

Challis National Forest Case Study

Research Inquiry

In 2010, SHRA was retained as a rebuttal expert on behalf of The Middle Fork Lodge in Idaho in *Middle Fork Holding Company, Inc. v. United States*. The case focused on an irrigation ditch located along the Middle Fork of the Salmon River in the Challis National Forest. The key question was whether the ditch existed prior to 1906 when President Theodore Roosevelt created the Salmon River Forest Reserve, and as such, remained a perpetual and permanent easement for the private inholder. SHRA's primary focus for this case involved assessing and critiquing the plaintiff's expert report and conducting additional historical research to prepare a rebuttal report. SHRA researchers explored the mining and irrigation history of the Middle Fork Salmon River watershed, and the history of the Challis National Forest.

Methodology

SHRA critiqued the opposing expert report by assessing the quality and variety of historical sources referenced within, and the conclusions reached. In order for SHRA's rebuttal report to be as comprehensive as possible, SHRA researchers relied on federal records, while also incorporating oral histories, and two highly relevant secondary source books that recounted the local history of the area in question. This small rural area had a strong oral tradition which had been captured in these local histories.

Research Conclusion

SHRA determined that the opposing side's historian used too limited a scope of sources to enable a comprehensive historical analysis of the ditch in question and the water use and cultivated acreage of the area. The work done for this case contributed to SHRA's subject matter expertise on irrigation history in Idaho, as well as mining and forest history.

Repositories and Collections Consulted

- U.S. National Archives:
 - U.S. General Land Office
- Idaho State Archives:
 - Idaho Session Laws
 - Inspector of Idaho Mines Reports
- Lemhi County Records
- Oral Histories and Local Secondary Sources
- Academic Journal Articles and Books
- Published Federal Reports and Census Data

Deliverables

- Narrative Expert Rebuttal Report
- Project Database
- Historical Analysis



Contact Jennifer Stevens, Ph.D., for references
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