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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT-SRBA
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576) ORDER REGARDING DISCOVERY IN
) SUBCASES 02-10063, 03-10022, 03-10080,
) 03-10098, 63-25239, 63-25243, 65-20766, 75-13316,
) 75-13605, and 79-13597
_____)

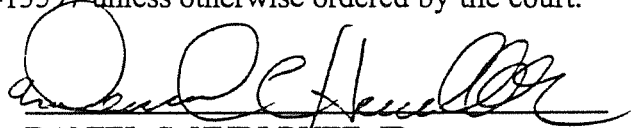
On July 16, 1996, a status conference was held in subcases 02-10063, 03-10022, 03-10080, 03-10098, 63-25239, 63-25243, 65-20766, 75-13316, 75-13605, and 79-13597. Notice of the status conference was sent by regular mail to all parties in the subcases. Based upon the record of the status conference, this court finds that service of discovery on every objector in subcases 02-10063, 03-10022, 03-10080, 03-10098, 63-25239, 63-25243, 65-20766, 75-13316, 75-13605, and 79-13597 would be unduly burdensome.

IT IS THEREFORE ORDERED that parties in subcases 02-10063, 03-10022, 03-10080, 03-10098, 63-25239, 63-25243, 65-20766, 75-13316, 75-13605, and 79-13597 shall be relieved of the burden of serving discovery pleadings on all parties to the subcases.

IT IS FURTHER ORDERED that discovery pleadings in subcases 02-10063, 03-10022, 03-10080, 03-10098, 63-25239, 63-25243, 65-20766, 75-13316, 75-13605, and 79-13597 shall be served only upon the United States and the State of Idaho and the proponent of the discovery or the person upon whom the discovery is served. Notice of service of discovery shall be served on the United States, the State of Idaho, the SRBA Court and the proponent of the discovery or the person upon whom the discovery is served. Notice of service of discovery will be listed on the SRBA docket sheet under the heading FEDERAL INSTREAM FLOW SUBCASE DISCOVERY.

IT IS FURTHER ORDERED that the United States and the State of Idaho shall each maintain a discovery depository. These depositories shall be open to inspection by aligned parties upon reasonable notice to the United States and the State of Idaho.

The Idaho Rules of Civil Procedure shall govern all other aspects of discovery and the service of all other pleadings in subcases 02-10063, 03-10022, 03-10080, 03-10098, 63-25239, 63-25243, 65-20766, 75-13316, 75-13605, and 79-13597 unless otherwise ordered by the court.



DANIEL C. HURLBUTT, JR.