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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. 45-12050 <i>et al.</i>
	)	<i>See</i> Attachments A, B, C, and D
	)	
	)	SECOND MOTION (UNOPPOSED) TO AMEND
Case No. 39576	)	TRIAL SCHEDULE
	)	
	)	
	)	
_____	)	

The United States of America, on behalf of the U.S.D.A. Forest Service, respectfully request that the Court amend the previously issued Trial Schedule in these subcases. The grounds for this motion are as follows:

1. The overriding legal issue at issue in these subcases is ownership of stockwater rights on federal lands. The subcases include both instream and developed water sources.
2. The Idaho Supreme Court recently decided *LU Ranching Co. v. United States*, Supreme Court Case No. 31944, and *Joyce Livestock v. United States*, Supreme Court Case No. 32279. One of the issues in these cases was stockwater ownership of instream water rights on federal lands.

3. The United States has until May 10, 2007, to seek certiorari review in the United States Supreme Court of the *LU Ranching* and *Joyce Livestock* decisions.

4. The current discovery deadline in these subcases is April 19, 2007. The United States requests that this deadline and others be extended to allow discovery to be completed after a decision is made on certiorari review.

5. The United States does not anticipate requesting any further extension in these matters.

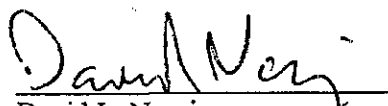
6. The United States proposes the following amended dates and deadlines:

Discovery cutoff and deadline to amend pleadings	6/19/07
Dispositive motions and opening brief deadline	8/29/07
Response brief deadline	9/27/07
Reply brief deadline	10/25/07
Dispositive motion hearing	11/29/07 10:00 a.m.
Exchange of trial exhibits and witness lists	2/15/08
Pre-trial conference	2/21/08 11:00 a.m.
Trial	2/25/08 1:00 p.m. through 2/29/08

7. Jared Bedke has stated to undersigned counsel that neither he nor Bruce Bedke oppose this motion.

RESPECTFULLY SUBMITTED this 17th day of April, 2007.

UNITED STATES OF AMERICA



David L. Negri

United States Department of Justice
Counsel for the United States of America

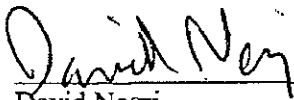
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of April, 2007, I served a true and correct copy of the foregoing Second Motion (Unopposed) to Amend Trial Schedule 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

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
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Bruce Byron Bedke
Jared K. Bedke
Martha J. Bedke
42 East Basin Road
United States Post Office
Oakley, Idaho 83346



David Negri

Attachment A

45-12050
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Attachment B

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Attachment C

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Attachment D

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