

2004 OCT 29 AM 10:42
DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED

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: 47-16433, et al.
) (See attached Exhibit A)
)

Case No. 39576

) CHALLENGE SCHEDULING ORDER
)
)

PROCEDURAL BACKGROUND

On October 6, 2004, Special Master Terrence A. Dolan filed an *Order Denying Motion to Alter or Amend* in the above-captioned subcases. Pursuant to *Administrative Order 1* ("AOI"), section 13(c), any party seeking to challenge the *Order* must have filed a *Notice of Challenge* within 14 days following the date the *Order* was filed, or on or before October 20, 2004.

On October 18, 2004, Bruce Bryon Bedke and Jared K. Bedke, *pro se*, filed a *Notice of Challenge* to the *Order*.

The time period for filing notices of challenge has now expired. Pursuant to *AOI*, section 13, this *Challenge Scheduling Order* will govern this challenge. Further, the time computation provisions of I.R.C.P. 6(a) shall apply and should be referred to by the parties in the event that any of the dates herein fall on a Saturday, Sunday or legal holiday.

LODGING OF TRANSCRIPTS

Transcripts are to be lodged by **November 24, 2004**.

BRIEFING SCHEDULE

It is hereby ordered that the following briefing schedule shall apply:

Challenger's Opening Brief due by **December 22, 2004**.

Respondent's Responsive Brief due by **January 12, 2005.**

Challenger's Rebuttal Brief (optional) due by **January 26, 2005.**

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

ORAL ARGUMENT

Pursuant to ***AOI***, section 13(e)(4), only those parties who filed briefs will be allowed oral argument. Oral argument will be heard on **Thursday, February 17, 2005 at 1:30 pm.**, at the Snake River Basin Adjudication Courthouse, 253 - 3rd Avenue North, Twin Falls, Idaho.

IT IS SO ORDERED.

DATED October 29, 2004.

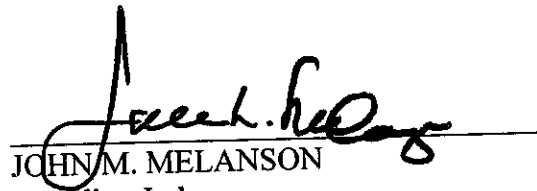

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A (47-16433, ET AL.)

Subcase Nos:

47-16433
47-16434
47-16435
47-16437
47-16438
47-16440
47-16441
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47-16470
47-16471
47-16474

CERTIFICATE OF MAILING

I certify that a true and correct copy of the CHALLENGE SCHEDULING ORDER was mailed on October 29, 2004, with sufficient first-class postage to the following:

GARY R POULTON
MICHAEL A POULTON
SCOTT C. BEDKE

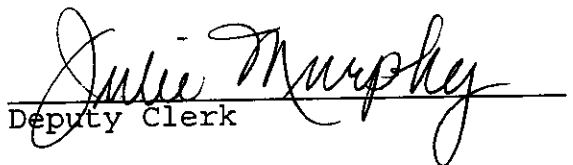
Represented by:
TRAVIS L THOMPSON
113 MAIN AVE WEST, SUITE 303
TWIN FALLS, ID 83301-6167
Phone: 208-733-0700

USDA FOREST SERVICE

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

BRUCE BEDKE
JARED BEDKE
42 E BASIN RD
OAKLEY, ID 83346
Phone: 208-862-3679

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the "Deputy Clerk" text.