

36

RECEIVED

MAR 07 2012

DEPARTMENT OF
WATER RESOURCES

John K. Simpson, ISB #4242
Travis L. Thompson, ISB #6168
Paul L. Arrington, ISB #7198
BARKER ROSHOLT & SIMPSON LLP
113 Main Ave. West, Suite 303
P.O. Box 485
Twin Falls, Idaho 83303-485
Telephone: (208) 733-0700
Facsimile: (208) 735-2444

Attorneys for Twin Falls Canal Company

**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.: 1-4, 1-10 and 1-209**
)
) **TFCC'S UNOPPOSED MOTION TO**
) **STAY REPLY DEADLINE /**
) **VACATE HEARING**
)
)

COMES NOW, the Claimant, Twin Falls Canal Company ("TFCC"), by and through its undersigned attorneys of record, and hereby moves this Court to stay the reply deadline and vacate the previously scheduled hearing regarding TFCC's *Motion for Protective Order*. The bases for this motion are set forth below and a proposed order is attached for the Court's consideration. Counsel for the City of Pocatello ("City") has confirmed that the City does not oppose this motion.

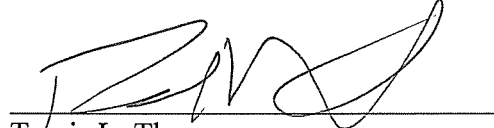
TFCC filed its motion on February 22, 2012. The City filed its response on March 2, 2012. Presently, TFCC's reply is due on March 7th and a hearing on the motion is scheduled before the Special Master on March 8, 2012 at 9:30 a.m. Counsel for the City and TFCC have recently initiated preliminary discussions that may resolve TFCC's motion and the City's

pending objections. Rather than pursue the motion to hearing and a decision by the Special Master, the parties are working to resolve the matter out of court and request additional time to continue their negotiations. The parties have begun discussions, but due to scheduling conflicts and other commitments, counsel cannot continue discussions until Friday March 16, 2012.

For the above reasons TFCC moves the Court to stay the reply deadline and vacate the hearing on TFCC's motion. If the parties cannot resolve the matter they will notify the Court and reset the reply deadline and hearing through an agreed upon schedule.

DATED this 6th day of March, 2012.

BARKER ROSHOLT & SIMPSON LLP

A handwritten signature in black ink, appearing to read 'T. Thompson', is written over a horizontal line.

Travis L. Thompson
Paul L. Arrington

Attorneys for Twin Falls Canal Company

CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of March, 2012, I served a true and correct copy of the foregoing **TFCC'S UNOPPOSED MOTION TO STAY REPLY DEADLINE / VACATE HEARING** on the person(s) listed below, by U.S. Mail, and electronic mail if available:

Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

U.S. Bureau of Reclamation
Regional Director, PN Region
1150 N. Curtis Rd., Ste. 100
Boise, ID 83706-1234

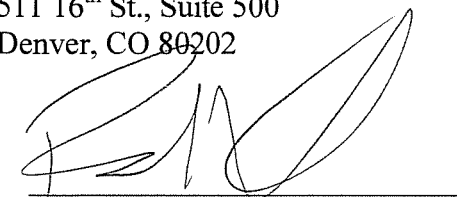
Randall C. Budge
Candice M. McHugh
T.J. Budge
Racine Olson
101 S. Capitol Blvd, Suite 300
Boise, ID 83702

U.S. Department of Justice
Division of Env. & Natural Resources
550 W. Fort Street, MSC 033
Boise, ID 83706-1234

Idaho Attorney General's Office
Natural Resources Division
P.O. Box 44449
Boise, ID 83711-4449

A. Dean Tranmer
P.O. Box 4169
Pocatello, Idaho 83201

Sarah Klahn
Mitra Pemberton
White & Jankowski
511 16th St., Suite 500
Denver, CO 80202



Paul L. Arrington

**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.: 1-4, 1-10, and 1-209**
)
) **ORDER GRANTING TFCC'S**
) **UNOPPOSED MOTION TO STAY**
) **REPLY DEADLINE / VACATE**
) **HEARING**
)

THIS MATTER comes before the Court on the Claimant Twin Falls Canal Company's ("TFCC") *Unopposed Motion to Stay Reply Deadline / Vacate Hearing*. The Court, having reviewed the pleadings, and being otherwise fully informed on this matter, issues the following order. NOW THEREFORE:

IT IS ORDERED, that the Court grants TFCC's unopposed motion to stay the reply deadline and vacate the hearing on TFCC's previously filed *Motion for Protective Order*. The hearing scheduled for March 8, 2012 at 9:30 a.m. shall be vacated. Counsel shall file a status report with the Special Master within 30 days of the date of this Order, indicating the progress (or successful conclusion) of settlement efforts.

DATED this _____ day of _____, 2012.

TERRENCE A. DOLAN
Special Master, Snake River Basin Adjudication

CERTIFICATE OF SERVICE

I hereby certify that on the _____ day of _____, 2012, I served a true and correct copy of the foregoing **ORDER GRANTING TFCC'S UNOPPOSED MOTION TO STAY REPLY DEADLINE / VACATE HEARING** on the person(s) listed below, by U.S. Mail, and electronic mail if available:

Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

U.S. Bureau of Reclamation
Regional Director, PN Region
1150 N. Curtis Rd., Ste. 100
Boise, ID 83706-1234

Randall C. Budge
Candice M. McHugh
T.J. Budge
Racine Olson
101 S. Capitol Blvd, Suite 300
Boise, ID 83702

U.S. Department of Justice
Division of Env. & Natural Resources
550 W. Fort Street, MSC 033
Boise, ID 83706-1234

Idaho Attorney General's Office
Natural Resources Division
P.O. Box 44449
Boise, ID 83711-4449

John K. Simpson
Travis L. Thompson
Paul L. Arrington
Barker Rosholt & Simpson LLP
P.O. Box 485
Twin Falls, ID 83303-0485

A. Dean Tranmer
P.O. Box 4169
Pocatello, Idaho 83201

Sarah Klahn
Mitra Pemberton
White & Jankowski
511 16th St., Suite 500
Denver, CO 80202

Deputy Clerk