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Department of Water Resources
Adjudication Bureau

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
DEC 18 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 No. 29-00271, *et al.*

) (See Attached Exhibit A)

Case No. 39576

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CHALLENGE SCHEDULING ORDER

On May 28, 2008, Special Master Bilyeu filed an *Order Denying Motion to Alter or Amend* in the above-captioned subcases. Pursuant to *Administrative Order 1* ("AOI"), section 13(c), any party seeking to challenge the *Order* must have filed a *Notice of Challenge* within 14 days following the date the *Order* was filed, or on or before June 11, 2008.

On June 11, 2008, Claimant City of Pocatello ("the City") timely filed a *Notice of Challenge* to the *Order*. Also on June 11, 2008, the City filed a *Motion to Stay Proceedings*, due to the City's pending Petition for Certiorari before the United States Supreme Court on the federal basis for these same claims. After a hearing, this Court granted the City's *Motion to Stay Proceedings*.

Subsequently, the City's Petition for Certiorari has been denied and the time period for filing notices of challenges has now expired. Pursuant to *AOI*, section 13, this *Challenge Scheduling Order* will govern this challenge. Further, the time computation provisions of I.R.C.P. 6(a) shall apply and should be referred to by the parties in the event that any dates herein fall on a Saturday, Sunday, or legal holiday. It is hereby ORDERED that the following schedule will apply:

LODGING OF TRANSCRIPTS

Transcripts are to be lodged by **April 1, 2009**.

BRIEFING SCHEDULE

Challenger's Opening Brief is due by: **April 22, 2009**.

Respondent's Responsive Brief is due by: **May 6, 2009**.

Challenger's Rebuttal Brief is due by: **May 20, 2009**.

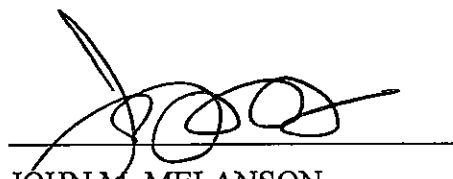
Parties shall take notice that this briefing schedule modifies the schedule set forth in **AOI**, section 13(e).

ORAL ARGUMENT

Pursuant to **AOI**, section 13(e)(4), only those parties who filed briefs will be allowed oral argument. Oral argument will be heard on **Thursday, June 18, 2009 at 2:00 p.m.** at the Snake River Basin Adjudication Courthouse, **253 3rd Avenue North, Twin Falls, Idaho**. Telephone participation will be available by calling **1-918-583-3445** and entering **406128** when prompted.

IT IS SO ORDERED.

Dated Dec. 18, 2008



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

29-00271
29-00272
29-00273
29-02274
29-02338
29-02401
29-02499
29-04221
29-04222
29-04223
29-04224
29-04225
29-04226
29-07106
29-07118
29-07119
29-07322
29-07375
29-07450
29-07770
29-11339
29-11348
29-13558
29-13559
29-13560
29-13561
29-13562
29-13637
29-13638
29-13639

CERTIFICATE OF MAILING

I certify that a true and correct copy of the CHALLENGE SCHEDULING ORDER was mailed on December 18, 2008, with sufficient first-class postage to the following:

CITY OF POCATELLO

Represented by:
A. DEAN TRANMER
CITY OF POCATELLO
PO BOX 4169
POCATELLO, ID 83201
Phone: 208-234-6148

AMERICAN FALLS RESERVOIR

Represented by:
C THOMAS ARKOOSH
301 MAIN ST
PO BOX 32
GOODING, ID 83330
Phone: 208-934-8872

AMERICAN FALLS RESERVOIR

Represented by:
DAVID HEIDA
301 MAIN ST
PO BOX 32
GOODING, ID 83330
Phone: 208-934-8872

CITY OF POCATELLO

Represented by:
JOSEPHINE P BEEMAN
409 W JEFFERSON ST
BOISE, ID 83702
Phone: 208-331-0950

STATE OF IDAHO

Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

A & B IRRIGATION DISTRICT
BURLEY IRRIGATION DISTRICT

Represented by:
ROGER D LING
615 H ST
PO BOX 396
RUPERT, ID 83350-0396
Phone: 208-436-4717

CITY OF POCATELLO

Represented by:
SARAH A KLAHN
WHITE & JANKOWSKI LLP
KITTTREDGE BUILDING
511 16TH ST STE 500
DENVER, CO 80202
Phone: 303-595-9441

MILNER IRRIGATION DISTRICT
NORTH SIDE CANAL COMPANY
TWIN FALLS CANAL COMPANY

Represented by:
TRAVIS L THOMPSON
113 MAIN AVE W, STE 303
PO BOX 485
TWIN FALLS, ID 83303-0485
Phone: 208-733-0700

UNITED STATE OF AMERICA
UNITED STATES OF AMERICA

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

MINIDOKA IRRIGATION DISTRICT

Represented by:
W KENT FLETCHER
1200 OVERLAND AVE
PO BOX 248
BURLEY, ID 83318
Phone: 208-678-3250

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098

UNITED STATES OF AMERICA
US DEPT OF JUSTICE, ENRD
550 W FORT ST MSC 033
BOISE, ID 83724

