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Pioneer Irrigation District

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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

Case No. 39576

Subcase Nos. 63-00166A 63-00166B
63-00167A 63-00167B
63-00179A 63-00179C
63-32580

**MOTION FOR CLARIFICATION
REGARDING DISCOVERY DEADLINE**

Pioneer Irrigation District, through undersigned counsel of record, hereby files
this motion pursuant to SRBA Rules of Procedure 1 and 9 and Idaho Rule of Civil Procedure 7.

On Monday, November 1, 2010, a status conference was held in the above-
referenced subcases. During that status conference, the Court vacated the trial previously
scheduled for December 14, 2010, with alternative trial dates to be set at a later date, though

**MOTION FOR CLARIFICATION
REGARDING DISCOVERY DEADLINE - 1**

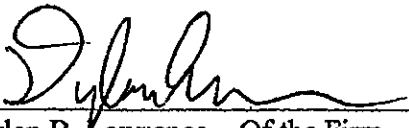
April 21 and 22, 2011, were identified as possible trial dates. The Trial Scheduling Order of May 27, 2010 establishes a "hard coded" discovery cut-off date of November 19, 2010, rather than establishing the discovery cut-off based upon a specified number of days before the commencement of trial. Keeping November 19, 2010 as the discovery cut-off date would result in a gap between discovery cut-off and trial of approximately five months or more, depending upon the trial dates ultimately identified. In Pioneer's experience, the gap between discovery cut-off and trial is typically 30 to 60 days.

With this motion, Pioneer respectfully requests clarification from the Court as to whether it intends to keep November 19, 2010 as the discovery cut-off date, or whether the discovery period will be extended to correspond more closely with the trial dates that are ultimately selected.

Pioneer does not necessarily believe that a hearing on this motion is necessary. However, if the Court believes a hearing would be helpful, based upon responses received from the other parties or for any other reason, Pioneer will issue a notice of hearing upon receiving instruction from the Court to that effect.

DATED this 3rd day of November, 2010.

MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED

By 
Dylan B. Lawrence – Of the Firm
Attorneys for Pioneer Irrigation District

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of November, 2010, I caused a true and correct copy of the foregoing **MOTION FOR CLARIFICATION REGARDING DISCOVERY DEADLINE** to be served by the method indicated below, and addressed to the following:

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