

RECEIVED

SEP 20 2010

DEPARTMENT OF
WATER RESOURCES

C. Thomas Arkoosh
CAPITOL LAW GROUP, PLLC
301 Main Street
Post Office Box 32
Gooding, Idaho 83330
Telephone: (208) 934-8872
Facsimile: (208) 934-8873
Idaho State Bar No. 2253

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 STAY SUMMARY
JUDGMENT SCHEDULE**

COMES NOW, Claimant, American Falls Reservoir District No. 2 (AFRD No. 2), and hereby moves the court for an order staying the pending summary judgment schedule in the above-captioned subcase. See *Scheduling Order* dated May 13, 2010. The grounds for this motion are as follows:

1. Issues remaining in SRBA subcase 01-00006 are of paramount importance to all parties.
2. AFRD No. 2 has not completed discovery which must be completed prior to any motions for summary judgment.
3. Staying the pending summary judgment schedule to facilitate discovery

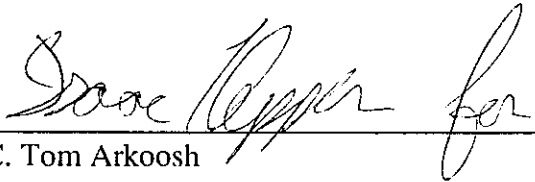
exchanges is in the interest of all parties.

4. No trial is set in this subcase and no parties will be prejudiced by delay.

Respectfully submitted.

DATED: This 17 day of September, 2010.

CAPITOL LAW GROUP, PLLC

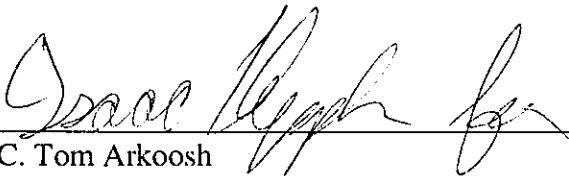

C. Tom Arkoosh

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on the 17 day of September, 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
---	---

CAPITOL LAW GROUP, PLLC


C. Tom Arkoosh