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**DEPARTMENT OF
WATER RESOURCES**

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Attorneys for American Falls Reservoir District #2

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 No. **01-00006**

**MOTION TO EXTEND SUMMARY
JUDGMENT SCHEDULE**

COMES NOW, Claimant, American Falls Reservoir District No. 2 (AFRD No. 2), and hereby moves this Court for an order extending the summary judgment schedule currently set in Subcase 01-00006. This motion is brought for the following reasons:

1. On May 13, 2010, this Court issued its scheduling order which set a schedule for summary judgment motions regarding the 01-06 Subcase. The order provided as follows:
 - a. Deadline to file motions for summary judgment: August 2, 2010.
 - b. Responses due: September 20, 2010.
 - c. Replies due: October 18, 2010.

- d. Hearing on Motions: November 15, 2010.
- 2. The parties to Subcase 01-06 are in the process of scheduling depositions to be used in the motions for summary judgment. However, these depositions cannot be scheduled and taken in time to be incorporated into any summary judgment motions.
- 3. The Claimant has contacted all parties to Subcase 01-06 and there are no objections to extending the summary judgment schedule.
- 4. The responding parties have agreed to extend the summary judgment schedule as follows:
 - a. Deadline to file motions for summary judgment: August 30, 2010.
 - b. Responses due: October 18, 2010.
 - c. Replies due: November 15, 2010.
 - d. Argument on summary judgment motions: December 13, 2010 at 9:00 o'clock, a.m.

For these reasons, the Claimant AFRD No. 2 moves this Court to vacate the current summary judgment schedule and to reset the schedule as set forth in No. 4, above.

DATED: This 15 day of July, 2010.

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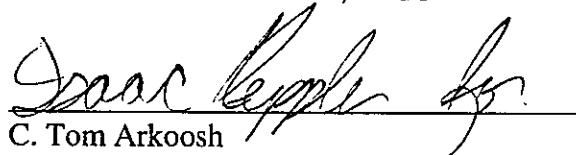
C. Tom Arkoosh
Attorney for American Falls Reservoir District #2

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 15 day of July, 2010, I served a true and correct copy of the foregoing document by depositing a true and correct copy thereof in the United States mail, postage prepaid, in an envelope addressed to the following individuals at the addresses below listed:

Clerk of the SRBA Court 253 Third Ave North P. O. Box 2707 Twin Falls, ID 83303-2707 Robert L. Harris Holden, Kidwell, Hahn & Crapo, PLLC P.O. Box 50130 Idaho Falls, Idaho 83405 Candace McHugh Randall C. Budge Racine, Olson, Nye, Budge & Bailey, Chd. 101 S. Capitol Blvd., Suite 208 Boise, Idaho 83702 Chief, Natural Resources Division Office of the Attorney General P.O. Box 44449 Boise, Idaho 83711-4449	Craig D. Hobdey P.O. Box 176 Gooding, Idaho 83330 Jerry R. Rigby P.O. Box 250 Rexburg, Idaho 83440 IDWR Document Depository P.O. Box 83720 Boise, Idaho 83720-0098 United States Department of Justice Environment & Nat'l Resources Division 550 West Fort Street, MSC 033 Boise, Idaho 83724 American Falls Reservoir District No. 2 PO Box "C" Shoshone, ID 83352
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