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10 **IN THE SUPREME COURT OF THE STATE OF IDAHO**
11

12 IN RE: SNAKE RIVER BASIN
13 ADJUDICATION CASE NO. 39576

Supreme Court No. 31994

14 _____
15 LU RANCHING CO.,

LU RANCHING CO.'s PETITION FOR
REHEARING

16 Appellant,

17 v.

18 UNITED STATES OF AMERICA,

19 Respondent.
20 _____

21 LU Ranching Co. ("LU Ranching"), by and through its attorneys of record, pursuant to
22 I.A.R. 42, hereby requests a rehearing by this Supreme Court with respect to its Opinion dated
23 February 9, 2007 on the limited issue of attorneys fees. Specifically, LU Ranching respectfully
24 requests that the Court reconsider its ruling with respect to the following issues;

- 25 1. Whether the Court's ruling that state courts lack the authority to award
26 attorneys fees against the United States under the Equal Access to Justice
27 Act, 28 U.S.C. § 2412 ("EAJA") is contrary to law;
- 28 2. Whether the Court's denial of attorneys fees was contrary to law in light of

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the history of this litigation and the legal issues presented therein.

Pursuant to I.A.R. 42(b), LU Ranching will file its brief in support of this Petition for Rehearing within fourteen (14) days of this filing.

Dated this 1 day of March, 2007.

Respectfully submitted,

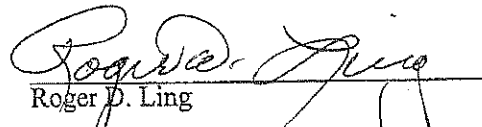
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CERTIFICATE OF SERVICE

I certify that on March 7, 2007, I served a true and correct copy of foregoing **LU RANCHING CO.'s PETITION FOR REHEARING** upon the following individuals by placing the document in the United States Mail, postage paid, and addressed as follows:

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