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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
FEB 28 2008	
By _____	Clerk
Deputy Clerk	

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 63-05073
	)
Case No. 39576	) ORDER REQUESTING 706 REPORT
	) FROM IDWR
	)
	) AMENDED TRIAL SCHEDULING
	) ORDER

On February 19, 2008, this Special Master spoke with Deputy Attorney General Nick Spencer via telephone regarding the deadline for the filing of a 706 report by IDWR. Pursuant to a request to extend the deadline for filing the 706 report, the following *Amended Trial Scheduling Order* shall govern the proceedings in this subcase through trial.

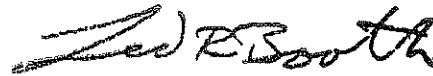
March 31, 2008	5:00 PM	Filing of a 706 Report. Pursuant to Idaho Rule of Evidence 706, and Idaho Code § 42-1401B, it is ordered that IDWR shall prepare and serve upon the parties to the subcase and the SRBA Court a report detailing the basis for its recommendation. The report may address any or all of the elements of the water right claim as IDWR deems appropriate, but particular emphasis should be placed upon the disputed elements of quantity and place of use. In accordance with I.R.E. 706, a deposition of IDWR may be taken by any party; and IDWR may be called to testify by any party or by the Court pursuant to I.R.E. 614(a); and IDWR shall be subject to cross-examination by each party.
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April 30, 2008	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
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should be filed accordingly so as to accommodate this deadline.

- May 30, 2008** **5:00 PM** **Hearing on Motion for Summary Judgment.** Motions for summary judgment shall be filed, noticed 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). In connection with the filing of a motion for summary judgment, please contact the clerk of the court for a hearing time and location.
- July 8, 2008** **10:00 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.
- July 25, 2008** **9:00 AM** **Trial.** The trial be held at the Idaho Supreme Court Building, 451 West State Street, Boise, Idaho, in the lower-level conference room.

Dated Feb. 28 2008



THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER REQUESTING 706 REPORT FROM IDWR; AMENDED TRIAL SCHEDULING ORDER was mailed on February 28, 2008, with sufficient first-class postage to the following:

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