

2004 MAR -3 PM 4:35

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

)
) Subcases 51-02002, *et al.* (Riddle Ranches,
) Inc.) and Consolidated Subcase 51-12756
) (US / Shoshone-Paiute Tribes)
)
) ORDER PARTIALLY GRANTING
) JOINT MOTION FOR ADDITIONAL
) INTERIM 90-DAY SUSPENSION OF
) TRIAL SCHEDULE ORDER

On February 20, 2004, the parties filed a *Joint Motion for Additional Interim 90-Day Suspension of Trial Schedule Order* and *Sixteenth Joint Status Report* seeking to further amend the *Trial Schedule Order*, dated May 17, 2002.¹ The basis for this second *Joint Motion* is:

Some of the remaining settlement issues identified by the parties required additional technical analysis to be undertaken by the Tribes. That additional technical work has been completed and the Tribes have drafted proposals to address the issues identified. That draft will be provided to all parties by February 23, [2]004, or sooner. The parties then expect to meet within the next 2-3 weeks at which time the parties will attempt to resolve all remaining issues. . . . The parties believe that sufficient progress has been made to warrant an additional 90-day suspension to complete settlement.

The first consideration for all the parties to keep in mind is that, absent extraordinary circumstances, the pre-trial hearing and trial dates will not change. That being the case, many of the other pre-trial settings cannot be accommodated because of the compression of time. Some

¹ On November 20, 2003, the Special Master entered an *Order Partially Granting Joint Motion for Interim 90-Day Suspension of Trial Schedule Order*. That *Order* was entered in response to the parties' first request for an interim 90-day suspension of the trial schedule. In that *Order*, all the pre-trial settings, other than the pre-trial hearing and trial, were adjusted.

of the settings must be eliminated entirely. Further, there is no need for the parties to continue lodging joint status reports.

THEREFORE, IT IS ORDERED that:

1. The parties shall **not** be required to lodge joint status reports after this date; and
2. The *Joint Motion* is **granted, in part**. The following schedule shall govern the conduct of proceedings through trial:

October 29, 2004	Discovery deadline; all discovery shall be <u>complete</u> .
Friday	

November 19, 2004	Deadline to file dispositive motions.
Friday	

January 6, 2005	Pre-trial hearing, by telephone.
Thursday	
10:00 a.m.	

January 13, 2005	Trial:
Thursday	SRBA Courthouse
10:00 a.m.	253 3 rd Avenue North
	Twin Falls, Idaho.

DATED March 3, 2004.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER PARTIALLY GRANTING JOINT MOTION FOR ADDITIONAL INTERIM 90-DAY SUSPENSION OF TRIAL SCHEDULE ORDER was mailed on March 03, 2004, with sufficient first-class postage to the following:

RIDDLE RANCHES INC

Represented by:
CHARLES L. HONSINGER
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

NANCY JACKSON

PETER JACKSON
RIDDLE RANCHES INC
Represented by:
DANIEL V. STEENSON
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

SHOSHONE-PAIUTE TRIBES
SHOSHONE-PAIUTE TRIBES OF DUCK
SHOSHONE-PAIUTE TRIBES OF THE

Represented by:
JEANETTE WOLFLEY
SHOSHONE-BANNOCK TRIBES
PO BOX 306
FORT HALL, ID 83203
Phone: 208-238-3923

SHOSHONE-PAIUTE TRIBES OF THE

Represented by:
JEANNE S WHITEING
WHITEING & SMITH
1136 PEARL STREET, SUITE 203
BOULDER, CO 80302
Phone: 303-444-2549

IDAHO POWER COMPANY

Represented by:
JOHN K. SIMPSON
205 N 10TH ST, STE 520
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

BEHALF OF SHOSHONE-PAIUTE

Represented by:
LAWRENCE S ROBERTS
UNITED STATES DEPT OF JUSTICE
ENVIRO & NATURAL RESOURCE DIV
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

STATE OF IDAHO

Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

RIDDLE RANCHES INC.

Represented by:
RINGERT CLARK CHARTERED
PO BOX 2773
BOISE, ID 83701
Phone: 208-342-4591

JR SIMPLOT COMPANY
JR SIMPLOT SELF-DECLARATION OF
M L INVESTMENT COMPANY
SIMPLOT LIVESTOCK COMPANY
TM RANCH COMPANY

Represented by:
TERRY T. UHLING
JR SIMPLOT COMPANY
PO BOX 27
BOISE, ID 83707
Phone: 208-336-2110

USA FOR SHOSHONE-PAIUTE TRIBE
USA FOR SHOSHONE-PAIUTE TRIBES

Represented by:
UNITED STATES DEPT OF JUSTICE
ENVIRONMENT & NATURAL RESOURCE
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

(Certificate of mailing continued)

UNITED STATES OF AMERICA
UNITED STATES OF AMERICA FOR
UNITES STATES OF AMERICA
USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

UNITED STATES OF AMERICA
FOR SHOSHONE-PAIUTE TRIBE
911 N.E. 11TH AVE.
PORTLAND, OR 97232
Phone: 303-312-7350

RIDDLE RANCHES INC
HC 86 BOX 37
BRUNEAU, ID 83604-9402

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098