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Department of Water Resources

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DISTRICT COURT - SRBA
TWIN FALLS 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) Subcase No.: 34-12894, 34-12894A,
Case No. 39576) 34-12895, 34-12895A, 34-13335,
) 34-13335A, 34-13336, 34-13336A,
) 34-13353 and 34-13354
) ORDER RE: TRIAL SCHEDULE
)

On April 1, 1996, this court issued its *Trial Scheduling Order*. On August 2, 1996, Wiley and Carolyn Smith filed their *Motion to Request Revised Scheduling Order* seeking an extension of time for discovery requests. Subsequently, on August 5, 1996, the United States filed its *Motion to Strike or, in the Alternative, for a New Scheduling Order and Request for Expedited Consideration (Motion to Strike)* seeking to strike the discovery requests of Wiley and Carolyn Smith or in the alternative, a revised trial scheduling order extending the discovery time.

The court having fully considered both motions, holds as follows:

1. Wiley and Carolyn Smith's *Motion to Request Revised Scheduling Order* is **granted**.
2. The United States' *Motion to Strike* is **denied**.

IT IS FURTHER ORDERED that the following dates shall govern the conduct of the subcase through the trial. No further order shall issue.

07/01/96	5:00 pm	Deadline to Join Parties or Amend Pleadings.
07/01/96	5:00 pm	Deadline for Motion to Consolidate.
08/23/96	5:00 pm	Discovery Cutoff Date. All discovery shall be completed by this date.

09/23/96	5:00 pm	Deadline for filing summary judgment or other dispositive motion.
11/26/96	10:00 am	Deadline for other pretrial motions.
11/26/96	10:00 am	Pretrial Conference. Location: SRBA District Court 253 Third Avenue North Twin Falls, ID
11/26/96	5:00 pm	Deadline for filing trial briefs.
11/26/96	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.
12/11/96	9:00 am	Trial. 1 Day. Location: SRBA District Court 253 Third Avenue North Twin Falls, ID

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.

IT IS SO ORDERED.

DATED August 7, 1996.



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

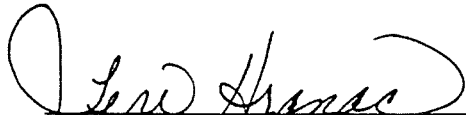
CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER RE: TRIAL SCHEDULE** was mailed on August 7, 1996, with sufficient first-class postage to the following:

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

United States Dept. Of Justice
550 West Fort Street, MSC 033
Boise, ID 83724

Wiley & Carolyn Smith
Star Route
Mackay, ID 83251



Deputy Clerk