



Nez Perce

RECEIVED

MAR 05 2007

DEPARTMENT OF
WATER RESOURCES

TRIBAL EXECUTIVE COMMITTEE
Office of Legal Counsel

P.O. BOX 305 • LAPWAI, IDAHO 83540-0305 • (208) 843-7355
FAX (208) 843-7377

March 2, 2007

*Sent via facsimile * Original will follow via US Mail*

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707
Facsimile: (208) 736-2121

Dear Sir or Madam:

**RE: SRBA Case No.: 39576; Subcase No's.: 85-00016, 85-02049, 85-02063,
85-02065, 85-02146, 85-02147, 85-04483, 85-11087, 85-15424**

Enclosed please find for filing one original and one copy of the **Joint Proposed Trial Schedule** in the above referenced case. Please conform the copy and return to me in the self addressed stamped envelope that I have provided for your convenience.

Thank you for your time and attention to this matter. Please feel free to contact our office should you have any further questions or concerns.

Respectively,

Ronda K. Nichols
Legal Assistant to
K. Heidi Gudgell, Senior Staff Attorney
Nez Perce Tribal Executive Committee
Office of Legal Counsel

RKN:tbm

Enclosure: As stated above

pc: File

Via facsimile & US Mail to the following:

CACI, Inc. w/enc.

Earl L. McGeoghegan w/enc.

United States Department of Justice Environment & Nat. Resources w/enc.

✓ IDWR Document Depository w/enc.

David W. Gehlert, Department of Justice Nat. Resources Section w/enc.

Names of Party Filing Document:

NEZ PERCE TRIBE

Attorneys' Names and Addresses:

K. Heidi Gudgell, ISB No. 4048
David J. Cummings, ISB No. 5400
Ryan W. Sudbury, ISB No. 7278
Nez Perce Tribal Executive Committee
Office of Legal Counsel
P.O. Box 305
Lapwai, Idaho 83540
Telephone: (208) 843-7355
Facsimile: (208) 843-7377

**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

Subcase Nos.: 85-00016, 85-02049,
85-02063, 85-02065, 85-02146,
85-02147, 85-04483, 85-11087 and
85-15424

JOINT PROPOSED TRIAL SCHEDULE

COME NOW the United States of America ("United States"), the Lewiston Orchards Irrigation District ("LOID"), and the Nez Perce Tribe ("Tribe"), by and through their respective attorneys of record, and in accordance with this Court's *Fifth Order Granting Joint Motion for Extension of Time to File Proposed Trial Schedules and Order Rescheduling Scheduling Conference* entered November 22, 2006, jointly submit the following proposed trial schedule in the above matters:

April 13, 2007

Deadline for the United States and LOID to submit a proposed stipulation to the Tribe regarding the elements of the water right claims for LOID

Joint Proposed Trial Schedule – page 1 of 3 pages

COPY

June 1, 2007	Deadline for the Tribe to respond to the proposed stipulation from the United States and LOID regarding the elements of the water right claims for LOID
June 15, 2007	File stipulation regarding the elements of the water right claims for LOID
July 13, 2007	Deadline for: mutual exchange of documents; identification of fact witnesses; identification of expert witnesses expected to testify and statements of the opinions they will express in accordance with Rule 26(b)(4)(A) of the Idaho Rules of Civil Procedure
August 3, 2007	Deadline for service of written discovery requests
September 4, 2007	Deadline for responses to written discovery requests
October 12, 2007	Deadline for completing all discovery including supplemental written discovery requests, fact witness depositions, and expert witness depositions
October 30, 2007	Pre-trial hearing at 10:00 a.m. (Mountain), 9:00 a.m. (Pacific)

The parties believe that they will be able to initially narrow the scope of disputed factual issues by way of a stipulation to be filed with the Court by June 15, 2007. The parties further believe that the above schedule will accommodate all necessary discovery and that, by the date of the pre-trial hearing, they will have narrowed the remaining factual and legal issues sufficiently to advise the Court of the expected length of trial.

RESPECTFULLY SUBMITTED this 2nd day of March, 2007.

for K. Heidi Gudgell
 David W. Gehlert
 Attorney for the United States

for K. Heidi Gudgell
 Earl L. McGeoghegan
 Attorney for LOID

K. Heidi Gudgell
 K. Heidi Gudgell, Senior Staff Attorney
 David J. Cummings, Senior Staff Attorney
 Ryan W. Sudbury, Staff Attorney
 Attorneys for the Nez Perce Tribe

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 2nd day of March, 2007, I caused a true and correct copy of the foregoing **JOINT PROPOSED TRIAL SCHEDULE** to be served via facsimile and United States Mail, postage pre-paid and addressed to the following:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls ID 83303-2707
Facsimile: (208) 736-2121

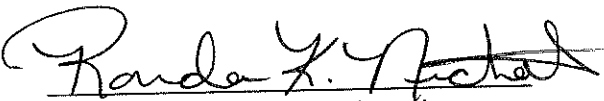
United States Department of Justice
Environment & Natural Resources Div.
550 W. Fort Street, MSC 033
Boise ID 83724
Facsimile: (208) 387-0842

CACI, Inc.
161 E. Mallard Drive, Suite 110
Boise ID 83706
Facsimile: (208) 387-0842

IDWR Document Depository
P.O. Box 83720
Boise ID 83720-0098
Facsimile: (208) 287-6701

Earl L. McGeoghegan
1301 G Street
Lewiston ID 83501
Facsimile: (208) 746-4610

David W. Gehlert
Dept. of Justice, Nat. Resources Section
Environment & Nat. Resources Division
1961 Stout Street, 8th Floor
Denver CO 80294
Facsimile: (303) 844-1350


Ronda K. Nichols, Legal Assistant