

THE SUPREME COURT

STATE OF WASHINGTON



RONALD R. CARPENTER
SUPREME COURT CLERK

SUSAN L. CARLSON
DEPUTY CLERK / CHIEF STAFF ATTORNEY

TEMPLE OF JUSTICE

P.O. BOX 40929
OLYMPIA, WA 98504-0929

(360) 357-2077
e-mail: supreme@courts.wa.gov
www.courts.wa.gov

March 3, 2009

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ATTORNEY GENERAL'S OFFICE
AGRICULTURE & HEALTH DIVISION

Michael Paul Ruark
Attorney at Law
4029 NE 204th St
Lake Forest Park, WA 98155-1606

Kristen L. Boyles
Earthjustice
705 2nd Ave Suite 203
Seattle, WA 98104-1711

Alan Myles Reichman
Stephen H. North
Office of the Attorney General
Ecology Division
PO Box 40117
Olympia, WA 98504-0117

Mark Hodgeman Calkins
Office of the Attorney General
7141 Cleanwater Dr SW
PO Box 40109
Olympia, WA 98504-0109

Harry Laurence Johnsen, III
Attorney at Law
1503 E St
Bellingham, WA 98225-3007

John B. Arum
Brian Cammiade Gruber
Ziontz Chestnut Varnell Berley & Slonim
2101 4th Ave Suite 1230
Seattle, WA 98121-2323

Karen Allston
Quinault Indian Nation
PO Box 189
Taholah, WA 98587-0189

Kevin R. Lyon
Squaxin Island Legal Dept
3711 SE Old Olympic Hwy
Shelton, WA 98584-7734

Melody L. Allen
Suquamish Tribe, Office of Tribal Attorney
PO Box 498
15838 Sandy Hook Rd
Suquamish, WA 98392-0498

Mason D. Morisset
Morisset Schlosser Jozwiak & McGaw
1115 Norton Bldg
801 2nd Ave
Seattle, WA 98104-1576

Kimberly Louise Ordon
Attorney at Law
PO Box 1407
Duvall, WA 98019-1407

Adam Waldon Gravley
Tadas A. Kisielius
GordonDerr LLP
2025 1st Ave Suite 500
Seattle, WA 98121-3140

Philip Thomas McDonald
Cascadia Law Group PLLC
606 Columbia St NW Suite 212
Olympia, WA 98501-1093

A. Reid Allison, III
Attorney at Law
6700 Totem Beach Rd
Tulalip, WA 98271-9714

Shaun Alaric Goho
Harvard Law School
Pound Hall, Suite 417
1563 Massachusetts Ave
Cambridge, MA 02138-2996

Barbara Miner, Clerk
King County Superior Court
516 3rd Ave, Room E609
Seattle, WA 98104-2361

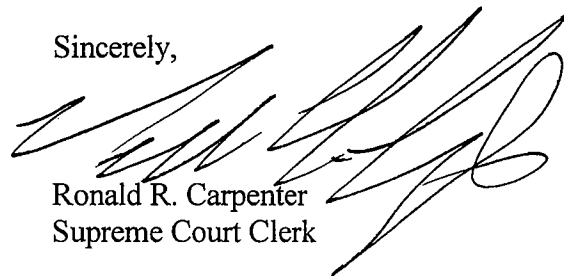
Re: Supreme Court Cause No. 81809-6 - Lummi Indian Nation et al. v. State of Washington,
et al.
King County Superior Court Cause Nos. 06-2-40103-4 SEA & 06-2-28667-7 SEA

Clerk and Counsel:

Enclosed is a conformed copy of the Order entered following hearing of the above matter on the March 3, 2009, Motion Calendar.

This case may not be set for oral argument until the Court's Fall 2009 or Winter 2010 term. Prior to any oral argument setting, counsel will be provided with the dates of oral argument for that term and will be able to provide their unavailable dates for consideration in setting the case for argument.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ronald R. Carpenter', written over a printed name and title.

Ronald R. Carpenter
Supreme Court Clerk

RRC:alb

Enclosure as referenced

THE SUPREME COURT OF WASHINGTON

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LUMMI INDIAN NATION; MAKAH INDIAN
TRIBE; QUINULT INDIAN NATION,
SQUAXIN ISLAND INDIAN TRIBE;
SUQUAMISH TRIBE, and the TULALIP
TRIBES, federally recognized Indian tribes,
JOAN BURLINGAME, an individual; LEE
BERNHEISEL, an individual; SCOTT
CORNELIUS, an individual; PETER
KNUTSON, an individual; PUGET SOUND
HARVESTERS; WASHINGTON
ENVIRONMENTAL COUNCIL; SIERRA
CLUB; and THE CENTER FOR
ENVIRONMENTAL LAW AND POLICY,

Respondents/Cross-Appellants,

v.

STATE OF WASHINGTON; CHRISTINE
GREGOIRE; Governor of the State of
Washington; WASHINGTON DEPARTMENT
OF ECOLOGY; JAY MANNING, Director of
the Washington Department of Ecology;
WASHINGTON DEPARTMENT OF
HEALTH; and MARY SELECKY, Secretary of
Health for the State of Washington,

Appellants/Cross-Respondents,

WASHINGTON WATER UTILITIES
COUNCIL, CASCADE WATER ALLIANCE,
and WASHINGTON STATE UNIVERSITY,

Appellants/Cross-Respondents.

ORDER

No. 81809-6

King County Superior Court
Nos. 06-2-40103-4 & 06-2-28667-7 SEA

ATTORNEY GENERAL'S OFFICE
AGRICULTURE & HEALTH DIVISION

FILED
SUPREME COURT
STATE OF WASHINGTON
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ST. ROBERT
b/h

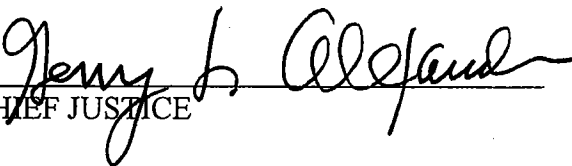
Department I of the Court, composed of Chief Justice Alexander and Justices C. Johnson, Sanders, Owens and J. M. Johnson, considered this matter at its March 3, 2009, Motion Calendar and unanimously agreed that the following order be entered.

IT IS ORDERED:

That this Court will retain this case for hearing and decision.

DATED at Olympia Washington, this 3rd day of March, 2009.

For the Court


CHIEF JUSTICE