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JUN 21 1995

OFFICE OF THE
ATTORNEY GENERAL

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR TWIN FALLS COUNTY

In Re SRBA

Case No. 39578

Fort Hall Water Users
Association
Appellant,

v.

United States, State of Idaho,
Shoshone-Bannock Tribes,
and Twin Falls and North
Side Canal Companies,
Respondents.

Subcase Nos. 01-10223, 01-10248, 25-02160,
25-13615, 27-02007, 27-11560, 27-11561

NOTICE OF APPEAL

DESCRIPTIVE SUMMARY

This is the Notice of Appeal by the Fort Hall Water Users Association of the Orders dated May 11, 1995, and June 6, 1995, Dismissing the objections of the Fort Hall Water Users Association to the 1990 Fort Hall Indian Water Rights Agreement.

TO: THE ABOVE NAMED RESPONDENTS, UNITED STATES, STATE OF IDAHO, SHOSHONE-BANNOCK TRIBES, AND TWIN FALLS AND NORTH SIDE CANAL COMPANIES, AND THE PARTIES' ATTORNEYS: UNITED STATES, PETER C. MONSON, UNITED STATES DEPARTMENT OF JUSTICE, 999 18TH STREET, SUITE 945 N. TOWER, DENVER, CO 80202; STATE OF IDAHO, CLIVE STRONG,

OFFICE OF THE ATTORNEY GENERAL, P.O. BOX 44449, BOISE, ID 83711-4449;
SHOSHONE-BANNOCK TRIBES, CANDY L. JACKSON, SHOSHONE-BANNOCK
TRIBES, P.O. BOX 306, FORT HALL, ID 83203; TWIN FALLS AND NORTH SIDE
CANAL COMPANIES, JOHN A. ROSHOLT, ROSHOLT, ROBERTSON &
TUCKER, P.O. BOX 1906, TWIN FALL, ID 83303-1906 AND THE CLERK OF THE
ABOVE ENTITLED COURT.

NOTICE IS HEREBY GIVEN THAT:

1. The above named appellant, Fort Hall Water Users Association, appeals against the above named respondents to the Idaho Supreme Court from the Order Granting Motion to Dismiss Objections of Fort Hall Water Users Association, entered May 11, 1995, and the Order Denying Motion to Alter or Amend Judgment Granting Motion to Dismiss Objections of Fort Hall Water Users Association, entered June 6, 1995, in the above entitled action, Honorable Judge Daniel C. Hurlbutt, Jr. presiding.
2. The Fort Hall Water Users Association has a right to appeal to the Idaho Supreme Court, and the orders described in paragraph 1 above are appealable orders under and pursuant to Rule 11(a)(1) of the Idaho Appellate Rules.
3. (a) A reporter's transcript is not requested.
4. The appellant requests the following documents to be included in the clerk's record in addition to those automatically included under Rule 28 of the Idaho Appellate Rules.
 - (a) Order Setting Hearing on Summary Judgment and Briefing Schedule, March 2, 1995.
 - (b) Order Resetting Hearing on Summary Judgment, March 6, 1995.
 - (c) Order Denying Motion to Alter or Amend Judgment Granting Motion to Dismiss Objections of Fort Hall Water Users Association, June 6, 1995.
5. I certify:
 - a) That a copy of this notice of appeal has been served on the reporter.

- b) That the clerk of the district court has not been paid the estimated fee for preparation of the reporter's transcript because a transcript was not requested.
- c) That the estimated fee for preparation of the clerk's record has been paid.
- d) That the appellate filing fee has been paid.
- e) That service has been made upon all parties required to be served pursuant to Rule 20 and the attorney general of Idaho pursuant to Section 67-1401(1), Idaho Code.

DATED THIS 20th day of June, 1995.



Margaret I. King

Richard A. Simms

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P.O. Box 3329
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(208) 788-9145

Attorneys for the Appellant

CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of June, 1995, I caused to be mailed, first-class postage prepaid, true and correct copies of the foregoing Notice of Appeal addressed to the following:

Snake River Basin Adjudication
District Court
253 Third Avenue North
Twin Falls, ID 83303
(Hand Delivered)

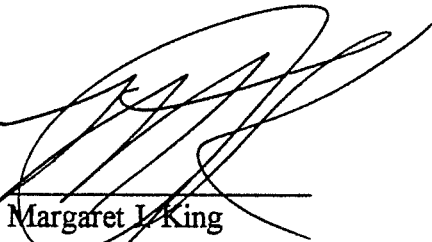
Duane J. Schneberger
SRBA Court Reporter
253 Third Avenue North
Twin Falls, ID 83303
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