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ISB # 2207

**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)	Subcase No. 92-00021
)	MOTION FOR ORDER OF
Case No. 39576)	INTERIM ADMINISTRATION AND
)	MOTION FOR ORDER EXPEDITING
)	HEARING
_____)	

DESCRIPTIVE SUMMARY

This document is the State's motion requesting the Snake River Basin Adjudication ("SRBA") District Court to authorize the Director of the Idaho Department of Water Resources ("Director") to implement interim administration of water rights in all or parts of Basins 35, 36, 41 and 43 in accordance with the most current Director's Reports for Basins 35, 36, 41 and 43, or in accordance with partial decrees that have superseded the Director's Reports. This document further requests the District Court to provide an expedited hearing for this motion with a hearing set for January 8, 2002.

MOTION FOR INTERIM ADMINISTRATION

The State of Idaho moves this Court for an order of interim administration of water rights¹ in all or parts of Basins 35, 36, 41 and 43 of the Snake River Basin pursuant to Idaho Code § 42-1417, in accordance with the most current Director's Reports for Basins 35, 36, 41 and 43 filed with the Court, or in accordance with partial decrees that have superseded the Director's Reports. The grounds for this motion are as follows:

1. Idaho Code § 42-1417 provides that the SRBA district court may, by order, permit the distribution of water pursuant to chapter 6, title 42, Idaho Code, through water districts in accordance with the Director's Reports and the partial decrees for water rights acquired under state law or established under federal law. Section 42-1417 provides that the district court may enter the order after notice and hearing, if the SRBA district court determines that interim administration of water rights is reasonably necessary to protect senior water rights.
2. Interim administration of water rights in Basins 35, 36, 41 and 43 is reasonably necessary because the available water supply is currently not adequate to satisfy some senior priority water rights and is projected, in the future, to be insufficient, at times, to satisfy these water rights.
3. In accordance with Idaho Code § 42-1417(2)(b), notice of this motion is being provided to all affected claimants in Basins 35, 36, 41 and 43 by mailed notice.

¹ The State of Idaho's motion for interim administration does not seek administration of domestic and stockwater rights as defined under Idaho Code §§ 42-111 and 42-1401A(11).

MOTION FOR ORDER TO EXPEDITE HEARING

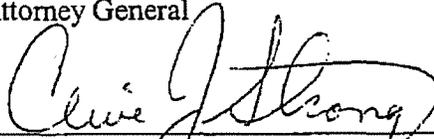
The State of Idaho further moves the court for an order to expedite the hearing for consideration of the MOTION FOR ORDER OF INTERIM ADMINISTRATION. The grounds for this motion are as follows:

1. SRBA ADMINISTRATIVE ORDER 1 ("AO1") governs notice of documents filed in the SRBA. Under AO1, this MOTION FOR ORDER OF INTERIM ADMINISTRATION will first appear on the docket sheet issued December, 2001, and, thus, this motion would come on for hearing in February 2002, if heard without an expedited hearing schedule.
2. AO1 also provides that the court may order an expedited hearing. This motion requests the court to shorten the time for the hearing date on the State's MOTION FOR ORDER OF INTERIM ADMINISTRATION to January 8, 2002.
3. As the BRIEF IN SUPPORT OF MOTION FOR ORDER OF INTERIM ADMINISTRATION demonstrates, the need for interim administration of the water rights is pressing and immediate. Expedited consideration of this motion, with a hearing set for January 8, 2002, will provide sufficient time for interested parties to respond.

THEREFORE, the State respectfully moves this Court for an order shortening time for consideration of this matter and for an order permitting interim administration of water rights in all or parts of Basins 35, 36, 41 and 43 in accordance with the most current Director's Reports for these Basins, or in accordance with partial decrees that have superseded the Director's Reports. The Affidavit of Timothy J. Luke and a brief in support of these motions are submitted herewith. Oral argument on this motion is requested.

DATED this 19th day of November 2001.

ALAN G. LANCE
Attorney General

A handwritten signature in cursive script, reading "Clive J. Strong", written over a horizontal line.

CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division