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8 Attorneys for LU Ranching
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10 **IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE**
11 **STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

12 In Re SRBA

13 Case No. 39576
14

Subcase Numbers 55-02414, 55-07319, 55-
07383, 55-07410, 55-07413, 55-07420, 55-
11890 (USDI/BLM), and 55-13450 (LU
Ranching, Jeff Anderson Estate, Inc. and
Stanford)

15 **LU RANCHING CO.'S UNOPPOSED**
16 **MOTION TO AMEND TRIAL**
17 **SCHEDULE ORDER**

1 LU Ranching Co., Inc. ("LU Ranching") by and through its attorneys hereby requests that
2 the discovery deadline and dispositive motion deadline as set forth in the Court's Amended Trial
3 Schedule Order be extended as set forth, below.

- 4 1. Under the current Amended Trial Schedule Order, the deadline for the completion of
5 all discovery is April 29, 2005. The parties are working cooperatively to complete
6 the discovery process, including the exchange of supplemental discovery materials.
7 Counsel also have discussed whether depositions will be necessary in this case.
- 8 2. Given the current timing of the exchange of supplemental written discovery
9 materials, coupled with scheduling conflicts which preclude undersigned counsel
10 from traveling to Idaho in the month of April, counsel have agreed that to the extent
11 deposition testimony is required, that the same will be scheduled in the month of
12 May.
- 13 3. To facilitate the further exchange of written discovery and the scheduling of
14 depositions, LU Ranching requests an extension of the discovery deadline from April
15 29, 2005 to May 27, 2005. To permit the parties to fully evaluate the need and/or
16 basis for dispositive motions after discovery is complete, an extension of the
17 dispositive motion deadline from May 27, 2005 to June 24, 2005 also is requested.
- 18 4. The United States does not oppose the requested extensions of time.
- 19 5. The above requests for extensions of time should not adversely affect the August 29,
20 2005 trial date.^{1/}

21 ^{1/} While the requests for extensions of the discovery and dispositive motion
22 deadlines should not affect the trial date in this case, LU Ranching notes that issues
23 involving the related instream claims are still pending before SRBA Court. *See In Re: SRBA*
24 *Case No. 39576*, Subcase Nos. 55-10288B et al ("LU Ranching's Instream Claims"). The
25 trial date for the above captioned reservoir claims previously has been postponed based on
26 the pending status of LU Ranching's Instream Claims. It continues to be LU Ranching's
27 position that there are overlapping issues found in both the instream cases and reservoir
cases at issue herein. Therefore, in the interest of judicial economy, if the instream claims
still are not fully resolved, LU Ranching may request a further postponement of the trial
date. In the meantime, however, LU Ranching agrees with the United States that the parties
should proceed fully through the discovery process with the hope that the issues presented in
LU Ranching's Instream Claims will be resolved prior to the August 29, 2005 trial date in
(continued...)

1 WHEREFORE, LU Ranching respectfully requests that the Court amend the trial
2 scheduling order now in effect to extend the discovery deadline from April 29, 2005 to May 27,
3 2005 and to extend the dispositive motion deadline from May 27, 2005 to June 24, 2005.

4 Dated this 30 day of March, 2005.

5 Respectfully submitted,

6 McQUAID BEDFORD & VAN ZANDT, LLP

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8 By: _____

MICHAEL J. VAN ZANDT
ELIZABETH EWENS

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12
13 Dated this ____ day of March, 2005.

14 LING, ROBINSON & WALKER

15
16 By: _____

ROGER D. LING
Idaho State Bar No. 1018

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18 Attorneys for LU Ranching Co.

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1/ (...continued)
the reservoir case.

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ELIZABETH EWENS

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12
13 Dated this ____ day of March, 2005.

14 LING, ROBINSON & WALKER

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16 By: _____

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Idaho State Bar No. 1018

18 Attorneys for LU Ranching Co.

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v (...continued)
the reservoir case.



CERTIFICATE OF SERVICE

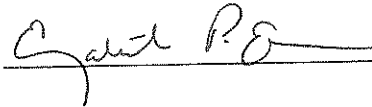
I certify that on March 30, 2005, I served a true and correct copy of foregoing LU RANCHING CO.S' UNOPPOSED MOTION TO AMEND TRIAL SCHEDULE ORDER upon the following individuals by placing the document in the United States Mail, postage paid, and addressed as follows:

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

Larry Brown
Attorney, U.S. Dept. of Justice
General Litigation Section
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(courtesy service via email at Larry.Brown@usdoj.gov)

Chief, Natural Resources Division
Office of the Attorney General
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