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Department of Water Resources

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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 36-10033, 36-10035, 36-10037
) (Salmon Land & Livestock Co., Inc.),
Case No. 39676) 36-10090 (Margaret and Sam Large),
) 36-10863A (Owyhee Ranches, Inc.),
) 36-11643 (W.H. and Velva Moller),
) 36-14807 (Vernon and Marilyn Phillips),
) 36-15152 (Roost Potato Co., Inc.),
) 36-15264A (Blaine and Deon Cook and
) Bruce and Rebecca Hunsaker),
) 36-15264B (Deon Cook and Rebecca
) Hunsaker) and 36-15356 [36-15356A]
) (Jack and Kent Harman)²

MOTION TO ALTER OR AMEND

COME NOW the Claimants and Objectors in the above-referenced cases and jointly move the Court pursuant to AO1 §13 and the Idaho Rules of Civil Procedure for an Order Altering or Amending the following subcases:

1. 36-10090 (Margaret and Sam Large)
2. 36-14807 (Vernon and Marilyn Phillips)

3. 36-15152 (Roost Potato Co., Inc.)

The Motion to Alter or Amend these subcases made on the grounds and for the reasons that pursuant to the Court's Order dated October 31, 2002, the parties had agreed to resolution of the above three subcases and SF.5's were being prepared to correct errors in the recommendations. An order altering or amending the above-referenced cases would allow the parties to correct those errors and then to move forward on the subordination issue in concert with the other claims.

The Claimants/Objectors further jointly move the Court for an Order staying any action on the remaining above-referenced subcases on the grounds and for the reasons that each claim herein deals with an enlargement claim and contest the subordination language recommended by IDWR. It is expected that many, if not all of these twelve (12) rights, will eventually proceed to challenge and therefore, for the purposes of judicial economy and the convenience of all parties, the cases should be administered together as a group.

The Claimants/Objectors hereby respectfully request an Order granting their Motion to Alter or Amend as set forth above and a stay so the matters may proceed together.

DATED this 23rd day of January, 2003.

LING & ROBINSON

By: Jason D. Walker
Jason D. Walker
Attorney for Claimants/
Objectors

CERTIFICATE OF MAILING

I hereby certify that on the 23rd day of January, 2003,
I served a copy of the foregoing **MOTION TO ALTER OR AMEND** upon:

Clive J. Strong
Natural Resources
Deputy Attorney General
P.O. Box 83720
Boise, Idaho 83720-0010
(Attorneys for State of Idaho)

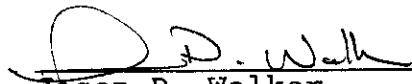
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(Attorneys for Aberdeen-American Falls Ground
Bingham Ground Water District, Bingham Ground
Water District Joint Response, Mack Neibaur,
Magic Valley Ground Water District, Ralph
E. Breeding, and Tim Deeg)

U.S. Department of Justice
Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, ID 83724
(Attorneys for USDI BLM)

Director of IDWR
P.O. Box 83720
Boise, ID 83720-0098

by depositing a copy thereof in the United States mail, postage
prepaid, in an envelope addressed to said person(s) at the
foregoing addresses.


Jason D. Walker