



United States Department of Agriculture  
*Office of the General Counsel*

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Via Email and Federal Express

October 3, 2006

Darrell Early  
Idaho Office of the Attorney General  
Natural Resources Division  
Environmental Quality Section  
1410 N. Hilton, Second Floor  
Boise, Idaho 83706-1255

Terry Uhling/Sheila Bush  
J. R. Simplot Company  
999 Main Street, Suite 1300  
Boise, Idaho 83702

Elizabeth McKenna  
Environmental Protection Agency, Region 10  
1200 Sixth Avenue, ORC-158  
Seattle, Washington 98101

**Re: Smoky Canyon Mine - Settlement Agreement**

Dear Darrell, Terry, Sheila, and Elizabeth:

Enclosed for signature is the Administrative Settlement Agreement and Order on Consent/Consent Order (Settlement Agreement) for a non-time-critical removal action at the Smoky Canyon Mine. Please request that an authorized official for your agency/company sign the appropriate signature page. Please provide an electronic copy (e-mail or fax) of the signature page to Fred Phillips, the other addressees and me. Please forward the original signature page to:

Jeff Jones  
USDA Forest Service  
Caribou/Targhee National Forest  
Soda Springs Ranger District  
410 E. Hooper  
Soda Springs, ID 83276

Sincerely,

MARCUS WAH  
Associate Regional Attorney

James E. Alexander  
Attorney

Enclosure

cc via Federal Express:

Fred Phillips - USDOJ

cc via email:

Natalie Smith - USDOJ

Ron McClain - USDA -OGC

Kirk Minckier - USDA -OGC

Jeanette Wolfley - Shoshone-Bannock Tribes

Holly Fliniau - USDA

Jeff Jones - USDA-FS

cc via regular mail:

John Seymour - USDOJ