



MCQUAID  
BEDFORD &  
VAN ZANDT LLP

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Department of Water Resources

221 Main Street 16th Floor  
San Francisco CA 94105-1936  
TEL: 415/905-0200  
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July 24, 2003

*VIA FACSIMILE (208) 736-2121  
AND U.S. MAIL*

Clerk of the Court  
Snake River Basin Adjudication  
253 3<sup>rd</sup> Avenue North  
P.O. Box 2707  
Twin Falls, ID 83303-2707

Re: *In Re SRBA Case No. 39576 (LU Ranching Co. v. United States)*  
Subcase Nos. 55-10288B et al.

Dear Sir or Madam:

Attached please find for filing with the Court LU Ranching's Motion to Appear by Telephone. In addition to this facsimile filing, the original Motion to Appear by Telephone is being forwarded to you by mail along with an additional copy and self-addressed stamped envelope. Please return a conformed, date-stamped copy of the Motion to our office in the return envelope provided.

If you have any questions or concerns regarding the above, please do not hesitate to call. In addition to the phone number above, I can be reached directly at (530) 792-1631.

Thank you for your assistance.

Sincerely yours,

Elizabeth P. Ewens

Encl.

cc Mr. Richard Harris

MICHAEL J. VAN ZANDT  
ELIZABETH P. EWENS  
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RICHARD L. HARRIS  
Attorney At Law  
P.O. Box 1438  
1023 Arthur Street  
Caldwell, Idaho 83605  
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Facsimile: (208) 459-1300

Attorneys for LU Ranching

**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 Numbers 55-10288B, 55-10289B, |
|                | ) | 55-10290B, 55-10292B, 55-10293B,      |
|                | ) | 55-10295, 55-10296, 55-10297B,        |
|                | ) | 55-10298, 55-10299B, 55-10300,        |
| Case No. 39576 | ) | 55-10301B, 55-10303B, and 55-13451    |
|                | ) |                                       |
|                | ) | <b>MOTION TO APPEAR</b>               |
|                | ) | <b>BY TELEPHONE</b>                   |
|                | ) |                                       |
|                | ) |                                       |
|                | ) |                                       |
|                | ) |                                       |

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LU Ranching Co., by and through its attorneys, McQuaid, Bedford and Van Zandt LLP,  
hereby requests that the Court permit undersigned counsel to appear by telephone at the July 31,  
2003 hearing on the pending Motions to Alter or Amend Special Master Report and

**MOTION TO APPEAR  
BY TELEPHONE – Page 1**

Recommendation. A scheduling conflict prevents undersigned counsel from traveling to appear in person for the hearing, however, with the Court's permission, undersigned counsel is available and prepared to appear during the scheduled hearing by telephone. Local counsel, Mr. Richard L. Harris, intends to appear in person. Undersigned counsel further advises the Court that she has spoken with counsel for the United States, and he does not object to the appearance of counsel by phone.

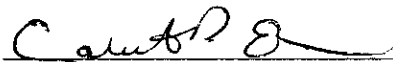
For the reasons outlined, above, LU Ranching Co. respectfully requests that the Court issue an Order authorizing the appearance of undersigned counsel by telephone at the hearing set for Thursday, July 31, 2003 at 11:00 am.

Dated this 24 day of July, 2003.

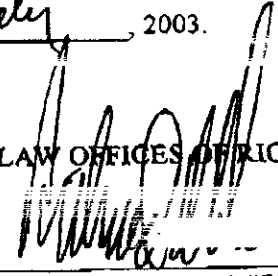
Respectfully submitted,

McQUAID, BEDFORD  
& VAN ZANDT, LLP

By:

  
Elizabeth P. Ewens

the foregoing Motion to Appear by Telephone, I  
hereby execute the same this 29 day of July, 2003.

  
LAW OFFICES OF RICHARD L. HARRIS

  
RICHARD L. HARRIS

Law Ranching Co.

## CERTIFICATE OF SERVICE

I certify that on July 24, 2003, I served a true and correct copy of foregoing **MOTION TO APPEAR BY TELEPHONE** upon the following individuals by placing the document in the United States Mail, postage paid, and addressed as follows:

U.S. Department of Justice  
General Litigation Section  
Environment and Natural Resources Division  
550 West Fort Street, MSC 033  
Boise, ID 83724

Larry Brown  
Attorney, U.S. Dept. of Justice  
General Litigation Section  
Environment and Natural Resources Division  
550 West Fort Street, MSC 033  
Boise, Idaho 83724

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
P.O. Box 44449  
Boise, ID 83720-0098

IDWR Document Depository  
P.O. Box 83720  
Boise, ID 83720-0098

A handwritten signature in cursive script, appearing to read "Gary D. E.", is written over a horizontal line.