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COUNSEL FOR INTERVENOR -- DEFENDANT

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

CONFEDERATED SALISH AND
KOOTENAI TRIBES,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
INTERIOR SECRETARY SARAH
"SALLY" JEWELL; UNITED STATES
BUREAU OF INDIAN AFFAIRS; JOCKO
VALLEY IRRIGATION DISTRICT;
MISSION IRRIGATION DISTRICT;
FLATHEAD IRRIGATION DISTRICT;
DISTRICT COURT FOR THE
TWENTIETH JUDICIAL DISTRICT OF
MONTANA; MONTANA WATER
COURT; MICHAEL G. MCLATCHY,
BLANCHE CREPEAU, and ALEX
CREPEAU; JUDY HARMS and ROBERT
HARMS; BETTY A. STICKEL; and AN
UNKNOWN NUMBER OF JOHN DOE
DEFENDANTS CLAIMING FIIP
IRRIGATION WATER AS A PERSONAL
WATER RIGHT,

Defendants.

Case No. 9:14-cv-00044-DLC

**INTERVENOR-DEFENDANT
MONTANA ATTORNEY
GENERAL'S MOTION TO
DISMISS**

(PROPOSED)

EXHIBIT

1

MOTION TO DISMISS
PAGE 1

The Montana State Attorney General ("the Attorney General") hereby moves to dismiss the action for lack of subject matter jurisdiction under Fed R. Civ. P. 12(b)(1), and based upon the *Brillhart, Younger, and Colorado River* absence doctrines. This motion is supported by the Attorney General's Memorandum in Support of Motion to Dismiss. Pursuant to Local Rule 7.1(c)(1), other parties have been contacted and _____ objects to this motion.

Respectfully submitted this _____ day of May, 2014.

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By: /s/ Michael G. Black
MICHAEL G. BLACK
Assistant Attorney General
Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing document with the clerk of the court for the United States District Court for the District of Montana, Missoula Division, by using cm/ecf system.

Participants in the case who are registered cm/ecf users will be served by the cm/ecf system.

Dated: _____ /s/ Michael G. Black
MICHAEL G. BLACK
Assistant Attorney General
Counsel for Defendants