

1-31

RECEIVED

FEB 01 2013

DEPARTMENT OF
WATER RESOURCES

LAWRENCE G. WASDEN

Attorney General

CLIVE J. STRONG

SHASTA KILMINSTER-HADLEY (ISB #7889)

Deputy Attorney Generals

P.O. Box 44449

Boise, Idaho 83711-4449

Telephone: (208) 334-2400

Facsimile: (208) 334-2690

JEANETTE WOLFLEY (ISB #3948)

Special Counsel for Shoshone-Bannock Tribes

202 N. Arthur

Pocatello, ID 83202

Telephone: (208) 232-1922

Facsimile: (208) 232-7472

Counsel for the Shoshone-Bannock Tribes

PETER C. MONSON

Assistant Chief, Indian Resources Section

Environmental and Natural Resources Div.

U.S. Department of Justice

999 18th Street

South Terrace, Suite 370

Denver, Colorado, 80202

Phone: (303) 844- 1384

Fax: (303) 844-1350

Counsel for the United States

JOHN K. SIMPSON (ISB #4242)

TRAVIS L. THOMPSON (ISB #6168)

PAUL L. ARRINGTON (ISB #7198)

SARAH W. HIGER (ISB #8012)

Barker Rosholt & Simpson, LLP

1010 W. Jefferson, Suite 102

P.O. Box 2139

Boise, Idaho 83702

Telephone: (208) 336-0700

Facsimile: (208) 344-6034

Counsel for Committee of Nine

**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

Case No. 39576

) Subcase No. 27-11375

)

) JOINT MOTION FOR APPROVAL OF FORT

) HALL EQUITABLE ADJUSTMENT

) SETTLEMENT AGREEMENT

)

The signatories of The 1990 Fort Hall Agreement, the Shoshone-Bannock Tribes,
the United States, the State of Idaho, and the Committee of Nine of Water District 01,

(hereinafter "the Signatory Parties"), by and through their counsel of record, respectfully move this Court for an order approving the attached Fort Hall Equitable Adjustment Settlement Agreement (hereinafter the "EA Agreement"). The basis for this motion is set forth in the accompanying Memorandum of Law and Affidavit of Dave Shaw.

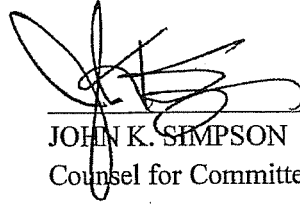
Respectfully submitted this 30th day of January, 2013.

LAWRENCE WASDEN
Attorney General

CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division

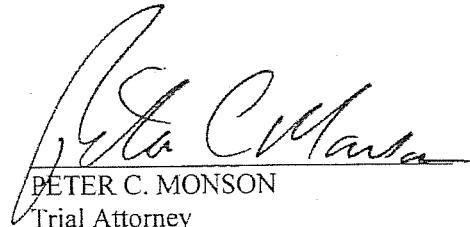


SHASTA KILMINSTER-HADLEY
Deputy Attorney General



JOHN K. SIMPSON

Counsel for Committee of Nine

A handwritten signature in black ink, appearing to read "Peter C. Monson", is written over a horizontal line.

PETER C. MONSON

Trial Attorney

U.S. Department of Justice

 Shasta Kilminster-Hadley for
JEANETTE WOFLEY
Special Counsel
Shoshone-Bannock Tribes
Jeanette Wofley

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of January, 2013, I caused a true and correct copy of the foregoing JOINT MOTION FOR APPROVAL OF FORT HALL EQUITABLE ADJUSTMENT SETTLEMENT AGREEMENT to be filed with the Court and served on the following parties by the indicated methods:

Clerk of the SRBA Court
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

- ☐ U.S. Mail
- ☒ Hand Delivery, via courier
- ☐ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile: 208-736-2121

Shoshone-Bannock Tribes
Jeanette Wolfley
Special Counsel
Shoshone-Bannock Tribe
202 N. Arthur
Pocatello, ID 83202

- ☒ U.S. Mail
- ☐ Hand Delivery
- ☐ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile:
- ☒ E-mail: wolfleyj@ida.net

Committee of Nine
John K. Simpson
1010 W. Jefferson Street, Ste. 102
P.O. Box 2139
Boise, ID 83701-2139

- ☒ U.S. Mail
- ☐ Hand Delivery
- ☐ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile:
- ☒ E-mail: jks@idahowaters.com

Luke H. Marchant
Holden Kidwell Hahn & Crapo
1000 Riverwalk Drive, Ste. 200
P.O. Box 50130
Idaho Falls, ID 83405

- ☒ U.S. Mail
- ☐ Hand Delivery
- ☐ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile:
- ☒ E-mail: lmarchant@holdenlegal.com

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

- ☐ U.S. Mail
- ☐ Hand Delivery
- ☐ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile:
- ☒ Statehouse Mail

Robert L. Harris
1000 Riverwalk Drive, Ste. 200
P.O. Box 50130
Idaho Falls, ID 83405-0130

- ☐ U.S. Mail
- ☐ Hand Delivery
- ☐ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile:
- ☒ Not Applicable

Randall C. Budge
Thomas J. Budge
Racine Olson Nye Budge Bailey, Chtd.
201 Center Street
P.O. Box 1391
Pocatello, ID 83204-1391

- ☒ U.S. Mail
- ☐ Hand Delivery
- ☐ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile:
- ☒ E-mail: tjb@racinelaw.net
rcb@racinelaw.net

United States Dept. of Justice
Environment & Natural Resource
550 West Fort St, MSC 033
Boise, ID 83724-0101

- ☒ U.S. Mail
- ☐ Hand Delivery
- ☐ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile:
- ☐ E-mail:

William G. Myers III
101 S. Capitol Blvd., Ste 1400
P.O. Box 2527
Boise, ID 83701-2527

- ☒ U.S. Mail
- ☐ Hand Delivery
- ☐ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile:
- ☒ E-mail: wmyers@hollandhart.com

Eastern Idaho Water Co.
Attn: Larry Hinderager
434 W. Riverton Road
Blackfoot, ID 83221

- ☒ U.S. Mail
- ☐ Hand Delivery
- ☐ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile:
- ☐ E-mail:

U.S. Dept of Justice
Attn: Peter Monson
Indian Resources Section
999 18th Street
Denver, CO 80202

- ☒ U.S. Mail
- ☐ Hand Delivery
- ☐ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile:
- ☒ E-mail: peter.c.monson@usdoj.gov

Lake Family Ranches Inc.
C/O Dennis M. Lake
830 Taber Road
Blackfoot, ID 83221

- ☒ U.S. Mail
- ☐ Hand Delivery
- ☐ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile:
- ☐ E-mail:

Jerry R. Rigby
Rigby Andrus & Rigby
P.O. Box 250
Rexburg, ID 83440-0250

- ☒ U.S. Mail
- ☐ Hand Delivery
- ☐ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile:
- ☒ E-mail: jrigby@rex-law.com

Mark B. Pratt
279 N 400 E
Blackfoot, ID 83221

- ☒ U.S. Mail
- ☐ Hand Delivery
- ☐ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile:
- ☐ E-mail:

Trisha Arave
590 N 150 E
Blackfoot, ID 83221

- ☒ U.S. Mail
- ☐ Hand Delivery
- ☐ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile:
- ☐ E-mail:

Brett McDaniel
631 W 225 S
Blackfoot, ID 83221

- ☒ U.S. Mail
- ☐ Hand Delivery
- ☐ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile:
- ☐ E-mail:

Gary & Sonja Wright
673 W 300 S
Blackfoot, ID 83221

- ☒ U.S. Mail
- ☐ Hand Delivery
- ☐ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile:
- ☐ E-mail:

Marvin R. Yancey
691 W 300 S
Blackfoot, ID 83221

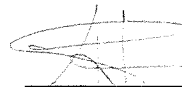
- ☒ U.S. Mail
- ☐ Hand Delivery
- ☐ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile:
- ☐ E-mail:

Merlin Yancey
707 W 300 S
Blackfoot, ID 83221

- ☒ U.S. Mail
- ☐ Hand Delivery
- ☐ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile:
- ☐ E-mail:

Robert E. Reid
911 Reid Road
Firth, ID 83236

- ☒ U.S. Mail
- ☐ Hand Delivery
- ☐ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile:
- ☐ E-mail:



SHASTA KILMINSTER-HADLEY