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Attorneys for Claimants/Objectors

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      | ) | Subcases 36-10090, 36-10863A,      |
|                 | ) | 36-15264A, 36-15264B               |
| Case No. 39576, | ) |                                    |
|                 | ) | <u>MOTION TO VACATE THE</u>        |
|                 | ) | <u>CHALLENGE SCHEDULING</u>        |
|                 | ) | <u>ORDER DATED FEBRUARY</u>        |
|                 | ) | <u>12, 2004 AND TO CONSOLIDATE</u> |
|                 | ) | <u>SUBCASES</u>                    |

COME NOW the Claimants/Challengers, North Ridge LLC, Owhyee Ranches, Inc., Blaine Cook, Deon Cook, Bruce Hunsaker, and Rebecca Hunsaker, by and through their attorneys of record Parsons, Smith & Stone, LLP, hereby move this Court to vacate the Challenge Scheduling Order dated February 12, 2004, and to consolidate the above-described Subcases with Subcases 36-10033, 36-10035, 36-10037, 36-11643, 36-16123, 36-16124, 36-15152, and 36-15356A.

The grounds for this motion include:

1. Claimants' counsel was not served a copy of the Challenge Scheduling

1 Order until March 4, 2004.

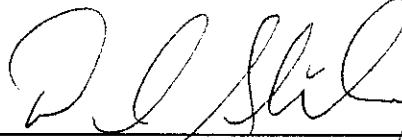
2 2. Claimants filed a Renewed Notice of Challenge pursuant to the Order  
3 Denying Motions to Alter or Amend Amended Special Master's Report and  
4 Recommendation dated March 4, 2004.

5 3. Common issues of law and fact present themselves in all Subcases  
6 proposed to be consolidated.

7 Oral argument is requested.

8 DATED this 10 day of March, 2004.

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10 PARSONS, SMITH & STONE, LLP

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12  
13 David F. Shirley  
14 Attorney for Claimants/Objectors  
15 P.O. Box 910  
16 Burley, ID 83318

17 **CERTIFICATE OF MAILING**

18 I hereby certify that on the 10 day of March, 2004, I served a true and correct  
19 copy of the MOTION TO VACATE THE CHALLENGE SCHEDULING ORDER  
20 DATED FEBRUARY 12, 2004 AND TO CONSOLIDATE SUBCASES, upon:

21 Director of IDWR  
22 PO Box 83720  
23 Boise ID 83720-0098

24 Clive Strong  
25 Chief, Natural Resources Division  
26 Ag Office of Attorney General State of Idaho  
PO Box 44449  
Boise ID 83711-4449

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

1 Jeffery C. Fereday, Esq  
2 GIVENS PURSLEY, LLP  
3 Attorneys at Law  
4 PO Box 2720  
5 Boise ID 83701-2720

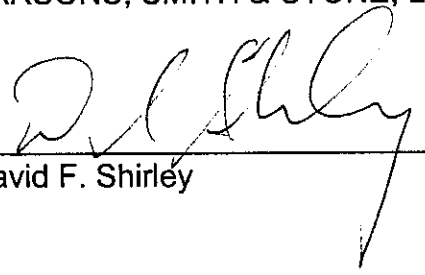
6 Jason Walker  
7 LING & ROBINSON  
8 PO Box 396  
9 Rupert ID 83350

10 Daniel L. Willie  
11 1017 South 1150 East  
12 Eden ID 83325

13 USDI Bureau of Reclamation  
14 Regional Director PN Region  
15 1150 North Curtis Road  
16 Boise ID 83706-1234

17 by depositing copies thereof in the United States mail, postage prepaid, in envelopes  
18 addressed to said parties at the foregoing addresses.

19 PARSONS, SMITH & STONE, LLP

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21 \_\_\_\_\_  
22 David F. Shirley  
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