

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

2005 SEP 20 PM 3 44

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     | ) Subcases 47-16433, <i>et al.</i>   |
|                | ) (see list of 31 subcases attached) |
| Case No. 39576 | ) (USDA/FS & Bedke)                  |
|                | )                                    |
|                | ) ORDER GRANTING MOTION TO           |
| _____          | ) VACATE TRIAL SCHEDULE              |

On April 15, 2005, the Special Master entered a *Trial Schedule Order* in the above 31 subcases. Since then, on August 29, 2005, SRBA Presiding Judge John M. Melanson entered his *Order on Motion for Reconsideration* denying the United States' *Motion for Reconsideration of Presiding Judge's Memorandum Decision and Order on Challenge*.

On September 15, 2005, the United States and Bruce and Jared Bedke filed a *Joint Motion to Vacate Trial Schedule and Reschedule Trial Schedule at October 6 Scheduling Conference*. The parties wrote that "[t]here is substantial overlap between the underlying facts and the relevant legal issues between the Basin 45 and the Basin 47 claims . . . . It would save the parties significant time, money, and resources if both Basin 45 and the Basin 47 claims were on identical schedules."<sup>1</sup>

THEREFORE, IT IS ORDERED that the parties' *Joint Motion to Vacate Trial Schedule and Reschedule Trial Schedule at October 6 Scheduling Conference* is **granted**.

DATED September 20, 2005.

  
TERRENCE A. DOLAN  
Special Master  
Snake River Basin Adjudication

<sup>1</sup> Subcases 45-13714, *et al.*, (13 subcases ) are set for a scheduling conference on Thursday, October 6, 2005, 11:30 a.m..

EXHIBIT A

Subcase Nos:

47-16433  
47-16434  
47-16435  
47-16438  
47-16440  
47-16441  
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47-16470  
47-16471  
47-16474  
47-17130  
47-17132  
47-17134  
47-17136  
47-17138

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO VACATE TRIAL SCHEDULE was mailed on September 20, 2005, with sufficient first-class postage to the following:

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