

5-29-1987

## Joint Status Certificate

Steven E. Carroll

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Charles B. Roe, Jr.

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Indian Resources Section  
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Attorney for the United States

CHARLES B. ROE, JR., ATTORNEY  
Office of the Attorney General  
Temple of Justice  
Olympia, Washington 98504

Attorney for the State of Washington

FILED IN THE  
U.S. DISTRICT COURT  
Eastern District of Washington

MAY 29 1987

JAMES R. LARSEN, Clerk Deputy

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA, )  
 )  
Plaintiff )  
 )  
SPOKANE TRIBE OF INDIANS, )  
 )  
Plaintiff-in-Intervention )  
 )  
v. )  
 )  
BARBARA J. ANDERSON, et al., )  
 )  
Defendants )

C-72-3643-JLQ

JOINT STATUS CERTIFICATE

Pursuant to the Court's order of April 22, 1987, the plaintiff United States and defendant State of Washington file this joint status certificate. Plaintiffs-in-Intervention and the Spokane Tribe of Indians, will file a separate certificate.

1. Anticipated Motions.

No motions are anticipated by the United States or the State of Washington.

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2. Remaining discovery including the status of United States' archives search as to reacquired lands.

The United States has completed the archives search concerning reacquired lands and will shortly provide copies of documents unearthed in that search to the State of Washington for its review. No further discovery is contemplated.

3. Further proceedings including setting dates for trial.

The United States and the State of Washington do not foresee the need for a trial.

4. Anticipated trial time required.

The United States and the State of Washington do not anticipate that a trial will be necessary.


5. Prospects for settlement.

It appears that chances are excellent that the parties will be able to settle the issue of the status of the water rights for reacquired lands.

6. Any other matters.

The State, the United States, and plaintiff-in-intervention have agreed that the issues raised in the Tribe's petition will be addressed separately from the proceedings relating to the remand from the Court of Appeals.

Respectfully submitted,



Steven E. Carroll, Attorney  
Department of Justice  
Land and Natural Resources Division  
Indian Resources Section  
P.O. Box 44378  
Washington, D.C. 20026-4378

*Charles B. Roe, Jr.*

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FILED IN THE  
U.S. DISTRICT COURT  
Eastern District of Washington

MAY 29 1987

JAMES R. LARSEN, Clerk  
Deputy  
CLERK'S STAMP

ACCEPTANCE OF SERVICE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

1 UNITED STATES OF AMERICA, )  
2 )  
3 Plaintiff, )  
4 )  
5 and )  
6 SPOKANE TRIBE OF INDIANS, )  
7 Plaintiff-Intervenor, )  
8 v. )  
9 BARBARA J. ANDERSON, et al., )  
10 Defendants. )

CIVIL NO. C72-3643-JLQ

AFFIDAVIT OF MAILING OF  
JOINT STATUS CERTIFICATE

11 STATE OF WASHINGTON )  
12 ) ss.  
13 COUNTY OF THURSTON )

14 Ginger Bath, being first duly sworn on oath, deposes and says:

15 That I am a secretary in the legal division of the Department  
16 of Ecology; that on the 28<sup>th</sup> day of May, 1987, I personally for-  
17 warded by United States mail, postage prepaid, true and correct  
18 copies of JOINT STATUS CERTIFICATE to the following persons at the  
19 following addresses:

20 Mr. Robert D. Dellwo  
21 Dellwo, Rudolf & Schroeder  
22 424 Old National Bank Building  
Spokane, Washington 99201-0386

KENNETH O. EIKENBERRY, ATTORNEY GENERAL  
Charles B. Roe, Jr. ....  
Senior Assistant Attorney General  
Attorney General's Office  
Ecology Division, Mail Stop PV-11  
Olympia, Wa. (206) 459-6162  
98504 Telephone

1 Steven E. Carroll, Attorney  
2 Department of Justice  
3 Land and Natural Resources Division  
4 Indian Resources Section  
5 P.O. Box 44378  
6 Washington, D.C. 20026-4378

7  
8 Mr. John Lamp  
9 U.S. Attorney  
10 P.O. Box 1494  
11 Spokane, Washington 99203

12 *George Bath*  
13 GINGER BATH

14 SUBSCRIBED AND SWORN TO before me this 28 day of May, 1987.

15 *Beverly J. Jolley*  
16 NOTARY PUBLIC in and for the State  
17 of Washington.  
18 My commission expires 12/31/87.