

IDAHO SESSION LAWS

(H.C.R. No. 16)

A CONCURRENT RESOLUTION  
STATING LEGISLATIVE INTENT AND REQUESTING THAT THE GOVERNOR AND THE  
ATTORNEY GENERAL ENTER INTO NEGOTIATIONS WITH FEDERALLY RECOGNIZED  
INDIAN TRIBES PRIOR TO FILING A PETITION TO COMMENCE A COMPRE-  
HENSIVE ADJUDICATION OF WATER RIGHTS IN THE SNAKE RIVER BASIN.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the First Regular Session of the Forty-eighth Idaho Legislature has authorized the Director of the Department of Water Resources through the Attorney General to commence in State District Court an adjudication within the terms of the McCarran Amendment, 43 U.S.C. Section 666, for the purpose of a comprehensive determination of all water rights within the Snake River Basin; and

WHEREAS, such an adjudication will involve consideration of numerous water rights and legal issues which may be capable of resolution without extensive and expensive litigation; and

WHEREAS, representatives of the Shoshone-Bannock Tribes of the Fort Hall Indian Reservation have initiated a proposal to enter into full, frank and honest negotiations between those Tribes and the State on a government to government basis to resolve important issues regarding the extent of the Tribes' federally reserved water rights in the Snake River Basin.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Forty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that prior to filing a petition to commence a comprehensive adjudication of water rights in the Snake River Basin, the State of Idaho, acting through the Governor and the Attorney General of the State of Idaho should attempt to negotiate with the Shoshone-Bannock Tribes of the Fort Hall Indian Reservation or any other affected tribes to resolve as many issues as possible regarding the extent of their water rights.

BE IT FURTHER RESOLVED, that the Governor and the Attorney General should enter into a negotiated framework with those Indian tribes for resolution of relevant water rights issues in the form of a written memorandum of understanding.

BE IT FURTHER RESOLVED that the Governor and the Attorney General should report to the President Pro Tempore of the Senate and the Speaker of the House of Representatives regarding the status of negotiations and that the President Pro Tempore of the Senate and the Speaker of the House of Representatives shall keep members of the Legislature informed about the negotiations.

Adopted by the House February 6, 1985.  
Adopted by the Senate February 19, 1985.