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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	)	MOTION FOR EXTENSION OF TIME TO RESPOND TO THE
	)	UNITED STATES' FIRST SET OF INTERROGATORIES,
	)	REQUESTS FOR ADMISSIONS AND PRODUCTION OF
	)	DOCUMENTS TO FLOYD JOHNSON AND THE "FORT HALL
	)	WATER USERS' ASSOCIATION"
Case No. 39576	)	
	)	SUBCASE Nos. 01-10223, 01-10248, 25-02160
	)	25-13615, 27-02007, 27-11560, 27-11561.
	)	

COMES NOW the Fort Hall Water Users Association (FHWUA), through its President, Floyd Johnson, pursuant to Rule 6(b) of the Idaho Rules of Civil Procedure, and hereby moves for an extension of time from March 20, 1995, to April 28, 1995, within which to respond to the United States' First Set of Interrogatories, Requests for Admission, and Requests for Production of Documents to Floyd Johnson and the "Fort Hall Water Users' Association." In support hereof, Floyd Jonson and the FHWUA state:

1. Counsel for the FHWUA received seven sets of the United States' First Set of Interrogatories, Requests for Admission, and

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Requests for Production of Documents to Floyd Johnson and the "Fort Hall Water Users' Association" on Saturday, March 4, 1995, by Federal Express.

2. Pursuant to the Idaho Rules of Civil Procedure, responses are due on March 20, 1995.

3. Counsel for the FHWUA are presently preparing for oral argument before the United States Supreme Court in Nebraska v. Wyoming, No. 108 Original. Argument is set for the morning of March 21, 1995.

4. Nebraska v. Wyoming is an extremely complex interstate equitable apportionment action originally tried between 1933 and 1945, involving scores of witnesses, 1,288 exhibits, and 30,000 pages of testimony. The case was reopened by our client, the State of Nebraska, in 1986, and is before the Court now on exceptions to the Third Interim Report of the Special Master, the resolution of which will define the scope of numerous issues yet to be tried in the case.

5. Counsel for the FHWUA, along with the other shareholders in the firm of Simms & Stein, P.A., are currently working 10-16 hours per day preparing for the argument. Moot court before various counsel from around the country is scheduled to take place on March 8-9 in Salt Lake City and before the National Association of Attorneys General on March 17 in Washington, D.C. Each day between one week ago and March 21, 1995, including weekends, that is not set for moot courting, is set for counsel to be quizzed on over 400 potential questions that could be asked by the Court. In

addition, approximately 30 memoranda are in the process of being prepared in relation to the argument. The value of the case to the State of Nebraska is in excess of \$100,000,000.00 annually, in perpetuity.

6. Counsel for the FHWUA have no time to begin to respond to the United States' First Set of Interrogatories, Requests for Admission, and Requests for Production of Documents to Floyd Johnson and the "Fort Hall Water Users' Association" until March 25, 1995.

7. On February 27, 1995, the United States, the Shoshone-Bannock Tribes, and the State of Idaho jointly moved to dismiss the objections filed by the movant in Subcases Nos. 01-10223, 01-10248, 25-02160, 25-13615, 27-02007, 27-11560, and 27-11561. The motions allege that Floyd Johnson, who signed and filed the objections for the FHWUA on May 31, 1994, is not a "claimant" in the SRBA pursuant to I.C. § 42-1401A(1), that the FHWUA is neither a claimant nor an association qualified to act on behalf of its members pursuant to I.C. § 53-707(2), and that the objections filed by the FHWUA raise "issues that are not within the scope of the SRBA court."

8. Pursuant to the General Docket Sheet Procedure, the court has ordered that the motions to dismiss be heard on April 18, 1995.

9. If the United States, the Shoshone-Bannock Tribes, and the State of Idaho succeed in dismissing the movants' objections, the United States' First Set of Interrogatories, Requests for Admission, and Requests for Production of Documents to Floyd Johnson and the "Fort Hall Water Users' Association" will be moot.

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10. Judicial economy, including the time and expense imposed upon the movants in responding to the United States' First Set of Interrogatories, Requests for Admissions and Requests for Production of Documents to Floyd Jonson and the "Fort Hall Water Users Association" would not be served by requiring a response prior to the court's resolution of the pending motion to dismiss.

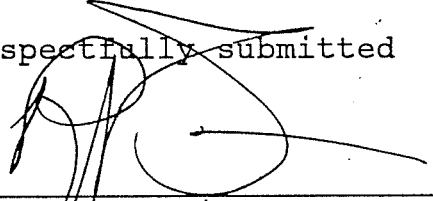
11. The United States does object to this motion.

12. Movant does not request a hearing.

WHEREFORE, the Fort Hall Water Users Association, through its President, Floyd Jonson, moves that the court extend the response time from March 20, 1995 to April 28, 1995.

DATED this 6th day of March, 1995.

Respectfully submitted



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CERTIFICATE OF SERVICE

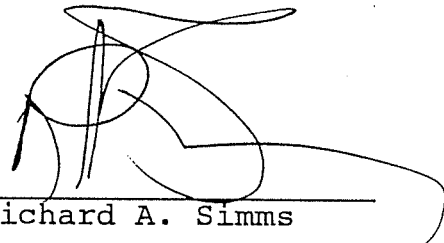
I certify that on this 6th day of March, 1995, I served a true and correct copy of the foregoing MOTION FOR EXTENSION OF TIME TO RESPOND TO THE UNITED STATES' FIRST SET OF INTERROGATORIES, REQUESTS FOR ADMISSION, AND REQUESTS FOR PRODUCTION OF DOCUMENTS TO FLOYD JOHNSON AND THE "FORT HALL WATER USERS' ASSOCIATION." by faxing or placing a copy thereof in the United States mail, first class postage prepaid to each person listed below.

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