

DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED _____
2007 AUG 3 PM 2 52

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 No: 63-3618 (Lucky Peak
) Reservoir)
)
) ORDER SETTING TRIAL DATE, FINAL
) PRE-TRIAL CONFERENCE,
) DISCOVERY DEADLINES,
) SETTLEMENT CONFERENCE AND
) SCHEDULING PRE-TRIAL MOTIONS
) I.R.C.P. 16

This matter came before the Court pursuant to a status conference held July 17, 2007.
The following dates shall govern the proceedings through the trial.

1. **SETTLEMENT CONFERENCE (I.R.C.P. 16k):** The parties are ordered to participate in at least one settlement conference within 90 days of the entry of this ***Scheduling Order*** and file a joint settlement report regarding the status of the negotiations. The Court acknowledges the high degree of negotiating experience in the SRBA held by the parties and will therefore defer to the parties on whether to appoint a settlement moderator. If the parties believe a settlement moderator would be beneficial the Court will make available a special master or assist with the appointment a moderator the parties can mutually agree upon.
2. **MOTIONS FOR SUMMARY JUDGMENT (I.R.C.P. 56):** The following deadlines shall govern summary judgment proceedings.

Motion/Brief in Support/Affidavits
Answer Brief/Affidavits
Reply Brief
Hearing

September 10, 2007
September 24, 2007
October 8, 2007
October 16, 2007

Time and Location: 3:00 p.m. (Mountain Time) at the Snake River Basin Adjudication District Court, 253 3rd Avenue North, Twin Falls, Idaho. Telephone participation will be available by calling 1-918-583-3445 and entering 406128 when prompted.

3. **WITNESS DISCLOSURES (I.R.C.P. 16(e)(6)(J)):**

Lay Witnesses: December 14, 2007

Expert Witnesses:

Claimant: January 10, 2008

Objectors: January 25, 2008

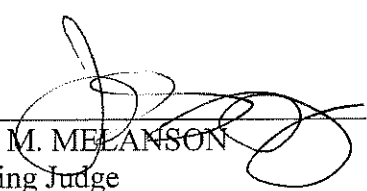
Rebuttal: February 11, 2008

4. **PRETRIAL MOTIONS (OTHER THAN SUMMARY JUDGMENT):** All pre-trial motions should be noticed and heard prior to the final pre-trial conference.

5. **FINAL PRE-TRIAL CONFERENCE (I.R.C.P. 16(d), (e)):** March 18, 2008
Time and Location: 3:00 p.m. (Mountain Time) at the Snake River Basin Adjudication District Court, 253 3rd Avenue North, Twin Falls, Idaho. Telephone participation will be available by calling 1-918-583-3445 and entering 406128 when prompted.

6. **TRIAL DATE:** April 16-18, 2008
Time and Location: 9:00 a.m. (Mountain Time) at the Snake River Basin Adjudication District Court, 253 3rd Avenue North, Twin Falls, Idaho.

Dated: August 3, 2007



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I hereby certify that true and correct copies of the **ORDER SETTING TRIAL DATE, FINAL PRE-TRIAL CONFERENCE, DISCOVERY DEADLINES, SETTLEMENT CONFERENCE AND SCHEDULING PRE-TRIAL MOTIONS** were mailed on August 3, 2007, by first-class mail to the following:

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

Jerry A. Kiser
620 West Hayes
Boise, ID 83702

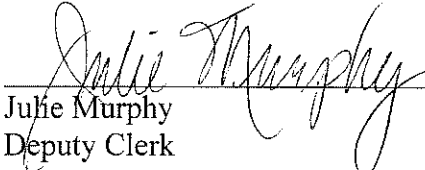
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Julie Murphy
Deputy Clerk