

Peter C. Monson
Assistant Chief, Indian Resources Section
Environment and Natural Resources Division
U.S. Dept. Of Justice
999 18th St., Suite 945
Denver, CO 80202
(303) 312-7350

David J. Barber (ISB #2597)
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098
(208) 334-4141

Jeanne Whiteing
Whiteing and Smith
1136 Pearl Street, Suite 203
Boulder, CO 83203
(303) 444-2549

John K. Simpson (ISB #4242)
Barker, Rosholt & Simpson
P.O. Box 2139
Boise, ID 83701-2139
(208) 336-0700

Charles L. Honsinger (ISB #5240)
Ringert Clark, Chartered
455 S. Third St., P.O. Box 2773
Boise, ID 83701-2773
(208) 342-4591

Terry Uhling (ISB #2581)
Ronald N. Graves (ISB #1207)
P.O. Box 27
Boise, ID 83707
(208) 389-7361

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

In Re SRBA	)	Sub-case Nos.: 51-02002 et al. (Riddle Ranches)
	)	& 51-12761, et al. (US/Shoshone-Paiute Tribes)
	)	(See Attachments A & B)
Case No. 39576	)	
	)	JOINT MOTION FOR ADDITIONAL
	)	INTERIM 90-DAY SUSPENSION OF
	)	TRIAL SCHEDULE ORDER
	)	and
	)	SIXTEENTH JOINT STATUS REPORT
	)	

The undersigned counsel for the parties in this sub-case respectfully provide this Sixteenth Joint Status Report to the Court and, further, jointly move the Court for the entry of a second interim order suspending the pre-trial settings in this matter for an additional 90 days.

The grounds for this motion are as follows:

1. The pre-trial settings in this case were suspended by order of the Special Master dated

**JOINT MOTION FOR INTERIM 90-DAY
SUSPENSION OF TRIAL SCHEDULE ORDER**

November 20, 2003. See Order partially Granting joint Motion for Interim 90-Day Suspension of Trial Schedule Order, (November 10, 2003). The pre-trial hearing and trial date of January 13, 2005 were not suspended, however. Furthermore, the Court ordered that the parties "shall lodge with the Court the next bi-monthly status report (Sixteenth Joint Status Report) concerning settlement progree no later than February 20, 2003."

2. The parties have exchanged draft settlement agreements, and as previously reported, counsel for all parties to this subcase met in Boise on November 3, 2003, to identify and discuss remaining settlement issues. Such a settlement would resolve the claims of the Duck Valley Reservation in the SRBA, and the objections made by the United States and the Tribes to the claims of Riddle Ranches and Pete Jackson.

3. The November meeting was followed by a conference call with representatives from the State of Nevada to identify and discuss any interstate issues that need to be resolved as part of a settlement.

4. Some of the remaining settlement issues identified by the parties required additional technical analysis to be undertaken by the Tribes. That additional technical work has been completed and the Tribes have drafted proposals to address the issues identified. That draft will be provided to all parties by February 23, 3004, or sooner. The parties then expect to meet within the next 2-3 weeks at which time the parties will attempt to resolve all remaining issues.

5. The parties previously informed the Special Master that an additional stay or suspension may be requested if sufficient progress has been made. The parties believe that sufficient progress has been made to warrant an additional 90-day suspension to complete settlement.

For the foregoing reasons, the undersigned parties respectfully request this Court to enter

an order granting an additional 90-day suspension of the pre-trial schedule in this matter.

Furthermore, in view of the immediate deadlines which are approaching, we request that the Court consider this matter on an expedited basis. We do not believe that a hearing is necessary; however, if the Court deems one to be helpful or necessary, we request that it be telephonic.

RESPECTFULLY SUBMITTED this 19th day of February, 2004.

Vanessa Boyd Willard as authorized for
Peter C. Monson
Attorney for the United States of America

Vanessa Boyd Willard FOR
Jeanne S. Whiteing
Attorney for the Shoshone-Paiute Tribes

Vanessa Boyd Willard FOR
David J. Barber
Attorney for the State of Idaho

Vanessa Boyd Willard FOR
Charles L. Honsinger
Attorney for Riddle Ranches, Inc.

Vanessa Boyd Willard FOR
Terry Uhling
Attorney for J.R. Simplot, Co., Simplot
Livestock Co., T.M. Ranch Co., and
M.L. Investment Co.

Vanessa Boyd Willard FOR
John K. Simpson
Attorney for Idaho Power Co.

CERTIFICATE OF MAILING

I hereby certify that on this 19th day of February, 2004, I caused to be served true and correct copies of the foregoing JOINT MOTION FOR INTERIM 90-DAY SUSPENSION OF TRIAL SCHEDULE ORDER by facsimile upon the following:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Charles L. Honsinger
Ringert Clark, Chartered
455 S. Third St., P.O. Box 2773
Boise, ID 83701-2773

Jeanne S. Whiteing
1136 Pearl Street, Suite 203
Boulder, CO 80302

Jeanette Wolfley
Shoshone-Bannock Tribes
P.O. Box 306
Fort Hall, ID 83203

United States Department of Justice
Env. & Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

John K. Simpson
Barker, Rosholt & Simpson
P.O. Box 2139
Boise, ID 83701-2139

Terry Uhling
Ronald Graves
P.O. Box 27
Boise, ID 83707

Frank and Mary Tanikuni
Route 1, Box 1162
Homedale, ID 83628

 For
Peter C. Monson

ATTACHMENT A

SUBCASE NUMBERS

51-02002
51-10293
55-02009
55-02016
55-02032
55-02035
55-02039
55-02063
55-02064
55-02076
55-02080
55-02129
55-02131
55-02169
55-02174
55-02175
55-02181
55-02210
55-02211
55-02435
55-07002
55-07009
55-13479
55-13480

ATTACHMENT B

SUBCASE NUMBERS

51-12756

51-12761

55-13476

55-13477

55-13485

55-13486

55-13487