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**SENT BY:** David Jarvis, Paralegal

|            |                               |                |              |
|------------|-------------------------------|----------------|--------------|
| <b>TO:</b> | Diana Delaney                 | <b>FAX No.</b> | 208-736-2121 |
|            | Heidi Gudgell                 |                | 208-843-7377 |
|            | David Cummings                |                |              |
|            | Ryan Sudbury                  |                |              |
|            | Earl McGeoghagan              |                | 208-746-4610 |
|            | U.S. Dept. of Justice - Boise |                | 208-387-0842 |
|            | IDWR Document Depository      |                | 208-287-6701 |
|            | Candice McHugh                |                |              |

**NUMBER OF PAGES SENT (INCLUDING COVER PAGE):** 4

**SPECIAL INSTRUCTIONS:** Attached for filing is Third Joint Motion for Extension of Time to File Proposed Trial Schedules in Subcase Nos. 85-00016, 85-02049, 85-02063, 85-02065, 85-02146, 85-02147, 85-04483, 85-11087, and 85-15424. Eight additional copies will be sent by FedEx mail to satisfy the copy requirements.



to a long planned vacation by counsel for the United States, the United States will not have its reply to the tribe until some time after August 1<sup>st</sup>. The parties recognize that we have obtained two prior extensions, but we continue to believe that it would be most efficient to allow the Tribe to consider the United States' reply prior to the parties proposing a trial schedule to the Court. We believe that the parties should be able to determine whether this matter will settle or not within 45 days.

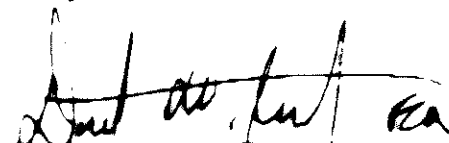
Accordingly, the United States, the Nez Perce Tribe, and the Lewiston Orchards Irrigation District hereby jointly petition the SRBA Court for an Order extending the deadline for all parties to submit proposed trial schedules from August 1, 2006 to September 15, 2006.

Respectfully submitted this 21th day of July, 2006.

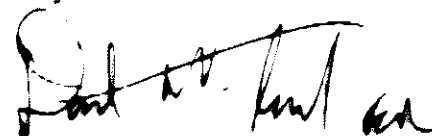
Attorney for the United States

  
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David W. Gehlert

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David J. Cummings  
Ryan W. Sadbury

Attorney for Lewiston Orchards Irr Dist

  
\_\_\_\_\_  
Earl L. McGooghagan

**CERTIFICATE OF MAILING**

I certify that on July 21, 2006, a true and correct copy of the **SECOND JOINT MOTION FOR EXTENSION OF TIME TO FILE PROPOSED TRIAL SCHEDULES** was served via facsimile transmission to the following:

SRBA DISTRICT COURT  
208-736-2121

K. Heidi Gudgeon  
David J. Cummings  
Ryan W. Sudbury  
Nez Perce Tribal Executive Committee  
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United States Department of Justice  
Environment and Natural Resource Division  
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IDWR Document Depository  
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David W. Gehlert