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DEPARTMENT OF  
WATER RESOURCES

**Names of Parties Filing Document:**

UNITED STATES OF AMERICA

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**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 | ) | 55-10303B, and 55-13451               |
|                | ) |                                       |
|                | ) | <b>MOTION FOR LEAVE TO FILE</b>       |
|                | ) | <b>OVER-LENGTH BRIEF</b>              |

**MOTION**

On June 18, 2004, this Court filed its Scheduling Order on Cross-Challenges in the above-captioned subcases. The Order, at p. 2, states that "[a]ll 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*."

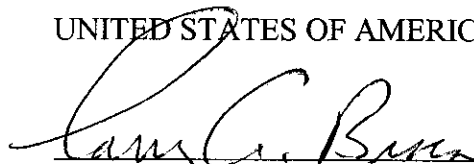
As noted by counsel for the United States at the scheduling conference, the facts for the above-captioned 13 subcases are unusually complex. Counsel for the United States anticipates that a statement of the case, including applicable law, factual background, and proceedings below, will consume nearly 30 pages. Counsel for the United States anticipates that a statement of the standard of review, argument, conclusion, and a statement of related cases will consume about 25 pages. Thus, the United States respectfully moves this Court for leave to file a Memorandum in Support of the United States' Challenge of the Special Master's Order on Motion to Alter or Amend that will not exceed 55 pages, excluding table of contents, table of cases, and certificate of service.

There appearing to be good cause, this Court should amend its scheduling order to allow the United States to file a Memorandum in Support of the United States' Challenge of the Special Master's Order on Motion to Alter or Amend that would not exceed 55 pages, excluding table of contents, table of cases, and certificate of service.

DATED this 21 day of July, 2004.

Respectfully submitted,

UNITED STATES OF AMERICA

  
\_\_\_\_\_  
Larry A. Brown  
Of Attorneys for the United States

**CERTIFICATE OF SERVICE**

I certify that on July 2, 2004, that I served a true and correct copy of foregoing **UNITED STATES' MOTION FOR LEAVE TO FILE OVER-LENGTH BRIEF; SUBCASES 55-10288B ET AL., and Proposed ORDER** upon the following individuals by placing the document in the United States Mail in Washington D.C., postage paid, and addressed as follows:

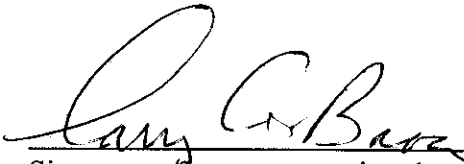
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\_\_\_\_\_  
Signature of attorney serving document

**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

) Subcase Numbers 55-10288B, 55-10289B,  
) 55-10290B, 55-10292B, 55-10293B,  
) 55-10295, 55-10296, 55-10297B,  
) 55-10298, 55-10299B, 55-10300,  
) 55-10303B, and 55-13451  
)  
) **ORDER GRANTING THE UNITED**  
) **STATES' MOTION FOR LEAVE TO**  
) **FILE OVER-LENGTH BRIEF**

On \_\_\_\_\_, 2004, the United States filed a Motion for Leave to File Over-Length Brief in above-captioned subcases. Upon consideration of the United States' Motion and the record herein, and the Court being fully informed, it is

**ORDERED** that for good cause shown, the United States' Motion for Leave to File Over-Length Brief is granted.

**IT IS FURTHER ORDERED** that the Scheduling Order is amended so that the United States' may file a Memorandum in Support of the United States' Challenge of the Special Master's Order on Motion to Alter or Amend that will not exceed 55 pages, excluding table of contents, table of cases, and certificate of service.

DATED this \_\_\_\_ day of July, 2004.

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John M. Melanson  
Presiding Judge  
Snake River Basin Adjudication

## CERTIFICATE OF SERVICE

I certify that on \_\_\_\_\_, 2004, that I served a true and correct copy of foregoing **UNITED STATES' MOTION FOR LEAVE TO FILE OVER-LENGTH BRIEF; SUBCASES 55-10288B ET AL., and Proposed ORDER** upon the following individuals by placing the document in the United States Mail in Twin Falls, Idaho, postage paid, and addressed as follows:

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Deputy Clerk