEUR D'ALENE-) Federal Reserved Water Right
	ANE RIVER BASIN)
WATE	R SYSTEM)
CASE N	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: Downey Creek (Fed ID #1004)
4.	Point of Diversion: Not applicable; Instream flow
	Place of Use: At all points along the stream reach located between the following boundaries: Upstream Boundary - West Fork Downey Creek Headwaters
	Township: 50N Range 3E Section: 5 QQ (1/4 of1/4): NENE
	B.M., County of Shoshone
	Downstream Boundary - Mouth
	Township: 51N Range 3E Section: 11 QQ (1/4 of1/4): SWSE
	B.M., County of Shoshone
5) 5)	Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
13	13	24	25	25	25
July	August	September	October	November	December
12	3.7	3.1	5.1	10	10

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

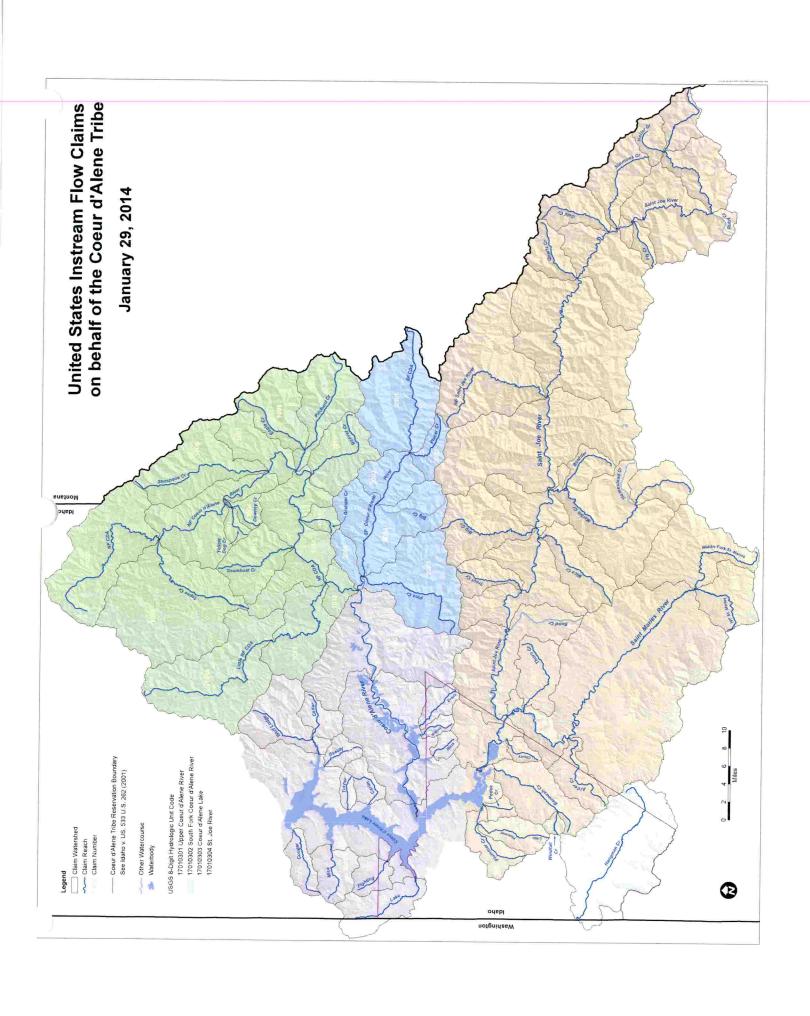
United States Department of Justice

(kerena Boe) Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



	THE GENERAL ADJUDICATION) NOTICE OF CLAIM
	GHTS TO THE USE OF WATER) THE COEUR D'ALENE-) Federal Reserved Water Right
	THE COEUR D'ALENE-) Federal Reserved Water Right ANE RIVER BASIN)
	R SYSTEM
***************************************)
CASE	NO. 49576)
1.	Name and address of claimant:
1.	
	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 Coeur d'Alene River (Fed ID #1005)
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 - Tepee Creek
	Township: 52N Range 3E Section: 6 QQ (1/4 of1/4): NWSW
	B.M., County of Shoshone
	Downstream Boundary - Shoshone Creek
	Township: 50N Range 4E Section: 8 QQ (1/4 of1/4): NWNE
	B.M., County of Shoshone
	Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
175	175	450	275	275	275
July	August	September	October	November	December
183	158	126	137	175	175

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not __X __ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

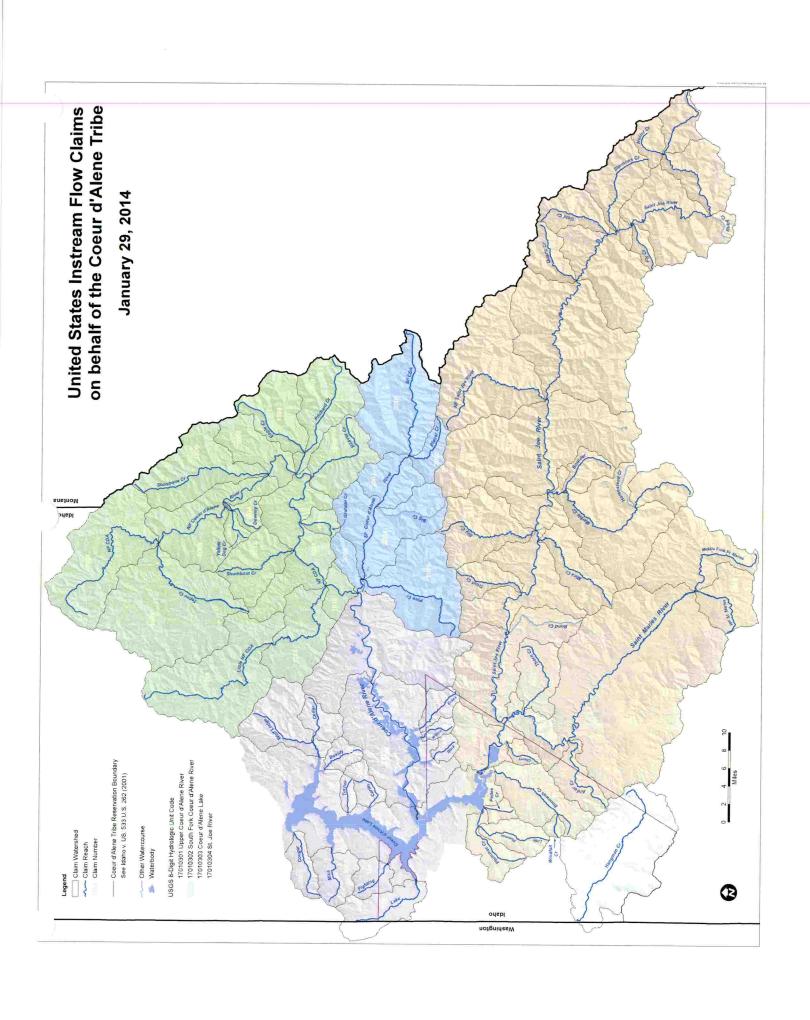
United States Department of Justice

(Kenena Boy Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



	THE GENERAL ADJUDICATION) NOTICE OF CLAIM GHTS TO THE USE OF WATER)
FROM	THE COEUR D'ALENE-) Federal Reserved Water Right
	ANE RIVER BASIN)
WATE	R SYSTEM)
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: Shoshone Creek (Fed ID #1006)
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 Township: 53N Range 4E Section: 19 QQ (1/4 of1/4): SWSE B.M., County of Shoshone Downstream Boundary - Mouth
	Township: 50N Range 4E Section: 8 QQ (1/4 of1/4): NWNE B.M., County of Shoshone Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
35	35	90	70	70	70
July	August	September	October	November	December
47	54	38	38	35	35

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.
- f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

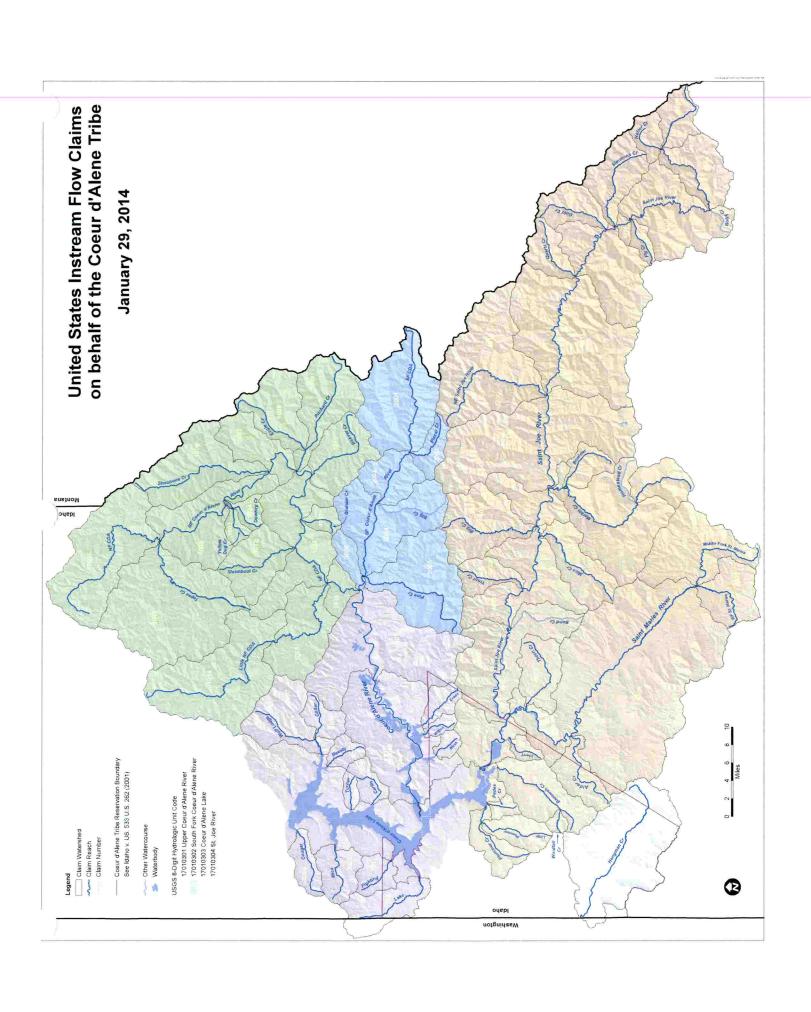
United States Department of Justice

Kanena Bow Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



OF RICE FROM SPOKA WATER	NOTICE OF CLAIM SHTS TO THE USE OF WATER THE COEUR D'ALENE- ANE RIVER BASIN R SYSTEM NO. 49576 NOTICE OF CLAIM Federal Reserved Water Right 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: North Fork Coeur d'Alene River (Fed ID #1007)				
4.	Point of Diversion: Not applicable; Instream flow				
	Place of Use: At all points along the stream reach located between the following boundaries: Upstream Boundary - Shoshone Creek Township: 50N Range 4E Section: 8 QQ (1/4 of1/4): NWNE B.M., County of Shoshone Downstream Boundary - Prichard Creek Township: 50N Range 4E Section: 29 QQ (1/4 of1/4): NWNE B.M., County of Shoshone Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.				

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	Februrary	March	April	May	June
246	246	355	422	422	422
July	August	September	October	November	December
281	231	178	189	246	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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

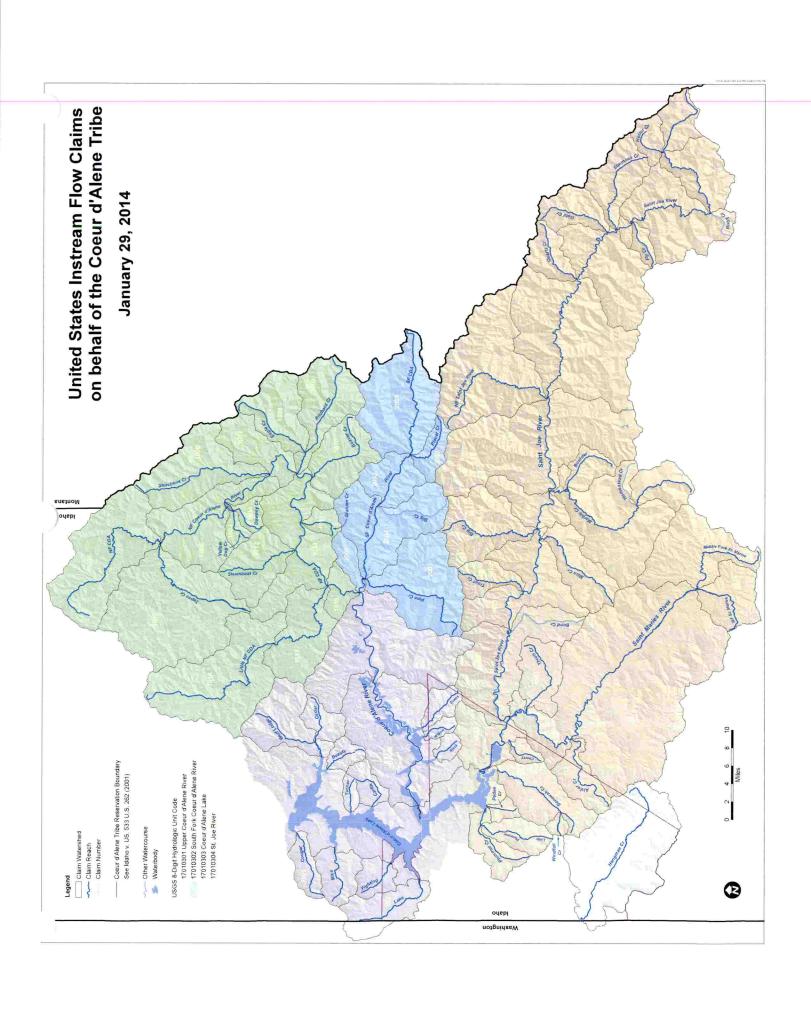
United States Department of Justice

(Kenena Box Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



	THE GENERAL ADJUDICATION) NOTICE OF CLAIM				
OF RIGHTS TO THE USE OF WATER) FROM THE COEUR D'ALENE-) Federal Reserved Water I					
SPOKANE RIVER BASIN					
WATE	R SYSTEM)				
CASE	NO. 49576				
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: Eagle Creek (Fed ID #1008)				
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 - West Fork Eagle Creek Headwaters Township: 51N Range 5E Section: 21 QQ (1/4 of1/4): NESE B.M., County of Shoshone Downstream Boundary - Mouth				
	Township: 50N Range 4E Section: 35 QQ (1/4 of1/4): NWNW				
	B.M., County of Shoshone				
	Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.				

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	Februrary	March	April	May	June
59	59	76	100	100	100
July	August	September	October	November	December
46	20	12	12	40	59

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.
- f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

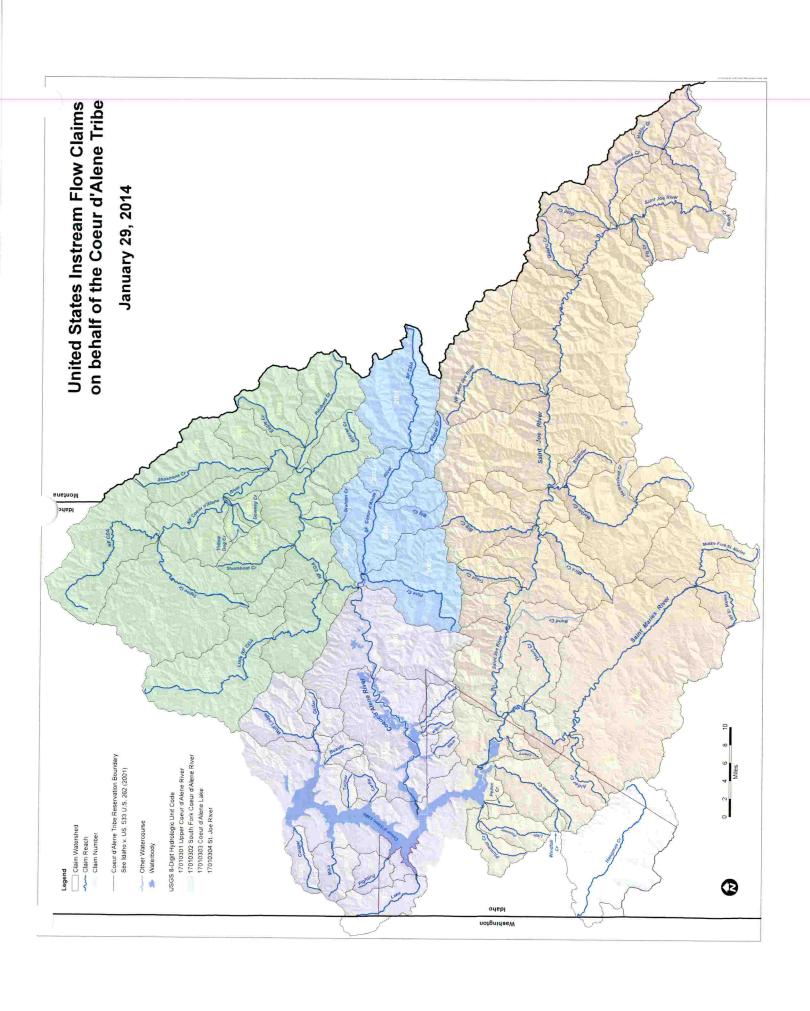
United States Department of Justice

(Kenena Box Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



	THE GENERAL ADJUDICATION)	NOTICE OF CLAIM
	GHTS TO THE USE OF WATER)	
	THE COEUR D'ALENE-	Federal Reserved Water Right
	ANE RIVER BASIN)	
WATE	ER SYSTEM)	
C . C .)	
CASE	NO. 49576	
1.	Nome and address of alabarate	
1.	Name and address of claimant:	
	UNITED STATES OF AMERICA, as	trustee on behalf of the COEUR
	D'ALENE I RIBE of the COEUR D'A	ALENE INDIAN RESERVATION acting
	through the NORTHWEST REGIONAL	AL 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: Prichard Creek (Fed ID #10	009)
4.	Point of Diversion: Not applicable; Ins	stream flow
5.	Place of Use:	
	At all points along the stream reach loc	cated between the following boundaries:
	Upstream Boundary - Cat Creek Head	
	Township: 49N Range 6E Sect	tion: 16 QQ (1/4 of1/4): NWNE
	B.M., County of Shoshone	
	Downstream Boundary - Mouth	
	Township: 50N Range 4E Sect	tion: 29 QQ (1/4 of1/4): NWNE
	B.M., County of Shoshone	
	Legal descriptions are based on current reflect on-the-ground stream locations.	mapping but are subject to refinement to best See Attached Map.

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	Februrary	March	April	May	June
20	20	50	125	125	125
July	August	September	October	November	December
83	42	27	29	20	20

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not __X __ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

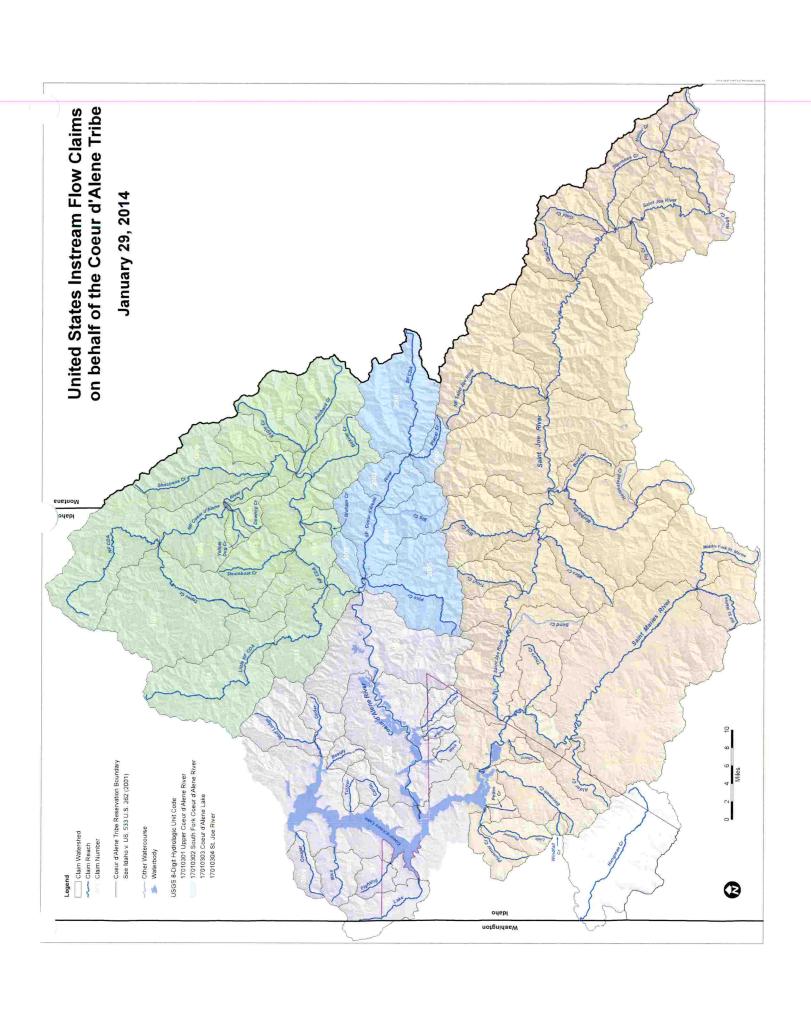
United States Department of Justice

(Kenena Boy Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



	THE GENERAL ADJUDICATION) NOTICE OF CLAIM GHTS TO THE USE OF WATER)
FROM	THE COEUR D'ALENE-) Federal Reserved Water Right
	ANE RIVER BASIN)
WATE	R SYSTEM)
CASE 1	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: Beaver Creek (Fed ID #1010)
4.	Point of Diversion: Not applicable; Instream flow
	Place of Use: At all points along the stream reach located between the following boundaries: Upstream Boundary - Headwaters Township: 49N Range 5E Section: 29 QQ (1/4 of1/4): SENE B.M., County of Shoshone Downstream Boundary - Mouth Township: 50N Range 4E Section: 32 QQ (1/4 of1/4): NWSW B.M., County of Shoshone Legal descriptions are based on current mapping but are subject to refinement to best
į	reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
67	67	87	113	113	113
July	August	September	October	November	December
56	29	21	22	52	67

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
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- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

(2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).

- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

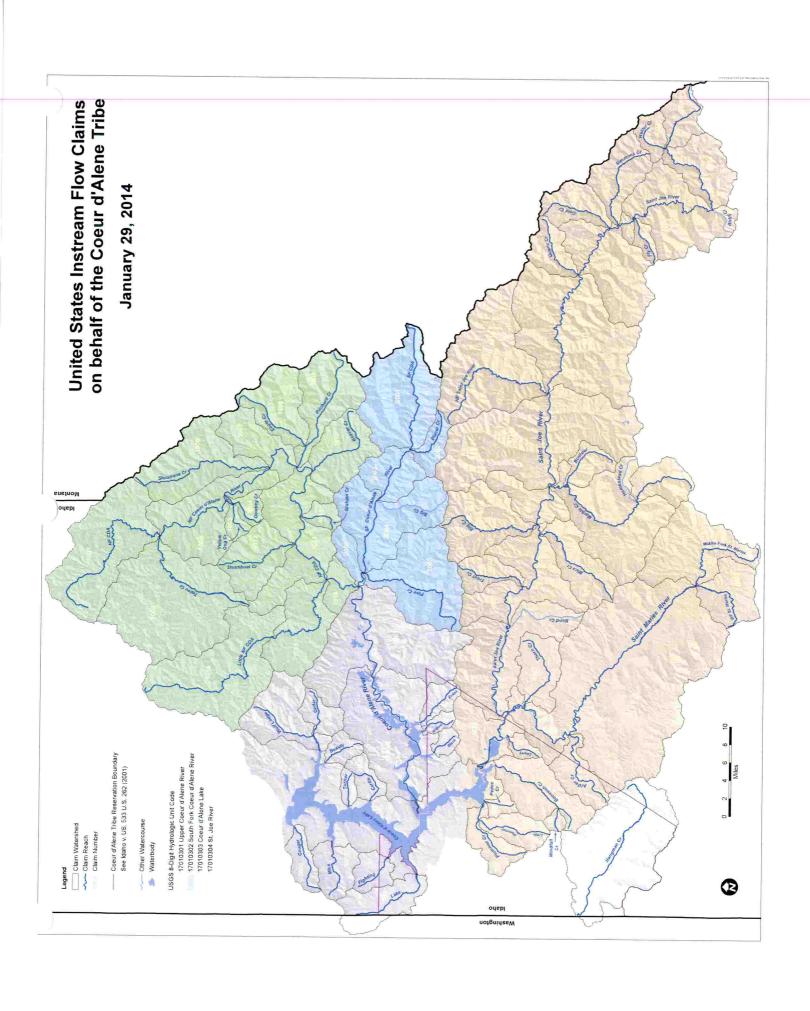
United States Department of Justice

Karena Boy Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



OF RIC	THE GENERAL ADJUDICATION) NOTICE OF CLAIM SHTS TO THE USE OF WATER)
	THE COEUR D'ALENE- NE RIVER BASIN Federal Reserved Water Right)
	R SYSTEM)
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: Graham Creek (Fed ID #1011)
4.	Point of Diversion: Not applicable; Instream flow
	Place of Use: At all points along the stream reach located between the following boundaries: Upstream Boundary - Headwaters Township: 49N Range 3E Section: 7 QQ (1/4 of1/4): SESE B.M., County of Shoshone
	Downstream Boundary - Mouth Township: 50N Range 3E Section: 28 QQ (1/4 of1/4): SENW B.M., County of Shoshone Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
31	31	38	52	52	52
July	August	September	October	November	December
21	8.4	6.5	6.7	17	31

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.
- f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

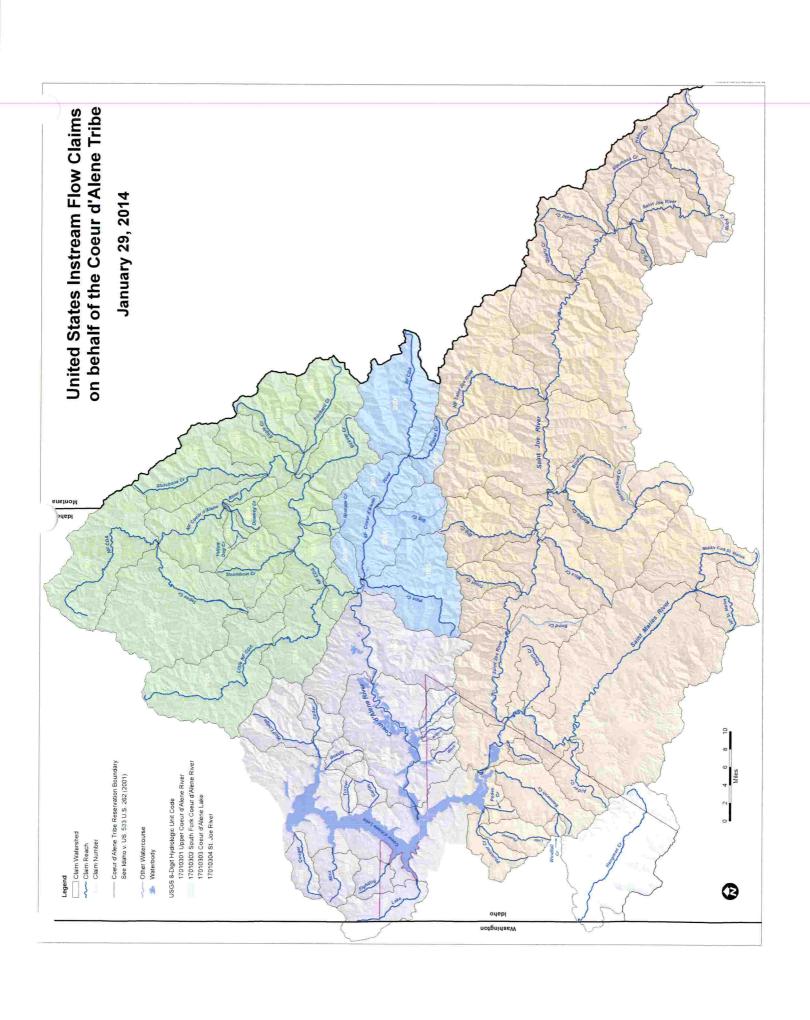
United States Department of Justice

(Kenena Box Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



	THE GENERAL ADJUDICATION) NOTICE OF CLAIM SHTS TO THE USE OF WATER)
	THE COEUR D'ALENE-) Federal Reserved Water Right
	NE RIVER BASIN)
WATE	R SYSTEM)
CASE N	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: Steamboat Creek (Fed ID #1012)
4.	Point of Diversion: Not applicable; Instream flow
	Place of Use: At all points along the stream reach located between the following boundaries: Upstream Boundary - East Fork Steamboat Creek/Autumn Creek Headwaters Township: 51N Range 2E Section: 9 QQ (1/4 of1/4): SENE B.M., County of Shoshone Downstream Boundary - Mouth Township: 50N Range 2E Section: 24 QQ (1/4 of1/4): SWSW B.M., County of Shoshone Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.
	on the ground stream rocations. See Attached Map.

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	Februrary	March	April	May	June
49	49	63	83	83	83
July	August	September	October	November	December
43	15	12	18	49	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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

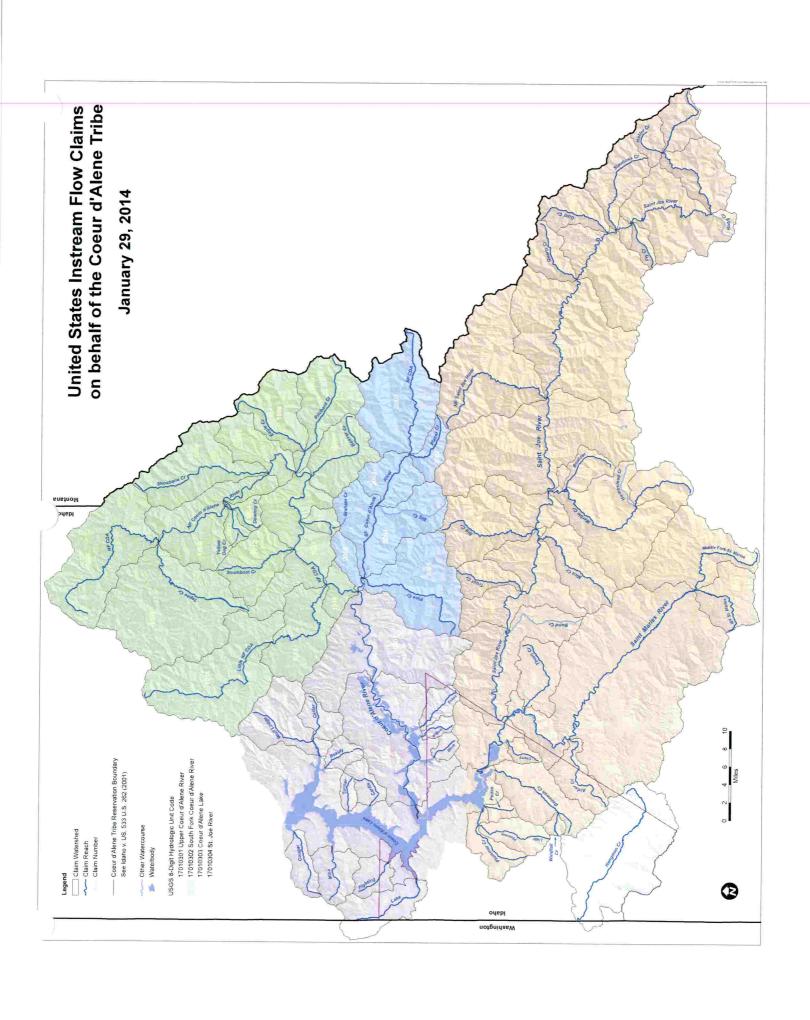
United States Department of Justice

(Kerena Box Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



OF RIC FROM SPOKA WATE	THE GENERAL ADJUDICATION) SHTS TO THE USE OF WATER) THE COEUR D'ALENE-) ANE RIVER BASIN) R SYSTEM) 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: North Fork Coeur d'Alene River (Fed ID #1013)
4.	Point of Diversion: Not applicable; Instream flow
	Place of Use: At all points along the stream reach located between the following boundaries: Upstream Boundary - Prichard Creek Township: 50N Range 4E Section: 29 QQ (1/4 of1/4): NWNE B.M., County of Shoshone Downstream Boundary - Little North Fork Coeur d'Alene River Township: 49N Range 2E Section: 8 QQ (1/4 of1/4): SWNW B.M., County of Shoshone Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
318	318	469	546	546	546
July	August	September	October	November	December
364	353	266	295	318	318

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

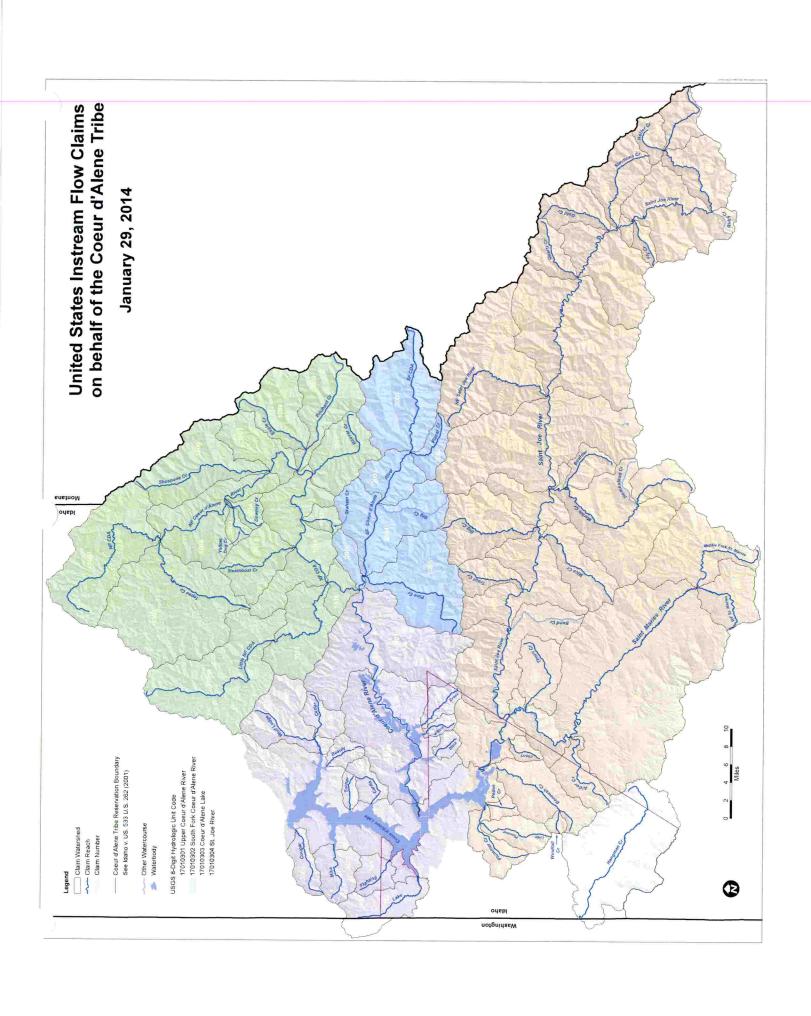
United States Department of Justice

(Kenena Box Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



IN RE	THE GENERAL ADJUDICATION)	NOTIO	CE OF CLAIM		
OF RIC	GHTS TO THE USE OF WATER)				
	THE COEUR D'ALENE-)	Federa	al Reserved Wat	ter Right	
	ANE RIVER BASIN)				
WATE	R SYSTEM)				
CACE	NO. 10576)				
CASE	NO. 49576)				
1.	Name and address of claimant:					
	UNITED STATES OF AMERICA D'ALENE TRIBE of the COEUR through the NORTHWEST REGIO Department of the Interior Bureau of Indian Affairs 911 N.E. 11th Ave. Portland, OR 97232	D'ALEN	NE INDI	IAN RESERVA		
2.	Date of Priority: Time Immemoria	ial				
3.	Source: Little North Fork Coeur d	l'Alene R	River (Fed ID #1014)		
4.	Point of Diversion: Not applicable	e; Instrea	m flow			
5.	Place of Use:					
	At all points along the stream reach	located	betwee	n the following b	ooundaries:	
	Upstream Boundary - Headwaters					
	Township: 53N Range 1W	Section:	29	QQ (1/4 of _	1/4): SWSW	
	B.M., County of Bonner					
	Downstream Boundary - Canyon C	Creek				
	Township: 50N Range 1E	Section:	7	QQ (1/4 of _	1/4): SWNE	
	B.M., County of Kootenai					
	Legal descriptions are based on cur reflect on-the-ground stream location				refinement to be	est

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	Februrary	March	April	May	June
45	45	200	250	250	250
July	August	September	October	November	December
133	79	62	56	45	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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.
- f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

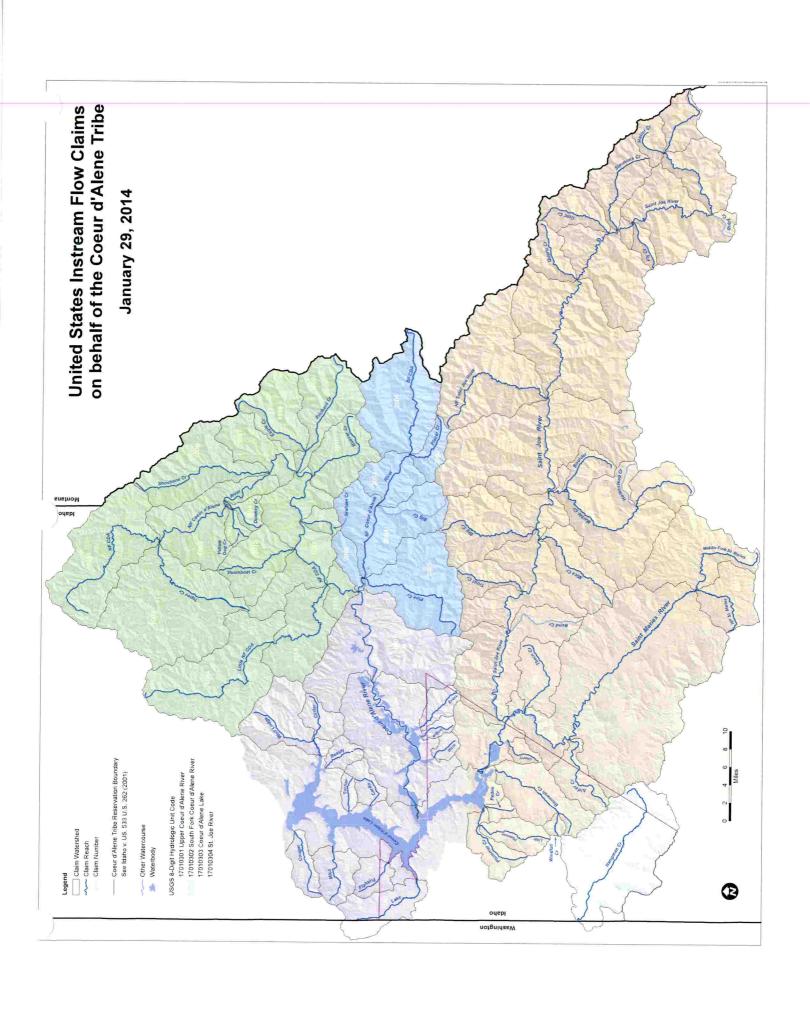
United States Department of Justice

(Kerena Box Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



OF RIC FROM SPOKA WATE	THE GENERAL ADJUDICATION) GHTS TO THE USE OF WATER) THE COEUR D'ALENE-) ANE RIVER BASIN) CR SYSTEM) 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 North Fork Coeur d'Alene River (Fed ID #1015)
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 - Canyon Creek Township: 50N Range 1E Section: 7 QQ (1/4 of1/4): SWNE B.M., County of Kootenai Downstream Boundary - Mouth
	Township: 49N Range 2E Section: 8 QQ (1/4 of1/4): SWNW B.M., County of Shoshone Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
157	157	220	269	269	269
July	August	September	October	November	December
168	95	76	75	157	157

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.
- f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

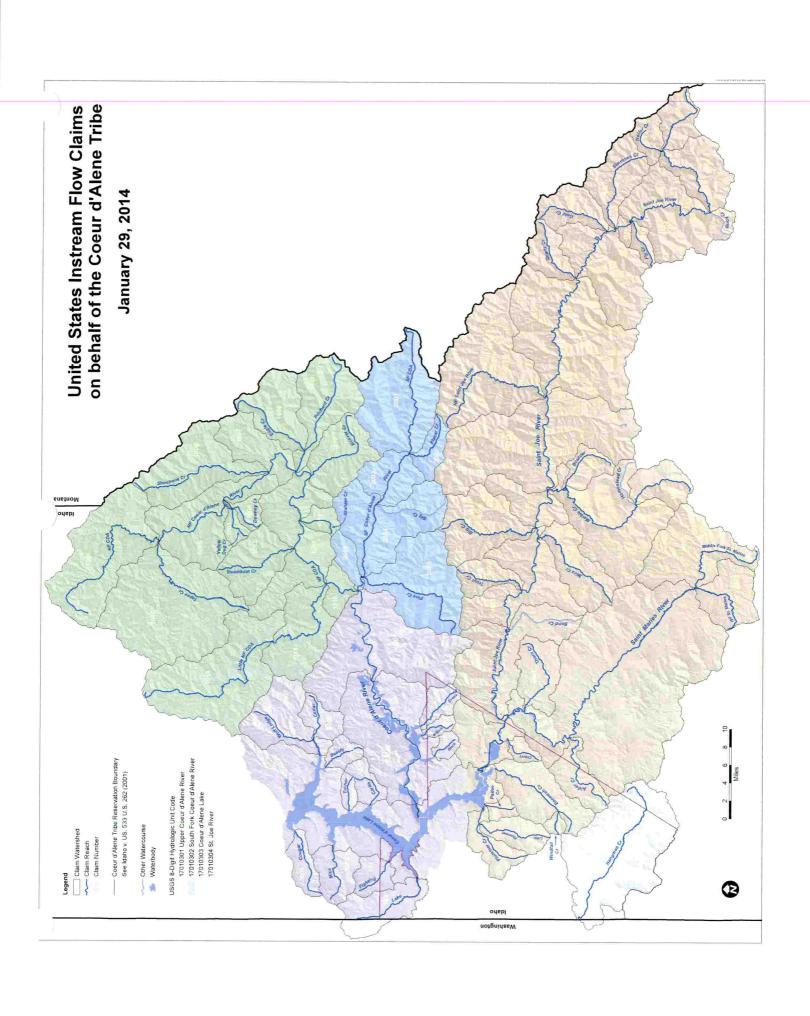
United States Department of Justice

(Kenena Box Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



	THE GENERAL ADJUDICATION) NOTICE OF CLAIM
	HTS TO THE USE OF WATER)
	THE COEUR D'ALENE-) Federal Reserved Water Right
	NE RIVER BASIN)
WATE	R SYSTEM)
)
CASE N	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: North Fork Coeur d'Alene River (Fed ID #1016)
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 - Little North Fork Coeur d'Alene River
	Township: 49N Range 2E Section: 8 QQ (_1/4 of _1/4): SWNW
	B.M., County of Shoshone
	Downstream Boundary - Mouth
	Township: 49N Range 2E Section: 31 QQ (1/4 of1/4): NENW
	B.M., County of Shoshone
	Legal descriptions are based on current mapping but are subject to refinement to best
	reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
345	345	700	600	600	600
July	August	September	October	November	December
400	449	343	373	345	345

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

(2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).

- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

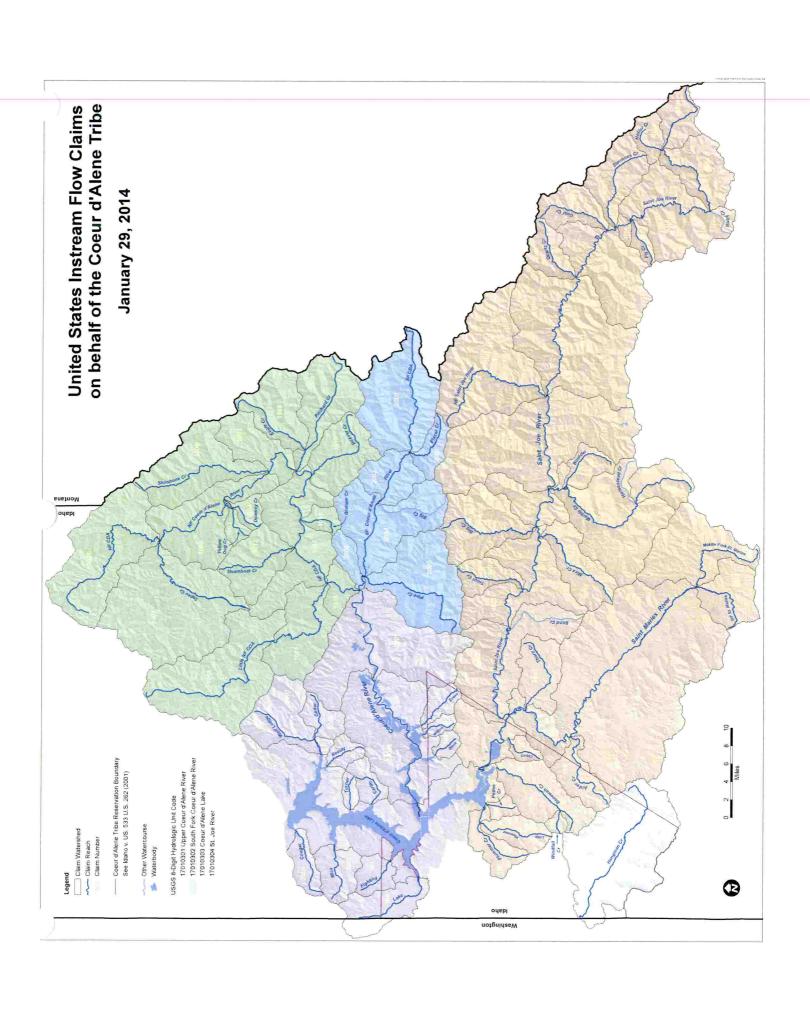
United States Department of Justice

(Kenena Box Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



INKE	THE GENERAL ADJUDICATION)	NOTIO	CE OF CLAIM
OF RIC	GHTS TO THE USE OF WATER)		
FROM	THE COEUR D'ALENE-)	Federa	al Reserved Water Right
SPOKA	ANE RIVER BASIN)		
WATE	R SYSTEM)		
)		
CASE 1	NO. 49576)		
1.	Name and address of claimant:			
	UNITED STATES OF AMERICA	, as trust	tee on b	ehalf of the COEUR
	D'ALENE TRIBE of the COEUR			
	through the NORTHWEST REGIO			
	Department of the Interior			
	Bureau of Indian Affairs			
	911 N.E. 11th Ave.			
	Portland, OR 97232			
2.	Date of Priority: Time Immemoria	al		
3.	Source: South Fork Coeur d'Alene	River	(Fed II	D #2001)
4.	Point of Diversion: Not applicable	; Instrea	m flow	
5.	Place of Use:			
=0 7	At all points along the stream reach	located	betwee	n the following boundaries:
	Upstream Boundary - Headwaters			
	~	Section:	25	QQ (1/4 of 1/4): NESW
	B.M., County of Shoshone			
	Downstream Boundary - Placer Cr	reek		
	Township: 48N Range 4E	Section:	27	QQ (1/4 of1/4): SWSE
	B.M., County of Shoshone			
	Legal descriptions are based on curreflect on-the-ground stream location			

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	Februrary	March	April	May	June
97	97	131	165	165	165
July	August	September	October	November	December
110	87	62	54	97	97

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

(2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).

- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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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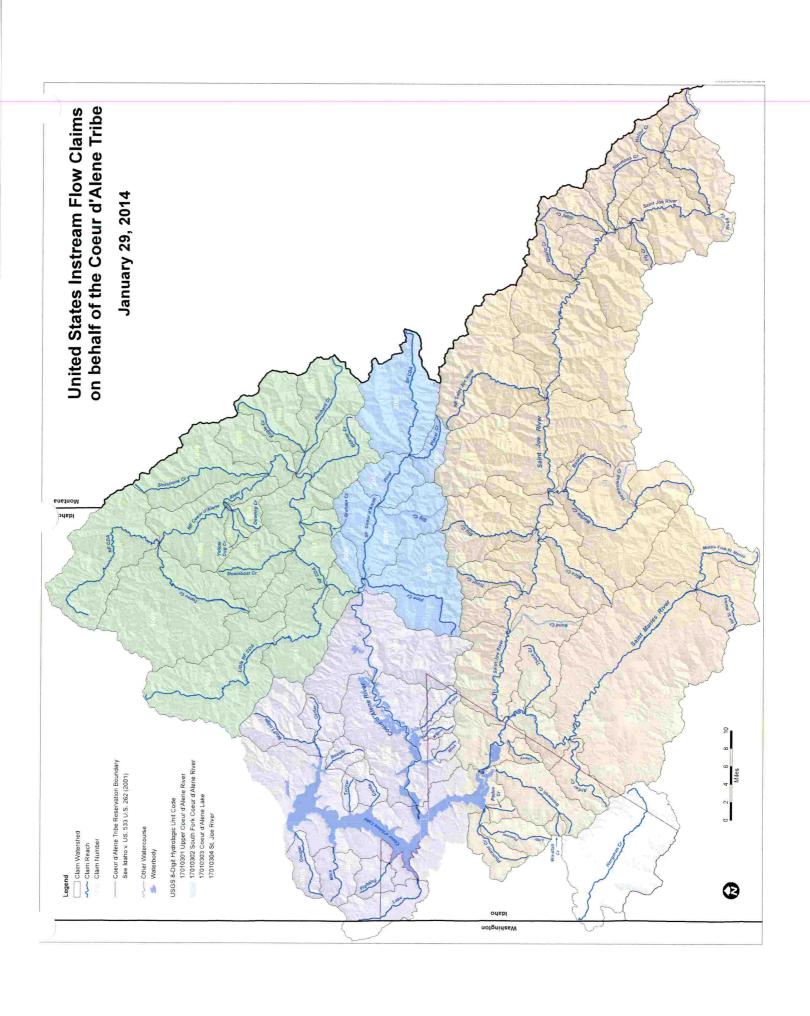
United States Department of Justice

(Kenena Boy Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



	THE GENERAL ADJUDICATION) NOTICE OF CLAIM GHTS TO THE USE OF WATER)
FROM	THE COEUR D'ALENE-) Federal Reserved Water Right
	ANE RIVER BASIN)
WAIE	R SYSTEM)
CASE	NO. 49576)
1	N
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: Placer Creek (Fed ID #2002)
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
	Township: 47N Range 5E Section: 9 QQ (1/4 of1/4): SWSW
	B.M., County of Shoshone
	Downstream Boundary - Mouth
	Township: 48N Range 4E Section: 27 QQ (1/4 of1/4): SWSE
	B.M., County of Shoshone
	Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
35	36	45	61	61	61
July	August	September	October	November	December
23	10	6.7	7	17	26

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

(2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).

- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

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

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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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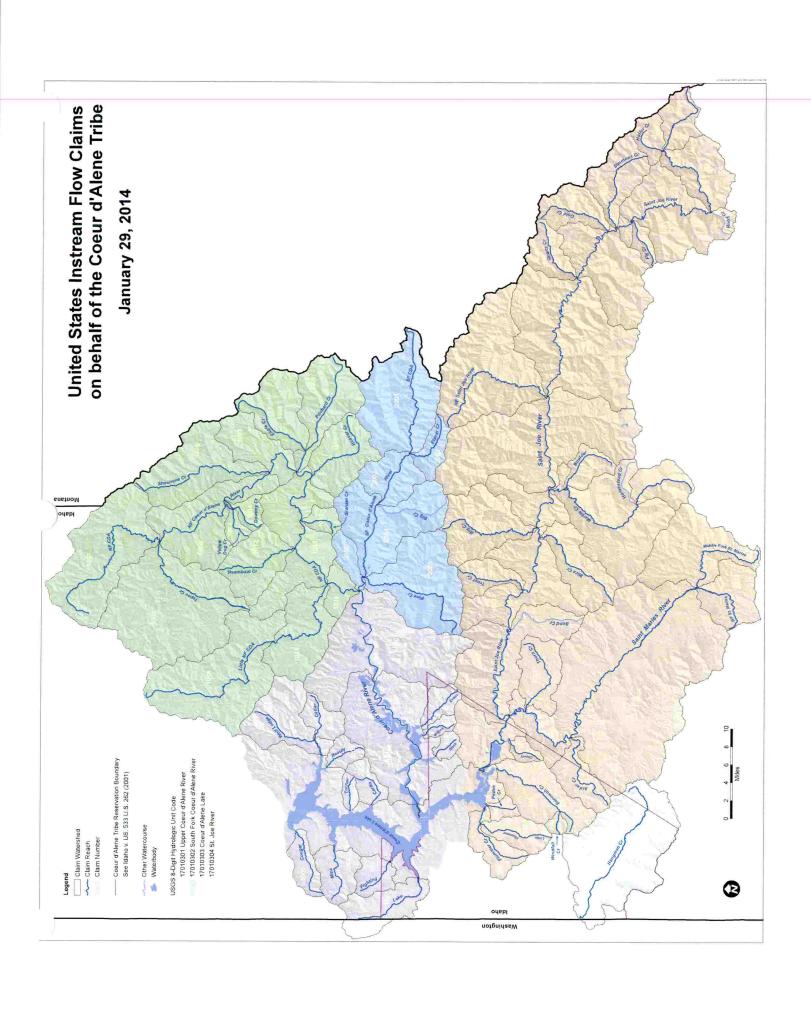
United States Department of Justice

(Kenena Box Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



IN RE	THE GENERAL ADJUDICATION)	NOTI	CE OF CLAIM
OF RIC	GHTS TO THE USE OF WATER)		
FROM	THE COEUR D'ALENE-)	Federa	al Reserved Water Right
SPOKA	ANE RIVER BASIN)		
WATE	ER SYSTEM)		
)		
CASE	NO. 49576)		
1.	Name and address of claimant:			
	UNITED STATES OF AMERICA D'ALENE TRIBE of the COEUR through the NORTHWEST REGIO Department of the Interior Bureau of Indian Affairs 911 N.E. 11th Ave. Portland, OR 97232	D'ALE	NE IND	IAN RESERVATION acting
2.	Date of Priority: Time Immemori	ial		
3.	Source: South Fork Coeur d'Alend	e River	(Fed II	D #2003)
4.	Point of Diversion: Not applicable	e; Instrea	ım flow	
5.	Place of Use:			
	At all points along the stream reach	located	betwee	on the following boundaries:
	Upstream Boundary - Placer Creek			
		Section:	27	QQ (1/4 of1/4): SWSE
	B.M., County of Shoshone	~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~	= 2.	₹₹
	Downstream Boundary - Big Cree	ık		
		Section:	10	OO (1/4 of 1/4); NENE
		Section.	10	QQ (1/4 of1/4): NENE
	B.M., County of Shoshone			
	Legal descriptions are based on cur reflect on-the-ground stream location	-	5.00	

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	Februrary	March	April	May	June
121	121	166	206	206	206
July	August	September	October	November	December
137	111	81	76	121	121

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not __X __ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

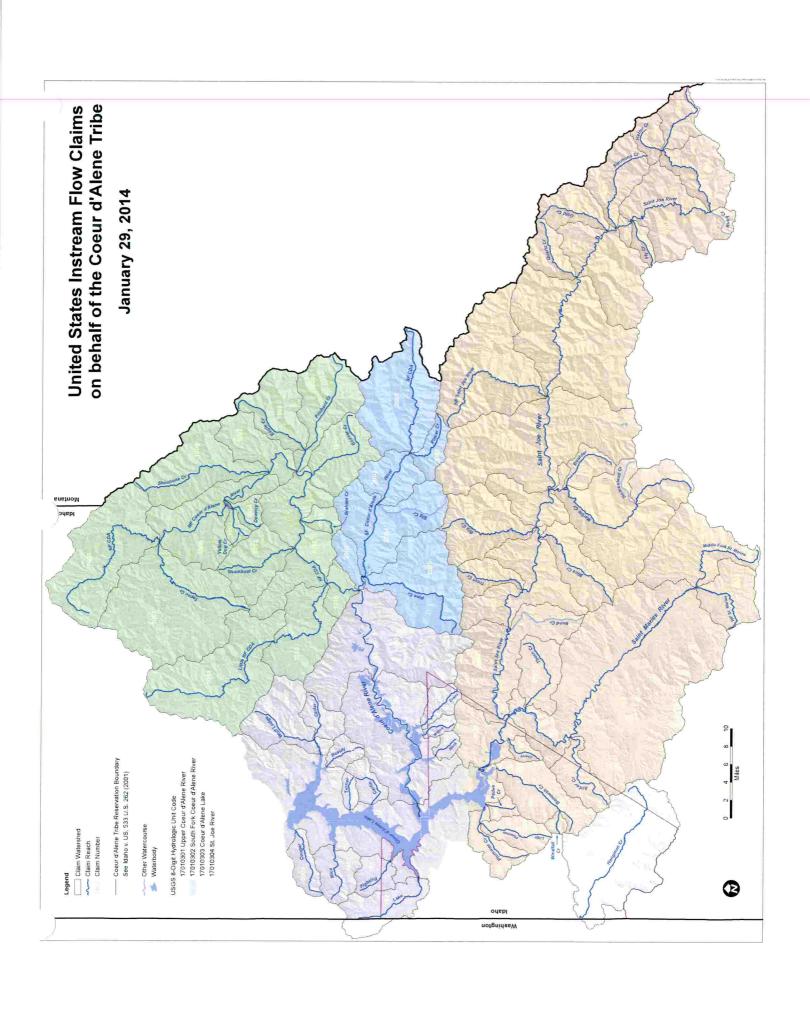
United States Department of Justice

Kenena Boy Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



	THE GENERAL ADJUDICATION GHTS TO THE USE OF WATER	(NOTIO	CE OF CLAIM
FROM SPOKA	THE COEUR D'ALENE- ANE RIVER BASIN R SYSTEM)))	Federa	al Reserved Water Right
CASE 1	NO. 49576)		
1.	Name and address of claimant:			
	UNITED STATES OF AMERICA, D'ALENE TRIBE of the COEUR I through the NORTHWEST REGIO Department of the Interior Bureau of Indian Affairs 911 N.E. 11th Ave. Portland, OR 97232	D'ALEN	E INDI	AN RESERVATION acting
2.	Date of Priority: Time Immemoria	al		
3.	Source: South Fork Coeur d'Alene	River	(Fed II) #2004)
4.	Point of Diversion: Not applicable;	; Instrear	n flow	
5.	Place of Use: At all points along the stream reach Upstream Boundary - Big Creek	located	betweer	n the following boundaries:
	Township: 48N Range 3E S B.M., County of Shoshone	Section:	10	QQ (1/4 of1/4): NENE
	Downstream Boundary - Pine Cree	k		
	Township: 49N Range 2E S B.M., County of Shoshone	Section: 3	32	QQ (1/4 of1/4): SENE
	Legal descriptions are based on curr reflect on-the-ground stream location	ent mapp ns. See A	ping but	t are subject to refinement to best d Map.

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	Februrary	March	April	May	June
150	150	209	256	256	256
July	August	September	October	November	December
171	141	109	123	150	150

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation, 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

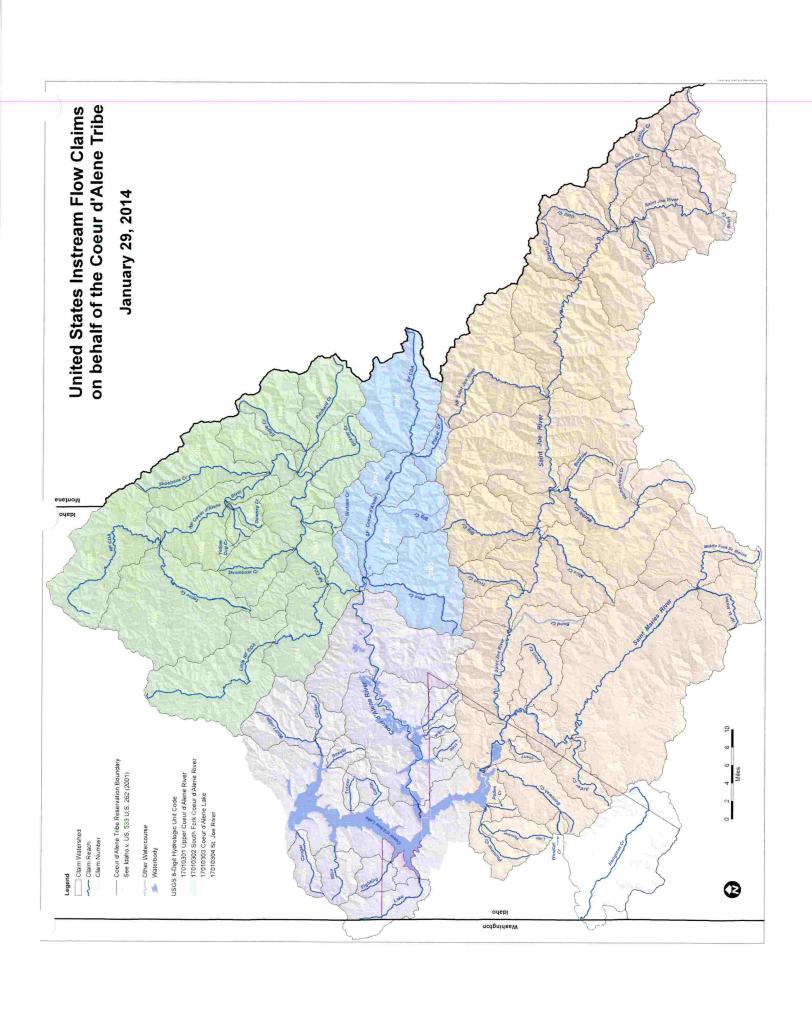
United States Department of Justice

(Kenena Box Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



OF RICE FROM SPOKA WATE	THE GENERAL ADJUDICATION) OF THE USE OF WATER) THE COEUR D'ALENE-) ANE RIVER BASIN) R SYSTEM) 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: Pine Creek (Fed ID #2005)
4.	Point of Diversion: Not applicable; Instream flow
	Place of Use: At all points along the stream reach located between the following boundaries: Upstream Boundary - West Fork Pine Creek Headwaters Township: 47N Range 1E Section: 20 QQ (1/4 of1/4): SWNE B.M., County of Benewah Downstream Boundary - Mouth Township: 49N Range 2E Section: 32 QQ (1/4 of1/4): SENE B.M., County of Shoshone Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
84	84	112	143	143	143
July	August	September	October	November	December
62	28	20	21	74	84

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

(2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).

- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

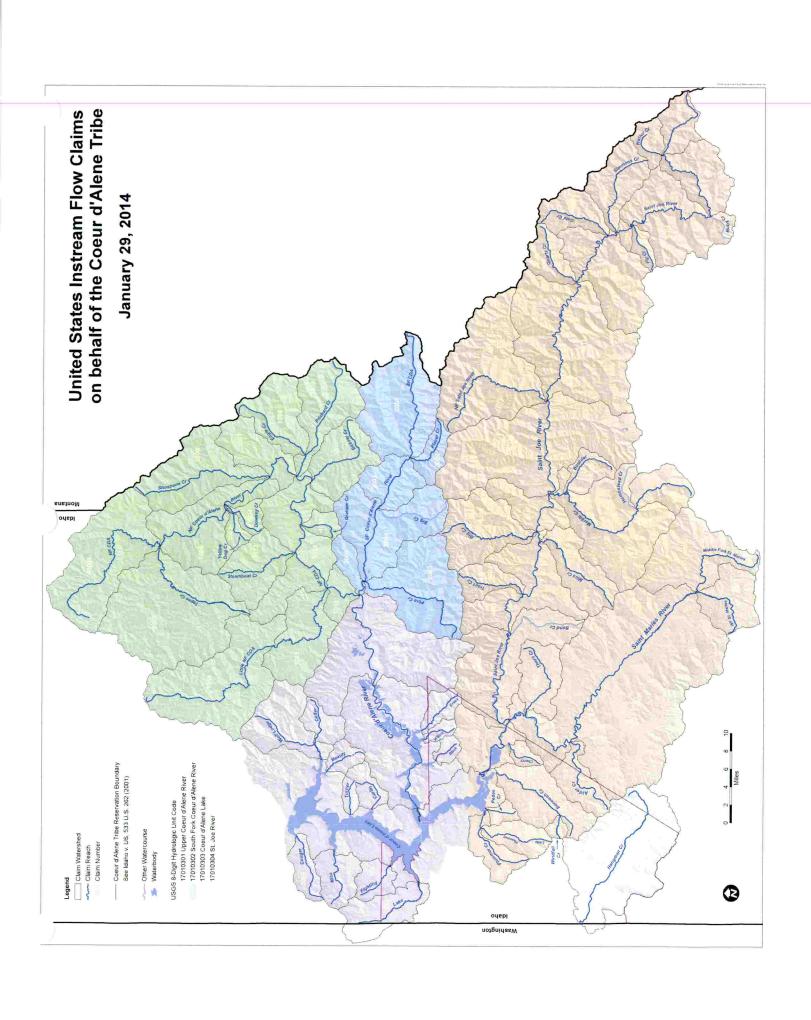
United States Department of Justice

(Kenena Box Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



	THE GENERAL ADJUDICATION) NOTICE OF CLAIM GHTS TO THE USE OF WATER)					
FROM	THE COEUR D'ALENE-) Federal Reserved Water Right					
	SPOKANE RIVER BASIN)					
WATE	R SYSTEM)					
CASE 1	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: South Fork Coeur d'Alene River (Fed ID #2006)					
4.	Point of Diversion: Not applicable; Instream flow					
	Place of Use: At all points along the stream reach located between the following boundaries: Upstream Boundary - Pine Creek Township: 49N Range 2E Section: 32 QQ (1/4 of1/4): SENE B.M., County of Shoshone					
	Downstream Boundary - Mouth					
	Township: 49N Range 2E Section: 31 QQ (1/4 of1/4): NENW					
	B.M., County of Shoshone					
	Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.					

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	Februrary	March	April	May	June
80	80	200	175	175	175
July	August	September	October	November	December
117	150	145	139	80	80

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

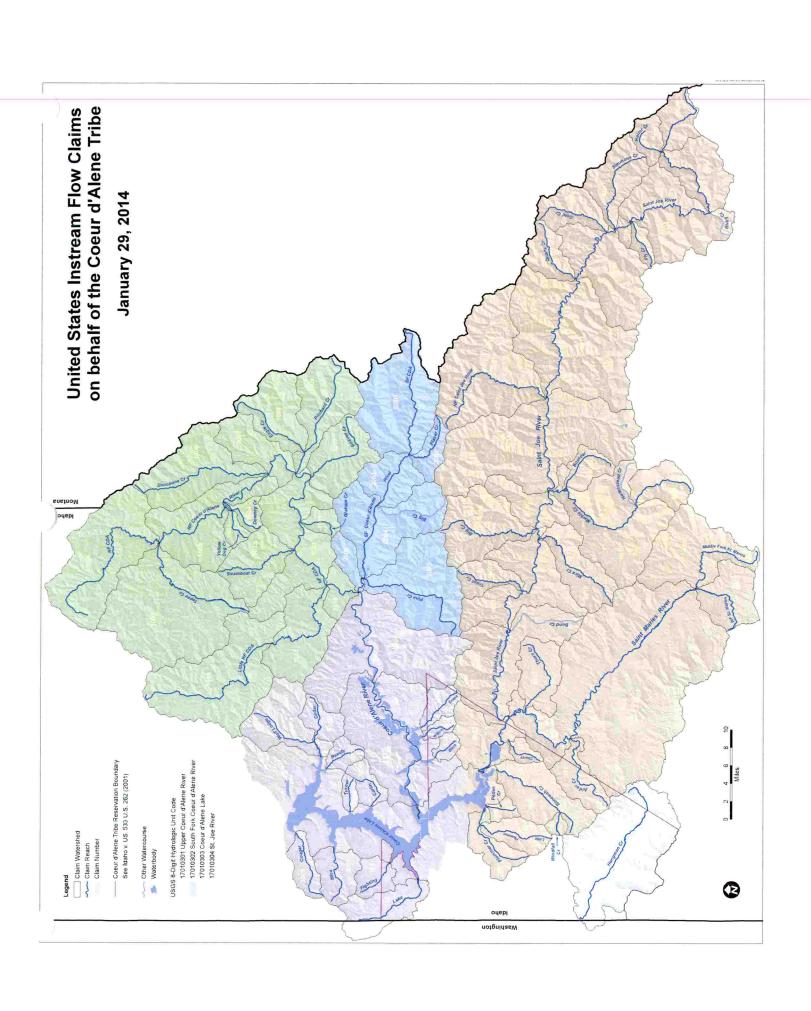
United States Department of Justice

Environment and Natural Resources Division

Indian Resources Section

(Kenena Boy Willa

550 W. Fort Street, MSC 033



	THE GENERAL ADJUDICATION) NOTICE OF CLAIM
	GHTS TO THE USE OF WATER) THE COEUR D'ALENE-) Federal Reserved Water Right
	THE COEUR D'ALENE-) Federal Reserved Water Right ANE RIVER BASIN)
	D OVECTOR A
WILL	R SYSTEM)
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: Coeur d'Alene River (Fed ID #3001)
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 - North/South Fork Coeur d'Alene River Confluence
	Township: 49N Range 2E Section: 31 QQ (1/4 of1/4): NENW
	B.M., County of Shoshone
	Downstream Boundary - Rose Lake Bridge
	Township: 48N Range 1W Section: 4 QQ (1/4 of1/4): SENW
	B.M., County of Kootenai
	Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
525	525	699	789	789	789
July	August	September	October	November	December
525	699	789	789	525	525

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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.*
- f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

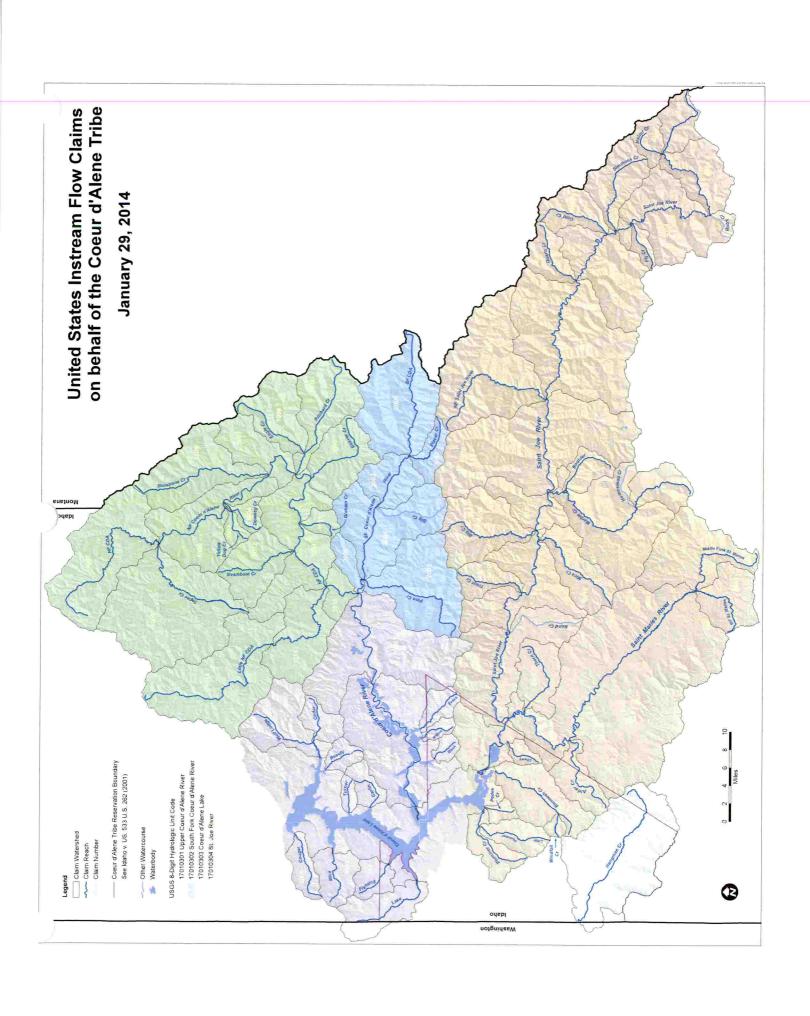
United States Department of Justice

(Kenena Box Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



	THE GENERAL ADJUDICATION) NOTICE OF CLAIM SHTS TO THE USE OF WATER)
FROM SPOKA	THE COEUR D'ALENE- NE RIVER BASIN R SYSTEM Federal Reserved Water Right Output Discrepance of the property of the propert
CASE 1	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: Coeur d'Alene River (Fed ID #3002)
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 - Rose Lake Bridge
	Township: 48N Range IW Section: 4 QQ (1/4 of1/4): SENW
	B.M., County of Kootenai
	Downstream Boundary - Mouth
	Township: 48N Range 4W Section: 36 QQ (1/4 of1/4): SWNW
	B.M., County of Kootenai
	Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map

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	Februrary	March	April	May	June
468	468	705	793	793	793
July	August	September	October	November	December
528	705	606	702	468	468

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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.*
- f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

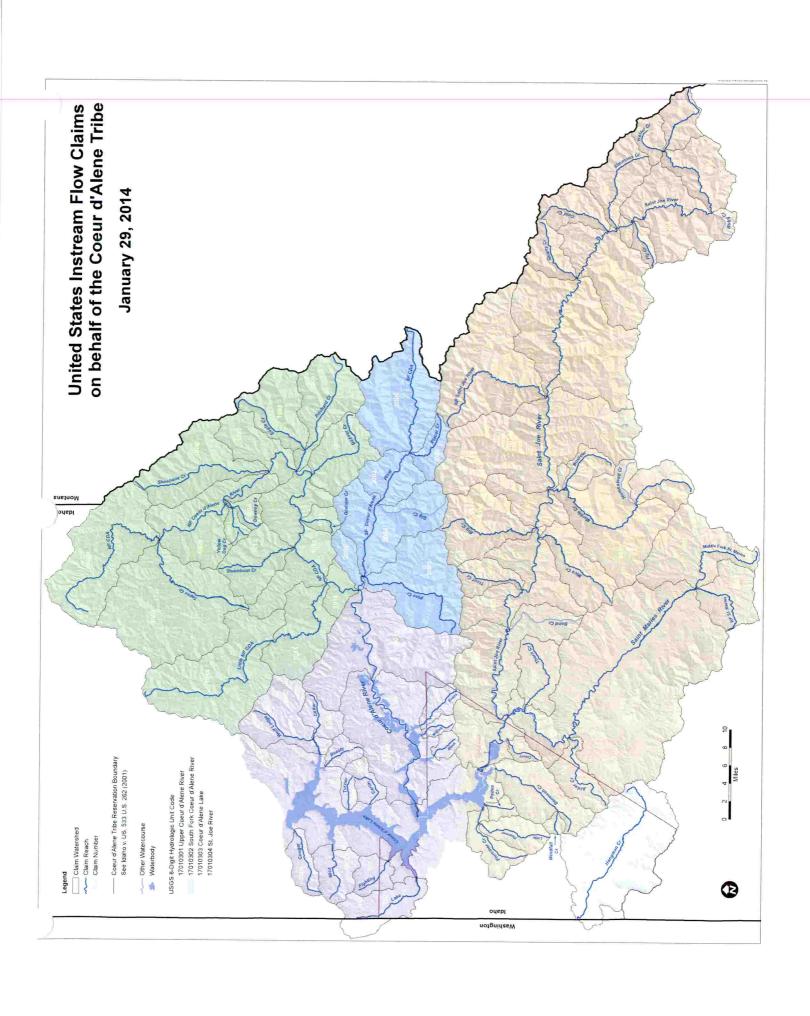
United States Department of Justice

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033

(Kenena Box Willa



	THE GENERAL ADJUDICATION) NOTICE OF CLAIM
	GHTS TO THE USE OF WATER) THE COEUR D'ALENE-) Federal Reserved Water Right
	THE COEUR D'ALENE-) Federal Reserved Water Right ANE RIVER BASIN)
	R SYSTEM
)
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: Carlin Creek (Fed ID #3003)
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
	Township: 49N Range 3W Section: 27 QQ (1/4 of1/4): SENE
	B.M., County of Kootenai
	Downstream Boundary - Mouth
	Township: 48N Range 3W Section: 6 QQ (1/4 of1/4): NENE
	B.M., County of Kootenai
	Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
16	16	30	14	14	7.3
July	August	September	October	November	December
3.4	2.3	2.3	2.6	4.1	14

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not __X __ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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:

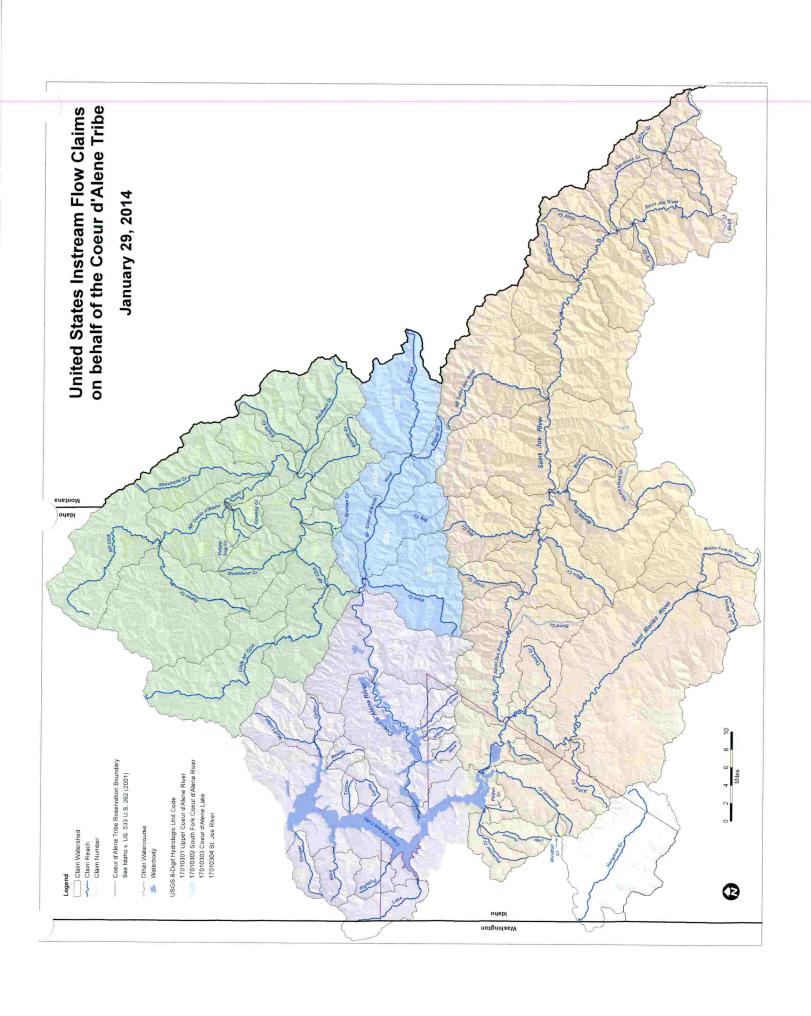
Vanessa Boyd Willard

United States Department of Justice

Environment and Natural Resources Division Indian Resources Section

550 W. Fort Street, MSC 033

Kerena Boy Willa



	THE GENERAL ADJUDICATION) NOTICE OF CLAIM
	GHTS TO THE USE OF WATER) THE COEUR D'ALENE-) Federal Reserved Water Right
	THE COEUR D'ALENE-) Federal Reserved Water Right ANE RIVER BASIN)
	R SYSTEM)
,,,,,,,)
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: Turner Creek (Fed ID #3004)
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
	Township: 49N Range 3W Section: 27 QQ (1/4 of1/4): SENE
	B.M., County of Kootenai
	Downstream Boundary - Mouth
	Township: 49N Range 3W Section: 19 QQ (1/4 of1/4): NWSW
	B.M., County of Kootenai
	Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
13	13	15	12	5.5	3.3
July	August	September	October	November	December
1.7	0.97	0.98	1.2	1.7	5.2

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not __X __ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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:

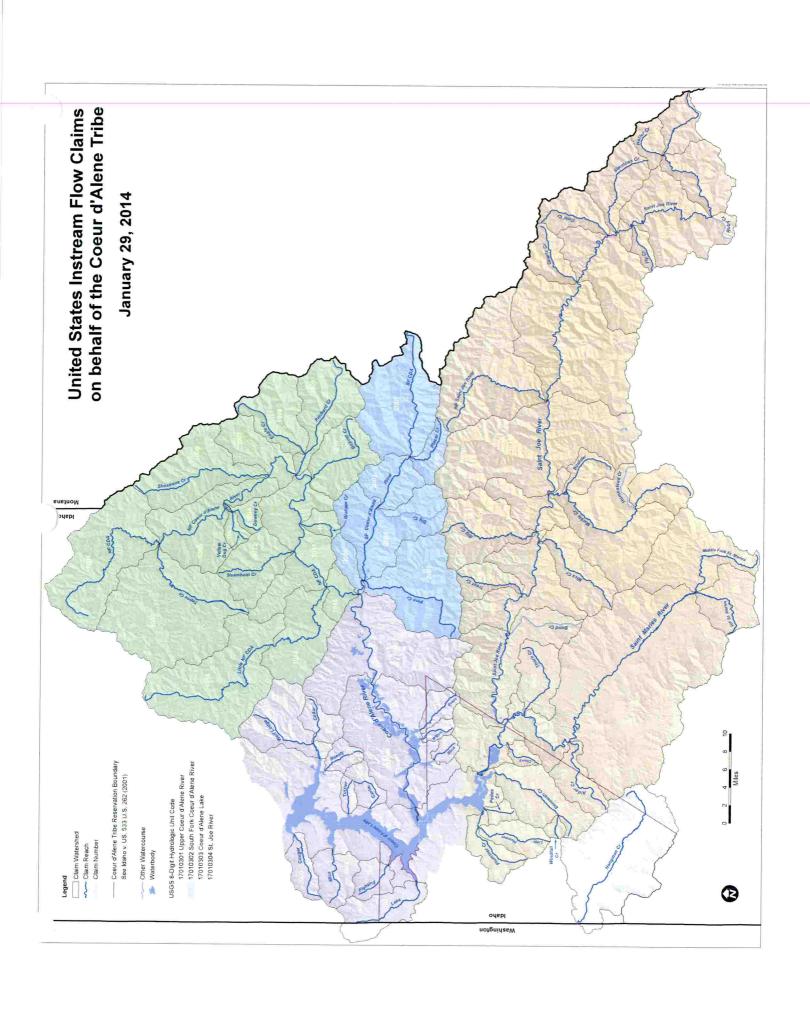
Vanessa Boyd Willard

United States Department of Justice Environment and Natural Resources Division

Indian Resources Section

(Kenena Box Willa

550 W. Fort Street, MSC 033



OF RIC FROM SPOKA	THE GENERAL ADJUDICATION) SHTS TO THE USE OF WATER) THE COEUR D'ALENE-) ANE RIVER BASIN) R SYSTEM)
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: Beauty Creek (Fed ID #3005)
4.	Point of Diversion: Not applicable; Instream flow
	Place of Use: At all points along the stream reach located between the following boundaries: Upstream Boundary - Headwaters Township: 49N Range 2W Section: 31 QQ (1/4 of1/4): NENE B.M., County of Kootenai Downstream Boundary - Mouth Township: 49N Range 3W Section: 12 QQ (1/4 of1/4): NWNW
	B.M., County of Kootenai Legal descriptions are based on current mapping but are subject to refinement to best
1	reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
20	24	38	30	30	9.2
July	August	September	October	November	December
2.9	2.6	2	1.5	4.5	7.5

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.
- f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

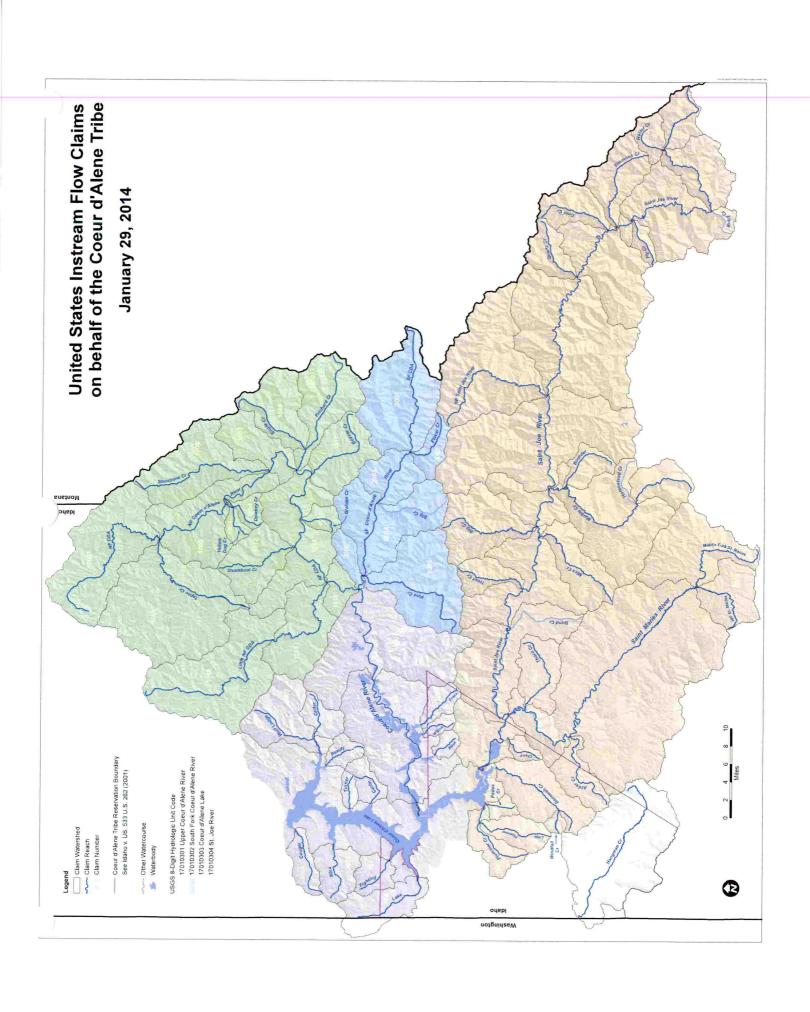
United States Department of Justice

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033

(Kenena Boy Willa



	THE GENERAL ADJUDICATION) NOTICE OF CLAIM GHTS TO THE USE OF WATER)
FROM	THE COEUR D'ALENE-) Federal Reserved Water Right
	ANE RIVER BASIN) R SYSTEM)
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: Cedar Creek (Fed ID #3006)
4.	Point of Diversion: Not applicable; Instream flow
	Place of Use: At all points along the stream reach located between the following boundaries: Upstream Boundary - Headwaters Township: 50N Range 1W Section: 31 QQ (1/4 of1/4): NESE B.M., County of Kootenai Downstream Boundary - Mouth Township: 50N Range 2W Section: 32 QQ (1/4 of1/4): SESE B.M., County of Kootenai Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.
	reflect on the ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
24	30	45	45	40	10
July	August	September	October	November	December
3.6	2.8	2.4	2.5	7.6	10

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

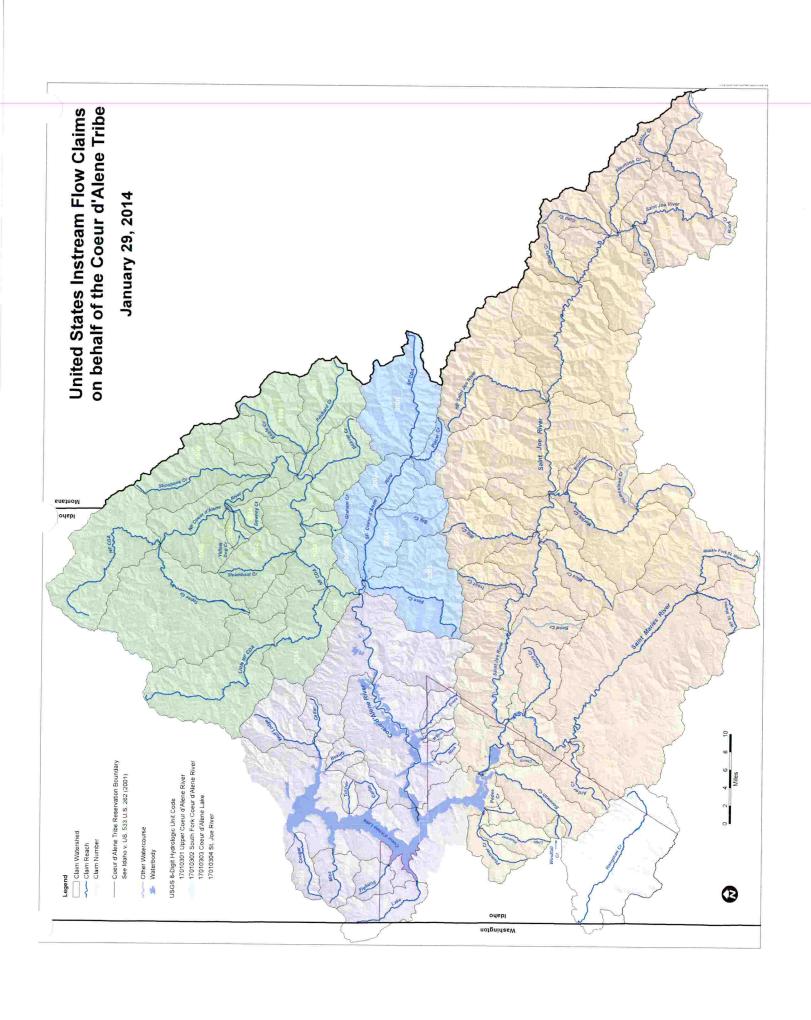
United States Department of Justice

(Kenena Box Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



	THE GENERAL ADJUDICATION) NOTICE OF CLAIM GHTS TO THE USE OF WATER)						
FROM SPOKA	THE COEUR D'ALENE- ANE RIVER BASIN R SYSTEM Federal Reserved Water Right O O O O O O O O O O O O O						
CASE 1	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: Wolf Lodge Creek (Fed ID #3007)						
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 - Blue Grouse Creek Headwaters						
	Township: 51N Range 2W Section: 36 QQ (1/4 of1/4): NWNW						
	B.M., County of Kootenai						
	Downstream Boundary - Mouth						
	Township: 49N Range 2W Section: 6 QQ (1/4 of1/4): NESW B.M., County of Kootenai						
	Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map						

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	Februrary	March	April	May	June
56	56	72	94	94	80
July	August	September	October	November	December
24	15	12	12	35	51

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not __X __ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

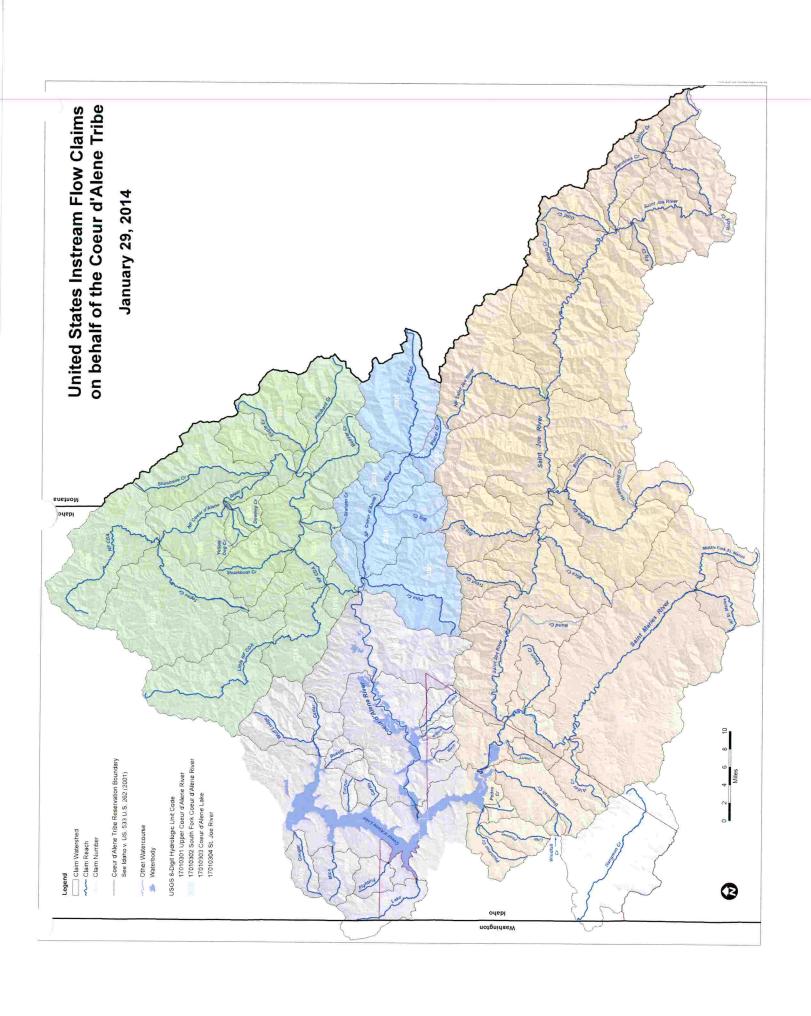
United States Department of Justice

(Kenena Box Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



	THE GENERAL ADJUDICATION GHTS TO THE USE OF WATER		NOTICE OF CLAIM
FROM SPOK <i>A</i>	THE COEUR D'ALENE- ANE RIVER BASIN R SYSTEM)))	Federal Reserved Water Right
CASE 1	NO. 49576)	
1.	Name and address of claimant: UNITED STATES OF AMERICA D'ALENE TRIBE of the COEUR through the NORTHWEST REGIO Department of the Interior Bureau of Indian Affairs 911 N.E. 11th Ave. Portland, OR 97232	D'ALEN	NE INDIAN RESERVATION acting
2.	Date of Priority: Time Immemor	ial	
3.	Source: Mica Creek (Fed ID #30	008)	
1.	Point of Diversion: Not applicable	e; Instrear	am flow
5.	Place of Use: At all points along the stream reach Upstream Boundary - North Fork		I between the following boundaries:
	Township: 49N Range 5W	Section:	9 QQ (1/4 of1/4): SESW
	B.M., County of Kootenai		
	Downstream Boundary - Mouth		
	Township: 49N Range 4W B.M., County of Kootenai	Section:	9 QQ (1/4 of1/4): SESW
	Legal descriptions are based on cur reflect on-the-ground stream location	rrent map	pping but are subject to refinement to best

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	Februrary	March	April	May	June
37	37	46	62	52	41
July	August	September	October	November	December
17	7.1	6.1	9.8	21	35

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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.

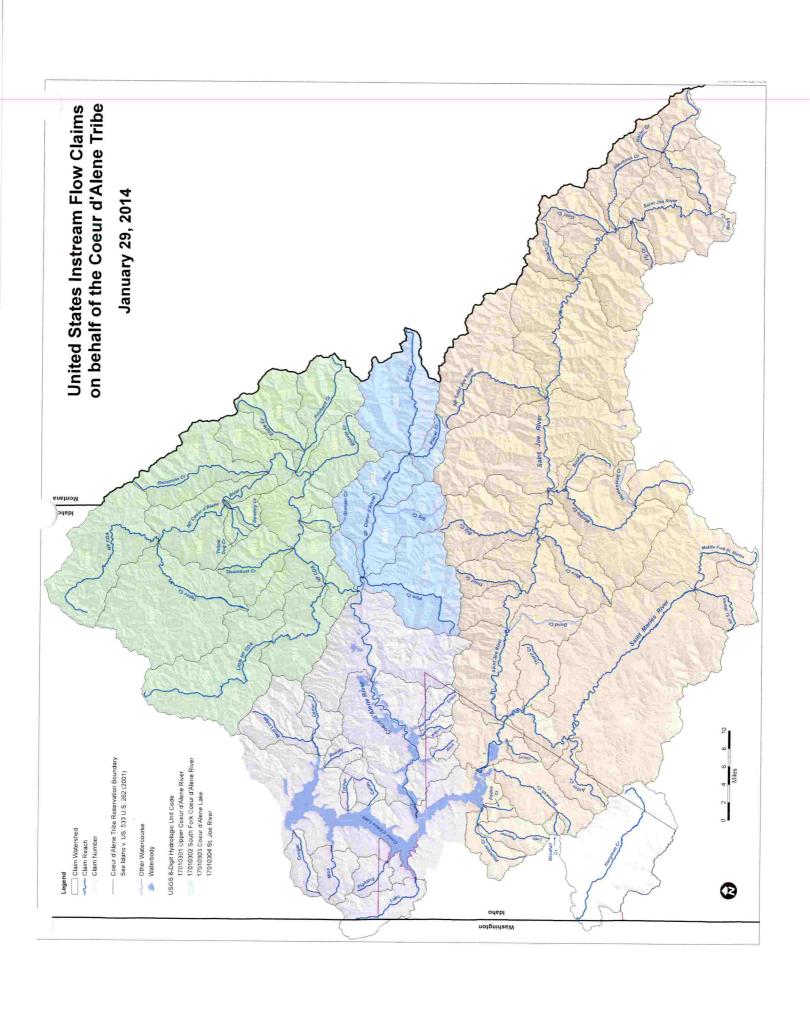
All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard

United States Department of Justice Environment and Natural Resources Division

Indian Resources Section 550 W. Fort Street, MSC 033

(Kenena Box Willa



FROM THE COEUR D'ALENE- SPOKANE RIVER BASIN Federal Reserved W	7 4 70 0
SFORANE RIVER BASIN	ater Right
WATER SYSTEM	
)	
CASE NO. 49576	
,	
1. Name and address of claimant:	
UNITED STATES OF AMERICA, as trustee on behalf of the CC	DEUR
D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVA	ATION 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: Cougar Creek (Fed ID #3009)	
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	
Township: 49N Range 5W Section: 4 QQ (1/4 of	1/4): NESE
B.M., County of Kootenai	<u> </u>
Downstream Boundary - Mouth	
Township: 50N Range 4W Section: 21 QQ (1/4 of	1/4): SESE
B.M., County of Kootenai	
Legal descriptions are based on current mapping but are subject to reflect on-the-ground stream locations. See Attached Map.	refinement to best

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	Februrary	March	April	May	June
27	27	33	46	29	23
July	August	September	October	November	December
11	4.9	4.2	6.3	13	21

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

(2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).

- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

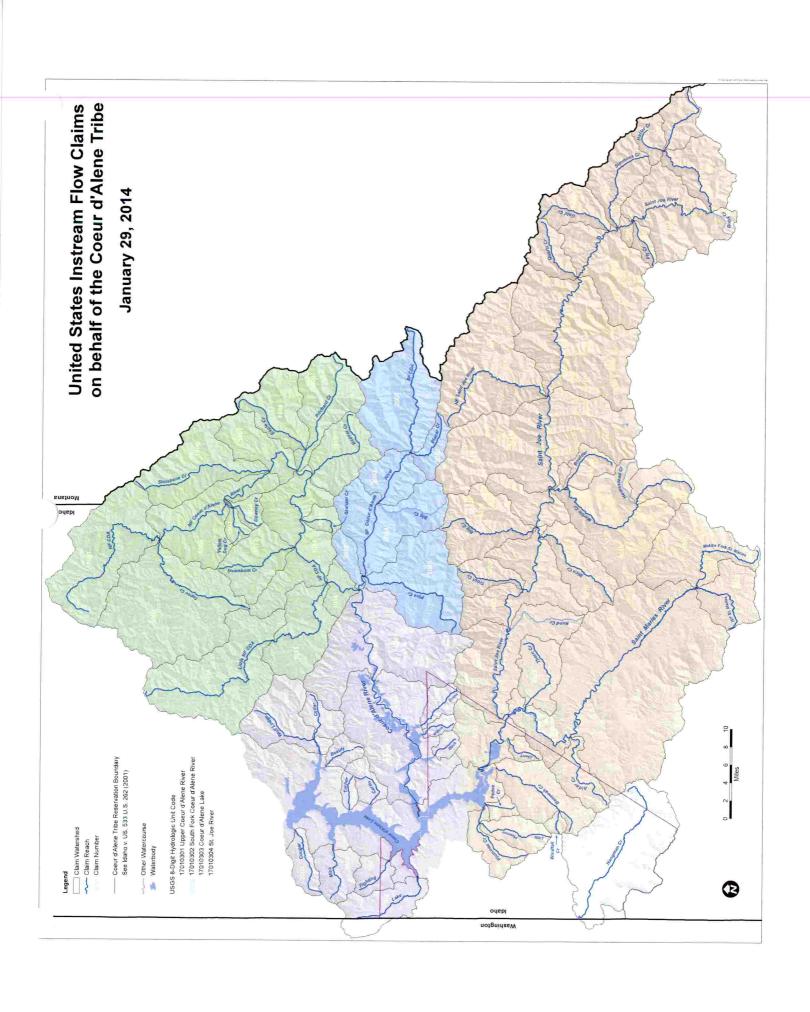
United States Department of Justice

Kenena Bow Wella

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



IN RE	THE GENERAL ADJUDICATION) NOTICE OF CLAIM
OF RIC	GHTS TO THE USE OF WATER)
	THE COEUR D'ALENE-) Federal Reserved Water Right
	ANE RIVER BASIN)
WATE	R SYSTEM)
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: Saint Joe River (Fed ID #4001)
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
	Township: 42N Range 11E Section: 4 QQ (1/4 of1/4): NENE
	B.M., County of Shoshone
	Downstream Boundary - Heller Creek
	Township: 43N Range 10E Section: 20 QQ (1/4 of1/4): NENE
	B.M., County of Shoshone
	Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
67	67	90	115	115	115
July	August	September	October	November	December
77	63	39	23	47	67

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not __X __ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

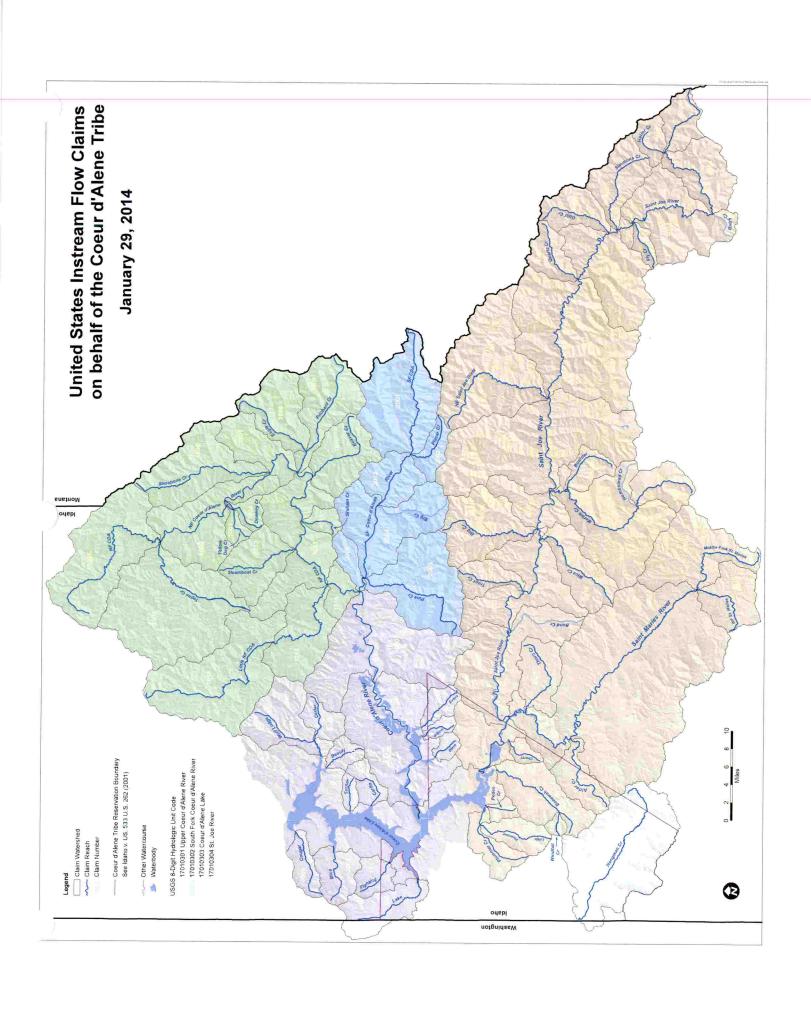
United States Department of Justice

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033

(Kenena Boy Willa



	THE GENERAL ADJUDICATION) NOTICE OF CLAIM GHTS TO THE USE OF WATER)
	THE COEUR D'ALENE-) Federal Reserved Water Right
	ANE RIVER BASIN
WATE	R SYSTEM)
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: Heller Creek (Fed ID #4002)
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 Township: 43N Range 10E Section: 11 QQ (1/4 of1/4): NWSW B.M., County of Shoshone
	Downstream Boundary - Mouth
	Township: 43N Range 10E Section: 20 QQ (1/4 of1/4): NENE
	B.M., County of Shoshone
	Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
43	35	47	73	73	73
July	August	September	October	November	December
45	32	20	11	23	36

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

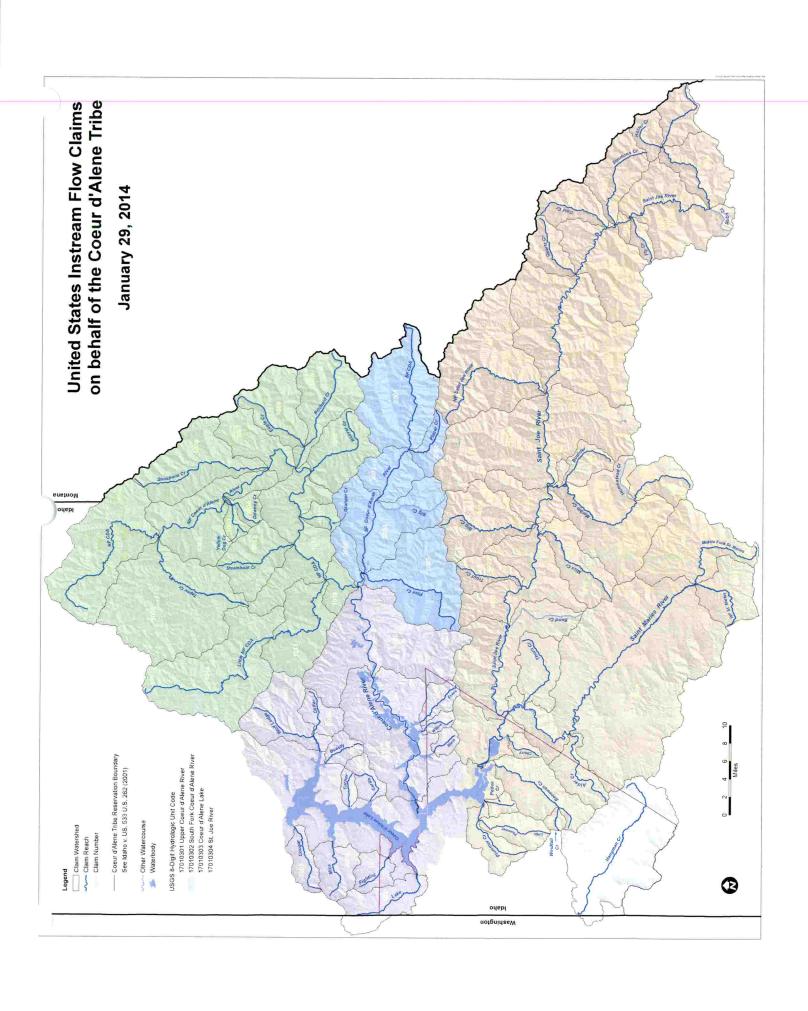
United States Department of Justice

(Kenena Box Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



	THE GENERAL ADJUDICATION) NOTICE OF CLAIM GHTS TO THE USE OF WATER)
FROM SPOK	THE COEUR D'ALENE-) Federal Reserved Water Right ANE RIVER BASIN) ER SYSTEM)
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: Saint Joe River (Fed ID #4003)
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 - Heller Creek
	Township: 43N Range 10E Section: 20 QQ (1/4 of1/4): NENE
	B.M., County of Shoshone
	Downstream Boundary - Ruby Creek
	Township: 42N Range 9E Section: 18 QQ (1/4 of1/4): NESE
	B.M., County of Shoshone
	Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
130	130	185	224	224	224
July	August	September	October	November	December
149	163	104	75	130	130

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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.*
- f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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.

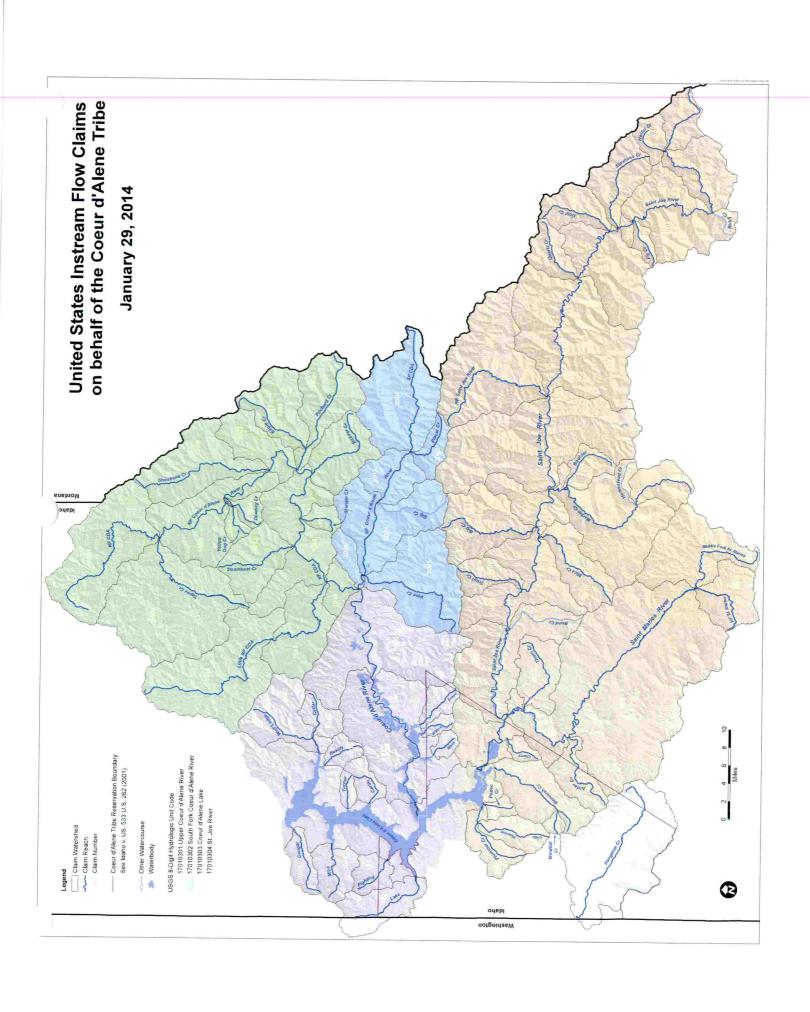
All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard

United States Department of Justice Environment and Natural Resources Division Indian Resources Section

550 W. Fort Street, MSC 033

Chenena Box Willa



	THE GENERAL ADJUDICATION) NOTICE OF CLAIM
	GHTS TO THE USE OF WATER)
	THE COEUR D'ALENE-) Federal Reserved Water Right
	ANE RIVER BASIN)
WAIE	R SYSTEM)
CASE	NO. 49576
CIRCLI)
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: Saint Joe River (Fed ID #4004)
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 - Ruby Creek
	Township: 42N Range 9E Section: 18 QQ (1/4 of1/4): NESE
	B.M., County of Shoshone
	Downstream Boundary - Fly Creek
	Township: 44N Range 8E Section: 36 QQ (1/4 of1/4): NESE
	B.M., County of Shoshone
	Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
178	178	258	307	307	307
July	August	September	October	November	December
205	245	160	129	178	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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
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- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.
- f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

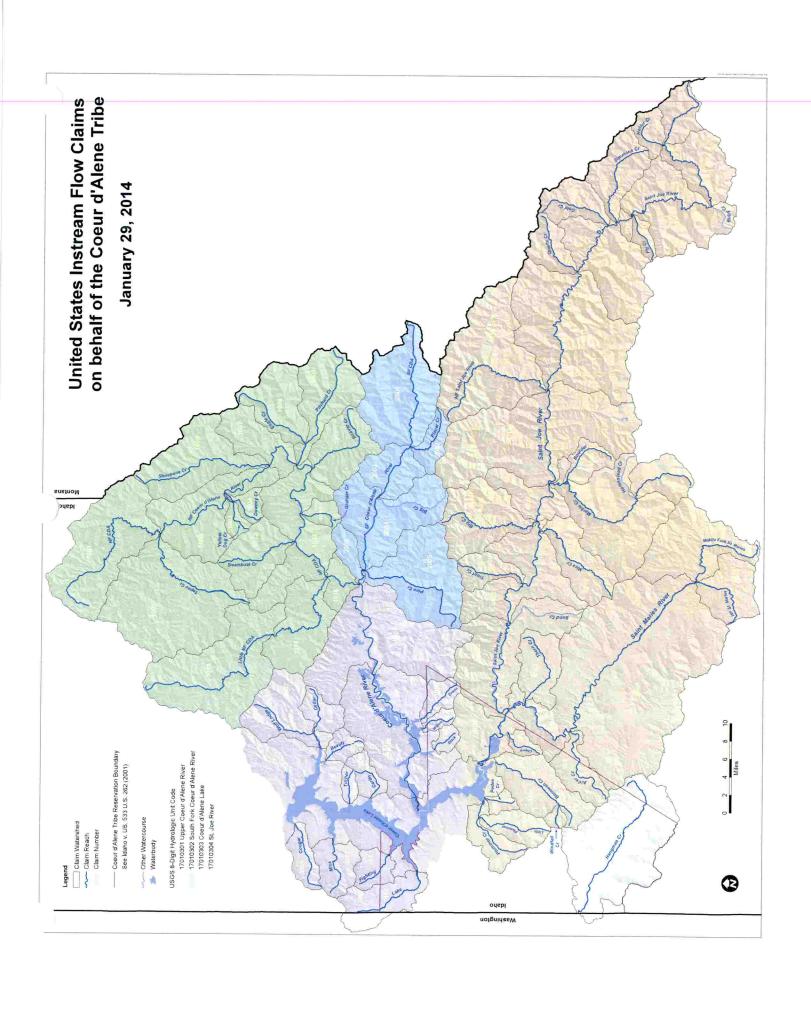
United States Department of Justice

(Kenena Box Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



IN RE OF RIC	THE GENERAL ADJUDICATION) NOTICE OF CLAIM GHTS TO THE USE OF WATER)					
FROM SPOKA	THE COEUR D'ALENE- ANE RIVER BASIN CR SYSTEM Federal Reserved Water Right)					
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: Fly Creek (Fed ID #4005)					
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					
	Township: 43N Range 8E Section: 7 QQ (1/4 of1/4): SESE B.M., County of Shoshone					
	Downstream Boundary - Mouth					
	Township: 44N Range 8E Section: 36 QQ (1/4 of1/4): NESE B.M., County of Shoshone					
	2 (_1/+01_1/4). NESE					

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	Februrary	March	April	May	June
24	23	32	45	45	45
July	August	September	October	November	December
26	11	7.9	6.3	11	17

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

(2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).

- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

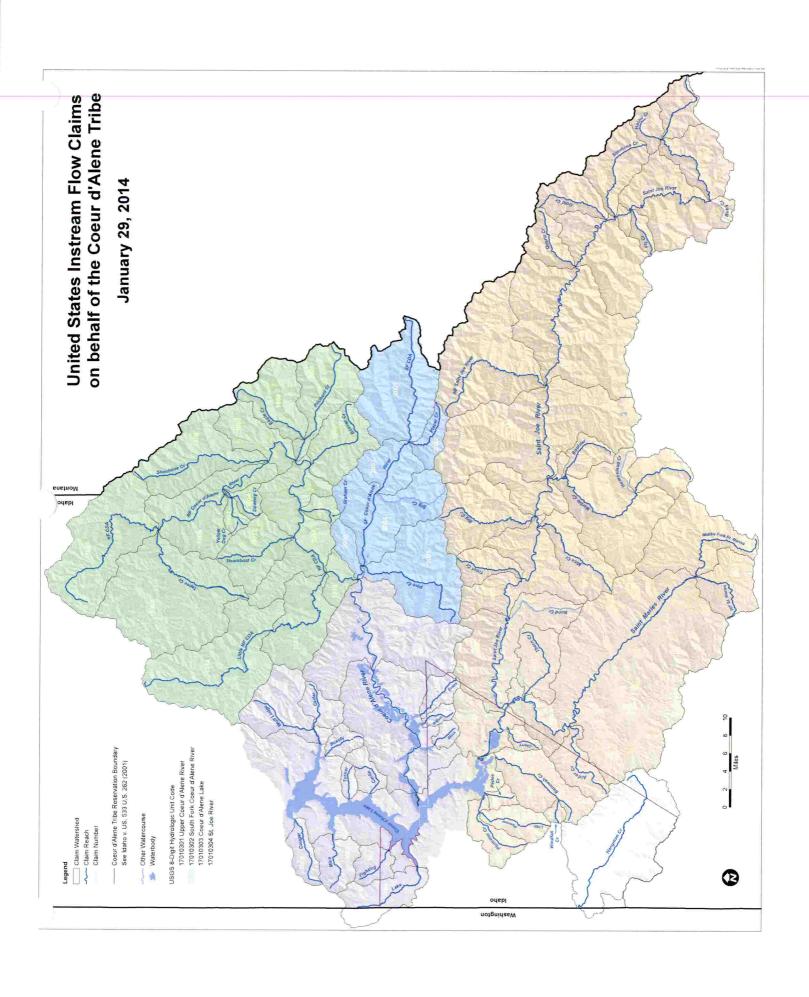
United States Department of Justice

(Kenena Boy Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



	E GENERAL ADJUDICATION)	NOTICE OF CLAIM
	TS TO THE USE OF WATER)	
	IE COEUR D'ALENE-	Federal Reserved Water Right
WATER S	E RIVER BASIN)	
WAIERS)	
CASE NO.	. 49576	
	*	
1. Na	ame and address of claimant:	
thr De Bu	NITED STATES OF AMERICA, as trus 'ALENE TRIBE of the COEUR D'ALE rough the NORTHWEST REGIONAL I repartment of the Interior areau of Indian Affairs 1 N.E. 11th Ave. 1 ortland, OR 97232	NE INDIAN RESERVATION acting
2. Da	ate of Priority: Time Immemorial	
3. Sou	urce: Saint Joe River (Fed ID #4006)	
4. Poi	int of Diversion: Not applicable; Instrea	am flow
5. Pla	ace of Use:	
At a	all points along the stream reach located	between the following boundaries:
Ups	stream Boundary - Fly Creek	to removing obtained its.
	wnship: 44N Range 8E Section:	36 QQ (1/4 of1/4): NESE
B.M	M., County of Shoshone	(<u></u>
Dov	wnstream Boundary - Simmons Creek	
Tow	wnship: 44N Range 8E Section:	24 QQ (1/4 of1/4): SESW
B.M	M., County of Shoshone	
Lega refle	gal descriptions are based on current map ect on-the-ground stream locations. See	oping but are subject to refinement to best Attached Map.

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	Februrary	March	April	May	June
183	183	266	316	316	316
July	August	September	October	November	December
210	250	164	138	183	183

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

(2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).

- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

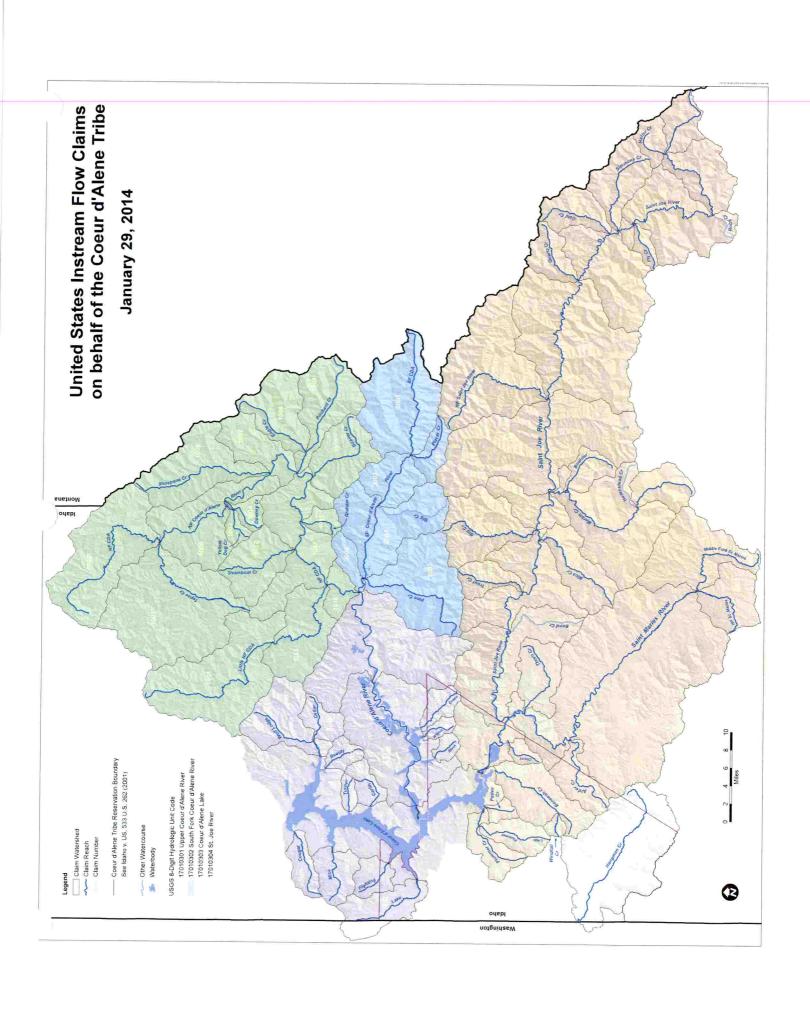
United States Department of Justice

(Kenena Boe) Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



IN RE	THE GENERAL ADJUDICATION	1)	NOTICE OF CLAIM
	GHTS TO THE USE OF WATER)	
	THE COEUR D'ALENE-)	Federal Reserved Water Right
	ANE RIVER BASIN)	
WATE	R SYSTEM)	
CASE	NO. 49576)	
CASE	NO. 49376)	
1.	Name and address of claimant:		
	UNITED STATES OF AMERICAD'ALENE TRIBE of the COEUR through the NORTHWEST REGION Department of the Interior Bureau of Indian Affairs 911 N.E. 11th Ave. Portland, OR 97232	D'ALEN	E INDIAN RESERVATION acting
2.	Date of Priority: Time Immemor	rial	
3.	Source: Simmons Creek (Fed II	D #4007)	
4.	Point of Diversion: Not applicable	e; Instrea	n flow
5.	Place of Use:		
	At all points along the stream reach	h located	between the following boundaries:
	Upstream Boundary - Headwaters	8	
	Township: 43N Range 10E	Section:	8 QQ (1/4 of1/4): NESW
	B.M., County of Shoshone		
	Downstream Boundary - Mouth		
	Township: 44N Range 8E	Section:	24 QQ (1/4 of1/4): SESW
	B.M., County of Shoshone		
	Legal descriptions are based on cur reflect on-the-ground stream locati		ping but are subject to refinement to best

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	Februrary	March	April	May	June
50	50	120	115	115	115
July	August	September	October	November	December
77	62	41	38	50	50

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.
- f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

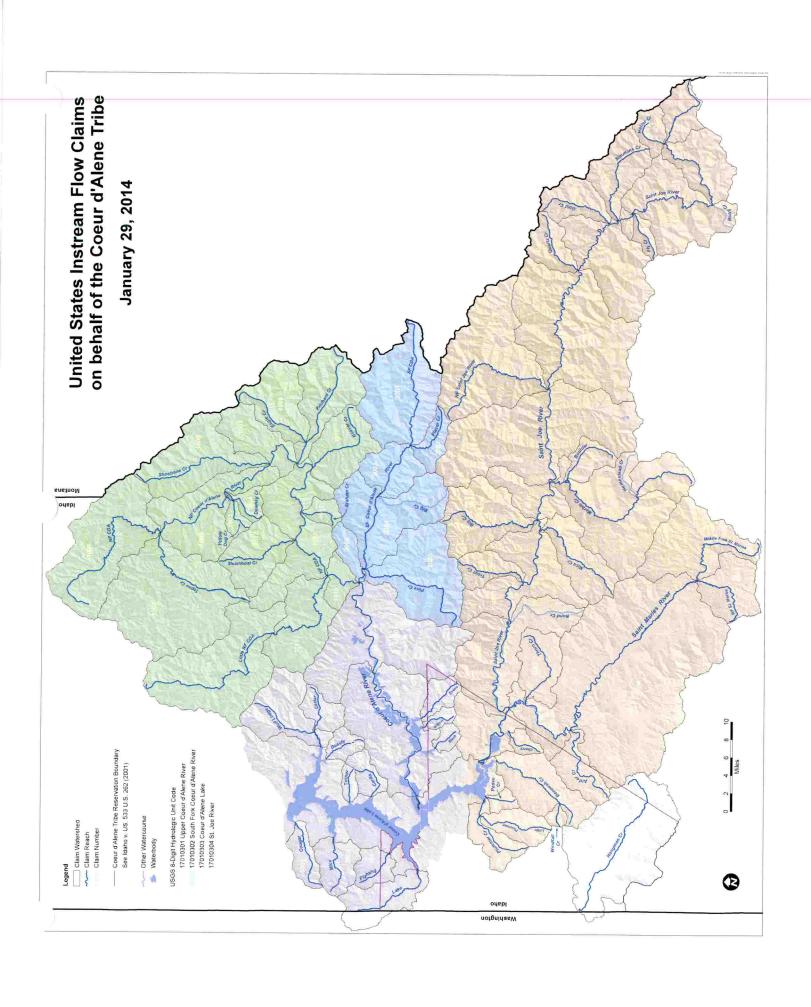
United States Department of Justice

Vanena Boy Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



	THE GENERAL ADJUDICATION GHTS TO THE USE OF WATER)	NOTICE OF CLAIM	
	THE COEUR D'ALENE-)	Federal Reserved Water Right	
	ANE RIVER BASIN	Ś	reactar Reserved Water Right	
WATE	ER SYSTEM)		
CASE	NO. 49576)		
CASE	110. 49370)		
1.	Name and address of claimant:			
	UNITED STATES OF AMERICA, D'ALENE TRIBE of the COEUR I through the NORTHWEST REGIO Department of the Interior Bureau of Indian Affairs 911 N.E. 11th Ave. Portland, OR 97232	D'ALEN	NE INDIAN RESERVATION acting	
2.	Date of Priority: Time Immemoria	al		
3.	Source: Gold Creek (Fed ID #40	08)		
4.	Point of Diversion: Not applicable;	Instream	am flow	
5.	Place of Use: At all points along the stream reach Upstream Boundary - Headwaters	located 1	l between the following boundaries:	
	Township: 45N Range 8E S	ection:	: 12 QQ (1/4 of1/4): NESE	
	B.M., County of Shoshone			
	Downstream Boundary - Mouth			
	Township: 44N Range 8E S	ection: 1	14 QQ (1/4 of1/4): SESE	
	B.M., County of Shoshone			
	Legal descriptions are based on curre reflect on-the-ground stream location	ent mapp ns. See A	pping but are subject to refinement to be Attached Map.	st

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	Februrary	March	April	May	June
55	55	72	94	94	94
July	August	September	October	November	December
62	34	23	22	40	53

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not __X ___ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

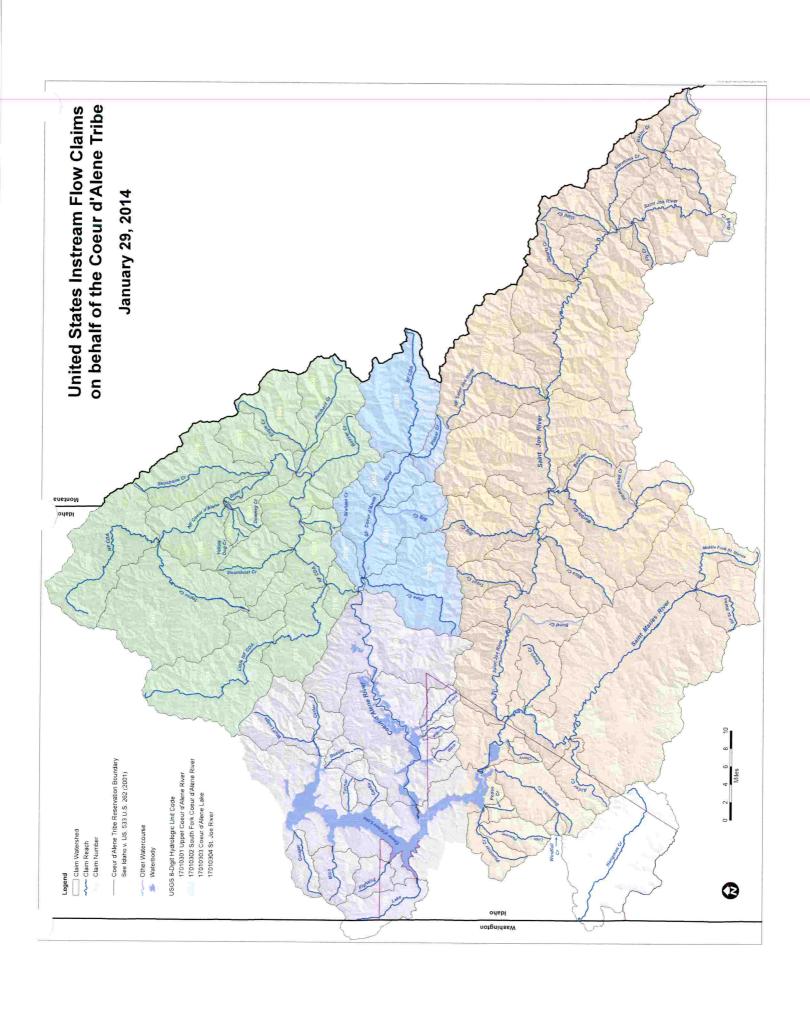
United States Department of Justice

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033

(Kerena Box Willa



IN RE	THE GENERAL ADJUDICATION) N	NOTICE OF CLAIM
OF RIC	GHTS TO THE USE OF WATER)	
FROM	THE COEUR D'ALENE-) F	Tederal Reserved Water Right
SPOKA	ANE RIVER BASIN)	
WATE	R SYSTEM)	
)	
CASE 1	NO. 49576)	
1.	Name and address of claimant:		
	UNITED STATES OF AMERICA, D'ALENE TRIBE of the COEUR D through the NORTHWEST REGION Department of the Interior Bureau of Indian Affairs 911 N.E. 11th Ave. Portland, OR 97232)'ALENE	E INDIAN RESERVATION acting
2.	Date of Priority: Time Immemoria	ıl	
3.	Source: Saint Joe River (Fed ID #	#4009)	
4.	Point of Diversion: Not applicable;	Instream	flow
5.	Place of Use: At all points along the stream reach Upstream Boundary - Simmons Cre		etween the following boundaries:
	Township: 44N Range 8E S	Section: 2	4 QQ (1/4 of1/4): SESW
	B.M., County of Shoshone		
	Downstream Boundary - Quartz Cr	eek	
	Township: 45N Range 7E S	section: 3	6 QQ (1/4 of1/4): NESW
	B.M., County of Shoshone		
	Legal descriptions are based on curre		ing but are subject to refinement to best

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	Februrary	March	April	May	June
133	133	350	175	175	175
July	August	September	October	November	December
116	250	200	200	133	133

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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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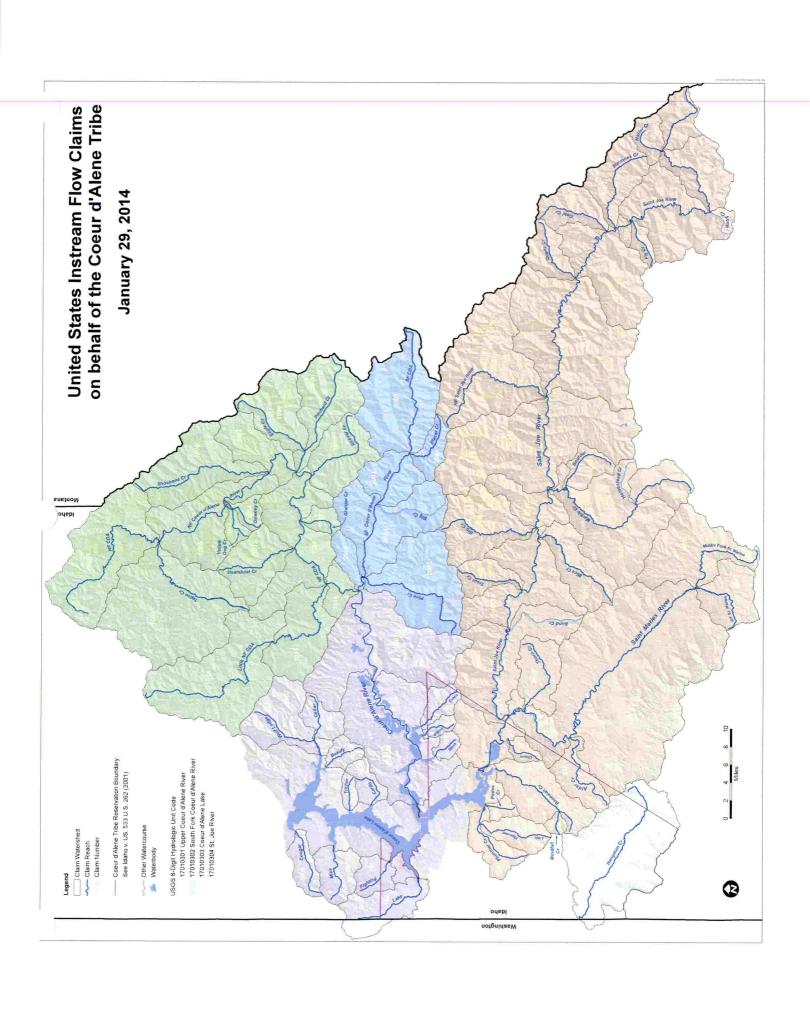
United States Department of Justice

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033

(Kenena Box Willa



	THE GENERAL ADJUDICATION) NOTICE OF CLAIM
	GHTS TO THE USE OF WATER)
	THE COEUR D'ALENE- ANE RIVER BASIN Federal Reserved Water Right
	R SYSTEM
)
CASE	NO. 49576)
1	
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: Quartz Creek (Fed ID #4010)
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
	Township: 45N Range 8E Section: 12 QQ (1/4 of1/4): NESW
	B.M., County of Shoshone
	Downstream Boundary - Mouth
	Township: 45N Range 7E Section: 36 QQ (1/4 of1/4): NESW
	B.M., County of Shoshone
	Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
44	44	57	75	75	75
July	August	September	October	November	December
50	23	16	20	32	34

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.
- f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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.

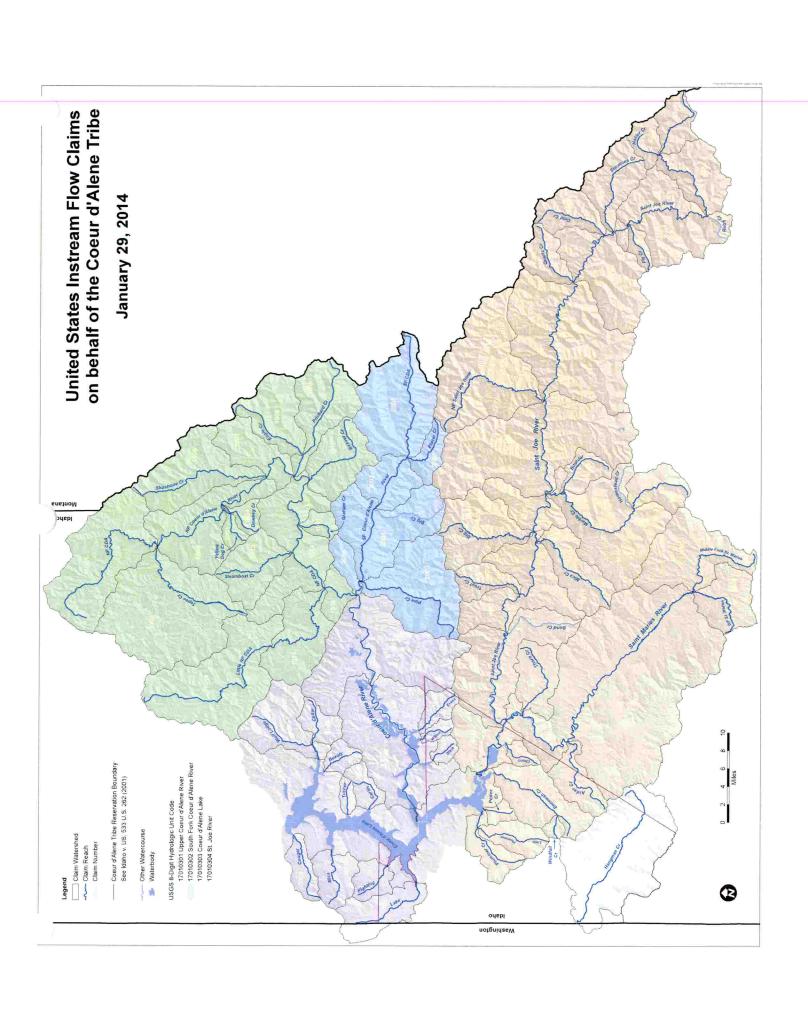
All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard

United States Department of Justice Environment and Natural Resources Division

Indian Resources Section 550 W. Fort Street, MSC 033

(Kenena Box Willa



IN RE	THE GENERAL ADJUDICATION) NOTICE OF CLAIM
OF RIC	GHTS TO THE USE OF WATER)
FROM	THE COEUR D'ALENE-) Federal Reserved Water Right
SPOKA	ANE RIVER BASIN)
WATE	R SYSTEM)
CASE 1	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: Saint Joe River (Fed ID #4011)
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 - Quartz Creek
	Township: 45N Range 7E Section: 36 QQ (1/4 of 1/4): NESW
	B.M., County of Shoshone
	Downstream Boundary - North Fork Saint Joe River
	Township: 45N Range 5E Section: 14 QQ (1/4 of1/4): NWNW
	B.M., County of Shoshone
	Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
295	295	442	510	510	510
July	August	September	October	November	December
340	442	330	315	295	295

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
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f. 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.

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- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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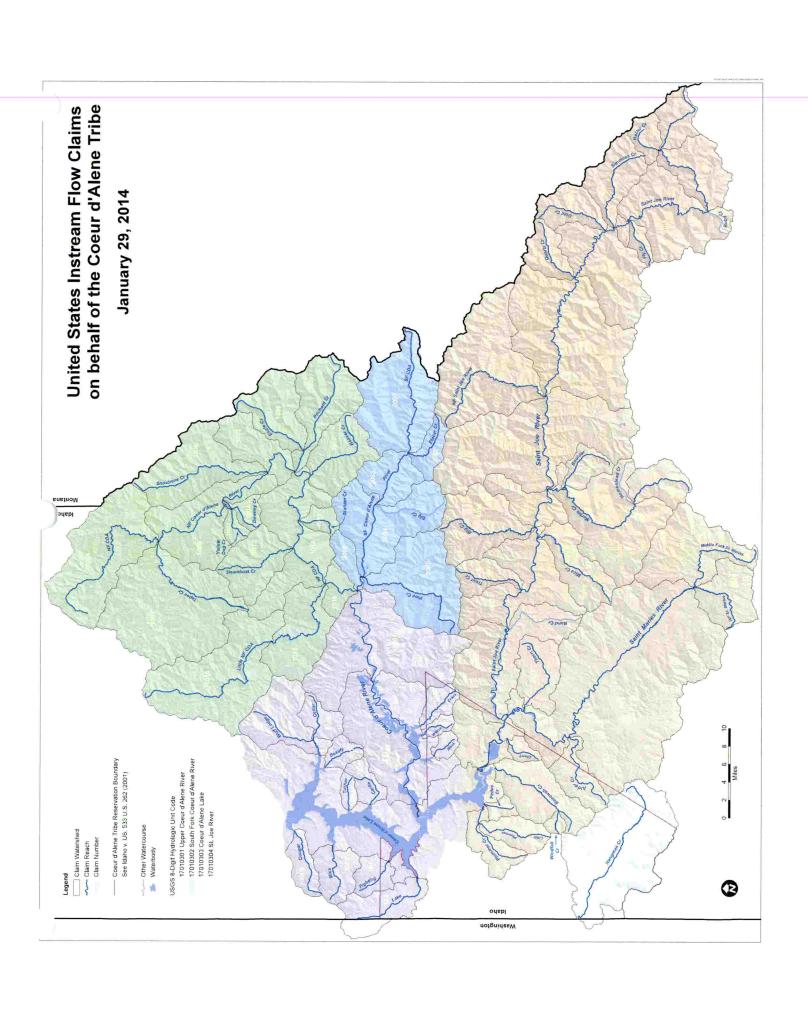
United States Department of Justice

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033

(Kenena Boy Willa



IN RE	THE GENERAL ADJUDICATION) NOTICE OF CLAIM					
OF RIC	GHTS TO THE USE OF WATER)					
FROM	THE COEUR D'ALENE-) Federal Reserved Water Right					
SPOKA	ANE RIVER BASIN)					
WATE	R SYSTEM)					
)					
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: NF Saint Joe River (Fed ID #4012)					
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					
	Township: 47N Range 5E Section: 19 QQ (1/4 of1/4): NENE					
	B.M., County of Shoshone					
	Downstream Boundary - Mouth					
	Township: 45N Range 5E Section: 14 QQ (1/4 of1/4): NWNW					
	B.M., County of Shoshone					
	Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.					

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	Februrary	March	April	May	June
41	41	125	150	150	150
July	August	September	October	November	December
100	89	63	62	41	41

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.

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- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

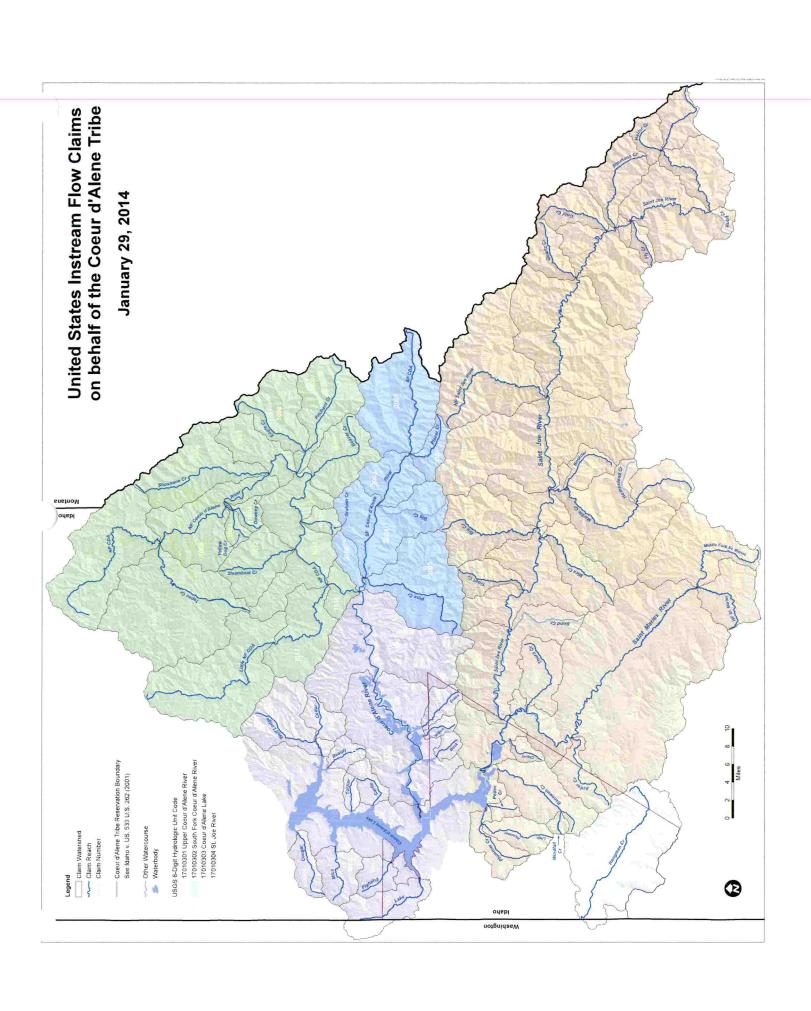
United States Department of Justice

(Kenena Boy Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



	THE GENERAL ADJUDICATION) NOTICE OF CLAIM GHTS TO THE USE OF WATER)				
	THE COEUR D'ALENE-) Federal Reserved Water Right				
	ANE RIVER BASIN)				
WATE	ER SYSTEM)				
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: Saint Joe River (Fed ID #4013)				
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 - North Fork Saint Joe River				
	Township: 45N Range 5E Section: 14 QQ (1/4 of1/4): NWNW				
	B.M., County of Shoshone				
	Downstream Boundary - Marble Creek				
	Township: 45N Range 3E Section: 13 QQ (1/4 of1/4): NENW				
	B.M., County of Shoshone				
	Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.				

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	Februrary	March	April	May	June
282	282	466	466	466	466
July	August	September	October	November	December
310	466	432	423	282	282

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.
- f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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:

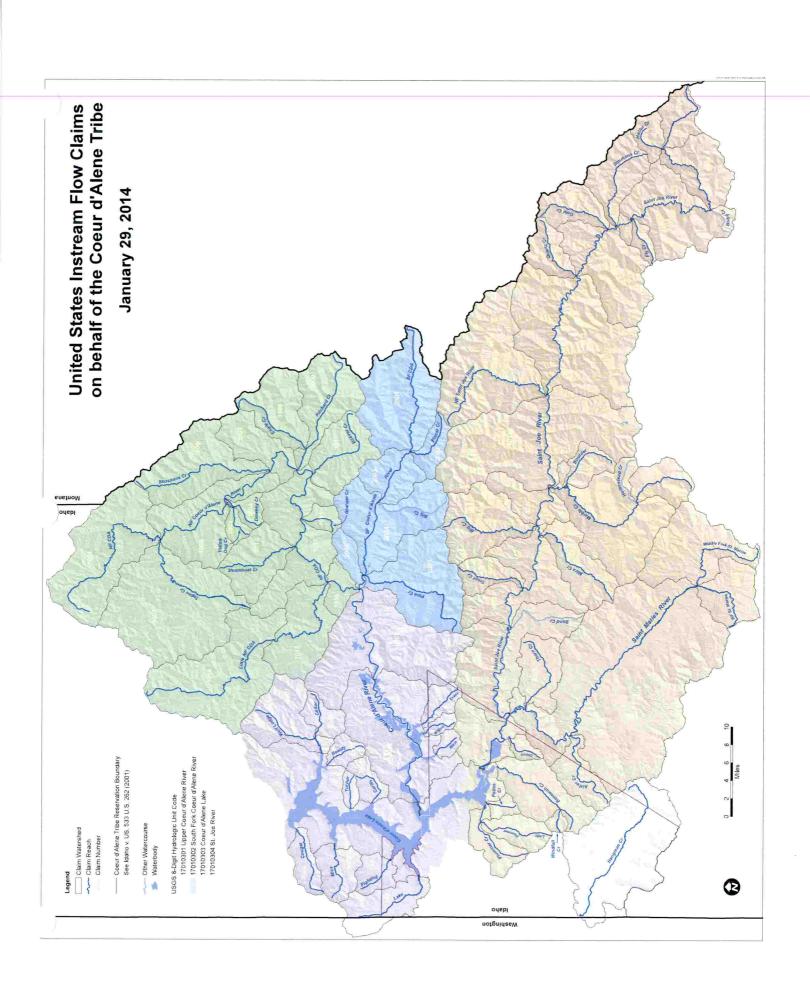
Vanessa Boyd Willard

United States Department of Justice Environment and Natural Resources Division

Indian Resources Section

(Kenena Box Willa

550 W. Fort Street, MSC 033



	THE GENERAL ADJUDICATION) GHTS TO THE USE OF WATER)	NOTICE OF CLAIM
FROM SPOKA	,	Federal Reserved Water Right
CASE N	NO. 49576)	
1.	Name and address of claimant:	
	UNITED STATES OF AMERICA, as trusted D'ALENE TRIBE of the COEUR D'ALENE through the NORTHWEST REGIONAL DIFFURIES DEPARTMENT OF THE Interior Bureau of Indian Affairs 911 N.E. 11th Ave. Portland, OR 97232	E INDIAN RESERVATION acting
2.	Date of Priority: Time Immemorial	
3.	Source: Marble Creek (Fed ID #4014)	
4.	Point of Diversion: Not applicable; Instream	ı flow
5.	Place of Use: At all points along the stream reach located b Upstream Boundary - Headwaters	between the following boundaries:
	Township: 42N Range 3E Section: 1	QQ (1/4 of1/4): NWNE
	B.M., County of Shoshone	
	Downstream Boundary - Homestead Creek	
	Township: 43N Range 3E Section: 2	QQ (1/4 of1/4): NWNW
	B.M., County of Shoshone	
	Legal descriptions are based on current mapp reflect on-the-ground stream locations. See A	

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	Februrary	March	April	May	June
60	60	79	102	102	102
July	August	September	October	November	December
68	42	27	20	41	60

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.
- f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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:

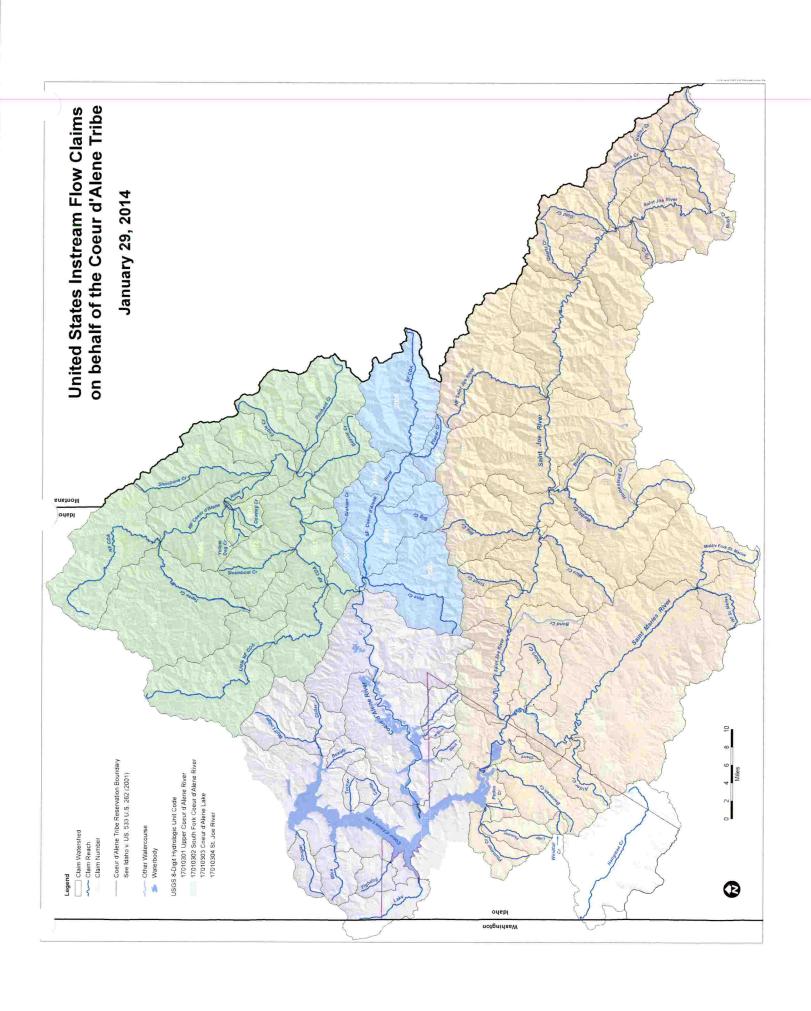
Vanessa Boyd Willard

United States Department of Justice Environment and Natural Resources Division

Indian Resources Section

(Kenena Boy Willa

550 W. Fort Street, MSC 033



OF RIC FROM SPOKA	THE GENERAL ADJUDICATION) SHTS TO THE USE OF WATER) THE COEUR D'ALENE-) ANE RIVER BASIN) R SYSTEM)
CASE 1	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: Boulder Creek (Fed ID #4015)
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 Township: 44N Range 4E Section: 21 QQ (1/4 of1/4): NWNE B.M., County of Shoshone Downstream Boundary - Mouth
	Township: 45N Range 3E Section: 24 QQ (1/4 of1/4): SWSE B.M., County of Shoshone Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.
	and the Browne stream rocations. See Attached Wap.

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	Februrary	March	April	May	June
30	32	41	55	55	55
July	August	September	October	November	December
37	12	8.8	11	19	21

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.
- f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

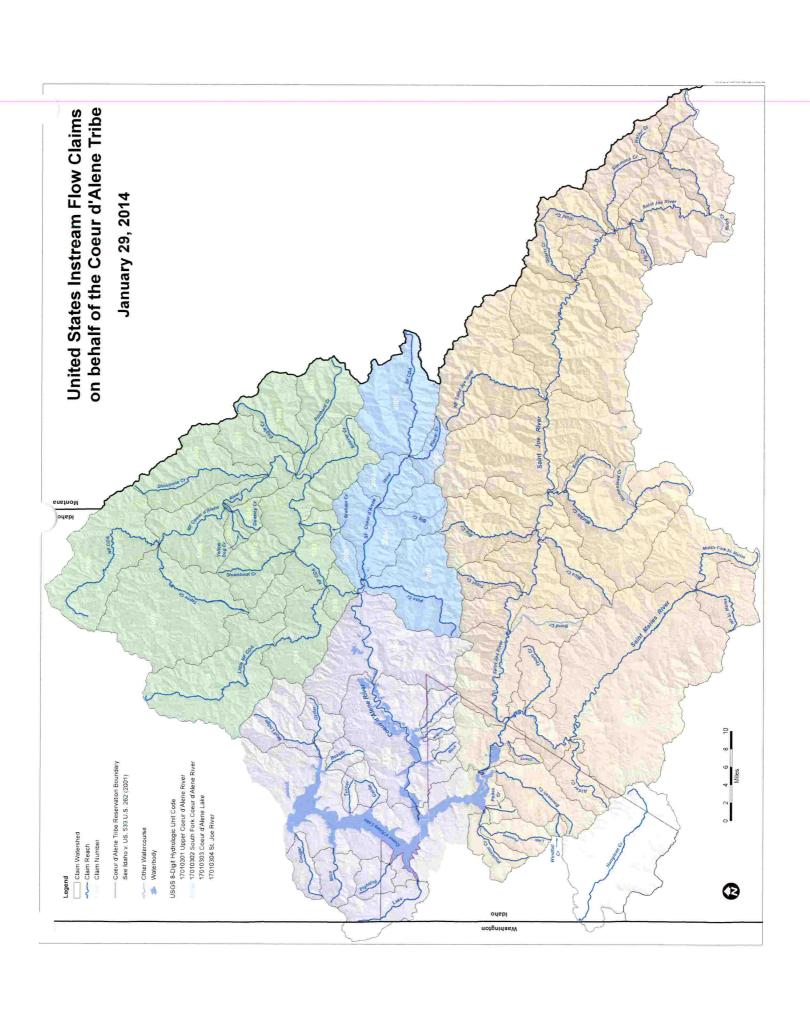
United States Department of Justice

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033

(Kenena Box Willa



	THE GENERAL ADJUDICATION GHTS TO THE USE OF WATER		NOTICE OF CLAIM
FROM SPOKA	THE COEUR D'ALENE- ANE RIVER BASIN R SYSTEM)))	Federal Reserved Water Right
CASE 1	NO. 49576)	
1.	Name and address of claimant: UNITED STATES OF AMERICA D'ALENE TRIBE of the COEUR	., as truste D'ALEN	ee on behalf of the COEUR IE INDIAN RESERVATION acting
	through the NORTHWEST REGIO Department of the Interior Bureau of Indian Affairs 911 N.E. 11th Ave. Portland, OR 97232	ONAL DI	RECTOR
2.	Date of Priority: Time Immemoria	ial	
3.	Source: Marble Creek (Fed ID #	[‡] 4016)	
4.	Point of Diversion: Not applicable	; Instream	n flow
5.	Place of Use: At all points along the stream reach Upstream Boundary - Homestead		between the following boundaries:
	Township: 43N Range 3E	Section: 2	2 QQ (_1/4 of _1/4): NWNW
	B.M., County of Shoshone		
	Downstream Boundary - Mouth		
	Township: 45N Range 3E	Section: 1	13 QQ (1/4 of1/4): NENW
	B.M., County of Shoshone		
	Legal descriptions are based on curreflect on-the-ground stream location		ping but are subject to refinement to best

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	Februrary	March	April	May	June
100	100	175	275	275	275
July	August	September	October	November	December
183	117	83	85	100	100

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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.

b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).

c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation, 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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.

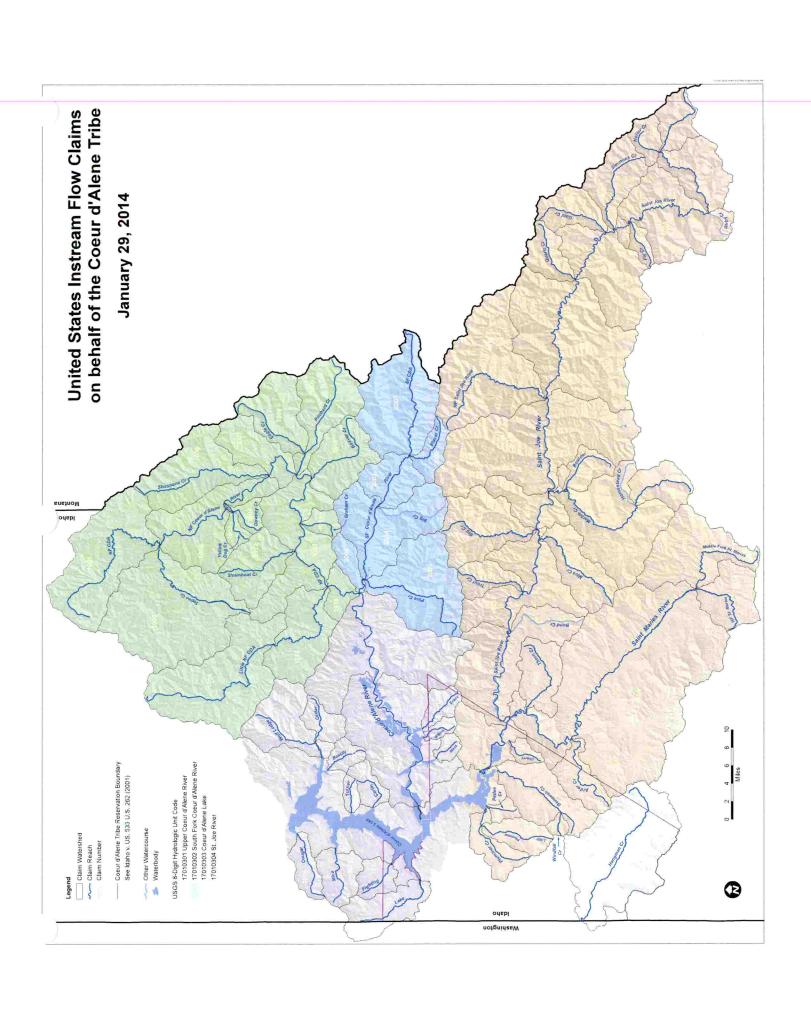
All notices, filings and correspondence concerning this matter should be mailed to the United States Department of Justice at the address set forth below:

Vanessa Boyd Willard

United States Department of Justice Environment and Natural Resources Division

Indian Resources Section 550 W. Fort Street, MSC 033

(Janena Boy Willa



	THE GENERAL ADJUDICATION) NOTICE OF CLAIM
	GHTS TO THE USE OF WATER) THE COEUR D'ALENE-) Federal Reserved Water Right
	THE COEUR D'ALENE-) Federal Reserved Water Right ANE RIVER BASIN)
	R SYSTEM
)
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: Saint Joe River (Fed ID #4017)
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 - Marble Creek
	Township: 45N Range 3E Section: 13 QQ (1/4 of1/4): NENW
	B.M., County of Shoshone
	Downstream Boundary - Big Creek
	Township: 45N Range 3E Section: 5 QQ (1/4 of1/4): SESW
	B.M., County of Shoshone
	Legal descriptions are based on current mapping but are subject to refinement to best reflect on-the-ground stream locations. See Attached Map.

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	Februrary	March	April	May	June
396	396	606	685	685	685
July	August	September	October	November	December
456	606	519	510	396	396

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation, 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

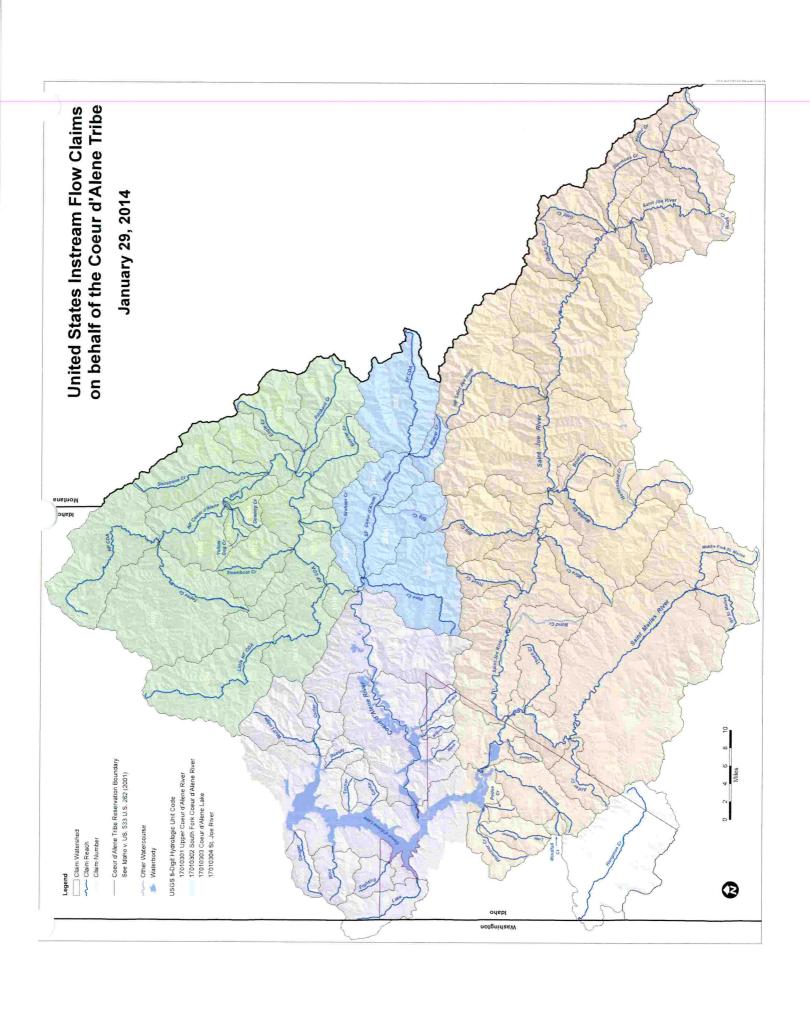
Notice is hereby given that the United States Department of Justice will represent the United States of America, including, but not limited to the U.S. Department of the Interior, Bureau of Indian Affairs, in all matters pertaining to the Coeur d'Alene-Spokane River Basin Adjudication.

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

(Kenena Boy Willa

United States Department of Justice Environment and Natural Resources Division Indian Resources Section 550 W. Fort Street, MSC 033



IN RE	THE GENERAL ADJUDICATION)	NOTI	CE OF CLAIM
OF RIC	GHTS TO THE USE OF WATER)		
FROM	THE COEUR D'ALENE-)	Federa	al Reserved Water Right
SPOKA	ANE RIVER BASIN)		
WATE	R SYSTEM)		
~ . ~-)		
CASE	NO. 49576)		
_	N.			
1.	Name and address of claimant:			
	UNITED STATES OF AMERICA D'ALENE TRIBE of the COEUR through the NORTHWEST REGIO Department of the Interior Bureau of Indian Affairs 911 N.E. 11th Ave. Portland, OR 97232	D'ALEN	IE IND	IAN RESERVATION acting
2.	Date of Priority: Time Immemoria	ial		
3.	Source: Big Creek (Fed ID #401	18)		
4.	Point of Diversion: Not applicable	e; Instrea	m flow	
5.	Place of Use:			
	At all points along the stream reach	located	betwee	n the following boundaries:
	Upstream Boundary - Middle Fork			~
		Section:		QQ (1/4 of1/4): SENW
	B.M., County of Shoshone			
	Downstream Boundary - Mouth			
	Township: 45N Range 3E	Section:	5	QQ (1/4 of1/4): SESW
	B.M., County of Shoshone			
	Legal descriptions are based on cur reflect on-the-ground stream location			

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	Februrary	March	April	May	June
35	35	80	80	80	80
July	August	September	October	November	December
53	32	25	31	35	35

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.
- f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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.

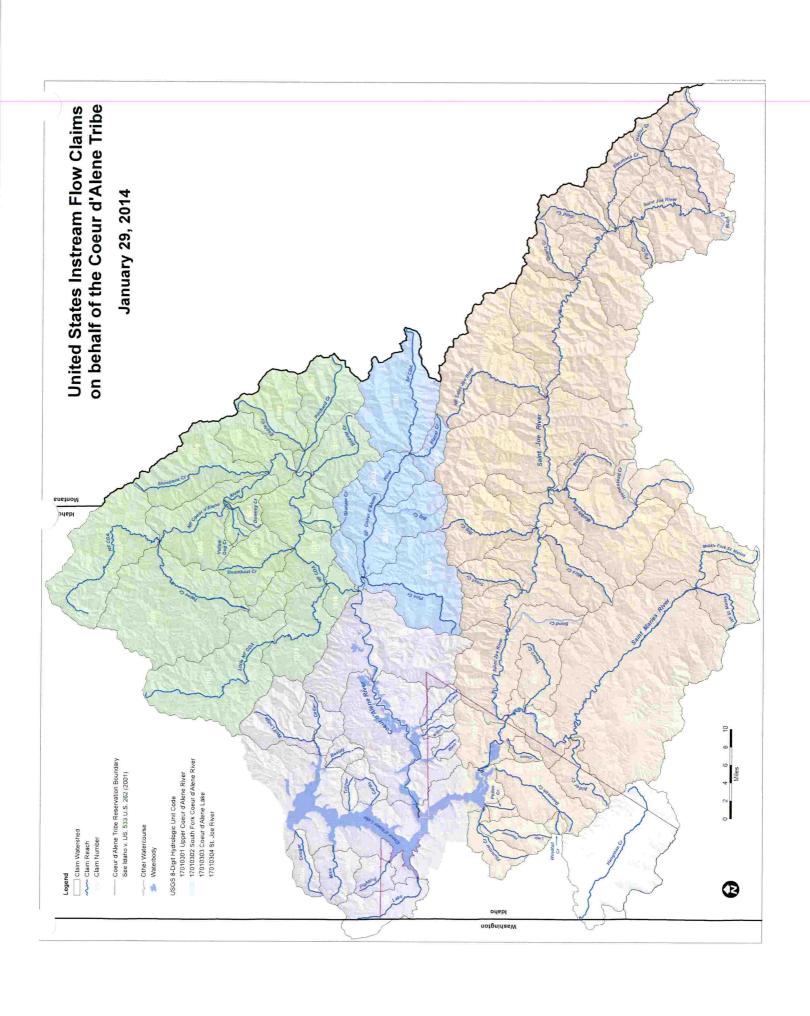
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Vanessa Boyd Willard

United States Department of Justice Environment and Natural Resources Division Indian Resources Section

550 W. Fort Street, MSC 033

(Kenena Box Willa



IN RE	THE GENERAL ADJUDICATION)	NOTIC	CE OF CLAIM
OF RIC	HTS TO THE USE OF WATER)		
FROM	THE COEUR D'ALENE-)	Federa	l Reserved Water Right
SPOKA	NE RIVER BASIN)		
WATE	R SYSTEM)		
)		
CASE I	NO. 49576)		
1.	Name and address of claimant:			
	UNITED STATES OF AMERICA D'ALENE TRIBE of the COEUR I through the NORTHWEST REGIO Department of the Interior Bureau of Indian Affairs 911 N.E. 11th Ave. Portland, OR 97232	D'ALEN	NE INDL	AN RESERVATION acting
2.	Date of Priority: Time Immemori	ial		
3.	Source: Mica Creek (Fed ID #40	019)		
4.	Point of Diversion: Not applicable	; Instrea	m flow	
5.	Place of Use:			
	At all points along the stream reach	located	between	n the following boundaries:
	Upstream Boundary - Headwaters			
	Township: 44N Range 1E	Section:	24	QQ (1/4 of1/4): NWNW
	B.M., County of Shoshone			
	Downstream Boundary - Mouth			
	Township: 45N Range 3E	Section:	7	QQ (1/4 of1/4): NWNW
	B.M., County of Shoshone			
	Legal descriptions are based on cur reflect on-the-ground stream location	-		

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	Februrary	March	April	May 90	June 90
53	53	69	90		
July	August	September	October	November	December
47	20	16	18	37	48

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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.*
- f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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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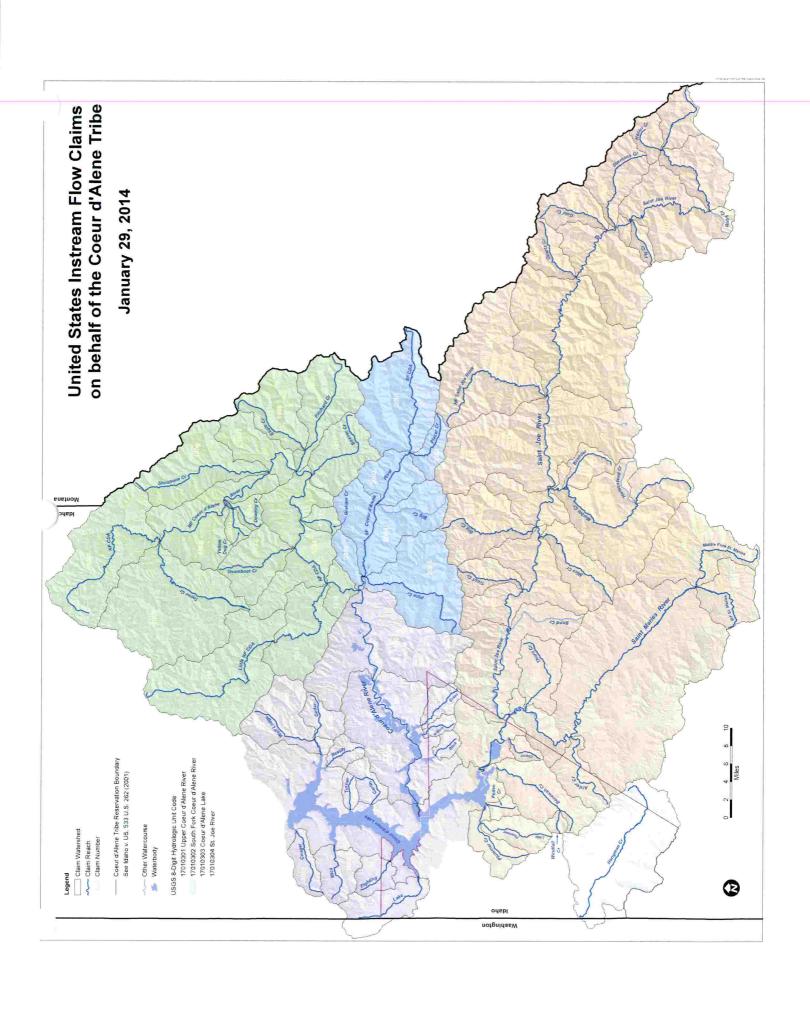
Vanessa Boyd Willard

United States Department of Justice

Environment and Natural Resources Division Indian Resources Section

550 W. Fort Street, MSC 033

Kenena Boy Willa



	HE GENERAL ADJUDICATION HTS TO THE USE OF WATER)	NOTIO	CE OF CLAIM			
	THE COEUR D'ALENE-)	Federa	l Reserved Water Right			
	ANE RIVER BASIN)		a account out it made angue			
WATE	R SYSTEM	j					
)					
CASE 1	NO. 49576)					
1.	Name and address of claimant:						
	UNITED STATES OF AMERICA	, as trust	ee on be	ehalf 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: Trout Creek (Fed ID #4020)						
4.	Point of Diversion: Not applicable	; Instrea	n flow				
5.	Place of Use:						
	At all points along the stream reach located between the following boundaries:						
	Upstream Boundary - Headwaters						
	Township: 47N Range 2E	Section:	28	QQ (1/4 of1/4): NENE			
	B.M., County of Shoshone						
	Downstream Boundary - Mouth						
	Township: 46N Range 2E	Section:	31	QQ (1/4 of1/4): SENW			
	B.M., County of Shoshone						
	Legal descriptions are based on curreflect on-the-ground stream location						

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	Februrary	March	April	May 64 November 21	June 64 December 28
38	38	48	64		
July	August	September	October		
29	10	8.6	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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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.*
- f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not __X ___ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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:

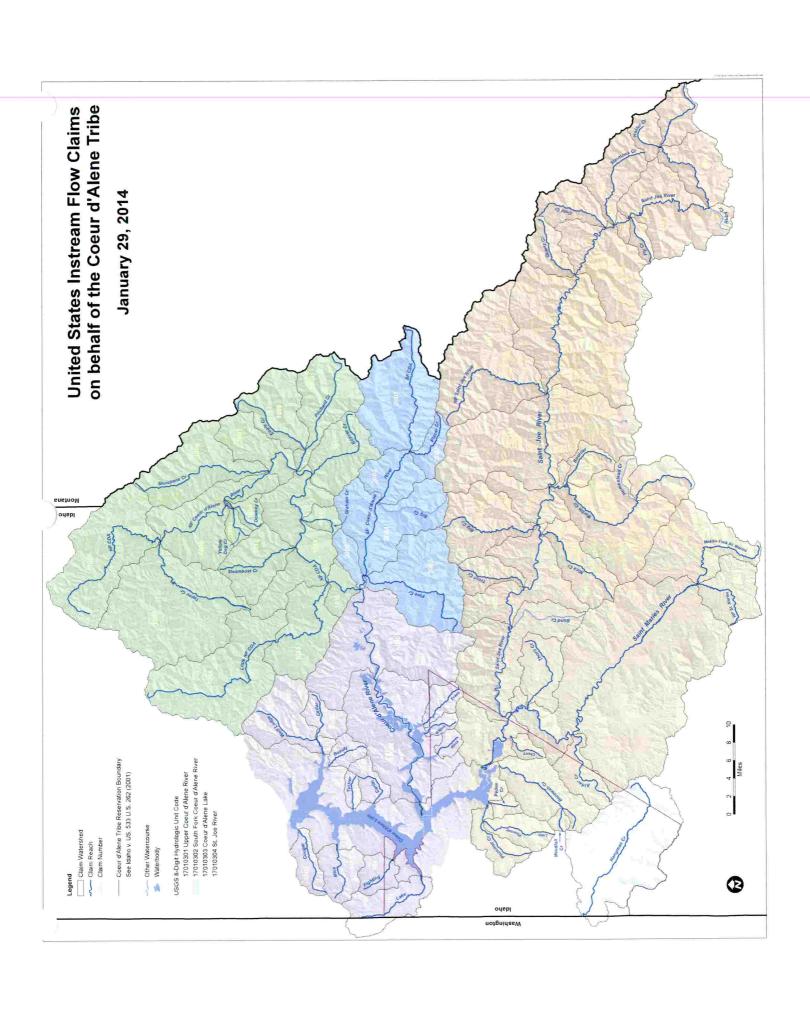
Vanessa Boyd Willard

United States Department of Justice Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033

(Kenena Box Willa



IN RE T	THE GENERAL ADJUDICATION) NOTIC	CE OF CLAIM
OF RIG	HTS TO THE USE OF WATER)	
FROM '	THE COEUR D'ALENE-) Federa	l Reserved Water Right
SPOKA	ANE RIVER BASIN)	
WATE	R SYSTEM)	
)	
CASE N	NO. 49576)	
1.	Name and address of claimant:		
	UNITED STATES OF AMERICA, D'ALENE TRIBE of the COEUR II through the NORTHWEST REGIO Department of the Interior Bureau of Indian Affairs 911 N.E. 11th Ave. Portland, OR 97232	O'ALENE INDI	AN RESERVATION acting
2.	Date of Priority: Time Immemoria	al	
3.	Source: Saint Joe River (Fed ID	#4021)	
4.	Point of Diversion: Not applicable;	; Instream flow	
5.	Place of Use:		
	At all points along the stream reach	located between	n the following boundaries:
	Upstream Boundary - Big Creek		
	Township: 45N Range 3E	Section: 5	QQ (1/4 of1/4): SESW
	B.M., County of Shoshone		
	Downstream Boundary - Bond Cre	eek	
	Township: 46N Range 1E	Section: 20	QQ (1/4 of1/4): SESE
	B.M., County of Benewah		
	Legal descriptions are based on curreflect on-the-ground stream location		

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	Februrary	March	April	May	June
428	428	658	741	741	741
July	August	September	October	November	December
494	658	566	582	428	428

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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.*

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not _X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

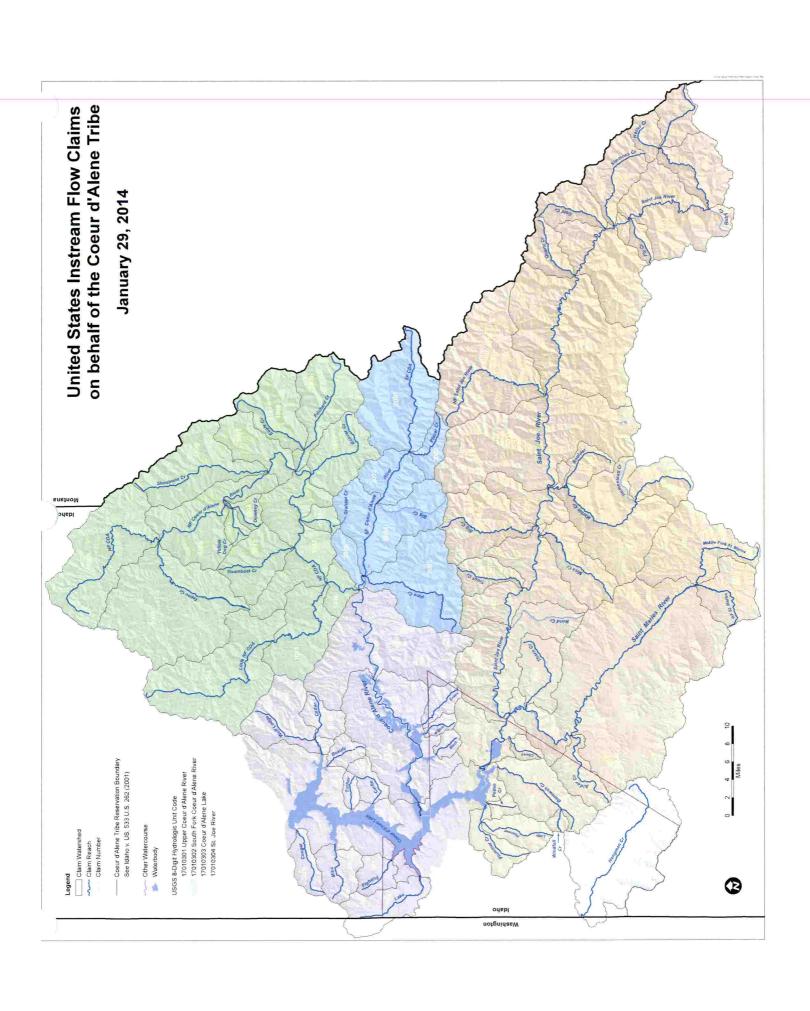
United States Department of Justice

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033

(Kenena Boy Willa



IN RE	E THE GENERAL ADJUDICATION)	NOTICE OF CLAIM
OF RI	IGHTS TO THE USE OF WATER)	
FRON	M THE COEUR D'ALENE-)	Federal Reserved Water Right
SPOK	(XANE RIVER BASIN	
WAT	TER SYSTEM)	
)	
CASE	E NO. 49576	
1.	Name and address of claimant:	
	UNITED STATES OF AMERICA, as D'ALENE TRIBE of the COEUR D'A through the NORTHWEST REGIONA Department of the Interior Bureau of Indian Affairs 911 N.E. 11th Ave. Portland, OR 97232	LENE INDIAN RESERVATION acting
2.	Date of Priority: Time Immemorial	
3.	Source: Saint Joe River (Fed ID #40	22)
4.	Point of Diversion: Not applicable; Ins	stream flow
5.	Place of Use:	
	At all points along the stream reach loc	ated between the following boundaries:
	Upstream Boundary - Bond Creek	
		tion: 20 QQ (1/4 of1/4): SESE
	B.M., County of Benewah	
	Downstream Boundary - Saint Maries	River
	Township: 46N Range 2W Sect	tion: 23 QQ (1/4 of1/4): NESW
	B.M., County of Benewah	
	Legal descriptions are based on current reflect on-the-ground stream locations.	mapping but are subject to refinement to best See Attached Map.

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	Februrary	March	April	May	June
396	396	650	750	750	750
July	August	September	October	November	December
500	439	563	594	396	396

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.

f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

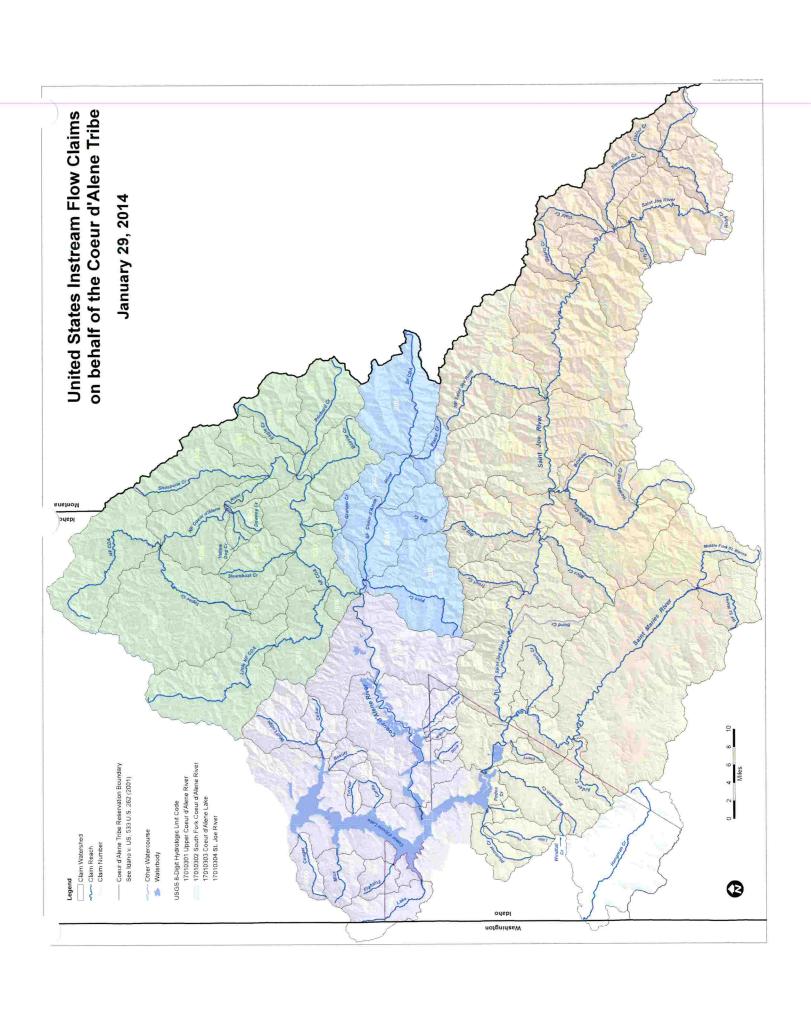
United States Department of Justice

(Kenena Box) Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



IN RE T	THE GENERAL ADJUDICATION)	NOTIC	CE OF CLAIM
OF RIG	HTS TO THE USE OF WATER)		
FROM '	THE COEUR D'ALENE-)	Federa	l Reserved Water Right
SPOKA	NE RIVER BASIN)		
WATER	R SYSTEM)		
)		
CASE N	NO. 49576)		
1.	Name and address of claimant:			
	UNITED STATES OF AMERICA D'ALENE TRIBE of the COEUR through the NORTHWEST REGIO Department of the Interior Bureau of Indian Affairs 911 N.E. 11th Ave. Portland, OR 97232	D'ALE	NE INDI	AN RESERVATION acting
2.	Date of Priority: Time Immemor	ial		
3.	Source: Saint Joe River (Fed ID	#4023)		
4.	Point of Diversion: Not applicable	e; Instrea	am flow	
5.	Place of Use: At all points along the stream reac Upstream Boundary - Saint Marie		l betwee	n the following boundaries:
	Township: 46N Range 2W	Section	: 23	QQ (1/4 of1/4): NESW
	B.M., County of Benewah			
	Downstream Boundary - Mouth			
	Township: 46N Range 3W	Section	: 2	QQ (1/4 of1/4): NWSW
	B.M., County of Benewah			
	Legal descriptions are based on cureflect on-the-ground stream locat			ut are subject to refinement to best ed Map.

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	Februrary	March	April	May	June
491	491	762	850	850	850
July	August	September	October	November	December
566	762	657	703	491	491

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.
- f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

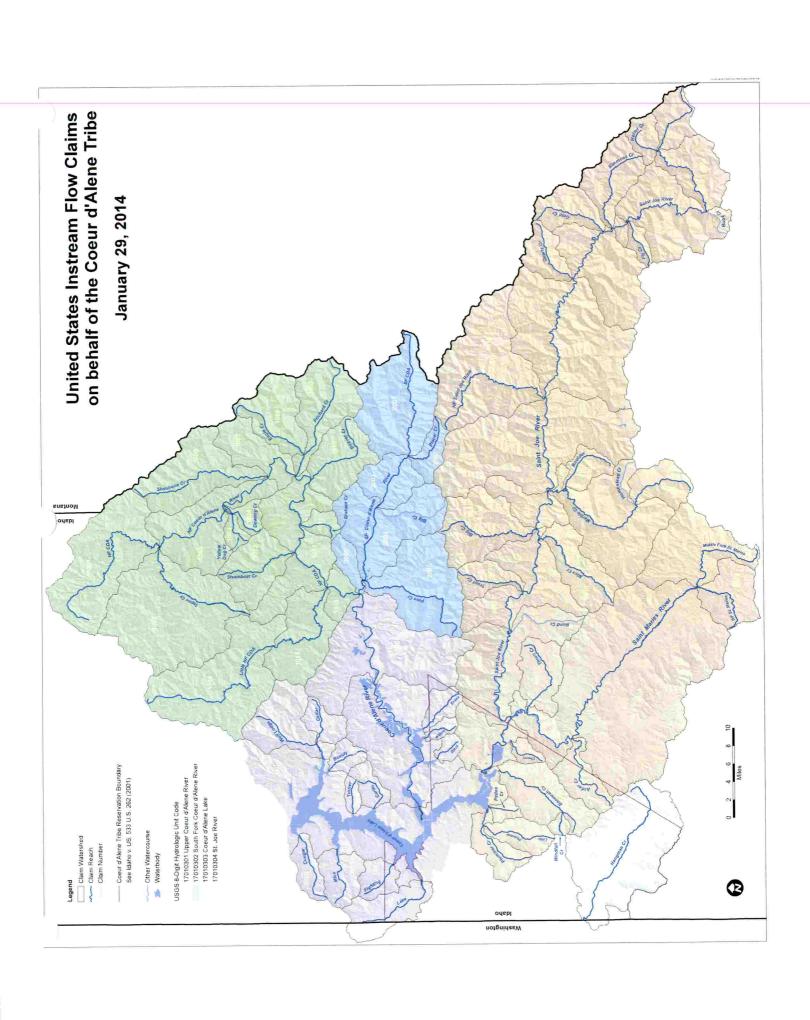
United States Department of Justice

(Kenena Box Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



	THE GENERAL ADJUDICATION	()	NOTIO	CE OF CLAIM
OF RIC	GHTS TO THE USE OF WATER)		
	THE COEUR D'ALENE-)	Federa	l Reserved Water Right
	ANE RIVER BASIN)		
WATE	R SYSTEM)		
~ . ~)		
CASE	NO. 49576)		
	N 1 - 11 - 1 - 1 - 1 - 1 - 1			
1.	Name and address of claimant:		5	
	UNITED STATES OF AMERICA			
	D'ALENE TRIBE of the COEUR			
	through the NORTHWEST REGI	ONAL L	DIRECTO	OR
	Department of the Interior			
	Bureau of Indian Affairs 911 N.E. 11th Ave.			
	Portland, OR 97232			
_		1		
2.	Date of Priority: Time Immemor	riai		
3.	Source: Middle Fork Saint Marie	es River	(Fed II	D #4501)
4.	Point of Diversion: Not applicable	le; Instre	am flow	
5.	Place of Use:			
	At all points along the stream read	ch locate	d betwee	en the following boundaries:
	Upstream Boundary - Headwater	s		
	Township: 41N Range 2E	Section	: 11	QQ (1/4 of1/4): NENE
	B.M., County of Clearwater			
	Downstream Boundary - MF/WF	Conflu	ence	
	Township: 42N Range 2E	Section	: 6	QQ (1/4 of1/4): SWNE
	B.M., County of Shoshone			
	Legal descriptions are based on cureflect on-the-ground stream locat			ut are subject to refinement to best ed Map.

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	Februrary	March	April	May	June
67	67	90	114	114	114
July	August	September	October	November	December
76	30	25	36	62	67

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.
- f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do___ do not __X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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

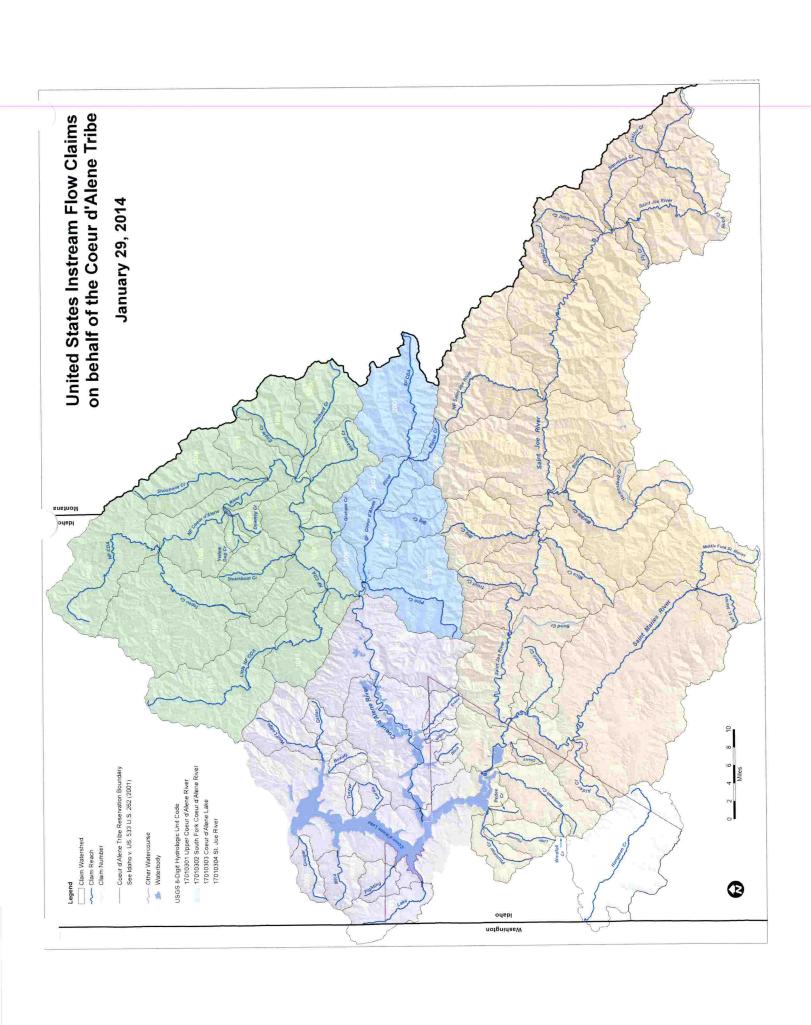
United States Department of Justice

(Kenena Boy Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



	HE GENERAL ADJUDICATION) NOTIC	CE OF CLAIM
	HTS TO THE USE OF WATER) Fodoro	l Reserved Water Right
	THE COEUR D'ALENE-) redera	Reserved Water Right
	NE RIVER BASIN)	
WAIER	RSYSTEM)	
CASE N	NO. 49576)	
1.	Name and address of claimant:		
	UNITED STATES OF AMERICA D'ALENE TRIBE of the COEUR through the NORTHWEST REGIO Department of the Interior Bureau of Indian Affairs 911 N.E. 11th Ave. Portland, OR 97232	D'ALENE INDI	AN RESERVATION acting
2.	Date of Priority: Time Immemor	ial	
3.	Source: West Fork Saint Maries I	River (Fed ID #	[‡] 4502)
4.	Point of Diversion: Not applicable	e; Instream flow	
5.	Place of Use: At all points along the stream reac	h located betwee	n the following boundaries:
	Upstream Boundary - Headwaters	8	
	Township: 42N Range 1E	Section: 29	QQ (1/4 of1/4): NENE
	B.M., County of Latah		
	Downstream Boundary - MF/WF	Confluence	
	Township: 42N Range 2E	Section: 6	QQ (1/4 of1/4): SWNE
	B.M., County of Shoshone		
	Legal descriptions are based on cureflect on-the-ground stream locat	rrent mapping by ions. See Attach	ut are subject to refinement to best ed Map.

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	Februrary	March	April	May	June
44	44	57	75	75	52
July	August	September	October	November	December
18	13	12	10	23	44

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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
- d. Prior to the creation of the Reservation in 1873, the Coeur d'Alene Tribe held aboriginal title to "more than 3.5 million acres in what is now northern Idaho and northeastern Washington, including the area of Lake Coeur d'Alene and the St. Joe River." *Idaho II*, 533 U.S. 262, 265 (2001). "Tribal members traditionally used the [L]ake and its related waterways for food, fiber, transportation, recreation and cultural activities." *Id.* at 265. "A right to control the lakebed and adjacent waters was traditionally important to the Tribe" *Id.* at 274.
- e. 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*.
- f. 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.

- (a) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication."
- (b) I do ___ do not __X __ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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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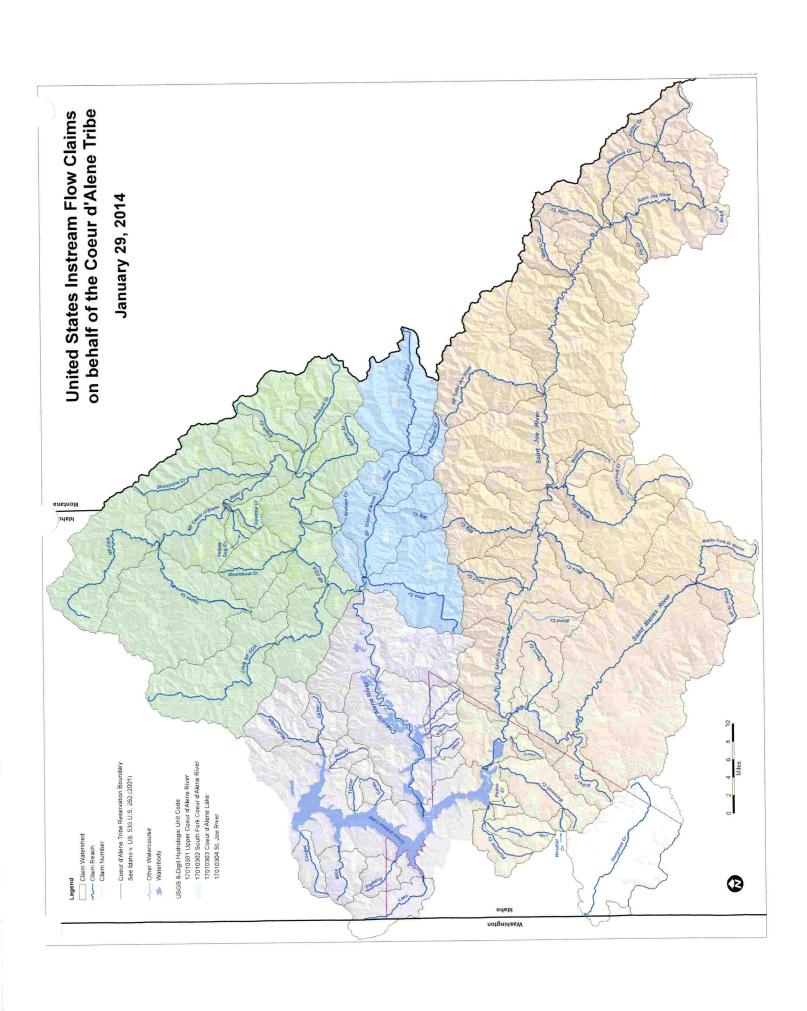
United States Department of Justice

(Kenena Boy Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



ITS TO THE USE OF WATER HE COEUR D'ALENE- IE RIVER BASIN SYSTEM)	Federal	Reserve	d Wateı	r Right	
J. 49376)					
D'ALENE TRIBE of the COEUR	D'ALEN	IE INDIA	AN RESI	e COEU ERVATI	JR ION acting	3
Date of Priority: Time Immemor	rial					
Source: Thorn Creek (Fed ID #	4503)					
Point of Diversion: Not applicabl	le; Instrea	ım flow				
Upstream Boundary - Headwater Township: 46N Range:1E B.M., County of Benewah Downstream Boundary - Mouth Township: 46N Range:2W B.M., County of Benewah Legal descriptions are based on co	Section: Section:	: 31 : 36 	QQ (_1 QQ (_1 at are sub	./4 of	1/4): SEN 1/4): NW	TW SW
	TS TO THE USE OF WATER HE COEUR D'ALENE- JE RIVER BASIN SYSTEM D. 49576 Name and address of claimant: UNITED STATES OF AMERICA D'ALENE TRIBE of the COEUR through the NORTHWEST REGIO Department of the Interior Bureau of Indian Affairs J11 N.E. 11th Ave. Portland, OR 97232 Date of Priority: Time Immemor Source: Thorn Creek (Fed ID # Point of Diversion: Not applicable Place of Use: At all points along the stream react Upstream Boundary - Headwater Township: 46N Range 1E B.M., County of Benewah Downstream Boundary - Mouth Township: 46N Range 2W B.M., County of Benewah Legal descriptions are based on con-	TS TO THE USE OF WATER HE COEUR D'ALENE- IE RIVER BASIN SYSTEM D. 49576 Name and address of claimant: UNITED STATES OF AMERICA, as trust D'ALENE TRIBE of the COEUR D'ALEN through the NORTHWEST REGIONAL D Department of the Interior Bureau of Indian Affairs HI N.E. 11th Ave. Portland, OR 97232 Date of Priority: Time Immemorial Source: Thorn Creek (Fed ID #4503) Point of Diversion: Not applicable; Instrea Place of Use: At all points along the stream reach located Upstream Boundary - Headwaters Township: 46N Range 1E Section B.M., County of Benewah Downstream Boundary - Mouth Township: 46N Range 2W Section B.M., County of Benewah Legal descriptions are based on current ma	TES TO THE USE OF WATER HE COEUR D'ALENE- JE RIVER BASIN SYSTEM D. 49576 Name and address of claimant: UNITED STATES OF AMERICA, as trustee on belocated between the coefficient of the Interior Bureau of Indian Affairs DI N.E. 11th Ave. Portland, OR 97232 Date of Priority: Time Immemorial Source: Thorn Creek (Fed ID #4503) Point of Diversion: Not applicable; Instream flow Place of Use: At all points along the stream reach located between Upstream Boundary - Headwaters Township: 46N Range 1E Section: 31 B.M., County of Benewah Downstream Boundary - Mouth Township: 46N Range 2W Section: 36 B.M., County of Benewah Legal descriptions are based on current mapping but	TIS TO THE USE OF WATER HE COEUR D'ALENE- HE RIVER BASIN SYSTEM D. 49576 Name and address of claimant: UNITED STATES OF AMERICA, as trustee on behalf of the D'ALENE TRIBE of the COEUR D'ALENE INDIAN RESENTATION OF THE IN	TS TO THE USE OF WATER HE COEUR D'ALENE- IE RIVER BASIN SYSTEM D. 49576 Name and address of claimant: UNITED STATES OF AMERICA, as trustee on behalf of the COEUD'ALENE TRIBE of the COEUR D'ALENE INDIAN RESERVATION through the NORTHWEST REGIONAL DIRECTOR Department of the Interior Bureau of Indian Affairs Portland, OR 97232 Date of Priority: Time Immemorial Source: Thorn Creek (Fed ID #4503) Point of Diversion: Not applicable; Instream flow Place of Use: At all points along the stream reach located between the following be Upstream Boundary - Headwaters Township: 46N Range:1E Section: 31 QQ (1/4 of B.M., County of Benewah Downstream Boundary - Mouth Township: 46N Range:2W Section: 36 QQ (1/4 of B.M., County of Benewah Legal descriptions are based on current mapping but are subject to re	HE COEUR D'ALENE- IE RIVER BASIN) SYSTEM) D. 49576) 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 DI N.E. 11th Ave. Portland, OR 97232 Date of Priority: Time Immemorial Source: Thorn Creek (Fed ID #4503) Point of Diversion: Not applicable; Instream flow Place of Use: At all points along the stream reach located between the following boundaries: Upstream Boundary - Headwaters Township: 46N Range 1E Section: 31 QQ (1/4 of1/4): SEN B.M., County of Benewah Downstream Boundary - Mouth Township: 46N Range 2W Section: 36 QQ (1/4 of1/4): NW B.M., County of Benewah Legal descriptions are based on current mapping but are subject to refinement

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	Februrary	March	April	May	June
29	29	36	49	49	18
July	August	September	October	November	December
7.5	5.1	4.9	4.5	10	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.

- 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. Such present and future purposes include but are not limited to: DCMI (domestic, commercial, municipal, and industrial); irrigated agriculture; fish and wildlife habitat; fish propagation; lake level maintenance; water storage; power generation; religious, cultural, and ceremonial; transportation; stockwater and wildlife; aesthetics; and recreation.
- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
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- f. 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.

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I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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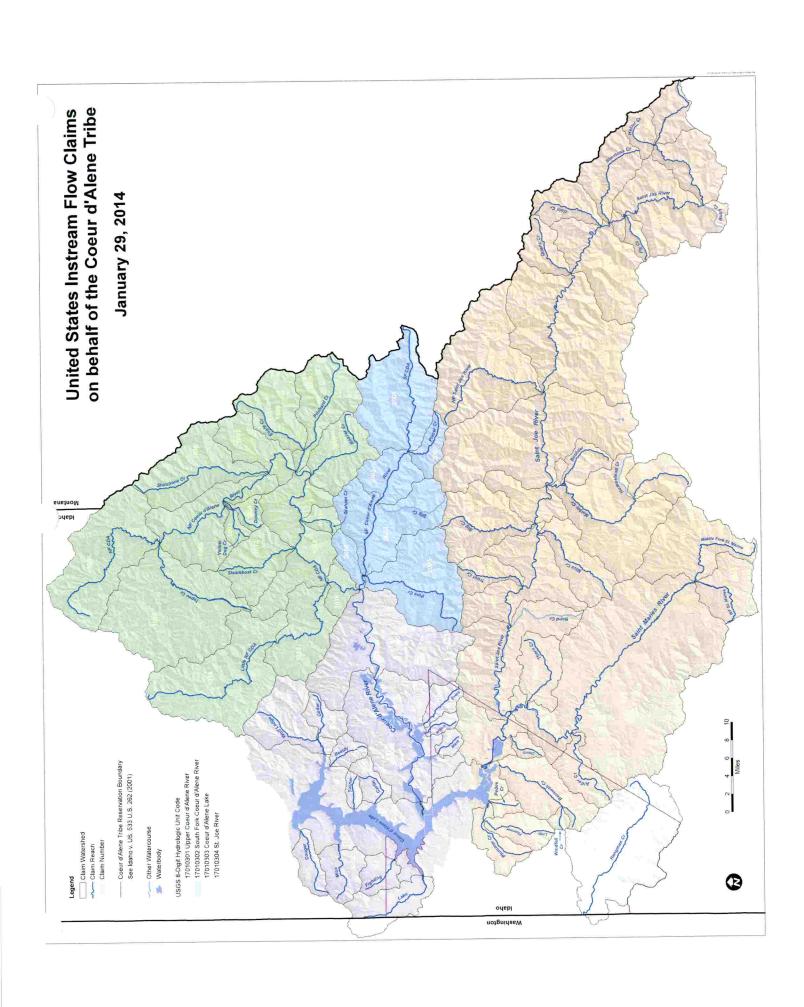
United States Department of Justice

Kenena Boy Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033



	HE GENERAL ADJUDICATION	1)	NOTIC	E OF CLAIM					
	HTS TO THE USE OF WATER)	Fodorol	Reserved Water Right					
	THE COEUR D'ALENE-)	reuera	Reserved Water Right					
	NE RIVER BASIN)							
WAIER	RSYSTEM)							
CASE N	NO. 49576)							
1.	Name and address of claimant:								
	UNITED STATES OF AMERICAD'ALENE TRIBE of the COEUR through the NORTHWEST REGION Department of the Interior Bureau of Indian Affairs 911 N.E. 11th Ave. Portland, OR 97232	R D'ALEI	NE INDL	AN RESERVATION acting					
2.	Date of Priority: Time Immemorial								
3.	Source: Saint Maries River (Fed ID #4504)								
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 - MF/WF C	Confluence	e						
	Township: 42N Range 2E	Section	: 6	QQ (1/4 of1/4): SWNE					
	B.M., County of Shoshone								
	Downstream Boundary - Mouth								
	Township: 46N Range:2W	Section	: 23	QQ (1/4 of1/4): NESW					
	B.M., County of Benewah								
	Legal descriptions are based on c reflect on-the-ground stream local	eurrent ma ations. Sec	apping bu e Attache	at are subject to refinement to best ed Map.					

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	Februrary	March	April	May	June
150	150	350	250	250	250
July	August	September	October	November	December
167	103	91	100	150	150

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.

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- b. The complex history of the establishment of the Coeur d'Alene Reservation, including the operative documents, surrounding circumstances, negotiations, agreements, executive orders and statutes, was analyzed by the United States Supreme Court in *Idaho v. United States*, 533 U.S. 262 (2001) (*Idaho II*), the Ninth Circuit in *United States and the Coeur d'Alene Tribe v. Idaho*, 210 F.3d 1067 (9th Cir. 2000), and the United States District Court for the District of Idaho in *United States and Coeur d'Alene Tribe v. Idaho*, 95 F.Supp.2d 1094 (D. Idaho 1998).
- c. In *Idaho II*, the Supreme Court held that the United States reserved in trust for the benefit of the Tribe the submerged lands of southern third of Lake Coeur d'Alene and the St. Joe River within the current boundaries of the Reservation. 533 U.S. 262

- (2001). In so holding, the Supreme Court affirmed the opinion of the district court, which had found that "a purpose of the 1873 Executive reservation was to retain the submerged lands for the benefit of the Tribe." 95 F.Supp.2d 1094, 1102 (D. Idaho 1998).
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- f. 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.

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- (b) I do___ do not _X__ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear and affirm that I am Stanley Speaks, 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:

Northwest Regional Director U.S. Bureau of Indian Affairs

Dated this 30th day of January, 2014.

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Vanessa Boyd Willard

United States Department of Justice

Kenena Box Willa

Environment and Natural Resources Division

Indian Resources Section

550 W. Fort Street, MSC 033

