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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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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) Subcase 63-05284
)
Case No. 39576) TRIAL SCHEDULING ORDER
)
_____)

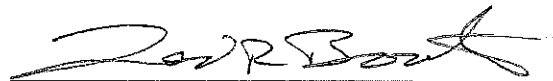
A Scheduling Conference was held on February 13, 2007. The following deadlines shall govern the conduct of this subcase through trial:

- April 6, 2007 5:00 PM Motion for IDWR to Prepare a 706 Report.** Any party seeking to have IDWR prepare a report pursuant to Idaho Rule of Evidence 706 shall file a motion therefor no later than this deadline.
- July 30, 2007 5:00 PM Disclosure of Expert Witnesses.** Disclosure of all expert witnesses shall be completed by this deadline. All non-disclosed expert witnesses, except expert impeachment witnesses, shall be excluded from testifying in the trial unless permitted by the Special Master in the interests of justice. I.R.C.P. 16(e)(6)(J).
- September 14, 2007 5:00 PM Disclosure of Lay Witnesses.** Disclosure of all lay witnesses, except lay impeachment witnesses, shall be completed by this deadline. All non-disclosed lay witnesses, except lay impeachment witnesses, shall be excluded from testifying in the trial unless permitted by the Special Master in the interests of justice. I.R.C.P. 16(e)(6)(J).
- September 21, 2007 5:00 PM Motions to Amend Pleadings.** All motions to amend pleadings pursuant to I.R.C.P. 15 shall be filed, noticed for hearing, and actually heard by this deadline.
- September 28, 2007 5:00 PM Hearing on Motion for Summary Judgment.** Motions for summary judgment shall be filed, notice for hearing, and actually heard by this deadline. The filing and service of the motion, affidavits, and

briefing shall be conducted in compliance with I.R.C.P. 56(c).

- October 19, 2007 5:00 PM Discovery Served and Responses Completed.** Deadline for completion of all discovery, meaning that all discovery is served and response is complete, including the taking of depositions of lay and expert witnesses, all interrogatories, request for production / inspections and admissions. Motions to compel should be filed accordingly so as to accommodate this deadline.
- October 26, 2007 5:00 PM Pre-Trial Memorandum.** Either party may, but is not required, to file a pre-trial memorandum, which may include the matters set forth in I.R.C.P. 16(e).
- October 30, 2007 9:00 AM Final Pre-Trial Conference.** Pursuant to I.R.C.P. 16, a final pre-trial conference will be held at the Snake River Basin Adjudication Courthouse, 253 3rd Avenue North, Twin Falls, Idaho. Parties may participate by telephone by dialing 225-383-1099 and when prompted entering the code 675342.
- November 13, 2007 9:00 AM Trial.** The trial in this subcase will begin on November 13, 2007 at 9:00 AM and continue on November 14, 2007 if necessary. The trial be held at the Idaho Supreme Court Building, 451 West State Street, Boise, Idaho, in the lower-level conference room.

Dated February 14, 2007



THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the TRIAL SCHEDULING ORDER was mailed on February 15, 2007, with sufficient first-class postage to the following:

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