

1
2 STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

3
4 BNSF RAILWAY COMPANY,

5 Petitioner

6 v.

7 YAKIMA COUNTY, and
8 CONFEDERATED TRIBES AND BANDS
OF THE YAKAMA NATION,

9 Respondents.

DOCKET TR-140382 and
DOCKET TR-140383

**YAKAMA NATION'S NOTICE OF
APPEARANCE**

10
11 TO: Clerk, Washington State Utilities and Transportation Commission

12 AND TO: All counsel of record

13 YOU ARE HEREBY NOTIFIED that the undersigned attorney of the Yakama Nation
14 Office of Legal Counsel appears in the above-captioned matter as counsel for the Confederated
15 Tribes and Bands of the Yakama Nation ("Yakama Nation").

16 YOU ARE FURTHER NOTIFIED that you should serve all process in this matter upon
the Yakama Nation Office of Legal Counsel.

17 YOU ARE FURTHER NOTIFIED that this notice is offered without waiver of any
18 objections or defenses under tribal, state, or federal laws, including, but not limited to, the
sovereign immunity of the Yakama Nation. Nothing herein shall operate to waive the
19

YAKAMA NATION'S NOTICE OF APPEARANCE - 1

Yakama Nation
Office of Legal Counsel
P.O. Box 151
401 Fort Road
Toppenish, WA 98948

2014 MAY 28 AM 8:22

RECORDED
INDEXED

1 sovereign immunity of the Yakama Nation, nor otherwise alter, diminish, or surrender any
2 rights and privileges reserved and memorialized in the Yakama Nation's Treaty of 1855.

3 Dated this 23th day of May, 2014.



4 Julio Carranza, WSBA #38211
5 Ethan Jones, WSBA #46911
6 Yakama Nation Office of Legal Counsel
7 P.O. Box 151
8 401 Fort Road
9 Toppenish, WA 98948
10 Telephone: 509-865-7268
11 Fax: 509-865-4713

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

CERTIFICATE OF SERVICE

I, Kayonnie Badonie, declare as follows:

1. I am now and at all times herein mentioned a legal and permanent resident of the United States and the State of Washington, over the age of eighteen years old, not a party to the above titled action, and competent to testify as a witness.

2. I am employed with the Yakama Nation Office of Legal Counsel, P.O. Box 151, 401 Fort Road, Toppenish, WA 98948.

3. On May 20, 2014 I electronically filed and filed via USPS First Class Mail the foregoing document with the State of Washington Utilities and Transportation Commission, and served the document via USPS First Class Mail upon:

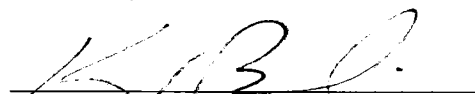
Tom Montgomery
Montgomery Scarp, PLLC
1218 Third Avenue, Suite 2500
Seattle, WA 98101
(206) 625-1801

Kenneth W. Harper
Menke Jackson Beyer, LLP
807 North 39th Avenue
Yakima, WA 98902
(509) 575-0351

Sally Brown
Senior Assistant Attorney General
1400 S. Evergreen Park Drive SW
P.O. Box 40128
Olympia, WA 98504-0128
(360) 664-1193

The foregoing statement is made under penalty of perjury and under the laws of the Yakama Nation and is true and correct.

Signed at Toppenish, Washington this 23rd day of May, 2014.



Kayonnie Badonie