

2005 MAY 12 AM 2:38
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

Case No. 39576

) Subcases: 55-10288B, 55-10289B, 55-
) 10290B, 55-10292B, 55-10293B, 55-10295,
) 55-10296, 55-10297B, 55-10298, 55-10299B,
) 55-10300, 55-10301B, 55-10303B, and 55-
) 13451
)
) ORDER SETTING HEARING ON
) MOTION TO BIFURCATE
) PROCEEDINGS.
)

On January 18, 2005, LU Ranching, Inc (LU), filed a *Motion for Attorney's Fees* in the above-captioned subcases. On the same day, LU filed a *Motion to Reconsider and or Motion to Amend*. On January 27, 2005, the United States of America, acting through the Department of Interior, Bureau of Land Management, filed a *Motion to Strike LU Ranching's Motion*. On January 25, 2005, this court entered a **Deadline Order** for filing responsive briefing to the *Motion for Reconsideration and Motion for Attorney's Fees*. On January 31, 2005, the United States filed a *Motion to Enlarge Time to File Motion to Disallow Costs, in the Alternative to Disallow and Bifurcate Proceedings*. On February 2, 2005, this Court entered an **Order on Motion to Enlarge Time to File Motion to Disallow Costs**. The Order stated that the Court would not hear arguments on LU's *Motion for Attorney's Fees* until after the Court ruled on the *Motion to Reconsider*. On May 2, 2005, the Court filed an **Order on LU Ranching Co.'s Motion for Reconsideration**.

On May 4, 2005, the United States filed a *Motion to Bifurcate Proceedings and Disallow Costs*. The United States asks the Court to bifurcate the proceeding on the *Motion for Attorney's Fees* into two proceedings: one to determine whether LU is

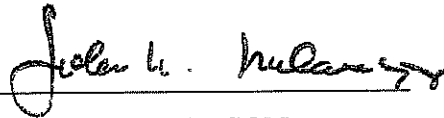
ORDER ON MOTION TO ENLARGE TIME TO FILE MOTION TO DISALLOW COSTS

Page 1 of 2

entitled to costs; and, in the event this Court determines hat LU Ranching is entitled to costs, a separate proceeding to determine reasonable fees and hours. The United States also asks for the Court to allow until May 31, 2005 for the United States to file its memorandum in support of the *Motion*. LU has indicated to the Court that it will oppose the *Motion to Bifurcate Proceedings*.

THEREFORE, IT IS ORDERED that a hearing be held at 1:30 p.m. (Mountain Time) on May 16, 2005 at the Lemhi County Courthouse, 206 Courthouse Dr., Salmon, Idaho to address LU's opposition to the *Motion to Bifurcate Proceedings*. Telephone Participation is available by calling 1-918-583-3445 and dialing participant code 406128.

Dated May 12 2005.



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SETTING HEARING ON MOTION TO BIFURCATE PROCEEDINGS was mailed on May 12, 2005, with sufficient first-class postage to the following:

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