

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

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DEPARTMENT OF
WATER RESOURCES

In Re CFPRBA

Case No. 69576

A. Subcase 97-7380

STANDARD FORM 2
RESPONSE TO OBJECTION

B. NAME AND ADDRESS OF PERSON RESPONDING

KALISPEL TRIBE OF INDIANS, P.O. Box 39, Usk, WA 99180

Name & Address of Attorney:

Claire Newman
Kanji & Katzen, P.L.L.C.
811 1st Ave., Suite 640
Seattle, WA 98104
Telephone: (206) 344-8100
Email: cnewman@kanjikatzen.com

Dylan Hedden-Nicely, Esq.
1075 Saddle Ridge Rd.
Moscow, ID 83843
(208) 863-0341
Email: dylan@hedden-nicely.com

C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDING

STATE OF IDAHO, IDAHO WATER RESOURCE BOARD

Name & Address of Attorney:

Raúl R. Labrador
Attorney General
Scott L. Campbell
Deputy Attorney General
Chief, Energy Natural Resources Division
Ann N. Yribar (ISB #8406)
Deputy Attorney General

SCANNED

AUG 01 2025

Energy and Natural Resources Division
Idaho Attorney General's Office
PO Box 83720
Boise, ID 83720-0010
(208) 334-4141
ann.yribar@ag.idaho.gov

D. I am responding to the Objections to the following elements or general provisions

1. ☐ **Name and Address**
2. ☐ **Source**
3. ☐ **Quantity**
4. ☐ **Priority Date**
5. ☐ **Point of Diversion**
6. ☐ **Instream Flow Beginning and Ending Point**
7. ☒ **Purpose(s) of Use**
8. ☐ **Period of Year**
9. ☐ **Place of Use**
10. ☐ **General Provision**
11. ☐ **Accomplished Transfer**
12. ☒ **Recommendation:**
 - ☐ This water right should not exist.

- ☒ This water right was not recommended but should be recommended with the elements described above.

The Kalispel Tribe of Indians does not authorize a waiver of sovereign immunity beyond the limited purpose of this response or for any other purpose including but not limited to, the imposition of any fees or judgment for costs or award of attorney fees. The limited waiver of sovereign immunity does not extend to any other claim, objection, or response in this adjudication or any other case. The Tribe reserves all rights and sovereign immunity not expressly waived herein to the full extent of the law.

/s/ Claire R. Newman
Claire R. Newman

CERTIFICATE OF MAILING

I certify that on July 28th, 2025, original and copies of this objection, including all attachments, were personally served on:

1. Original to: Clerk of the District Court
Clark Fork-Pend Oreille River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the attorney for the claimant of the water right at the following address:

Chief, Natural Resources Division
Idaho Attorney General's Office
700 W. Jefferson St., Rm. 210
PO Box 83720
Boise, ID 83706

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Natural Resources Division
550 W. Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
State of Idaho
PO Box 83720
Boise, ID 83720-0010

/s/ Claire R. Newman
Claire Newman