

The State of Idaho, by and through the undersigned deputy attorney general, hereby moves the Court for an order expediting the hearing on the State's *Motion to Set Settlement Conference* and *Motion to Reset Trial Schedule* upon the following grounds:

1. The parties held a settlement conference on April 17, 2009 in Twin Falls, Idaho at the SRBA Courthouse.
2. Considering the progress made on the issues discussed, the parties agreed at the conclusion of the settlement conference that an additional settlement conference would be productive. After counsel provided available dates, the date of June 19, 2009 seemed to be the preferable date for that meeting.
3. The parties also requested that the January 4, 2009 trial schedules in the above-captioned subcases be altered to accommodate the additional settlement conference.
4. The State's *Motion to Set Settlement Conference* and *Motion to Reset Trial Schedule* seek the relief sought by the parties set forth above.
5. On June 4, 2009, summary judgment motions are due on the "historic practices subordination issue and BOR's objection to reference to the *Eagle Decree*" in the Minidoka Power Rights subcases. *Trial Scheduling Order* (Feb. 4, 2009).
6. Where the issues subject to the June 4, 2009 summary judgment deadline will be discussed at the contemplated June 19, 2009 settlement conference, the interests of justice and judicial economy are best served by the Court's consideration of the State's *Motion to Set Settlement Conference* and *Motion to Reset Trial Schedule* before such deadline.

Oral argument is not requested on this matter

PRAYER FOR RELIEF

1. That the Court grant the State of Idaho's *Motion for Expedited Hearing*;

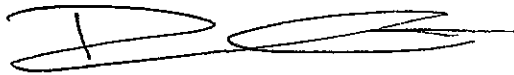
2. That the Court enter an order providing that the State's *Motion to Set Settlement Conference* and *Motion to Reset Trial Schedule* be heard before Special Master Dolan on May 29, 2009, at 1:30 p.m. at the Snake River Basin Adjudication Courthouse, 235 3rd Street Avenue North, Twin Falls, Idaho and that the parties may participate by telephone by dialing 1-225-383-1099 and when prompted entering participant code 65440.

3.. That the Court grant such other or further relief as it deems proper.

RESPECTFULLY SUBMITTED this 19th day of May 2009.

LAWRENCE G. WASDEN
Attorney General

CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division

A handwritten signature in black ink, appearing to read 'D. Stanish', written over a horizontal line.

DAVID I. STANISH
Deputy Attorney General

CERTIFICATE OF SERVICE

I certify that on this 19th day of May 2009, I caused to be served the original and copies of the **MOTION FOR EXPEDITED HEARING** on the following persons by the methods indicated:

1. Original to:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
PO BOX 2707
TWIN FALLS, ID 83303-2707

- ☐ U.S. Mail, postage prepaid
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2. Copies to:

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UNITED STATES OF AMERICA

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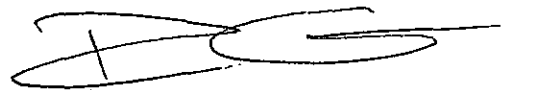
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DAVID I. STANISH