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Mtn to Set Aside and Modify

Howard Funke
Attorney, Howard Funke & Associates

Jeffrey H. Wood
Acting Assistant Attorney General, US Department of Justice

Vanessa Boyd Willard
Trial Attorney, Indian Resources Section, Environment & Natrual Resources Division, US Department of Justice

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ORIGINAL

DISTRICT COURT - CSRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
MAY 17 2017

Howard A. Funke, ISB No. 2720
Kinzo H. Mihara, ISB No. 7940
Dylan Hedden-Nicely, ISB No. 8856
HOWARD FUNKE & ASSOCIATES, P.C.
Attorneys at Law
424 Sherman Avenue, Suite 308
P. O. Box 969
Coeur d'Alene, Idaho 83816-0969
P (208) 667-5486
F (208) 667-4695

Jeffrey H. Wood
Acting Assistant Attorney General
Vanessa Boyd Willard
Deputy Clerk
Tribal Attorney, Indian Res. Sec.
& Nat'l Res. Division
U.S. DEPARTMENT OF JUSTICE
999 18th St., S. Terrace, Ste. 370
Denver, Colorado 80202
P (303) 844-1353
F (303) 844-1350

Counsel for the Coeur d'Alene Tribe

Counsel for the United States

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)
)
)
)
Case No. 49576)
)
)
_____)

Subcase Nos: 91-7755 (and 353 consolidated
subcases)
 MOTION TO FILE LATE OBJECTION
OR
 MOTION TO SET ASIDE AND MODIFY
PARTIAL DECREE OR FINAL ORDER
DISALLOWING WATER RIGHT CLAIM

NAME AND ADDRESS OF PERSON FILING MOTION FOR LATE OBJECTION OR MOTION
TO SET ASIDE PARTIAL DECREE/FINAL ORDER DISALLOWING

Name: United States of America and Coeur d'Alene Tribe.
Address: Please see attorney addresses above and below.
Daytime Phone: Please see attorney phone numbers above and below.

We are attorneys representing above-named claimants.
Our names are: Howard Funke (attorney for Coeur d'Alene Tribe); Vanessa
Boyd-Willard (attorney for the United States of America)
Our addresses are: (Howard Funke) Howard Funke & Associates, P.C., P.O. Box

969, 424 Sherman Ave, Ste. 308, Coeur d'Alene, Idaho 83816-0969; (Vanessa Boyd Willard) U.S. Department of Justice, Environmental and Nat'l Resources Section, 550 W. Fort Street, MSC 033, Boise, Idaho 83724

Our Phone Numbers are: Howard Funke (208) 667-5486; Vanessa Boyd Willard (303) 844-1353.

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT OR
PARTIAL DECREE/FINAL ORDER DISALLOWING

Name: United States of America, as trustee on behalf of the Coeur d'Alene Tribe of the Coeur d'Alene Indian Reservation, acting through the Northwest Regional Director

Address: Department of the Interior, Bureau of Indian Affairs, 911 N.E. 11th Ave., Portland, OR 97232

If you are seeking to file a late Objection, list the reason(s) this objection is late and why it was not filed by the Objection deadline:

N/A.

If you are seeking leave to file a late Objection,

YOU MUST ATTACH A COMPLETED STANDARD FORM 1 (Objection form).

If you are seeking to set aside and modify a Partial Decree/Final Order Disallowing, indicate the basis for your motion:

- Idaho Rule of Civil Procedure 59 (e)
- Idaho Rule of Civil Procedure 60(a)
- Idaho Rule of Civil Procedure 60(b)

And list the reason(s) why the Partial Decree/Final Order Disallowing should be set aside:

Please see attached two memoranda (in relation to the issues of fish habitat and gathering) in support of this SF-7 form. Such memoranda are expressly incorporated herein by this reference.

Certificate of Service

I hereby certify that on the 16th day of May, 2017, in addition to mailing the original document to the Clerk of the CSRBA Court, 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:

US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATURAL RESOURCES
DIVISION
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

VANESSA WILLARD
US DEPARTMENT OF JUSTICE
999 18TH STREET
SOUTH TERRACE STE 370
DENVER CO 80202

CHRISTOPHER H MEYER
JEFFREY C FEREDAY
JEFFREY BOWER
MICHAEL P LAWRENCE
GIVENS PURSLEY LLP
PO BOX 2720
BOISE, ID 83701-2720

NORMAN M SEMANKO
SCOTT L CAMPBELL
MOFFAIT THOMAS BARRETT ROCK & FIELDS
PO BOX 829
BOISE, ID 83701-0829

MARIAH R DUNHAM
NANCY A. WOLFF
MORRIS & WOLFF, P.A.
722 MAIN AVE
ST MARIES, ID 83861

ALBERT P BARKER
BARKER ROSHOLT & SIMPSON LLP
PO BOX 2139
BOISE, ID 83701-2139

WILLIAM J SCHROEDER
PAINE HAMBLIN LLP
717 W SPRAGUE AVE, STE 1200
SPOKANE, WA 99201-3505

CLIVE STRONG
STEVEN W STRACK
IDAHO ATTORNEY GENERAL'S OFFICE
NATURAL RESOURCES DIVISION
PO BOX 83720
BOISE, ID 83720-0010

CHRIS M BROMLEY
CANDICE M MCHUGH
MCHUGH BROMLEY PLLC
380 S 4TH STREET STE 103
BOISE, ID 83702

DIRECTOR OF IDWR
IDWR DOCUMENT DEPOSITORY
PO BOX 83720
BOISE, ID 83720-0098

RATLIFF FAMILY LLC #1
13621 S HWY 95
COEUR D'ALENE, ID 83814

JOHN T MCFADDIN
20189 S EAGLE PEAK RD
CATALDO, ID 83810

RONALD D HEYN
828 WESTFORK EAGLE CREEK
WALLACE ID 83873



Kinzo H. Mihara