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Department of Water Resources

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DISTRICT COURT-SRBA
TWINFALLS CO., IDAHO
FILED _____

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.: 34-10167

)
) ORDER SETTING STANDARD
) FORM 5 EVIDENTIARY HEARING
)

This matter came before the Special Master at a scheduling conference on August 1, 1995.

The following dates shall govern the conduct of the subcase through the Standard Form 5 Evidentiary Hearing. No further order shall issue.

1. 11/17/95 5:00 pm Discovery Cutoff Date. All discovery shall be completed by this date.
2. 12/01/95 5:00 pm Exhibit & Witnesses Cutoff Date. A list of exhibits and a complete list of witnesses shall be exchanged by the parties and copies sent to the court.
3. 12/01/95 5:00 pm Idaho Department of Water Resources. The director shall designate one or more witnesses who may testify about the facts upon which IDWR relied for the director's report for this water right. The director shall also provide a list of exhibits. Copies of both the exhibit and witness lists shall be sent to the parties to the subcase and to the court.
4. 12/01/95 5:00 pm Deadline for filing prehearing motions.
5. 12/01/95 5:00 pm Deadline for filing trial briefs.

6. 12/08/95 10:00 am Standard Form 5 Evidentiary Hearing.
Location: SRBA District Court
 253 Third Avenue North
 Twin Falls, ID

7. At the scheduling conference, the parties designated the following as trial counsel:

Party:
Herb Whitworth
USDI BLM

Trial Counsel:
Pro Se
Bill Ferry

Motions shall proceed in accordance with the Idaho Rules of Civil Procedure. All dates are final and may only be reset on motion, hearing and order of the court. The hearing on a Motion to Reset will be held with all parties present including those represented by an attorney. The moving party may be held responsible for the costs of the resulting delay.

Because a party may find it necessary to call the director/IDWR as a witness, the persons identified in #3 shall be required to attend the hearing and to bring the exhibits identified in #3.

IT IS SO ORDERED.

DATED August 14, 1995.



BRIGETTE BILYEU
Special Master, Reporting Area 1
Snake River Basin Adjudication

CERTIFICATE OF MAILING

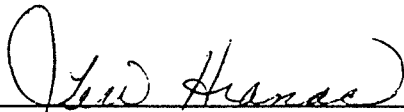
I certify that a true and correct copy of the **ORDER SETTING STANDARD FORM 5 EVIDENTIARY HEARING** was mailed on August ~~14~~¹⁵, 1995, with sufficient first-class postage to the following:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

Director of IDWR
P.O. Box 83720
Boise, ID 83720-0098

Herb Whitworth
Star Route
Mackay, ID 83251

U.S. Dept. Of Justice
Environment & Natural Resources Div.
550 West Fort Street
Boise, ID 83724-0663



Deputy Clerk