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9 Attorneys for Claimant/Objector

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

12 -----
13
14 In Re SRBA) Subcase Nos. 41-00008B, 41-00008E,
15) 41-00013B, 41-10230
16)
17 Case No. 39576)
18) MOTION TO VACATE AND
19) RESCHEDULE TRIAL
20 -----

21 COMES NOW, Jason D. Walker of the firm of Ling, Robinson & Walker,
22 Rupert, Idaho, attorney of record for the Claimant/Objector, James Juan Spillett, and moves
23 the Court for an Order vacating the trial setting set for the 4th day of March, 2004, at 10:00
24 a.m. at the Rockland City Office, 135 S. Main, Rockland, Idaho.

25 This Motion is made on the grounds that settlement negotiations are still
26 ongoing in this matter and that the interests of justice and the best interests of all the parties
27 involved are that settlement negotiations continue prior to a trial of this matter.

28 The Claimant/Objector further moves the Court to continue the trial for a

1
2 minimum of sixty (60) days.

3 Oral argument is not requested on this Motion. The Idaho Department of
4 Water Resources has no objection to this motion.

5 DATED this 19th day of February, 2004.

6 LING, ROBINSON & WALKER

7
8
9 By: 

Jason D. Walker

Attorneys for Claimant/Objector

CERTIFICATE OF MAILING

I hereby certify that on the 19th day of February, 2004, I served a copy of the foregoing **MOTION TO VACATE AND RESCHEDULE TRIAL** upon:

James Robinson
Bench Ditch Irrigation Co.
P.O. Box 157
Rockland, ID 83271

James Juan Spillett
P.O. Box 278
Rockland, Idaho 83271

James V. Spillett
Robert R. Spillett
P.O. Box 144
Rockland, Idaho 83271

Director of IDWR
P.O. Box 83720
Boise, Idaho 83720

by depositing a copy thereof in the United States mail, postage prepaid, in an envelope addressed to said parties/entities at the foregoing addresses.


Jason D. Walker