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DEPT. OF WATER RESOURCES

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

In Re CFPRBA

Case No. 69576

A. Subcase 97-7274

STANDARD FORM 2
RESPONSE TO OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING:

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

NAME AND ADDRESS OF ATTORNEY:

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

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

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

Name: **UNITED STATES OF AMERICA, as Trustee on behalf of the
KALISPEL TRIBE OF INDIANS OF THE KALISPEL INDIAN
RESERVATION acting through the NORTHWEST REGIONAL
DIRECTOR Department of the Interior, Bureau of Indian Affairs**

SCANNED

JUL 24 2026

Address: **911 N.E. 11th Ave.
Portland, OR 97232**

Phone: **(202) 532- 3055 (Attorney Phone # - Daytime)**

NAME AND ADDRESS OF ATTORNEY:

**Marisa Hazell
United States Department of Justice
Environment & Natural Resources Division
Tribal Resources Section
999 18th Street, North Terrace, Suite 600
Denver, CO 80202**

D. I am responding to the Objections to the following elements or general provision. (Please check the appropriate box(es)).

1. ☐ Name and Address

2. ☐ Source

3. ☒ **Quantity**

Kalispel agrees with the United States that this claim should be coordinated with U.S./Kalispel federal instream flow claims.

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 21, 2026, original and copies of this response, 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

I further certify that on July 21, 2026, original and copies of this response, including all attachments, were mailed to the following:

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

Address:

3. One copy to the party who filed the Objection at the following address:

Name:

Address:

4. Copies to:
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
P.O. Box 7611
Ben Franklin Station
Washington, D.C. 20044-7611

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

/s/ Claire R. Newman

Your signature or signature of attorney mailing on
your behalf