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SHOSHONE-PAIUTE TRIBES**JEANNE WHITEING**

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Boulder, Colorado 80302

(303) 444-2549

**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	)	Subcases 51-12756, et al. [Exhibit B]
	)	Subcases 51-12604, et al. [Exhibit C]
CASE NO. 39576	)	(US/Shoshone-Paiute Tribes)
	)	
	)	UNITED STATES AND SHOSHONE-PAIUTE
	)	TRIBES STATUS REPORT
	)	

Pursuant to the July 16, 2004 Order Designating Lead Subcases and Setting Status/Scheduling Conference, the United States and the Shoshone-Paiute Tribes (the "Tribes") hereby submit this Status Report regarding settlement negotiations. Since the July 15, 2004 scheduling conference, the United States, the Tribes and the State of Idaho have met and resolved several issues necessary for settlement in this case. Those meetings were successful and it appears that the negotiators for the parties have reached agreement on the basic terms relating to

UNITED STATES AND SHOSHONE-PAIUTE
TRIBES STATUS REPORT

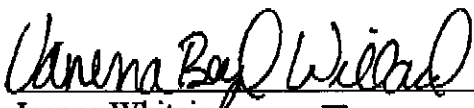
water allocation in Idaho. At the same time, a major predicate to a settlement remains unresolved: the amount of federal contribution to the settlement. Negotiators for the United States continue to consult with counsel for the Tribes as well as the appropriate officials in Washington, D.C. in an effort to reach an overall settlement. However, it appears that this issue may require at least several months to resolve. Accordingly, while the parties remain optimistic that a settlement may be reached in the future, the settlement is not complete at the present time.

Based on the Court's representation that it wishes to move the litigation forward if the settlement is not complete by the August 5, 2004 status conference, the undersigned parties recommend that the Court issue a scheduling order consistent with the dates suggested in the United States and Tribes' Proposed Scheduling Order filed on July 14, 2004. Accordingly, the undersigned parties incorporate by reference the July 14, 2004 Proposed Scheduling Order, specifically the arguments provided in support of the proposed dates. For the convenience of the Court, the dates listed in the Proposed Scheduling Order are outlined below:

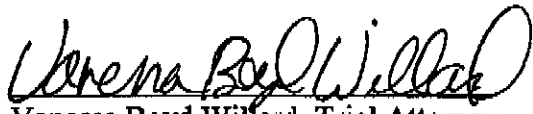
October 15, 2004:	Open written discovery for all parties.
September 30, 2005:	Deadline for all parties to provide all information gathered in 2005 field season that is responsive to discovery requests served during written discovery.
October 31, 2005:	Claimants shall disclose all witnesses, lay and expert, and shall serve on Objectors a copy of each Expert Report.
November 30, 2005:	Objectors shall disclose all witnesses, lay and expert, and shall serve on Objectors a copy of each Expert Report.
December 30, 2005:	The Parties shall disclose all rebuttal witnesses and serve on the other Parties all rebuttal expert witness reports.
February 28, 2006:	The Parties shall complete discovery.
April 14, 2006:	The Parties shall file any dispositive motions.

May 15, 2006: Deadline for hearing any dispositive motions.
May 31, 2006: Deadline for filing any pretrial motions.
June 15, 2006: Pretrial Conference.
July 17, 2006: Trial.

RESPECTFULLY SUBMITTED this 4th day of August, 2004.


Jeanne Whiteing
Whiteing and Smith
Boulder, Colorado

For


Vanessa Boyd Willard, Trial Attorney
Indian Resources Section
U.S. Department of Justice

CERTIFICATE OF SERVICE

I certify that on this 4th day of August 2004, I served a true and correct copy of the forgoing "UNITED STATES AND SHOSHONE-PAIUTE TRIBES STATUS REPORT" by sending a copy thereof:

By Facsimile and by U.S. First Class Mail:

Clerk of the SRBA Court (Original)
SRBA Courthouse
District Court
253 Third Ave., North
Twin Falls, Idaho 83301

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

United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC Box 033
Boise, Idaho 83724

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

All persons listed on the SRBA Mailing List for Subcases 51-12756, et al. [Exhibit B] & Subcases 51-12604, et al. [Exhibit C], Case No. 39576, dated Aug 4th, 2004.


Vanessa Boyd Willard

JUL-19-04 13:13 FROM: CACI INC

EXHIBIT B (Subcases 51-12756, *et al.*)

United States of America, as trustee on behalf of the Shoshone-Paiute Tribes of the Duck Valley Indian Reservation

Non-Consumptive, Instream Flow Claims

51-12756

51-12847

51-12848

55-13476

55-13477

55-13485

55-13486

55-13487

55-13668

55-13669

EXHIBIT C (Subcases 51-12604, et al.)

United States of America, as trustee on behalf of the Shoshone-Paiute Tribes of the Duck Valley Indian Reservation

Consumptive Claims

51-12604	51-12799	51-12880	55-13530	55-13566	55-13602
51-12605	51-12800	51-12881	55-13531	55-13567	55-13608
51-12606	51-12801	51-12882	55-13532	55-13568	55-13609
51-12607	51-12802	51-12883	55-13533	55-13569	55-13610
51-12767	51-12803	51-12899*	55-13534	55-13570	55-13611
51-12768	51-12849		55-13535	55-13571	55-13612
51-12769	51-12850	55-13491	55-13536	55-13572	55-13613
51-12770	51-12851	55-13492	55-13537	55-13573	55-13614
51-12771	51-12852	55-13493	55-13538	55-13574	55-13615
51-12772	51-12853	55-13494	55-13539	55-13575	55-13616
51-12773	51-12854	55-13495	55-13540	55-13576	55-13617
51-12774	51-12855	55-13496	55-13541	55-13577	55-13618
51-12775	51-12856	55-13499	55-13542	55-13578	55-13619
51-12776	51-12857	55-13500	55-13543	55-13579	55-13620
51-12777	51-12858	55-13501	55-13544	55-13580	55-13621
51-12778	51-12859	55-13506	55-13545	55-13581	55-13622
51-12779	51-12860	55-13507	55-13546	55-13582	55-13623
51-12780	51-12861	55-13508	55-13547	55-13583	55-13624
51-12781	51-12862	55-13509	55-13548	55-13584	55-13625
51-12782	51-12863	55-13510	55-13549	55-13585	55-13626
51-12783	51-12864	55-13511	55-13550	55-13586	55-13627
51-12784	51-12865	55-13512	55-13551	55-13587	55-13628
51-12785	51-12866	55-13514	55-13552	55-13588	55-13629
51-12786	51-12867	55-13515	55-13553	55-13589	55-13630
51-12787	51-12868	55-13518	55-13554	55-13590	55-13631
51-12788	51-12869	55-13519	55-13555	55-13591	55-13632
51-12789	51-12870	55-13520	55-13556	55-13592	55-13633
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51-12792	51-12873	55-13523	55-13559	55-13595	55-13636
51-12793	51-12874	55-13524	55-13560	55-13596	55-13637
51-12794	51-12875	55-13525	55-13561	55-13597	55-13638
51-12795	51-12876	55-13526	55-13562	55-13598	55-13639
51-12796	51-12877	55-13527	55-13563	55-13599	55-13640
51-12797	51-12878	55-13528	55-13564	55-13600	55-13641
51-12798	51-12879	55-13529	55-13565	55-13601	55-13642

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55-13643	55-13718	55-13757	55-13796
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55-13645	55-13720	55-13759	55-13798
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55-13647	55-13722	55-13761	55-13800
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55-13715	55-13754	55-13793	
55-13716	55-13755	55-13794	
55-13717	55-13756	55-13795	

* Subcases 51-12899 and 55-13822 were added per 'US and Tribes' May 21, 2004 *Joint Response*, at 3. The subcases are not claims, but merely subcases created by former-Special Master Fritz X. Haemmerle's March 8, 1999 *Order Clarifying Director's Report*, subcases 51-12899 and 55-13822, for purposes of recording objections to the first 4 pages of the *Director's Report, Irrigation and Other Uses, Reporting Area 6 (IDWR Basins 51 & 55)*. *Federal Reserved Water Rights* filed on behalf of the Shoshone-Paiute Tribes, filed November 24, 1998.

JUL-19-04 13:13 FROM: CACI INC

55-13491	55-13545	55-13590	55-13640	55-13721	55-13766
55-13492	55-13546	55-13591	55-13641	55-13722	55-13767
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** Subcase 55-13822 was added per US and Tribes' May 21, 2004 *Joint Response*, at 3. The subcase is not a claim, but merely a subcase created by former-Special Master Fritz X. Haemmerle's March 8, 1999 *Order Clarifying Director's Report*, subcases 51-12899 and 55-13822, for purposes of recording objections to the first 4 pages of the *Director's Report, Irrigation and Other Uses, Reporting Area 6 (IDWR Basins 51 & 55), Federal Reserved Water Rights* filed on behalf of the Shoshone-Paiute Tribes, filed November 24, 1998.