

DEPARTMENT OF  
WATER RESOURCES

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. 31-11845                 |
|                | ) |                                      |
|                | ) |                                      |
|                | ) | THIRD AMENDED TRIAL SCHEDULING ORDER |
| Case No. 39576 | ) |                                      |
|                | ) |                                      |
|                | ) |                                      |
|                | ) |                                      |

On July 10, 2006, the State of Idaho filed a *Motion to Vacate Trial Date, to Enter an Amended Trial Schedule Order and to Request an Expedited Hearing*, hereinafter referred to as the “*Idaho’s Motion*.” The purpose of *Idaho’s Motion* is to extend the present trial date for a period of one-hundred and thirty (130) days. The topographic survey prepared by the Idaho Department of Water Resources raised substantial questions about the physical ability to deliver water to the claimed place of use. This extension of time will allow some further investigation of the place of use, including but not limited to some examination of soils and analysis of the topography of the place of use. To provide a full disclosure of this information, a reopening of the discovery period is also necessary.

The State of Idaho has demonstrated good cause for amendment of the TRIAL SCHEDULE ORDER for the requested period.

IT IS HEREBY ORDERED That the following dates shall govern the schedule of the trial proceedings:

September 29, 2006      5:00 p.m.      Discovery Deadline

|                      |            |                                                                                                                           |
|----------------------|------------|---------------------------------------------------------------------------------------------------------------------------|
| November 1, 2006     | 10:00 a.m. | Pretrial Conference<br>Location: Snake River Basin Adjudication<br>253 3 <sup>rd</sup> Ave, North<br>Twin Falls, ID 83301 |
| November 1, 2006     | 10:00 a.m. | Deadline to file and exchange<br>Witness/Exhibit Lists.<br>Trial Brief Deadline                                           |
| November 15-16, 2006 | 9:00 a.m.  | Trial (2 days)<br>Location: Snake River Basin Adjudication<br>253 3 <sup>rd</sup> Ave, North<br>Twin Falls, ID 83301      |

Parties may participate by phone for the Status Conference and the Pretrial Conference by dialing 1-225-383-1099 and when prompted enter participant code 926509.

DATED: July \_\_, 2006.

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BRIGETTE BILYEU  
Special Master  
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the THIRD AMENDED TRIAL SCHEDULING ORDER was mailed on July \_\_, 2006 with sufficient first-class postage to the following:

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Deputy Clerk