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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: 27-04096
	)	
Case No. 39576	)	SEVENTH JOINT CASE MANAGEMENT
	)	REPORT OF THE GOVERNMENTAL
	)	PARTIES

Pursuant to the Order Setting Deadline and Scheduling Conference entered on April 7, 2009, and the extension granted on April 29, 2009, the undersigned counsel for The Shoshone-Bannock Tribes, the State of Idaho, and the United States respectfully submit this Seventh Joint Case Management Report of the Governmental Parties. The purpose of this report is to advise

the Court of the status of settlement discussions that have taken place since the filing of the Sixth Joint Case Management Report of Governmental Parties, dated January 28, 2010.

A. Settlement Update Re: Diversion Volume Objections and Equitable Adjustment

Several meetings and conference calls have taken place since our last status report, and draft documents have been shared and further refined. There are essentially three committees doing work: A technical sub-committee, a legal sub-committee, and a plenary committee comprised of technical, legal and policy representatives of all interested parties. All three committees have met several times in 2010. The plenary committee has met on several occasions during this period, including March 2, 2010, April 14, 2010, and May 14, 2010.

The committees continue working on two documents. The first, the Blackfoot River Water Management Plan, is very close to complete. The technical committee is finalizing some equations in the document, and it is expected to be implemented to the extent appropriate this summer. Full implementation must await the installation of a gauging station which has not yet been funded or installed. It is anticipated that the Management Plan will be ready to sign in the fall, 2010.

The second document, currently titled "Draft Blackfoot River Settlement Agreement," has been the subject of considerable discussion, and numerous revisions have been made or proposed, the most recent being May 10, 2010. This document is awaiting some decisions as to the acquisition of storage water to ensure that the 45,000 AF expectation of the 1990 settlement agreement is not exceeded. A third issue is who would have authority to execute the Settlement Agreement on behalf of the Basin 27 water users, and the related question of whether it is feasible to create an irrigation district to represent those water users. These issues will be

worked on by the relevant members of the subcommittees in advance of next meeting of the plenary committee, which is scheduled to occur on June 1, 2010.

In conclusion, the parties continue to work diligently and in good faith toward resolution of these issues and the underlying objections.

Respectfully submitted this 21st day of May, 2010.

STATE OF IDAHO

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Clive J. Strong by PCM per email

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SHOSHONE-BANNOCK TRIBES



JEANETTE WOLFLEY *by PCM per Teleph. auth*

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CERTIFICATE OF SERVICE

I certify that on May 21st, 2010, I served true and correct copies of the foregoing SEVENTH JOINT CASE MANAGEMENT REPORT OF THE GOVERNMENTAL PARTIES as follows:

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