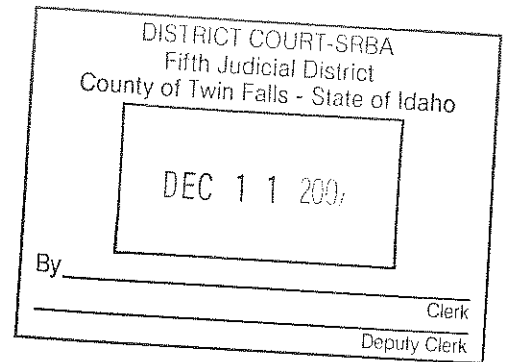


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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

Subcase Nos.: 21-10557 and 21-13013

**OBJECTION TO MOTION TO AMEND
TRIAL SCHEDULING ORDER**

RLF I, LLC, RLF II, LLC, RLF III, LLC, and RLF IV, LLC ("RLF") and Del Kohtz, by and through their attorneys of record, Holden, Kidwell, Hahn & Crapo, P.L.L.C., hereby submit this Objection to Motion to Amend Trial Scheduling Order filed by Robert and Donna Fuchs ("Fuchs").

The basis for the motion is that Fuchs recently changed legal counsel, and would like to extend the discovery cutoff date from December 3, 2007 to January 31, 2008. RLF and Kohtz strongly object to the requested extension because Fuchs has not explained why they did not submit discovery requests when the court established deadlines at a scheduling conference held on October 3, 2007 when they were represented by their previous counsel.

In addition, the court and counsel for RLF and Kohtz has already been lenient with Fuchs with the filing of late objections, and allowing such objections to be filed in order to resolve the issues surrounding Water Right Nos. 21-10557 and 21-13013. On March 21, 2007, a Standard Form 1 Objection was filed by Robert and Donna Fuchs ("Fuchs") through their attorney, Ray Rigby.

However, the objection was not classified as a late objection because there was no accompanying motion to file a late objection, and consequently, the objection was only lodged (not filed) with the court. At a status conference meeting on the Silkey rights held in Rexburg on April 11, 2007, the court scheduled a hearing on the motion to file the late objection for June 27, 2007. After a hearing on that date, the court granted the motion, and a status conference was held on July 13, 2007 where it was determined that a settlement conference would be appropriate in this matter. The settlement conference was unsuccessful in resolving the issues, and thereafter, at a status conference held on October 3, 2007, the court entered a Trial Scheduling Order which all parties agreed to.

Just like 21-13013, the objection to 21-10557 began with the filing of an objection on March 21, 2007 by Fuchs through their attorney. The objection to this right was also not classified as a late objection, and was only lodged (not filed) with the court because there was no motion to file a late objection, nor a hearing scheduled for such a motion. At the hearing on the motion to file late claim for 21-13013 on June 27, 2007, counsel for RLF brought it to the court's attention that Fuchs had not scheduled a hearing date and time for the late objection as to 21-10557. Counsel suggested that all parties to the matter were already present on the hearing for 21-13013, and that the court could go ahead with a hearing on 21-10557 at that time because all of the parties were present. The hearing was held, and the motion to file the late objection was granted. After that time, both 21-13013 and 21-10557 were scheduled on the same track.

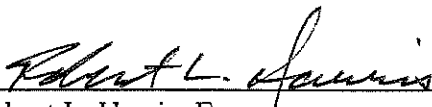
Given the past history surrounding the objections to these water rights, the court should not once again allow Fuchs to delay the proceedings in this matter. As we understand it, the court is extremely busy, and there will likely be a significant delay if the trial in this matter is rescheduled, which will significantly prejudice both RLF and Kohtz.

For a number of years, Mr. Del Kohtz has been working with the Nedrows to purchase 21-10557 for Mr. Kohtz's use in his business of coordinating transfers. A number of transfers have been filed relying upon 21-10557 as an integral part of the transfer. The delays suffered by Mr. Kohtz thus far have been detrimental to him and his business, and any further delay will cause additional difficulty and prejudice.

Also, RLF is beginning to plan potential changes to its water rights and cannot make such changes with pending SRBA objections.

In sum, the discovery deadline has already passed, and Fuchs' motion to now amend that deadline and potentially affect the trial date will significantly prejudice both RLF and Kohtz. For these reasons, Fuchs' motion must be denied and the parties instructed to continue with the schedule established by the court.

Dated this 15th day of December, 2007.



Robert L. Harris, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

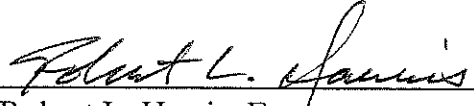
CERTIFICATE OF SERVICE

I hereby certify that I am a duly licensed attorney in the State of Idaho, resident of and with my office in Idaho Falls, Idaho; that I served a copy of the following described pleading or document on the attorneys listed below by mailing, with the correct postage thereon, a true and correct copy thereof on this 10th day of December, 2007.

DOCUMENT SERVED: OBJECTION TO MOTION TO AMEND TRIAL SCHEDULING ORDER

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