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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 pursuant to Idaho Rule of Civil Procedure 7(b)(3) for an order expediting the hearing on the State's *Motion to Strike* so that it may be heard on March 18, 2011 at 9:00 a.m.

The grounds for this motion are as follows:

1. On February 9, 2011 the Court issued its *Memorandum Decision and Order on*

Challenge, which was certified as a final judgment pursuant to Idaho Rule of Civil Procedure 54(b).

2. Pursuant to Idaho Appellate Rule 14(a), the parties have 42 days from the date of issuance of the *Memorandum Decision and Order on Challenge* to file a notice of appeal, thus, any notice of appeal is required to be filed no later than March 23, 2011.

3. On February 22, 2011, the SWC filed a motion for reconsideration of the *Memorandum Decision and Order on Challenge* pursuant to Idaho Rule of Civil Procedure 11(a)(2)(B).

4. Concurrently herewith, the State filed a motion to strike the SWC's motion for reconsideration, arguing that there is no basis under Idaho Rule of Civil Procedure 11(a)(2) for the SWC's motion.

5. In order to avoid any prejudice or delay to the parties who intend to file a timely notice of appeal, the State's motion to strike should be resolved immediately.

PRAYER FOR RELIEF

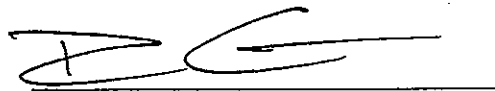
The State of Idaho requests the following relief:

1. That the Court enter an order granting this motion;
2. That the Court enter an order setting the State's *Motion to Strike* to be heard before the Court on March 18, 2011 at 9:00 a.m. at the Snake River Basin Adjudication Courthouse, 235 3rd Street Avenue North, Twin Falls, Idaho and that the parties be able to participate by telephone; and
3. That the Court grant such other and further relief as it deems proper and just.

RESPECTFULLY SUBMITTED this 3rd day of March 2011.

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 L Stanish', written over a horizontal line.

DAVID L. STANISH
Deputy Attorney General

CERTIFICATE OF SERVICE

I certify that on this 3rd day of March 2011, 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
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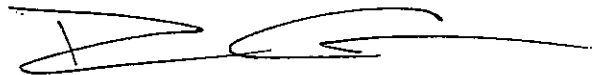
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