

RECEIVED

AUG 22 2005

Department of Water Resources

CHARLES L. HONSINGER (ISB # 5240)
RINGERT CLARK CHARTERED
455 S. Third, P. O. Box 2773
Boise, Idaho 83701-2773
Telephone: (208) 342-4591
Facsimile: (208) 342-4657

Attorneys for Claimant

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

)
)
)
)
)
)
)

SUBCASE NUMBERS 65-05033C, 65-03681
AND 65-22621

JOINT MOTION TO RESCHEDULE HEARING

Comes now Claimants Frederick D. and Gloria J. Ringel, the State of Idaho, Kyle Ellis, James and Carolyn Kling, and the Idaho Department of Water Resources, all by and through their counsel of record and hereby move the Court to stay the evidentiary hearing currently scheduled for Tuesday, August 23, 2005 to a mutually convenient date later this autumn, and instead hold a telephonic scheduling conference on August 23 at 9:00 a.m. when the evidentiary hearing was originally scheduled. This motion is submitted pursuant to I.R.C.P. 7(b)(1). The grounds for this motion are discussed further below.

DISCUSSION

All parties have been diligently working towards settlement of these subcases since the Special Master entered his Scheduling Order on April 21, 2005. Much progress has been made towards settlement, and most of the major issues have been resolved. However, some confusion about factual issues remains to be resolved between the parties. The parties continue to expect

COPY

settlement to occur and believe that a short period of additional time will be helpful in resolving the remaining issues. To the extent that the Court is so inclined, the parties request that the Court assist the parties at the proposed August 23, 2005 telephonic scheduling conference by discussing the potential of setting an informal settlement conference between the parties.

Dated this 19th day of August, 2005.

RINGERT CLARK, CHARTERED

By 
Charles L. Honsinger
Attorneys for Claimants Ringel

Dated this 19th day of August, 2005.

MARCUS MERRICK CHRISTIAN & HARDEE, LLP

By Charles J. Hoas

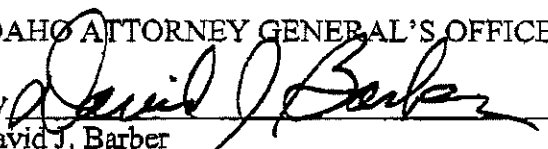
Gale M. Merrick

Attorneys for Movants Ellis

Dated this 19th day of August, 2005.

IDAHO ATTORNEY GENERAL'S OFFICE

By


David J. Barber

Attorneys for Movant State of Idaho

Dated this 19th day of August, 2005.

BEEMAN & ASSOCIATES

By Charles W. Hoasign for

Josephine P. Beeman

Attorneys for Participants Kling

CONCURRING 

Dated this 19th day of August, 2005

IDAHO ATTORNEY GENERAL'S OFFICE

By 

Candice McHugh

Attorneys for Idaho Department of Water Resources

CERTIFICATE OF SERVICE

The undersigned certifies that on the 14th day of August, 2005, a true and correct copy of the within and foregoing document was transmitted to the following person(s) by U.S. Mail:

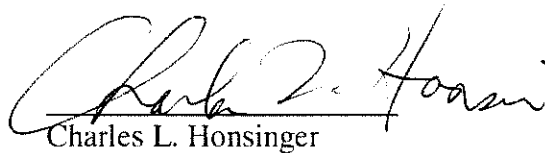
Candice McHugh
Attorney General's Office
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Kyle F. Ellis
Represented by:
Gale M. Merrick
707N. 7th Street
Boise, Idaho 83702

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

Josephine P. Beeman
409 W. Jefferson Street
Boise, Idaho 83702

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


Charles L. Honsinger