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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 Re SRBA	)	Subcase Nos. 27-04096
	)	
	)	
	)	
Case No. 39576	)	SIXTH JOINT CASE MANAGEMENT REPORT OF
	)	GOVERNMENTAL PARTIES
	)	
	)	
	)	

The United States as Trustee on behalf of the Shoshone-Bannock Tribes of the Fort Hall Reservation (hereinafter referred to as the United States), the State of Idaho and the Shoshone-Bannock Tribes (hereinafter referred to as the "Tribes"), hereby submit this *Sixth Joint Case Management Report of Governmental Parties* in accordance with the *Order Setting Deadline and Scheduling Conference* entered on April 7, 2009 and the extension granted on April 29, 2009.

1. AN UPDATE OF SETTLEMENT DISCUSSIONS HELD SINCE THE LAST STATUS HEARING

As previously reported, the parties agreed to address the equitable adjustment issue in two documents, the Blackfoot River Management Plan and a second document concerning the equitable adjustment and compliance with the Fort Hall Indian Water Rights Agreement. The Sand Creek Exchange element of the settlement has been incorporated into the Blackfoot River Management plan. Both documents ultimately will be implemented as part of the Fort Hall Indian Water Rights Agreement of 1990.

The Blackfoot River Management Plan has been reviewed by all parties and technical staff held a conference call on January 6, 2010 to address some modifications to the plan based on the proposed equitable adjustment framework. A new draft with suggested modifications has been circulated to all the parties, and technical staff will be holding another conference call on February 4, 2010 to discuss the changes and any additional recommendations.

Since the *Fifth Joint Case Management Report of Governmental Parties* was filed on November 13, 2009, parties have continued to work towards an agreement on the issue of equitable adjustment. The parties continue to work diligently on language for the proposed options. Potential sources of funding for the proposal were discussed at the Basin 27 Annual Meeting on January 11, 2010, and the Committee of Nine presented a preliminary funding proposal to the Idaho Water Resource Board on January 21, 2010. The parties remain committed to the proposed equitable

adjustment option and continue to work towards finalizing the details and drafting the necessary language.

2. A LIST OF ADDITIONAL SUBCASES SETTLED WITH SF5S FILED WITH THE COURT.

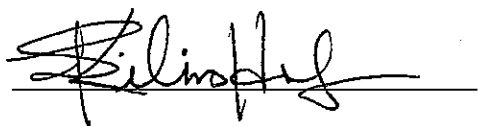
In addition to working on the larger volume issue, parties continue to review and settle other subcases. The parties have filed Standard Form 5s in the following subcases: 27-12096, 27-12098 and 27-12100. In addition, a Stipulation to Resolve Objections in subcase no. 27-102 has been filed. There are twenty-eight Standard Form 5s and one Stipulation currently circulating among the parties.

In conclusion, the parties continue to work diligently on a settlement to submit to the Court to resolve the numerous objections of the United States and the Tribes.

RESPECTFULLY SUBMITTED this 28th day of January, 2010.

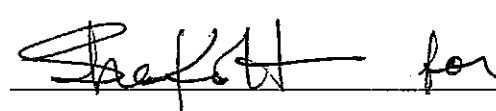
STATE OF IDAHO

SHASTA KILMINSTER-HADLEY
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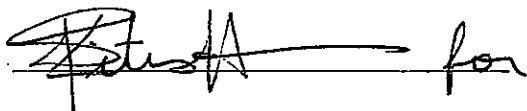
SHOSHONE-BANNOCK TRIBES

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Special Counsel



UNITED STATES OF AMERICA

PETER C. MONSON
Attorney for United States of America



CERTIFICATE OF SERVICE

I certify that on this 28th day of January 2010, I caused to be served the original and/or copy of the SIXTH JOINT CASE MANAGEMENT REPORT OF GOVERNMENTAL PARTIES on each of the following persons by the indicated method:

1. One Original to:

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Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

- ☐ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☒ Facsimile: (208) 736-2121
☐ Statehouse Mail

2. Copies to

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Environment and Natural Resources
550 West Fort Street, MISC 033
Boise, Idaho 83724

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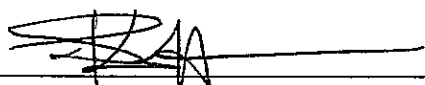
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