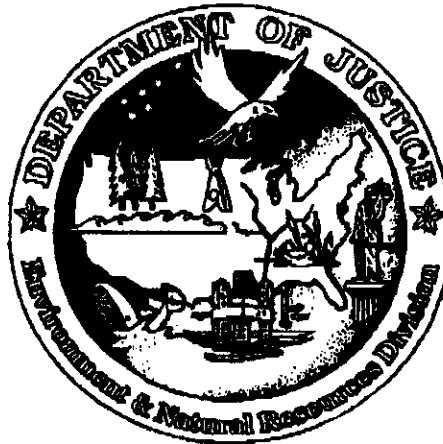




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Department of Water Resources

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**cc:** David Barber, Esq. 208-334-2690  
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**SPECIAL INSTRUCTIONS:** See attached Motion to File a Reply to the State of Idaho's Response to Amended Motion to Alter or Amend and State of Idaho's Response to Amended Motion to Alter or Amend for filing in the SRBA Subcase Nos. 25-13635, 25-13637, 25-13653, 65-19960, and 65-19962.

THOMAS L. SANSONETTI  
 Assistant Attorney General  
 Environment and Natural Resources Division

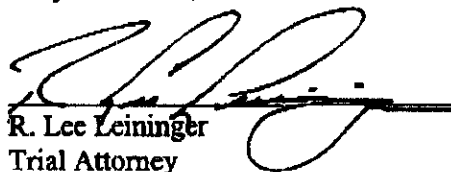
R. LEE LEININGER  
 Trial Attorney  
 United States Department of Justice  
 Environment & Natural Resources Division  
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 999 18th St. Suite 945  
 Denver, CO 80202  
 (303) 312-7322

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
 STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

|                |   |                                       |
|----------------|---|---------------------------------------|
| In Re SRBA     | ) | Subcase Nos.: 25-13635, 25-13637, 25- |
|                | ) | 13653, 65-19960, and 65-19962         |
|                | ) |                                       |
| Case No. 39576 | ) | <b>MOTION TO FILE A REPLY TO</b>      |
|                | ) | <b>THE STATE OF IDAHO'S</b>           |
|                | ) | <b>RESPONSE TO AMENDED MOTION</b>     |
|                | ) | <b>TO ALTER OR AMEND</b>              |
|                | ) |                                       |

The United States hereby moves for permission to file a reply memorandum to the State of Idaho's Response to [United States'] Amended Motion to Alter or Amend in the above referenced subcases. By Order, dated April 17, 2003, the Court established a briefing schedule for the United States' motion that set a date for the United States' opening brief and the State's responsive brief. The Order did not specify a deadline for a reply by the United States. The State of Idaho's responsive brief presented case law that, to the best of our knowledge, has not been presented in previous briefs and therefore has not been addressed by the United States. Accordingly, the United States requests the opportunity to reply. The United States' reply memorandum is submitted concurrently with this motion.

Respectfully submitted,

  
R. Lee Leininger  
Trial Attorney  
United States Department of Justice

### CERTIFICATE OF SERVICE

I certify that on this 29<sup>th</sup> day of May, 2003, I served a true and correct copy of foregoing **MOTION TO FILE A REPLY** upon the following individuals by serving as indicated, postage pre-paid, addressed as follows:

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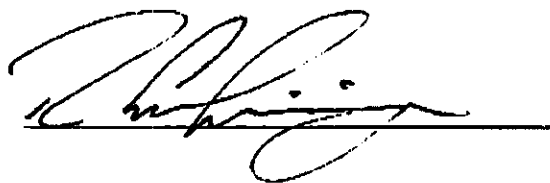
Diana R. Delaney, Chief Deputy Clerk (Original)  
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DISTRICT COURT  
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