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Errata CDAT's Response Brief

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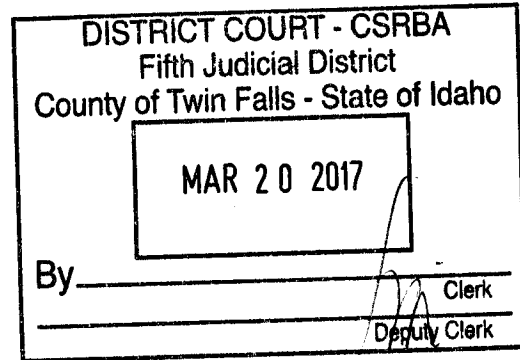
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF TWIN FALLS

In re CSRBA) Subcase Nos.: 91-7755 (and consolidated
) subcases)
)
Case No. 49576) ERRATA TO TRIBE'S RESPONSIVE
) BRIEFING IN SUPPORT OF ITS MOTION
) FOR SUMMARY JUDGMENT
)

Due to some minor confusion related to a draft copy and the final version of E. Richard Hart's report, *A Reply to the Report of Dr. Stephen Wee*, dated May 20, 2016, along with information contained in the Third Affidavit of E. Richard Hart dated March 16, 2017, the Tribe submits this errata to correct citation in the briefing it has previously submitted to the Court. See Third Aff. R. Hart, p. 2, ¶¶ 25-26.

Thus, any reference in the *Coeur d'Alene Tribe's Response to the State of Idaho, Hecla, and the North Idaho Water Rights Group* (filed on February 24, 2017) to Exhibit 1 of the Second Affidavit of Richard Hart (executed on February 21, 2017 and filed on February 24, 2017),

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should be taken by the parties and the Court to refer to the document found attached to the Third Affidavit of Richard Hart (executed on March 16, 2017 and filed concurrently herewith) as

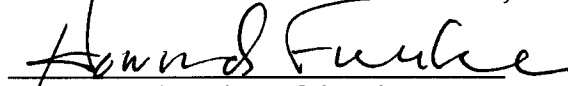
Exhibit 1. Specific page number corrections are as follows:

- (1) *Coeur d'Alene Tribe's Response to State of Idaho, Hecla, and the North Idaho Water Rights Group*, p. 18: Citation to 2d.Aff. R. Hart, Ex. 1, p. 56 should be changed to read 3d Aff. R. Hart, p. 56.
- (2) *Coeur d'Alene Tribe's Response to State of Idaho, Hecla, and the North Idaho Water Rights Group*, p. 18: Citation to 2d.Aff. R. Hart, Ex. 1, p. 55, n. 150-52 should be changed to read 3d Aff. R. Hart, pp. 56-58, n. 150-52.
- (3) *Coeur d'Alene Tribe's Response to State of Idaho, Hecla, and the North Idaho Water Rights Group*, p. 18: Citation to 2d.Aff. R. Hart, Ex. 1, pp. 55-56 should be changed to read 3d Aff. R. Hart, p. 57.
- (4) *Coeur d'Alene Tribe's Response to State of Idaho, Hecla, and the North Idaho Water Rights Group*, p. 103: Citation to 2d.Aff. R. Hart, Ex. 1, p. 53 should be changed to read 3d Aff. R. Hart, pp. 51-52.

Based on a review of Exhibit 1 to Mr. Hart's Third Affidavit, along with the prior briefing it has submitted in this case, the Tribe believes it has corrected the citations to reflect the final version of Mr. Hart's report, *A Reply to the Report of Dr. Stephen Wee*, dated May 20, 2016, versus pages of the draft report which were inadvertently submitted through prior affidavits.

Dated this 18th day of March, 2017.

HOWARD FUNKE & ASSOCIATES, P.C.



By: Howard Funke, Of the Firm
Counsel for the Coeur d'Alene Tribe

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of March, 2017, I caused to be served a true and correct copy of the foregoing document upon the following individuals via email and/or by placing the document in the United States Mail, postage prepaid, addressed as follows:

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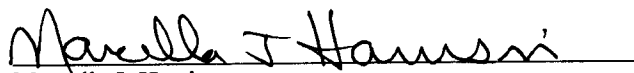
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