

8-20-1973

## **Docket Entry 339 - Filed Answers to Interrogatories and Requests for Production by Quileute Tribe**

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APR 30 1973

SLADE GORTON  
Attorney General  
EARL R. McGIMPSEY  
Assistant Attorney General  
Temple of Justice  
Olympia, Washington 98504  
AC 206 753-2772

ZIONTZ, LITTLE & MORISSET  
FILED IN THE  
UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

AUG 20 1973

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

EDGAR SCONELO, CLERK  
Deputy

1 UNITED STATES OF AMERICA, et al., )  
2 Plaintiffs, )  
3 -vs- )  
4 STATE OF WASHINGTON, et al., )  
5 Defendants. )

CIVIL NO. 9213

INTERROGATORIES AND  
REQUESTS FOR PRODUCTION

\* \* \*

9 TO: QUILEUTE INDIAN TRIBE and to Alvin J. Ziontz, its attorney

11 These interrogatories and requests for production are served  
12 upon you pursuant to the stipulated pretrial schedule approved by the  
13 court on April 24, 1973. The answers to these interrogatories and  
14 the material requested to be produced should be served on the defend-  
15 ant, pursuant to the stipulated pretrial schedule, by May 29, 1973.  
16 The interrogatories should be regarded as continuing. If additional  
17 information is discovered between the time of making these answers and  
18 the time of trial, these interrogatories are directed to that infor-  
19 mation.

20 Any reference in these interrogatories to Indian reserva-  
21 tions or treaty status is not meant to waive any objection to the  
22 status of an Indian reservation or treaty status of a tribe which may  
23 be asserted by this defendant.

Interrogatories

339

1. Please identify the governing body of your tribe, stating the names, addresses and telephone numbers of its members and identify its officers, indicating the respective offices they hold.

ANSWER: Tribal Council

Name	Address	Telephone
Christian Penn, Chairman	La Push, Washington	374-5842
Earl Penn, Vice Chairman	La Push, Washington	374-6503
Pearl Penn, Secretary	La Push, Washington	
Leo Williams, Treasurer	La Push, Washington	374-6730
Oliver Jackson, Member	La Push, Washington	374-5649

2. Has your tribe adopted tribal fishing regulations? If yes, please indicate:

- (a) Whether such regulations are permanent, annual or temporary
- (b) The dates all such regulations were adopted
- (c) Whether such regulations were approved by the Bureau of Indian Affairs and the date of its approval.

Please attach copies of all such regulations. (Note: It is not necessary that copies of the following regulations approved by the B.I.A. on the date indicated be furnished.)

Nisqually	10/30/68
Quinault	3/29/69
Squaxin	10/27/67
Makah	7/6/70
Muckleshoot	3/6/71
Quilleute	10/11/41
Skokomish	1/21/64
Puyallup	4/17/73
Yakima	3/23/66
Lummi	4/9/64

ANSWER: (a) Permanent

(b) Original Regulations, Ordinance #1, October 11, 1941; new version; Ordinance #8, July 12, 1973 (attached hereto as Exhibit 1)

(c) Original regulations approved October 3, 1941. New version approved August 3, 1973 (per phone call to Tribal Operations, B.I.A., Everett, by Mason D. Morisset, Counsel for Tribe)

1 3. If your tribe has not adopted tribal fishing regulations, does  
2 your tribe regulate tribal fishing in any other manner? If yes,  
describe the manner of regulation.

3 ANSWER: In addition to the formal regulations, the Tribe has consistently main-  
4 tained informal methods of regulating Indian fishing in tribal fishing areas.  
5 These informal regulations consisting of peer and group pressure, informal  
6 comments and advice from tribal leaders and elders, and intra-family agree-  
7 ments, are in many respects more significant than the formal regulations  
8 which have been officially adopted, in that they are generally understood and  
9 accepted, and can react more rapidly in changes in fish supply and the need for  
10 conservation. Under these "regulations", for example, certain families have,  
11 for generations, been entitled to exclusive fishing rights in particular places,  
12 and it would be unthinkable for one family to infringe upon or jeopardize another  
13 family's fish supply or fishing area. These extremely complex yet largely  
invisible set of inter-relationships is a primary method of fishing control  
used by the Quileute people.

11 4. Please identify the committee or governing body responsible for  
12 adopting tribal fishing regulations, stating the names, addresses,  
13 telephone numbers, occupations, and terms of office of its mem-  
bers and identify its officers, indicating the respective offices  
they hold.

14 ANSWER: Tribal Council. See 1, above. Terms are 3 years in length.

22 5. Are any members of the committee or governing body described in  
23 Interrogatory No. 4 actively engaged as fishermen, fishermen's  
24 helpers, or fish buyers? If yes, please identify them and their  
respective activity.

25 ANSWER: Christian Penn, Jr. is a fisherman; Earl Penn and Leo Williams  
26 are fish buyers.

1 6. Are the members of the committee or governing body identified in  
2 Interrogatory No. 4 appointed or elected?

- 3 (a) If appointed, by whom are they appointed?  
4 (b) If elected, by whom are they elected?  
5 (c) What is the length of their term of office?

6 ANSWER: (a) N/A

7 (b) Quileute Tribe

8 (c) Three years

9 7. Please identify the committee or governing body responsible for  
10 formulating tribal fishing regulations. If different from the  
11 committee or body responsible for adopting the regulations,  
12 please provide as to the formulating committee or body the in-  
13 formation requested in Interrogatories Nos. 4, 5 and 6.

14 ANSWER: Tribal Council

15 8. Please describe the process by which tribal fishing regulations  
16 are enacted.

17 ANSWER: The formal regulations are adopted by the Tribal Council pursuant  
18 to the Constitution and By-Laws of the Quileute Tribe. The informal  
19 regulations are based as described in the answer to number 3.  
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28 9. Are public hearings held on the tribal fishing regulations prior  
29 to their enactment? If yes, please state:

- 30 (a) Who is eligible to attend and speak at such hearings  
31 (b) The dates during the past five years on which such  
32 hearings have been held.

33 ANSWER: No.

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6 10. In the past 5 years has your tribe or anyone acting on its behalf  
7 received information, assistance or advice in formulating and/or  
adopting tribal fishing regulations. If yes, please state:

- 8 (a) The person(s) or agency(s) providing such information,  
9 assistance or advice  
(b) The date such information, assistance or advice was  
10 provided  
(c) A brief summary of the information, assistance or  
11 advice provided  
(d) In what manner such information, assistance or  
12 advice was relied upon by the committee or bodies  
which formulated and adopted the regulations.

13 ANSWER: (a) Federal Fish and Wildlife Service, Bureau of Indian Affairs,  
14 Regional Solicitor, Department of Justice.  
15 (b) Consistently at various times over the past 5 years.  
16 (c) General information on fish runs and fish available.  
17 (d) This material is used by the Quileute people in determining  
18 informally the fishing plans and how the fish are to be conserved.  
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23 11. Does the tribal governing body, or the committee or body which  
24 adopts tribal fishing regulations if not the governing body,  
25 have authority to make emergency fishing regulations? If yes,  
please state:

- 26 (a) The source of such authority  
27 (b) Whether emergency fishing regulations have ever been  
enacted, indicating:  
28 (1) The date of such regulations  
29 (2) The source and type of information relied  
upon in making such regulations  
30 (3) Whether such regulations were designed to  
increase or restrict the number of fish taken  
(4) The substance of change.

31 ANSWER: (a) Yes. Constitution and By-Laws of the Quileute Tribe.  
32 (b) Informal advice and a consensus on plans is reached by tribal  
33 members based on the experience of tribal members, and information  
from Federal Fish and Wildlife Service and state agencies as a means  
of restricting the fish taken to protect the run and to conserve the fish.

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8 12. Are tribal regulations enacted for both on-reservation and off-  
9 reservation fishing at usual and accustomed stations? If not,  
for which are regulations enacted?

10 ANSWER: Yes.  
11  
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13 13. Do tribal regulations for reservation fishing differ from tribal  
14 regulations for off-reservation fishing? If yes, please explain  
the difference.

15 ANSWER: Yes. One net allowed off the reservation, two nets allowed on the  
16 reservation per fisherman during normal fish runs. Depleted resources in  
17 one year and the needs of conservation may require additional tribal  
18 regulation.  
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24 14. Does the committee or body responsible for formulating tribal  
25 fishing regulations consider Washington State Department of  
26 Fisheries regulations? If yes, what consideration is given  
state regulations and in what manner do state regulations  
affect tribal regulations?

27 ANSWER: Yes. To the extent they are both based on predicted fish runs and  
28 the needs of conservation, there is such consideration  
29  
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1 15. In formulating tribal fishing regulations, are estimates of  
2 predicted run size utilized? If yes, please state:

- 3 (a) The source of such information  
4 (b) The data relied upon  
5 (c) When such estimates have been utilized.

6 ANSWER: Yes.

7 (a) The experience of the fishermen and past records, as well as  
8 the government forecasts.

9 (b) State catch records, as interpreted by the Federal Fish and  
10 Wildlife Service.

11 (c) Continuously.

12 16. Has your tribe or anyone acting on its behalf ever requested  
13 information from the Washington State Department of Fisheries  
14 and had such request denied? If yes, please state:

- 15 (a) The name of the person making such request  
16 (b) The date of such request  
17 (c) The person denying such request, if known  
18 (d) The reason given for such denial  
19 (e) Whether such denial was brought to the attention  
20 of the Director of the Department of Fisheries by  
21 the tribe.

22 ANSWER: No requests for biological information have been denied. However,  
23 this lawsuit is based upon the failure of the State to provide adequate informa-  
24 tion justifying their failure to protect the Indian fishing rights granted by  
25 treaty to the Quileute Tribe.

26 17. Who has responsibilities for enforcing your tribal fishing  
27 regulations?

- 28 (a) On the reservation  
29 (b) Off the reservation.

30 ANSWER: (a) Tribal Council  
31 (b) Tribal Council

32 18. Does your tribe employ, appoint, or in any way designate enforce-  
33 ment officers to enforce tribal fishing regulations? If yes,  
please state for each person who has held such position for the  
last two years:

- (a) His name  
(b) His address  
(c) His telephone number  
(d) The period(s) he has been so employed  
(e) The scope of his enforcement authority  
(f) The geographical area of his enforcement activity  
(g) The number of arrests made or citations issued for  
violation of tribal fishing regulations

1 (h) Whether such arrests were made for violations on or off  
2 the reservation.

3 ANSWER: No officially designated enforcement officer; however, the Tribal  
4 Councils are respected and their guidance is traditionally followed by Tribal  
5 fishermen. See answer to Interrogatory No. 3.

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12 19. If an illegal fishing activity is observed by an enforcement  
13 officer, what procedure is followed by the officer?

14 ANSWER: See No. 18.

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17 20. Who or what tribal entity sits in judgment of:

- 18 (a) An alleged Indian violator  
19 (b) An alleged non-Indian violator.

20 ANSWER: (a) Tribal Council  
21 (b) Tribal Council

22 21. With regard to the person or entity described in Interrogatory  
23 No. 20, please state:

- 24 (a) The name, address and telephone number of each person  
25 holding such position for the past five years  
26 (b) The manner of his appointment  
27 (c) The term of his office  
28 (d) Whether such position is a full time or part time  
29 responsibility  
30 (e) Whether such person(s) actively engaged in the tribal  
31 fishery as a fisherman, fisherman's helper or fish buyer.

32 ANSWER: See Interrogatory No. 1

33 22. What are the penalties for violation of tribal fishing regula-  
tions?

ANSWER: See penalties on page 4 of Exhibit 1 attached hereto. In addition,  
informal reprimand and social disapproval by the Tribal members are very  
powerful methods of informal Tribal regulations. See Interrogatory 3.

1 23. Please list each incident within the last two years when such  
2 penalties have been imposed, stating:

- 3 (a) The name of the person penalized  
4 (b) The date the penalty was imposed  
(c) The penalty imposed.

5 ANSWER: Any incidents were quickly corrected through informal procedures as  
6 indicated, without any necessity for formal penalties.

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12 24. Are tribal fishermen required to register with tribal authorities  
13 or obtain a tribal license to fish in the reservation fishery?  
If yes, please state:

- 14 (a) The number of registrations or licenses issued during  
15 the last five years  
(b) Whether a fee is charged.

16 ANSWER: Not if a member of the Quileute Tribe.

17  
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19 25. Are tribal fishermen required to register with tribal authorities  
20 or obtain a tribal license to fish in usual and accustomed sta-  
tions off the reservation? If yes, please state:

- 21 (a) The number of registrations or licenses issued  
22 during the last five years  
(b) Whether a fee is charged.

23 ANSWER: Not formally, although usual and accustomed places off reservation are  
24 traditionally those of various families, which are utilized by members of  
that family, without being open to all Tribal fishermen.

25 26. Are tribal fishermen required to pay a tax on fish caught in the  
26 tribal fishery?

27 ANSWER: Indirectly, through business and operations tax from fish buyers.

28 27. Upon what basis does your tribe determine whether a particular  
29 individual is qualified to fish in:

- 30 (a) Your reservation Indian fishery  
31 (b) In any areas off your reservation for which your tribe  
has enacted fishing regulations.

32 ANSWER: Per regulation and tribal customs, B.I.A. Indian cards are required.

28. Is a non-Indian fishery allowed on your tribe's reservation?  
If yes, please state:

- (a) Whether such fishery is commercial or sport
- (b) Any catch statistics you have of catches in such fishery
- (c) For which of the last five years has such fishery been in operation
- (d) To the extent that regulations of such fishery are different from any provided above, please include copies of all regulations enacted for such fishery
- (e) Whether non-Indians participating in such fishery are required to register with the tribe or obtain a tribal license
- (f) Whether a fee is charged to fish in such fishery.

ANSWER: No, although considerable commercial fishing takes place in the offshore portions of the reservation. At the present time, such commercial fishing is permitted.

29. Please identify all Washington statutes and State Department of Fisheries' Regulations which regulate Indian fishing which you believe are not reasonable and necessary for purposes of conservation, stating for each regulation so identified the reasons why such regulation is not necessary for conservation.

ANSWER: All statutes and regulations of the State of Washington which purport to regulate, control, restrict or prohibit in any way fishing by tribal members at their usual and accustomed places and stations are in violation of the Treaty in that none of the current statutes or regulations are "necessary" for conservation of the fishing resource, nor do they recognize the reserved and superior rights guaranteed by the Treaty, nor do they make it possible for the Indian fisherman to make an adequate living from the historic Indian fishery areas. Specifically, regulations which are of particular concern at the present time concern net fishing after the 30th of November and establishing up-river deadlines on the Quileute River, as well as any regarding fishing at usual and accustomed places.

30. Please identify, giving geographical descriptions, all off-reservation usual and accustomed fishing stations guaranteed your tribe by treaty with the United States government.

ANSWER: It is impossible to specifically identify all usual and accustomed places at this time. However, at the minimum, off reservation areas include all ocean waters off the West Coast of the State of Washington, all rivers and creeks running into the Pacific Ocean from the West Coast of the State of Washington not exclusively belonging to some other Indian Tribe and lying north of Grays Harbor.

31. Do any other Indian tribes occupy the same usual and accustomed fishing stations identified in Interrogatory No. 30? If yes, please state:

- (a) The stations
- (b) The names of all tribes whose usual and accustomed fishing station they are
- (c) Whether any agreements have ever been entered into between your tribe and any other tribe regarding such stations
- (d) The nature and terms or conditions of such agreements
- (e) When such agreements were entered into.

ANSWER: Other tribes which are parties to this litigation may claim that some areas, particularly off shore areas, are within their usual and accustomed places. Some mutual informal agreements concerning use of these places and stations have existed for many generations.

32. Does your tribe claim legal jurisdiction to enforce tribal fishing regulations at your usual and accustomed stations off your reservation? If yes, please state:

- (a) The source of such authority
- (b) The persons over whom such authority is claimed.

ANSWER: (a) The power to regulate hunting and fishing is guaranteed to the Tribe by its Treaty, the Constitution and By-Laws of the Tribe, the inherent sovereignty of the Tribe which includes all powers of a sovereign unless expressly taken away by Congress.

(b) All persons.

1 33. Has your tribe developed a fisheries resource management program?  
2 If yes, please describe in detail this program.

3 ANSWER: Yes. Management is achieved through formal and informal regulations.  
4 See Interrogatory No. 3.  
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13 34. Has your tribe developed a fisheries resource enhancement pro-  
14 gram? If yes, please describe in detail this program.

15 ANSWER: Yes. The Tribe does considerable fish stocking and supplying of eggs  
16 to federal and state authorities.  
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25 35. If your tribe has received information, assistance or advice in  
26 developing either of these programs from any source, please  
state:

- 27 (a) The person, agency or entity providing such information,  
28 assistance or advice  
29 (b) The dates when the same was provided  
(c) The type of information, assistance or advice provided.

30 ANSWER: (a) Federal Fish and Wildlife Agencies, and various state officials,  
31 including institutions with fisheries education programs, including Bureau  
of Sports Fisheries and Wildlife and B.I.A.

(b) Over the past 32 years.

(c) General, biological, enhancement and management advice.  
32  
33

36. Please provide all records and data maintained by your tribe with regard to its fishery resource management or enhancement programs with respect to the following:

- (a) Spawning ground escapement counts
- (b) Catch statistics
- (c) Hatchery plantings
- (e) Juvenile out-migration counts
- (f) Stream environment conditions
- (g) Type of gear fished
- (h) Units of gear fished
- (i) Locations of gear fished including site registration
- (j) Efficiency of gear fished
- (k) Estimates of total fish populations
- (l) Any evaluations or studies made for the tribe with regard to the above requested information and data.

If attaching copies of such information or data would be burdensome, please indicate where and when a representative of the Department of Fisheries could examine such data. If such information or data is in the possession of the United States government, please indicate what agency has possession and give your consent to have a representative of the Department of Fisheries examine such data.

ANSWER: No formal records are maintained, although the experience of individual fishermen contains much of this information.

37. Please state the number of families in your tribe that rely on your tribal fishery to provide them with salmon for their personal consumption.

ANSWER: All do.

38. Please state, for each family, the average number of pounds of salmon (or average number of salmon) caught in your tribal fishery and used for their personal consumption for each of the last five years.

ANSWER: Approximately 350 - 500 pounds per family.

39. Please state the species of salmon taken in your tribal fishery for the personal consumption of tribal members and the percentage that each species contributes to the total number of fish caught for personal consumption of tribal members.

ANSWER: Chinook = 40-45%  
Silver salmon = 45-50%  
Chums = 5%  
Steelhead = 5-15%

40. Please identify all tribal ceremonies in which salmon are used, stating:

- (a) Name of the ceremony
- (b) Date of the ceremony
- (c) Role of salmon in the ceremony
- (d) The average number of pounds of salmon (or average number of salmon) needed for the ceremony
- (e) The average number of pounds of salmon (or average number of salmon) caught in the tribal fishery for each such ceremony for the last five years, specifying what percentage of the fish were caught on the reservation and what percentage off the reservation
- (f) The approximate average attendance at each such ceremony for the last five years.

ANSWER: (a) All festive occasions, including birthdays, funerals, weddings, holidays, athletic events and dinners because of its historical and religious significance as well as food value.  
(b) Quileute Days - second weekend in August.  
(c) Salmon is a central part of the life of the Quileute people, and is served as a means of honoring guests and celebrants in such ceremonies. Specifically, approximately 1000 pounds of salmon is used during Quileute days, for which ceremonies over 6,000 people attend. It would be impossible to state the amount and number of people that attended various other ceremonies and festive occasions.

41. What is the number of tribal members who rely exclusively on fishing to provide their annual income?

ANSWER: 47 adult males, plus their families.

42. What is the number of tribal members who do not rely exclusively on fishing to provide their annual income but for whom fishing provides more than 50% of their annual income?

ANSWER: 10 adult males.

43. What is the total number of tribal fishermen?

ANSWER: All Tribal members rely on fishing for an important food source.

44. What is the total number of enrolled members of your tribe?

ANSWER: 440

1 45. What is the average annual income of the tribal members, accounted for  
2 in Interrogatories 38 and 39 respectively?

3 ANSWER: \$3,500.00 approximately.

4 DATED this 13 day of aug, 1973.

5  
6 Christian Penn  
7 Christian Penn, Chairman  
8 Quileute Tribal Council

9 STATE OF WASHINGTON )  
10 ) ss.  
11 COUNTY OF CLALLAM )

12 Christian Penn, first duly sworn, says:

13 I am the Chairman of the Quileute Tribal Council and as such am  
14 authorized to answer the foregoing Interrogatories on behalf of the plaintiff  
15 Quileute Indian Tribe. I have read and made answer to the foregoing Interroga-  
16 tories, know the contents thereof, believe the same to be true.

17 Christian Penn  
18 Christian Penn

19 SUBSCRIBED and SWORN to before me this 13 day of aug 7  
20 1973.

21  
22 Arthur J. Anderson  
23 NOTARY PUBLIC in and for the State of  
24 Washington, residing at Forks

25  
26  
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31 Interrogatories - 14

ORDINANCE NO. 8

QUILEUTE FISHING REGULATIONS

- (1) Whereas, the Quileute Indian Tribal Council is the governing body of the Quileute Tribe in accordance with Article III of its Constitution and By-laws, approved by the Secretary of the Interior November 11, 1936; and,
- (2) Whereas, the ancestors of the present Quileute Tribe were a party to the Quinaliet Treaty of 1855; and,
- (3) Whereas, the Quileute Tribe enjoys the rights reserved to it by the Quinaliet Treaty; and,

Therefore, be it resolved by the Tribal Council of the Quileute Tribe of Indians, meeting in special session on July 12, 1973, at La Push, Washington, the following ordinance providing for the Quileute Indian fishery and for the rules and regulations thereof:

GENERAL PROVISIONSSection 1.

The rules and regulations herein shall extend in jurisdiction to all usual and accustomed fishing areas secured to the Quileute Tribe under the Quinalt Treaty including both on-reservation and off-reservation fishing. This does not constitute a waiver of Quileute treaty rights nor a recognition of state power to completely close or otherwise regulate usual and accustomed grounds and stations.

Section 2.

Only members of the Quileute Tribe <sup>UNDER THE</sup> ~~or other~~ Quinalt Treaty Indians as recognized and approved by the Quileute Tribal Council may fish under authority of these regulations.

Section 3.

Fishing will be in accordance with the general provisions and annually promulgated restrictions as to gear, location and season. The Tribal Council is empowered to change the annually promulgated regulations on an emergency basis in the interest of conservation by posting notice of such change 12 hours prior to their effective time at the Tribal Office and Quileute Fish Plant.

Section 4.

Fishermen qualifying under these regulations shall first obtain and have in their possession an identification card when fishing off-reservation. Such identification card shall be one issued pursuant to 25 CFR 256.3 or such other form as shall be authorized by the Tribal Council.

Section 5.

No person shall operate or control more than one fishing location (whether on or off-reservation) except that each person may also use (1) drift net to fish areas in common with other tribal fishermen; provided that no fisherman may operate more than (1) gill net (either set net or drift net) outside the reservation.

Section 6.

Set nets will not be placed so that they cover more than one-third ( $1/3$ ) of the distance across the wetted area of a stream channel. No set net or drift net shall exceed 200 feet in length.

Section 7.

Unattended fishing gear will be conspicuously marked to identify

the fisherman, in a place where such gear may be identified without the necessity for removing the gear from the water. Such identification shall be on a float at either end of a net if said net is not attached to an object on shore or to the post, drum or other object to which a net is attached if the net is attached to shore. All set nets shall be lifted at least once a day.

#### Section 8.

Penalties for violation of regulations will be levied by Quilleute Tribal Council. They will be as follows:

First Offense: Warning and documented judgment of council.

Second Offense: Confiscation of gear and restriction from fishing for 3 fishing days.

Third Offense: Suspension of fishing privileges for not more than 30 fishing days.

1973 Regulations for Quillayute River System, including Solduc, Bogachiel, Calawah, Sitkum and Dickey Rivers.

a. There shall be a weekly closing period in off-reservation fishing areas when all nets or other fishing gear shall be entirely removed from the river on or before 6 o'clock p.m., Friday of each week and not reset until 6 o'clock p.m. the following Sunday.

5.  
b. No fish net mesh size less than 5-3/4 inches shall be allowed for use in fishing said river system.

c. No fishing shall be allowed in on-reservation fishing areas except by those persons qualifying under Section 2 and 4 of the Quileute Fishing Ordinance.

#### C E R T I F I C A T I O N

At a special meeting of the Quileute Tribal Council on 12<sup>th</sup> day of July, 1973, a quorum being present, the Council adopted the preceding resolution, ordinance and regulations by a vote of 4 FOR and 0 AGAINST.

Christian Penn Jr.  
Quileute Tribal Chairman

ATTEST:

Paul Penn  
Secretary

ALVIN J. ZIONTZ  
ROBERT L. PIRTLE  
MASON D. MORISSET  
BARRY D. ERNSTOFF  
STEVEN H. CHESTNUT

ZIONTZ, PIRTLE, MORISSET & ERNSTOFF  
ATTORNEYS AT LAW  
3101 SEATTLE-FIRST NATIONAL BANK BUILDING  
SEATTLE, WASHINGTON 98154

AREA CODE 206  
623-1255

August 17, 1973

RECEIVED

AUG 20 1973

Office of Clerk  
U. S. District Court  
Tacoma, Washington

Clerk of the U. S. District Court  
Western District of Washington  
Federal Building  
Tacoma WA 98408

Re: U.S. v. Washington - Civil No. 9213

Dear Sir:

Enclosed for filing in the above case are the following documents:

1. Original signed Affidavit of Service by Mail, indicating that we served all parties in the case copies of Answers to Interrogatories and Requests for Production to Quileute Tribe, Answers to Interrogatories and Requests for Production to Makah Indian Tribe and Answers to Interrogatories and Requests for Production to Lummi Indian Tribe on August 6, 1973.
2. Original signed copy of Answers to Interrogatories and Requests for Production to Quileute Tribe.
3. Original signed copy of Answers to Interrogatories and Requests for Production to Makah Tribe.

Also enclosed are copies of the above documents for Judge Boldt and his clerk.

We will file Answers to Interrogatories and Requests for Production to Lummi Indian Tribe as soon as we receive the original signed copy from the Tribe. Thank you.

Very truly yours,

ZIONTZ, PIRTLE, MORISSET & ERNSTOFF

By Mason D. Morisset

MDM/acm  
Enclosures

cc: Christian Penn, Chairman, Quileute Tribal Council  
cc: Joe Lawrence, Jr., Chairman, Makah Tribal Council