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Names of Parties Filing Document:

UNITED STATES OF AMERICA

Attorneys' Names and Addresses:

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

LARRY A. BROWN
Attorney, U.S. Dept. of Justice
Natural Resources Section
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, Idaho 83724
Ph.: (202) 305-0435 FAX: (202) 305-0274

**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 55-10135, 55-11061,
	) 55-11385, and 55-12452
	)
Case No. 39576	) MOTION FOR LEAVE TO FILE
_____	) OVER-LENGTH BRIEF

MOTION

On September 2, 2004, this Court filed its Challenge Scheduling Order 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*."

In light of the District Court's Memorandum Decision and Order on Challenge, In Re SRBA, Subcases 55-10288B et al. dated January 3, 2005, Counsel for the United States

anticipates that a statement of the case, including applicable law, factual background, and proceedings below, will consume nearly 20 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 20 pages. Thus, the United States respectfully moves this Court for leave to file a Responsive Brief in Opposition of Joyce Livestock's Challenge that will not exceed 40 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 its Responsive Brief in Opposition of Joyce Livestock's Challenge that will not exceed 40 pages, excluding table of contents, table of cases, and certificate of service.

DATED this 5th day of January, 2005.

Respectfully submitted,

UNITED STATES OF AMERICA

A handwritten signature in cursive script, reading "Larry A. Brown", is written over a horizontal line.

Larry A. Brown

Of Attorneys for the United States

CERTIFICATE OF SERVICE

I certify that on June 5, 2005, that I served a true and correct copy of foregoing **UNITED STATES' MOTION FOR LEAVE TO FILE OVER-LENGTH BRIEF; SUBCASES 55-10135 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:

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

Mr. Roger D. Ling
Attorney at Law
Ling, Robinson, & Walker
P.O. Box 396
Rupert, ID 83350

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

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

Mr. Michael J. Van Zandt
Ms. Elizabeth P. Ewens
Attorneys at Law
McQuaid, Metzler, Bedford & Van Zandt, LLP
221 Main Street, 16th Floor
San Francisco, CA 94105



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	)	Subcase Numbers 55-10135, 55-11061,
	)	55-11385, and 55-12452
	)	
Case No. 39576	)	ORDER GRANTING THE UNITED
	)	STATES' MOTION FOR LEAVE TO
_____	)	FILE OVER-LENGTH BRIEF

On January 5, 2005, 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 its Responsive Brief in Opposition of Joyce Livestock's Challenge that will not exceed 40 pages, excluding table of contents, table of cases, and certificate of service.

DATED this ____ day of January, 2005.

John M. Melanson
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF SERVICE

I certify that on _____, 2005, that I served a true and correct copy of foregoing **ORDER GRANTING THE UNITED STATES' MOTION FOR LEAVE TO FILE OVER-LENGTH BRIEF; SUBCASES 55-10135 ET AL.** upon the following individuals by placing the document in the United States Mail in Twin Falls, Idaho, postage paid, and addressed as follows:

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

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Attorney at Law
Ling, Robinson, & Walker
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San Francisco, CA 94105

Deputy Clerk