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**DEPARTMENT OF
WATER RESOURCES**

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Counsel for the State of Idaho

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. 01-00217, 01-00218,
01-04024, and 01-04025
(Minidoka Power Rights)

Subcase Nos. 01-02068 and 01-04054
(Palisades Power Rights)

MOTION FOR EXPEDITED HEARING

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 for Protective Order and Motion to Lift Stay of Briefing Schedule* so that it may be heard on October 6, 2009 at 11:00 a.m.

The grounds for this motion are as follows:

1. Pursuant to the *2nd Amended Trial Schedule*, briefs in response to the State and the United States' pending motions for summary judgment were due on September 25, 2009.
2. On September 23, 2009, the Court issued an order staying the response brief deadline pending an October 6, 2009 status conference.
3. The State has reason to believe that certain parties will request at the October 6, 2009 status conference an additional extension of the response brief deadline in order to conduct additional discovery.
4. Where the State has reason to believe that the issues subject to the State's *Motion for Protective Order and Motion to Lift Stay of Briefing Schedule* will be discussed at the October 6, 2009 status conference, the interests of justice and judicial economy are best served by the Court's consideration of the State's motions at the time of the status conference.

Oral argument is 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 for Protective Order and Motion to Lift Stay of Briefing Schedule* be heard before Special Master Dolan on October 6, 2009 at 11:00 a.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; and
3. That the Court grant such other or further relief as it deems proper and just.

RESPECTFULLY SUBMITTED this 1st day of October 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', with a horizontal line extending to the right.

DAVID I. STANISH
Deputy Attorney General

CERTIFICATE OF SERVICE

I certify that on this 1st day of October 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

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TWIN FALLS CANAL COMPANY
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US DEPARTMENT OF JUSTICE

ENVIRONMENT & NATL' RESOURCES

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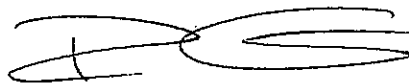
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DAVID I. STANISH

Deputy Attorney General