

2004 JUL 13 AM 11:04

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

Case No. 39576

Subcases: See Exhibit A

SCHEDULING ORDER ON CROSS-
CHALLENGES

PROCEDURAL BACKGROUND

On April 15, 2004, Special Master Dolan filed an *Order on Motion to Alter or Amend and Amended Special Master's Report and Recommendation* ("Order") for the subcases listed on Exhibit A attached. On May 6, 2004, this Court issued an *Order Granting Motion to Enlarge Time to File Notice of Challenge* extending the deadline to May 28, 2004.

On April 29, 2004, the United States of America, Bureau of Land Management, through its attorney of record, United States Department of Justice, filed a *Notice of Challenge* to the *Order*.

On May 28, 2004, LU Ranching, through its attorneys of record McQuaid Bedford & VanZandt LLP and Ling & Robinson, filed a *Notice of Challenge* to the *Order*.

The time period for filing notices of challenge has now expired. Pursuant to *AOI*, section 13 and stipulation of the parties, this *Scheduling Order on Cross-Challenges* will govern these challenges.

LODGING OF TRANSCRIPTS

A transcript has been requested in this case. Pursuant to the deadline set forth in *AOI* section 13(d)(1), it is hereby ordered that the transcript shall be lodged with the Court no later than **June 30, 2004**.

BRIEFING: SCHEDULING AND CONTENT

It is hereby ordered that the following briefing schedule shall apply. It is intended, because cross-challenges were filed, that the briefing be simultaneous.

Opening Briefs due by..... July 30, 2004

Response Briefs due by August 30, 2004

Reply Briefs due by September 30, 2004

Parties shall take notice that this briefing schedule modifies the schedule set forth in *AOI* section 13(e).

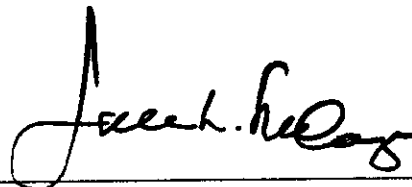
All briefs shall be limited to 25 pages and shall be served on all parties to the subcase(s), including any party filing a *Notice of Challenge*.

ORAL ARGUMENT

Pursuant to *AOI* section 13(e)(4), only those parties who filed briefs will be allowed oral argument. Oral argument is set for **Wednesday, October 20, 2004, at 1:30 pm**, at the Snake River Basin Adjudication Courthouse, 253 – 3rd Avenue North, Twin Falls, Idaho.

IT IS SO ORDERED.

DATED June 18, 2004.



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

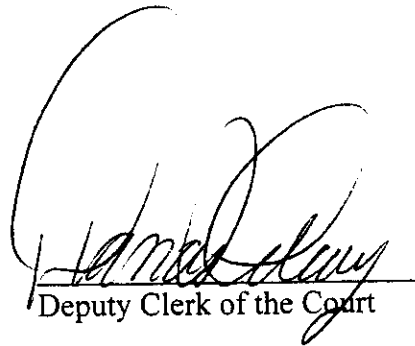
I hereby certify that true and correct copies of the **SCHEDULING ORDER ON CROSS-CHALLENGES** were mailed on June 18, 2004, with sufficient first-class postage to the following:

Michael J. Van Zandt
Craig A. Pridgen
Elizabeth P. Ewens
McQuaid Bedford & Van Zandt LLP
221 Main Street, 16th Fl
San Francisco, CA 94105

Roger D. Ling
Brian J. Coffey
Ling & Robinson
PO Box 396
Rupert, ID 83350

Larry Brown
United States Department of Justice
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098



Deputy Clerk of the Court

EXHIBIT A

Subcase Nos:

55-10288B
55-10289B
55-10290B
55-10292B
55-10293B
55-10295
55-10296
55-10297B
55-10298
55-10299B
55-10300
55-10301B
55-10303B
55-13451