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Pro Se litigants

Counsel for the United States

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 Nos. 47-16433, <i>et al.</i>
	)	<i>See</i> Attachment A
	)	
	)	JOINT MOTION TO VACATE TRIAL SCHEDULE
Case No. 39576	)	AND RESCHEDULE TRIAL SCHEDULE AT
	)	OCTOBER 6 SCHEDULING CONFERENCE
	)	
	)	

The United States of America, on behalf of the U.S.D.A. Forest Service ("United States), and Bruce and Jared Bedke ("Bedkes"), respectfully move this Court for an Order vacating the Trial Schedule Order previously entered for these subcases and request that a new Trial Schedule Order be entered at the scheduling conference currently calendared for October 6, 2005. The grounds for this motion are as follows:

1. The United States and the Bedkes (collectively, "Parties") currently are engaged in discovery in these subcases ("Basin 47 claims") and are in the process of scheduling of depositions.

2. The Basin 47 claims involve stockwatering claims on the Sawtooth National Forest's

JOINT MOTION TO VACATE TRIAL SCHEDULE AND RESCHEDULE TRIAL
SCHEDULE AT OCTOBER 6 SCHEDULING CONFERENCE

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Goose Creek Allotment.

3. A separate set of subcases in Basin 45 also involves claims by the Parties for stockwatering rights on the Goose Creek Allotment ("Basin 45 claims"). These Basin 45 claims were recently reported out by the Idaho Department of Water Resources ("IDWR"). Because the Basin 45 claims were only recently reported by IDWR, they have not been the subject of the discovery activity which has already occurred on the Basin 47 claims.

4. The Basin 45 claims are scheduled for a scheduling conference on October 6, 2005, at 11:30 am.

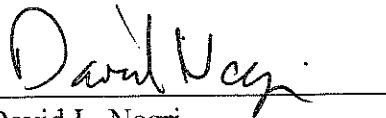
5. There is substantial overlap between the underlying facts and the relevant legal issues between the Basin 45 and the Basin 47 claims. Much of the current discovery activity in the Basin 47 claims, including depositions, will have to be repeated for the Basin 45 claims.

6. It would save the parties significant time, money, and resources if both the Basin 45 and the Basin 47 claims were on identical schedules. For instance, only one deposition of a particular witness likely would need to occur. As the schedules currently exist, at least two depositions would be necessary.

WHEREFORE, the Parties request that the Court vacate the Trial Schedule Order previously entered for these subcases and set a new Trial Schedule Order at the October 6, 2005, Scheduling Conference.

RESPECTFULLY SUBMITTED this 15 day of September, 2005.

UNITED STATES OF AMERICA



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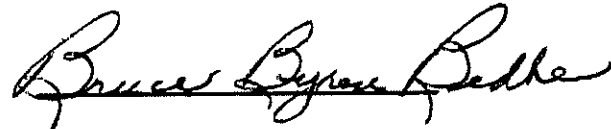
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RESPECTFULLY SUBMITTED this ____ day of September, 2005.

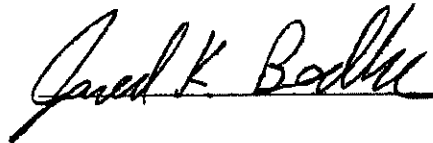
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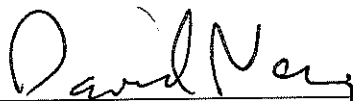
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15 day of September, 2005, I served a true and correct copy of the foregoing JOINT MOTION TO VACATE TRIAL SCHEDULE AND RESCHEDULE TRIAL SCHEDULE AT OCTOBER 6 SCHEDULING CONFERENCE by depositing a copy thereof in the U.S. mail, postage prepaid, or by other service where indicated, upon the following:

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

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Jared K. Bedke
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David Negri

Attachment A

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