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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: 55-10135, 55-11061,
	)	55-11385, and 55-12452
Case No. 39576	)	
	)	MOTION TO AMEND 2nd AMENDED
	)	CHALLENGE SCHEDULING ORDER

COMES NOW the United States of America, by and through its undersigned counsel, and hereby respectfully moves the District Court to amend the 2nd Amended Challenge Scheduling Order as follows:.

12/10/2004 Challenger's Opening Brief.
01/28/2005 Respondent's Responsive Brief.
02/25/1005 Challenger's Rebuttal Brief.

03/23/2005 Oral Argument.

Grounds for the motion are as follows:

1. The 2nd Amended Challenge Scheduling Order requires the Respondent's Responsive Brief to be filed on January 7, 2005. On January 5, 2005, the United States received the District Court's Memorandum Decision and Order on Challenge, In Re SRBA, Subcases 55-10288B et al. dated January 3, 2005. The additional time is necessary for the United States to analyze the District Court's Memorandum Decision which may affect the issues on challenge in the above-captioned subcases.

2. It will also be necessary to have the additional time to address Joyce Livestock's arguments in Joyce Livestock's Opening Brief in Support of Challenge in light of the District Court's Memorandum Decision.

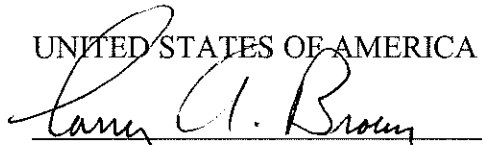
3. This Motion was discussed with Joyce Livestock's counsel by telephone on January 5, 2005. Joyce Livestock's Counsel was unable to represent at that time whether Joyce Livestock would or would not oppose this Motion.

There appearing to be good cause, the District Court should amend the Trial Scheduling Order, as set forth herein.

DATED this 5th day of January 2005.

Respectfully submitted,

UNITED STATES OF AMERICA



Larry A. Brown

Of Attorneys for the United States

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing **MOTION TO AMEND 2nd AMENDED CHALLENGE SCHEDULING ORDER** was placed in the United States Mail in Washington D.C. on Jan. 5, 2005, postage paid, and addressed as follows:

Original to:

Clerk of the Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

Copies to:

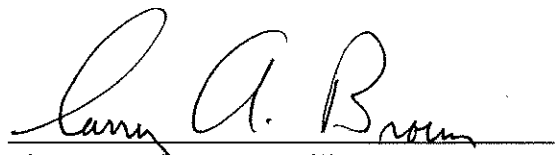
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