

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

IN RE: PRBA

Case No. 59576

Subcase Nos.: Attachments 1 & 2

MOTION TO APPOINT MEDIATOR

By _____
199
County of Twin Falls
MAR 29 2024
DISTRICT COURT - PRBA
Fifth Judicial District - State of Idaho
Clerk
Deputy Clerk

COME NOW, the undersigned Parties, and hereby jointly request, pursuant to PRBA Administrative Order 1, § 17(a), that the Special Master appoint a mediator for the identified Subcases pursuant to I.R.C.P. 37.1. The parties appearing at the Monthly Settlement Meeting on March 7, 2024, discussed mediation at length and no parties opposed mediation.

The Parties recommend that a Special Master not assigned to the Subcases, the Hon. Theodore R. Booth, be appointed to act as mediator at no charge to the parties.

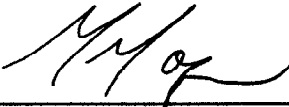
The Parties also inform the Special Master that, at a point in the future and if they all agree, they may seek the appointment of a private mediator who is acceptable to all Parties and the Special Master.


United States of America

By  3/25/24
Date


Daniel F. McCarl
Vanessa Boyd Willard
Trial Attorneys, Indian Resources Section
Environmental & Natural Resources Division
U.S. Department of Justice

Nez Perce Tribe

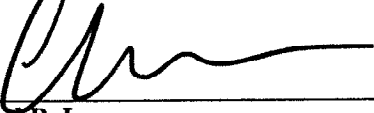
By  3/25/2024
Date
Michael A. Lopez
Senior Staff Attorney
Nez Perce Tribe

By  3/25/2024
Date
Steven C. Moore
Senior Staff Attorney
Thomas L. Murphy
Staff Attorney
Native American Rights Fund


State of Idaho

By 
Date
David Perkins
Deputy Attorney General

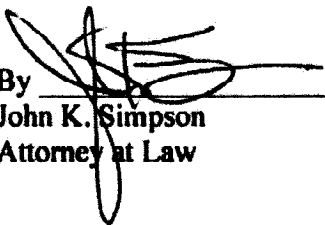
**PotlatchDeltic Land and Lumber, LLC
PotlatchDeltic Forest Holdings, Inc.
Potlatch TRS Idaho, LLC**

By  March 26, 2024
Date
Michael P. Lawrence
Charlie S. Baser
Attorneys at Law


City of Moscow

By  3/25/2024
Candice M. McHugh Date
Attorney at Law

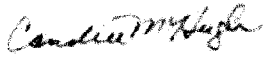
Schweitzer Properties LLC

By  3/25/2024
John K. Simpson Date
Attorney at Law


Board of Regents of the University of Idaho

By  3/25/24
Travis L. Thompson Date
Abby R. Bitzenburg
Attorneys at Law

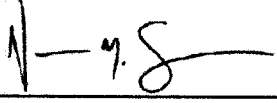
Parties Listed in Attachment 3

By  for 3/25/2024
Chris M. Bromley Date
Attorney at Law

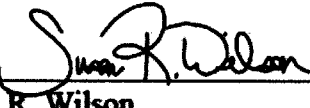
Parties Listed in Attachment 4

By  for 3/25/2024
James Browitt Date
Attorney at Law

Parties Listed in Attachment 5

By  March 25, 2024
Norman M. Semanko Date
Attorney at Law

Parties Listed in Attachment 6

By  3/25/2024
Susan R. Wilson Date
Attorneys at Law

CERTIFICATE OF SERVICE

I certify that on March 26, 2024, I filed a true and correct copy of the MOTION TO APPOINT MEDIATOR via UPS to the Clerk of the District Court at the address listed below.

Clerk of the District Court
Palouse River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707
Fax: (208) 736-2121

I further certify that on March 26, 2024, Native American Rights Fund legal staff served a true and correct copy of the foregoing to the addresses below:

IDWR Director
P.O. Box 83720
Boise, ID 83720-0098

U.S. Department of Justice
Environment & Natural Resources Division
550 W. Fort St., MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0010

POTLATCH TRS IDAHO LLC
POTLATCHDELTIC FOREST HOLDINGS
POTLATCHDELTIC LAND AND
Represented by:
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AMY & ROB LARSON
PAUL AND JOAN MILLION
ANDREW SEWELL
KYLE HAWLEY
BEN BARSTOW
SHAWN NILSSON
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JULIE & MARTIN HAARR
Represented by:
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PARSONS BEHLE & LATIMER
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BOISE, ID 83702

KTJ, LLC
RAYMOND AND TRACY PAZ
CONSUELO AND GERALD WEITZ
ALAN AND MARY LYON
JO DEAN MOORE
THEODORE C THOMPSON
THOMAS AND MARIE LINEHAN
CHARLES LEEF
STEVE AND KRISTENE HYMAS
TIM AND CHRISTAL MANTZ
Represented by:
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MOSCOW, ID 83843

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Represented by:
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101 S CAPITOL BLVD STE 305
PO BOX 2139
BOISE, ID 83701-2139

KATHLEEN J WARREN, TRUSTEE
COPE R GALE JR
CHRIS ANDERSON
FRANKLIN F FOIT JR
Represented by:
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BROWITT LAW OFFICE
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LEWISTON, ID 83501

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BOISE, ID 83701-2139

BOARD OF REGENTS
Represented by:
TRAVIS L THOMPSON
163 SECOND AVE W
PO BOX 63
TWIN FALLS, ID 83303-0063

Pro Se Parties:

87-10290
JO MINDEN
1255 W COVE RD
VIOLA, ID 83872

87-11116
LINDA AND DAN HARDESTY
PO BOX 80
VIOLA, ID 83872

USA, AS TRUSTEE
Represented by:
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VANESSA BOYD WILLARD
US DEPT OF JUSTICE - ENRD
INDIAN RESOURCES SECTION
999 18TH ST S TERRACE STE 370
DENVER, CO 80202

E KRAUT FARMS INC
MAURINE FINNEY
JACOB AND GINGER OSBORN
LILAS A AND TIMOTHY C DAVIS
ROLAND AND TAMMY THOMASON
KEVIN DAVIS
RON HERMAN
Represented by:
CHRIS M BROMLEY
380 S 4TH ST STE 103
BOISE, ID 83702

CITY OF MOSCOW
Represented by:
CANDICE M MCHUGH
380 S 4TH ST STE 103
BOISE, ID 83702

87-10511
JOYCE AND JORY SHELTON
16751 US HWY 95
GENESEE, ID 83832

87-11409 and 87-12061
STEPHANIE MCCLURE
381 CALDWELL RD
WALLA WALLA, WA 99362

87-10295
JIM HASKELL FOR DORTHY MAE
LIBEY REVOCABLE LIVING TRUST
1130 E COVE RD
VIOLA, ID 83872

87-11213 and 87-11214
STUART GOLDSTEIN FOR GOLDSTEIN
TRUST
1010 RANCH RD
MOSCOW, ID 83843

87-11807 and 87-12270
KIMBERLY SARFF
1170 ZEITLER RD
MOSCOW, ID 83843

87-12351
MACY MILLER
1083 EID RD
MOSCOW, ID 83843

87-12257
DEANN BILLING FOR ODD CHESTER
INDUSTRIES
PO BOX 8551
MOSCOW, ID 83843

By:



Steven C. Moore
Senior Staff Attorney
Thomas L. Murphy
Staff Attorney
NATIVE AMERICAN RIGHTS FUND

ATTACHMENT 1
SUBCASE NUMBERS: FEDERAL LAW-BASED CLAIMS

87-11982	87-12024	87-12068
87-11983	87-12025	87-12069
87-11984	87-12026	87-12071
87-11985	87-12027	87-12072
87-11986	87-12028	87-12073
87-11987	87-12029	87-12074
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87-11989	87-12031	87-12076
87-11990	87-12032	87-12077
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87-11993	87-12035	87-12080
87-11994	87-12036	87-12081
87-11995	87-12037	87-12082
87-11996	87-12038	87-12083
87-11997	87-12039	87-12084
87-11998	87-12040	87-12085
87-11999	87-12041	87-12086
87-12000	87-12042	87-12088
87-12001	87-12043	87-12089
87-12002	87-12044	87-12090
87-12003	87-12045	87-12091
87-12004	87-12046	87-12092
87-12005	87-12047	87-12093
87-12006	87-12048	87-12094
87-12007	87-12049	87-12095
87-12008	87-12050	87-12096
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87-12014	87-12056	87-12102
87-12015	87-12057	87-12103
87-12016	87-12059	87-12104
87-12017	87-12060	87-12105
87-12018	87-12062	87-12106
87-12019	87-12063	87-12107
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87-12021	87-12066	87-12109
87-12022	87-12067	87-12110
87-12023		

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87-12154	
87-12155	

ATTACHMENT 2
SUBCASE NUMBERS: STATE LAW-BASED CLAIMS

87-4060	87-10743
87-4181	87-10776
87-4182	87-10786
87-7055	87-10787
87-7060	87-10788
87-7091	87-10789
87-7107	87-11035
87-7108	87-11116
87-7125	87-11171
87-7145	87-11209
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87-7163	87-11334
87-7192	87-11341
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87-7215	87-11440
87-10062	87-11453
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87-10186	87-11609
87-10264	87-11632
87-10290	87-11752
87-10295	87-11778
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87-10489	87-11926
87-10490	87-11930
87-10492	87-11980
87-10511	87-12230
87-10523	87-12257
87-10595	87-12270
87-10601	87-12271
87-10602	87-12297
87-10609	87-12348
87-10617	87-12349
87-10619	87-12351
87-10737	

**ATTACHMENT 3
PARTIES REPRESENTED BY CHRIS
M. BROMLEY**

E. Kraut Farms, Inc.
1330 Gray Eagle Rd.
Genesee, ID 83832

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Moscow, ID 83843

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Genesee, ID 83832

Lilas A. and Timoth C. Davis
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Genesee, ID 83832

Roland and Tammy Thomason
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Genesee, ID 83832

Kevin Davis
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Genesee, ID 83823

Ron Herman
1280 Borgen Rd.
Genesee, ID 83823

**ATTACHMENT 4
PARTIES REPRESENTED BY JAMES
BROWITT**

Kathleen K. Warren, Trustee
Warren Family Surviving Spouse Trust
2469 East F. Street
Moscow, ID 83843

Cope R. Gale Jr.
3930 Moscow Mountain Road
Moscow, ID 83843

Chris Anderson
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Moscow, ID 83843

Franklin F. Foit Jr.
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Pullman, WA 99163

**ATTACHMENT 5
PARTIES REPRESENTED BY
NORMAN M. SEMANKO**

**Carrol D. and Glen Barnett
1099 Bear Creek Rd.
Princeton, ID 83857**

**Amy and Rob Larson
1260 Saddle Ridge Rd.
Viola, ID 83872**

**Kyle N. Hawley
1052 Lewis Rd.
Moscow, ID 83843**

**Ben Barstow
13201 SR 272
Palouse, WA 99161**

**Shawn Nilsson
617 Vista
Lewiston, ID 83501**

**K4, LLC c/o Bethine J. Kenworthy
P.O. Box 8308
Moscow, ID 83843**

**Julie and Martin Haarr
1021 Big Meadows Rd.
Troy, ID 83871**

**ATTACHMENT 6
PARTIES REPRESENTED BY SUSAN
R. WILSON**

KTJ, LLC
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Moscow, ID 83843

Raymond and Tracy Paz
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Moscow, ID 83843-8113

Consuelo and Gerald Weitz
1224 Saddle Ridge Rd.
Viola, ID 83872

Alan and Mary Lyon
4025 Lenville Rd.
Moscow, ID 83843

Jo Dean Moore
1115 Wallen Rd.
Moscow, ID 83843

Theodore C. Thompson
1024 Pine Crest Rd.
Moscow, ID 83843-8424

Thomas and Marie Linehan
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Genesee, ID 83832

Charles Leef
1032 Leef Lane
Princeton, ID 83857

Steve and Kristene Hymas
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Princeton, ID 83857

Tim and Christal Mantz
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