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 AUG 06 2009
 DEPARTMENT OF
 WATER RESOURCES

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 Idaho State Bar No. 6763

Attorney for Scythe & Spade/Old Corrals & Sagebrush, LLLP

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

Sub-Case Nos: See Attachment A

**MOTION AND STIPULATION TO
 VACATE AND CONTINUE INITIAL
 HEARING**

COMES NOW, Scythe & Spade AND Old Corrals & Sagebrush, LLLP, by and through counsel of record, Jay J. Kiiha of Capitol Law Group, PLLC, and Triple T Summit Ranch, by and through its counsel of record, Fritz X. Haemmerle, who jointly stipulate and move this honorable court for its order continuing the initial conference as to the above reference sub-cases.

This motion is brought for the reasons and on the grounds that the parties have agreed to meet in person in an attempt to reach a settlement, and that Mr. Haemmerle, will be out of town and unavailable to attend the initial hearing of August 12, 2009.

MOTION AND STIPULATION TO VACATE AND CONTINUE INITIAL HEARING 1

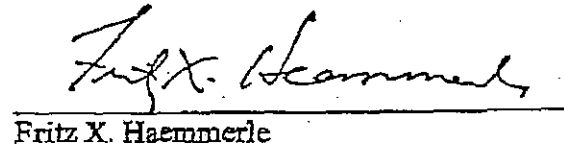
For these reasons, it is respectfully requested that the initial hearing be vacated and continued to a date convenient to the court and counsel.

DATED this 4th day of August, 2009.

CAPITOL LAW GROUP, PLLC


Jay J. Kiiha

HAEMMERLE & HAEMMERLE, PLLC


Fritz X. Haemmerle

CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of August, 2009, I caused to be served a true and correct copy of the above and foregoing document by the method indicated below, and addressed to the following:

Triple T Summit Ranch
Represented By:
Fritz Haemmerle
PO Box 1800
Hailey, ID 83333

☒ U. S. Mail, postage prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (FAX)

United States of America
Represented By:
US Department of Justice
Environment & National Resources
550 West Fort Street, MSC 033
Boise, ID 83724

☒ U. S. Mail, postage prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (FAX)

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

☒ U. S. Mail, postage prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (FAX)

Sulphur Creek Livestock
PO Box 151
May, ID 83253

☒ U. S. Mail, postage prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (FAX)

Kristina Loder

Attachment "A"

73-00002B
73-00007A
73-00007B
73-00008B
73-00042
73-00113
73-00140
73-00165
73-00168
73-00178
73-00179
73-00187A
73-00188A
73-02038
73-02091
73-02141
73-02142
73-02145
73-02164
73-07000
73-07022
73-07038
73-10047