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Complaint for permanent injunction

Thomas H. S. Brucker

Law Offices STERN, GAYTON, NEUBAUER & BRUCKER

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1 STERN, GAYTON, NEUBAUER & BRUCKER
2 Thomas H. S. Brucker
3 710 Hoge Building
4 Seattle, Washington 98104
5 Main 2-7050

FILED IN THE
U. S. DISTRICT COURT
Eastern District of Washington

SEP 13 1970

J. R. FALLQUIST, Clerk

LR Deputy

8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF WASHINGTON
10 NORTHERN DIVISION

10 COLVILLE CONFEDERATED TRIBES,)
11)
12 Plaintiff,)
13 vs.)
14 BOYD WALTON, JR., and JANE DOE)
15 WALTON, his wife,)
16 Defendants.)

NO. 3421

COMPLAINT FOR PERMANENT
INJUNCTION

16 COMES NOW the plaintiff, and for claim for relief
17 against the defendants, alleges as follows:

18 I

19 The plaintiff is a confederation of Indian tribes with
20 a governing body duly recognized by the Secretary of Interior, and
21 is entitled to bring this action in this Court by virtue of
22 28 U.S.C. 1362, in that the claimed for relief arises under the
23 Constitution, laws, and treaties of the United States of America.

24 II

25 Plaintiff is the beneficial owner of land within its
26 reservation, including lakes, rivers, streams and creeks.

27 III

28 The defendants are non-Indians, and are appropriating
29 the entire flow of certain waters on Section 33, Township 33 North,
30 Range 27 E., owned by the plaintiff, without authority from the
31 plaintiff, and are devoting this water to non-Indian use, caus-
32 ing irreparable injury to the plaintiff.

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IV

The plaintiff has no plain, speedy, and adequate remedy at law because the defendant will continue to violate the water rights of the plaintiff unless permanently enjoined from so doing.

WHEREFORE, the plaintiff prays that the defendants be forever enjoined from interfering in any manner whatsoever with the waters owned by the plaintiff.

STERN, GAYTON, NEUBAUER & BRUCKER

Thomas H. S. Brucker
Thomas H. S. Brucker
Attorney for Plaintiff