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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

AMERICAN RIVERS, et al.,

Civ. No. 04-0061-RE

FED. DEFS' FIRST REMAND STATUS REPORT

Plaintiffs,

v.

NOAA FISHERIES and U.S. BUREAU
OF RECLAMATION,

Defendants,

and

STATE OF IDAHO, et al.,

Defendant Intervenors,

**FEDERAL DEFENDANTS'
FIRST REMAND
STATUS REPORT**

In accordance with the Court's September 26, 2006, Opinion and Order of Remand, Federal Defendants submit the following status report for the remanded consultation on the Upper Snake projects. See Exhibit 1. This status report reflects NOAA Fisheries and the Bureau of Reclamation's initial thoughts regarding this consultation and should not be viewed as a complete or final framework. With that said, these preliminary thoughts provide the Court with a general idea of how the agencies intend to achieve a comprehensive analysis of the Federal River Columbia Power System ("FCRPS") operations and Reclamation's projects on the Upper Snake River and yet maintain their obligations under the Snake River Water Rights Settlement Agreement and implementing legislation.

Respectfully submitted October 3, 2006.

SETH M. BARSKY
Assistant Section Chief

/s/ Coby Howell
COBY HOWELL

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing will be e-filed October 3, 2006, will be automatically served upon counsel of record and the Court's Technical Advisor, all of whom appear to be subscribed to receive notice from the ECF system.

s/ Coby Howell