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NUMBER OF PAGES SENT (INCLUDING COVER PAGE): 5

SPECIAL INSTRUCTIONS: Attached for filing is **Notice of Proposed Settlement and Joint Motion to Vacate** in Subcase Nos. 85-00016, 85-02049, 85-02063, 85-02065, 85-02146, 85-02147, 85-04483, 85-11087, and 85-15424.

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

In In Re SRBA	)	Subcase Nos. 85-00016, 85-02049, 85-02063,
	)	85-02065, 85-02146, 85-02147, 85-04483,
Case No. 39576	)	85-11087, and 85-15424
	)	
	)	NOTICE OF PROPOSED SETTLEMENT
	)	AND JOINT MOTION TO VACATE

COMES NOW the United States, the Lewiston Orchards irrigation District and
the Nez Perce Tribe, by and through their counsel of record, and states:

1. Pursuant to the SRBA Court's Third Amended Trial Schedule Order, dated
Apr. 10, 2008, summary judgment motions in this matter are due July 31, 2008.

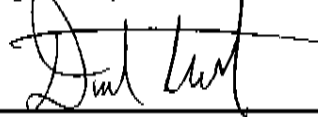
2. The parties have reached tentative agreement on a settlement of this matter.

The United States is in the process of drafting Standard Form 5s (SF5s) for each claim at issue in this subcase. Once completed, the draft SF5s will be circulated for review by Counsel for the Lewiston Orchards Irrigation District, the Nez Perce Tribe, and for concurrence by the Idaho Department of Water Resources.

3. In light of the parties' proposed settlement, the parties respectfully request that the Court vacate all existing deadlines and instead set this matter for a status conference in approximately 60 days.

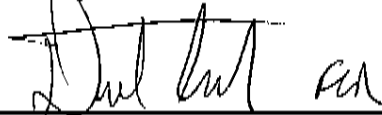
DATED this 29th day of July, 2008.

Respectfully submitted,



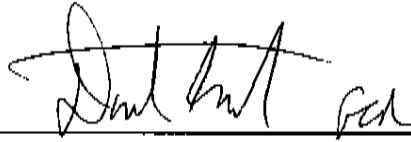
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Attorney for the United States of America



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Attorneys for the Nez Perce Tribe

A handwritten signature in black ink, appearing to read "Earl L. McGeoghegan", is written over a horizontal line.

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Attorney for the Lewiston Orchards Irrigation Dist.

CERTIFICATE OF SERVICE

I certify that on this 27th day of July 2008, I served a true and correct copy of the foregoing NOTICE OF SETTLEMENT AND JOINT MOTION as indicated below:

via facsimile transmission:

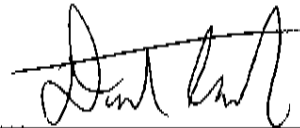
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