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Attorneys for Earl Warthen, Objector

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

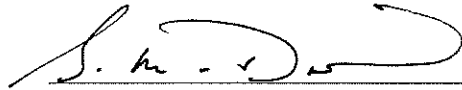
In Re SRBA	)	Subcase No. 45-10502
	)	
Case No. 39576	)	
	)	MOTION TO RESCHEDULE
	)	SCHEDULING CONFERENCE
	)	
_____	)	

Counsel for the Objector moves this Court to reschedule the scheduling conference currently calendared to be held on September 15, 2005. Objector's counsel has an unavoidable conflict on September 15, 2005 and requests that the scheduling conference in the above-entitled sub-case be re-set to September 29, 2005 at 9:15 a.m. to coincide with other scheduling conferences to be held for the same objector.

The Objector and counsel for the Department of Water Resources have agreed to this arrangement. A proposed order granting this motion has been provided for the Court's consideration.

Dated this 7th day of September, 2005.

BARKER ROSHOLT & SIMPSON LLP

A handwritten signature in black ink, appearing to read 'S. M. Davis', is written over a horizontal line.

Shelley M. Davis

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of September, 2005, I served a true and correct copy of the foregoing *Motion to Reschedule Scheduling Conference* on the following by U.S. Mail, postage prepaid:

Original to: *Via facsimile*

Clerk
Fifth Judicial District Court
Snake River Basin Adjudication
253 3rd Ave. N.
P.O. Box 2707
Twin Falls, ID 83303-2707

Copy to Claimant:

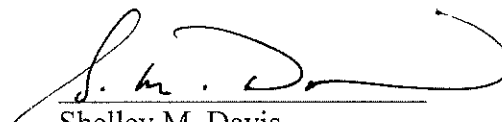
Earl Warthen
P.O. Box 145
Albion, ID 83311

Copies to:

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

United States Department of Justice
Environment and Nat'l Resources Div.
550 West Fort Street, MSC 033
Boise, ID 83724

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


Shelley M. Davis