

UNITED STATES DISTRICT COURT
DISTRICT OF MONTANA
GREAT FALLS DIVISION

DEFENDERS OF WILDLIFE, and)
NATURAL RESOURCE DEFENSE)
COUNCIL,)

Plaintiffs,)

vs.)

UNITED STATES ARMY CORPS)
OF ENGINEERS; UNITED STATES)
BUREAU OF RECLAMATION; and)
UNITED STATES FISH AND)
WILDLIFE SERVICE,)

Defendants.)

and)

LOWER YELLOWSTONE)
IRRIGATION PROJECT BOARD)
OF CONTROL; SAVAGE)
IRRIGATION DISTRICT; and,)
INTAKE IRRIGATION DISTRICT,)

Defendant-Intervenors.)

Cause No. CV-15-14-GF-BMM

JUDGMENT IN A CIVIL CASE

 Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

 X **Decision by Court.** This action came before the Court for bench trial, hearing or determination on the record. A decision has been rendered.

IT IS ORDERED AND ADJUDGED :

Plaintiff's Motion for Summary Judgment (Doc. 172) on Claims 11-14 is DENIED;

Federal Defendants'/Intervenor Defendants' Cross-Motions for Summary Judgment (Docs. 180 & 178) on Claims 11-14 are GRANTED;

Plaintiff's request that the Court order the Bureau to finalize a plan to bring its operation at Intake Dam into compliance with the ESA (Claims 4 & 5) is DISMISSED WITHOUT PREJUDICE; and,

Plaintiff's request that the Court order the Corps to finalize a plan to bring its operation of Fort Peck Dam into compliance with the ESA (Claims 1 & 2) has been rendered moot and thereby is DISMISSED WITHOUT PREJUDICE.

DATED this 23rd day of July, 2018.

TYLER P. GILMAN, CLERK OF COURT

By: /s/ S. Redding
Deputy Clerk