



IMPORTANT: This facsimile is intended only for the use of the individual or entity to which it is addressed. It may contain information that is privileged, confidential, or otherwise protected from disclosure under applicable law. If the reader of this transmission is not the intended recipient or the employee or agent responsible for delivering the transmission to the intended recipient, you are hereby notified that any dissemination, distribution, copying or use of this transmission or its contents is strictly prohibited. If you have received this transmission in error, please notify us by telephoning and return the original transmission to us at the address given below.

FROM: Labat-Anderson, Inc.
999 18th Street
Suite 945, North Tower
Denver, CO 80202

Fax No. 303-312-7379
Voice No. 303-312-7370

SENT BY: Kelley Harris, Paralegal

TO: Diana Delaney **FAX No.** 208-736-2121

cc: David Barber, Esq. 208-334-2690
IDWR Document Depository 208-327-7866
U.S. Department of Justice 208-387-0842

NUMBER OF PAGES SENT (INCLUDING COVER PAGE): 5

SPECIAL INSTRUCTIONS: Attached for filing is the United States' **[PROPOSED] ORDER ON MOTION FOR EXTENSION OF TIME TO FILE SUMMARY JUDGMENT MOTIONS** to the Special Master's Report and Recommendation in Subcase Nos. 74-11411 *Et Al.* and 75-11763 *Et Al.*

Names of Parties Filing Document:

UNITED STATES OF AMERICA

Attorneys' Names and Addresses:

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

R. LEE LEININGER
 Attorney, Department of Justice
 General Litigation Section
 Environment and Natural Resources Division
 999 18th St. Ste 945NT
 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.: 74-11411, et al., and 75-11736,
	)	et al. ¹
	)	
Case No. 39576	)	UNOPPOSED MOTION FOR
	)	EXTENSION OF TIME TO FILE
	)	SUMMARY JUDGMENT MOTION
	)	

DESCRIPTIVE SUMMARY

This is the United States' motion to extend the time to file a motion for summary

¹ The subcases subject to this motion include: 74-11411, 74-11413, 74-11457, 74-11493, 74-11519, 74-11525, 74-11527, 74-11541, 74-11719, 74-11723, 74-11978, 74-12088, 74-12990, 74-12106, 74-12536, 74-12666, 74-12668, 74-12692, 74-12694, 74-12696, 74-12732, 74-12742, 74-12772, 74-12774, 74-12806, 74-13624, 74-13734, 74-13082, 74-13084, 74-14780, 74-14784, 74-14785, 74-14809, 74-14818, 74-14839, 74-14895, 74-14898, 74-14925, 75-11736, 75-11738, 75-11778, 75-12606, 75-12972, 75-12974, 75-12976, 75-12998, 75-13000, 75-13002, 75-13114, 75-13116, 75-13140, 75-13148, 75-13749

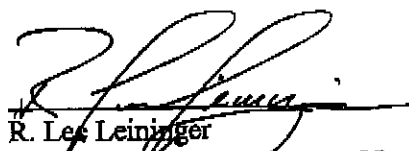
judgment in the above referenced subcases.

MOTION

The United States hereby moves this Court for an Order extending the date for the filing of summary judgment motions in the above referenced subcases to July 7, 2004, to allow the parties an opportunity to resolve their dispute without further litigation. The Court established a deadline of June 23, 2004 for the filing of summary judgment motions by scheduling order dated December 19, 2003. The scheduling order also sets an August 4, 2004 date for a hearing on summary judgment. The extension to July 7, 2004 will still enable the parties to file summary judgment motions twenty eight (28) days before the time fixed for hearing consistent with I.R.C.P. § 56(c).

The United States requests an extension of two weeks to engage in informal settlement discussions with the objector, State of Idaho. Counsel for the State of Idaho, Mr. David Barber, was contacted and does not oppose the request for a two week extension to file the summary judgment motions. A proposed Order is attached for the Court's consideration.

Respectfully submitted this 22nd day of June, 2004.


R. Lee Leininger
Attorney, U.S. Department of Justice

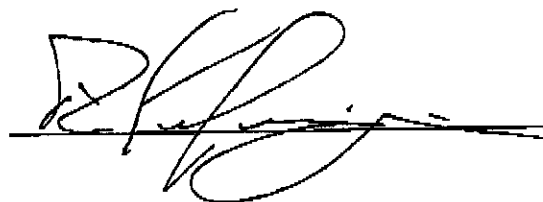
CERTIFICATE OF MAILING

I certify that on June 22, 2004, a true and correct copy of the United States' Unopposed Motion for Extension of Time to File Summary Judgment Motions, Re: Subcases 74-11411 et al. was served via facsimile transmission to the following persons:

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

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

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

A handwritten signature in black ink, appearing to read 'D. Barber', is written over a horizontal line.

**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.: 74-11411, et al. and 75-11736,
	)	et al. ¹
	)	
	)	[PROPOSED] ORDER ON MOTION FOR
	)	EXTENSION OF TIME
Case No. 39576	)	TO FILE SUMMARY JUDGMENT MOTIONS
	)	

WHEREAS, this Court having reviewed and considered the United States'
Unopposed Motion for Extension of Time to File Summary Judgment Motions, filed June 22,
2004, it is hereby ordered that said motion is GRANTED.

The parties shall have until July 7, 2004, to submit their summary judgment
motions.

IT IS SO ORDERED.

DATED June ____, 2004.

Brigette Bilyeu

Special Master in the Snake River Basin
Adjudication

¹ The subcases subject to this motion include: 74-11411, 74-11413, 74-11457, 74-11493, 74-11519, 74-11525, 74-11527, 74-11541, 74-11719, 74-11723, 74-11978, 74-12088, 74-12990, 74-12106, 74-12536, 74-12666, 74-12668, 74-12692, 74-12694, 74-12696, 74-12732, 74-12742, 74-12772, 74-12774, 74-12806, 74-13624, 74-13734, 74-13082, 74-13084, 74-14780, 74-14784, 74-14785, 74-14809, 74-14818, 74-14839, 74-14895, 74-14898, 74-14925, 75-11736, 75-11738, 75-11778, 75-12606, 75-12972, 75-12974, 75-12976, 75-12998, 75-13000, 75-13002, 75-13114, 75-13116, 75-13140, 75-13148, 75-13749