

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER 39576

Ident. Number: 55-13487

Date Received: _____

Receipt No: _____

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT RESERVED UNDER FEDERAL LAW
AMENDED

1. **Name:** UNITED STATES OF AMERICA as trustee on behalf of the
SHOSHONE-PAIUTE TRIBES of the DUCK VALLEY INDIAN RESERVATION
acting through the:

Address: AREA DIRECTOR, PORTLAND AREA OFFICE
Department of the Interior
Bureau of Indian Affairs
911 N.E. 11th Ave.
Portland, OR 97232

2. **Date of Priority:** April 16, 1877
3. **Source of Water:** Boyle Creek, tributary to Blue Creek

4. **Point of Diversion is:**
NW¼ NW¼ NE¼ Section 19, Township 16S, Range 3E

Place of Use is:

Boyle Creek Reservoir

S½

Section 18, Township 16S, Range 3E

N½

Section 19, Township 16S, Range 3E

5. **Description of Diverting Works:** N/A; Lake level maintenance
6. **Total Annual Quantity of Water Reserved:** 36 acre-feet per annum
7. **Total Consumptive Use Claimed:** 36 acre-feet per annum.
8. **Purposes of Use:**
To fulfill the purposes of the Executive Order of April 16, 1877, reprinted in I Charles J. Kappler, Indian Affairs: Laws and Treaties 866 (Washington: GPO 1904) (hereafter Kappler); the Executive Order of May 4, 1886, I Kappler 866; and the Executive Order of July 1, 1910, III Kappler 679; which established the Duck Valley Indian Reservation as a homeland for the Shoshone-Paiute Tribes. Such use includes but is not limited to fisheries, recreation, religious, and ceremonial purposes.
9. **Period of Use:** January 1 through December 31 of each year.



U.S. Department of Justice

Environment and Natural Resources Division

RECEIVED

JJC:LSR:cya
90-6-2-79

Indian Resources Section
P.O. Box 44378
L'Enfant Plaza Station
Washington, DC 20026-4378

FEB 13 1998

Telephone (202) 305-0269
Facsimile (202) 305-0271

Department of Water Resources

February 12, 1998

VIA OVERNIGHT MAIL

Mr. David Tuthill
Adjudication Bureau Chief
Idaho Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706

Re: Snake River Basin Adjudication

Dear Mr. Tuthill:

Enclosed please find the United States' amended claim on behalf of the Shoshone-Paiute Tribes of the Duck Valley Indian Reservation in the above referenced proceeding. Our amended claim includes our original claim for instream flows on the Idaho portion of the Duck Valley Reservation as reported in the Director's Report dated March 31, 1994. The United States anticipates amending its non-consumptive claims and if amendment is appropriate the United States will seek leave of the Court to do so. For informational purposes, we are providing anticipated amendments of our lake level maintenance claims in this filing.

If you have any questions, please call me at (202) 305-0262.

Sincerely,

Lawrence S. Roberts
Trial Attorney

Enclosure

cc: Jim Paiva
Frank Wilson
Clive Strong
Peggy Twedt
Jeanie Whiting
Stanley Speaks
Q Brown

SCANNED
JAN 26 2005