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AUG 15 2014

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

AUG 14 2014

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

Case No. 39576

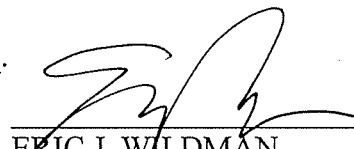
-) Subcase Nos. 51-13089, 51-13090, 51-13091, 51-
-) 13092, 51-13093, 51-13094, 51-13095, 51-13096, 51-
-) 13097, 55-13897, 55-13898, 55-13899, 55-13900, 55-
-) 13901, 55-13902, and 55-13903.
-)
-) ORDER REGARDING STIPULATION FOR
-) SCHEDULING AND PLANNING
-)

At a hearing held in the above-captioned matter on August 14, 2014, the parties informed the Court that this matter should be scheduled for trial.

Therefore, IT IS HEREBY ORDERED that the parties complete, to the extent possible, the attached *Stipulation for Scheduling and Planning* and file it with the Court on **or before September 10, 2014.**

IT IS SO ORDERED

DATED: August 14, 2014.


ERIC J. WILDMAN

Presiding Judge

Snake River Basin Adjudication

**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 Nos. 51-13089, 51-13090, 51-13091, 51-
Case No. 39576	)	13092, 51-13093, 51-13094, 51-13095, 51-13096, 51-
	)	13097, 55-13897, 55-13898, 55-13899, 55-13900, 55-
	)	13901, 55-13902, and 55-13903.
	)	
	)	STIPULATION FOR SCHEDULING AND
	)	PLANNING
	)	

The above parties hereby stipulate to the following scheduling deadlines:

A. EXPERT WITNESSES

(Claimant's experts)

1. _____ days before trial, claimant shall disclose each person claimant intends to call as an expert witness at trial and state the subject matter on which the witness is expected to testify.

2. _____ days before trial, claimant shall disclose all information required by Rule 26(b)(4) of the Idaho Rules of Civil Procedure regarding expert witnesses.

3. _____ days before trial, objector(s) shall complete any depositions of the claimant's initial expert witnesses.

(Objectors' experts)

4. _____ days before trial, objector(s) shall disclose each person objector(s) intends to call as an expert witness at trial and state the subject matter on which the witness is expected to testify.

5. _____ days before trial, objector(s) shall disclose all information required by Rule 26(b)(4) of the Idaho Rules of Civil Procedure regarding expert witnesses.

6. _____ days before trial, claimant shall complete any depositions of the objector's expert witnesses.

(Claimant's rebuttal experts)

7. _____ days before trial, claimant shall disclose each person claimant intends to call as an expert witness at trial to rebut new information on issues disclosed or raised by the objector(s).

8. _____ days before trial, claimant shall disclose all information required by Rule 26(b)(4) of the Idaho Rules of Civil Procedure regarding the rebuttal expert witnesses.

9. _____ days before trial, objector(s) shall complete any depositions of the claimant's rebuttal expert witnesses.

B. LAY WITNESSES

1. _____ days before trial, claimant shall disclose each person claimant intends to call as a lay witness at trial (excluding impeachment witnesses).

2. _____ days before trial, objector(s) shall disclose each person objector(s) intends to call as a lay witness at trial, (excluding impeachment witnesses).

3. _____ days before trial, claimant shall disclose each lay witness (excluding impeachment witnesses) claimant intends to call at trial to rebut new information or issues disclosed or raised by the objector(s).

4. _____ days before trial, all parties shall complete any depositions of lay witnesses.

C. DEADLINES FOR INITIATING DISCOVERY

1. _____ days before trial is the last day for serving interrogatories, requests for production, requests to permit entry upon land or other property, and requests for admission.

2. _____ days before trial is the last day for filing motions for a physical or mental examination.

D. DEADLINE FOR SUPPLEMENTAL RESPONSES TO DISCOVERY

1. _____ days before trial, all parties must serve any supplemental response to discovery required by Rule 26(e) of the Idaho Rules of Civil Procedures.

E. STIPULATION TO ALTER DISCOVERY DEADLINES

1. The parties may alter any discovery deadline by written agreement without the necessity of obtaining a court order.

F. PRETRIAL MOTIONS

1. _____ days before trial is the last day to file motions to add additional parties to the lawsuit.

2. _____ days before trial is the last day to file a motion to amend the claims between existing parties to the lawsuit, including to add a claim for punitive damages.

3. All other non-dispositive pre-trial motions (including, but not limited to motions *in limine*) must be filed and scheduled for hearing not less than fourteen (14) days before trial. Exceptions will be granted infrequently, and only when justice so requires.

G. MOTIONS FOR SUMMARY JUDGMENT

1. All motions for summary judgment must be filed at least **ninety-six (96) days** before trial.

2. No hearing on any summary judgment will be permitted in the **sixty (60) day** period prior to trial.

H. TRIAL SETTING

1. This case can be set for a trial to commence on or after _____.

2. It is estimated that the trial will take _____ days.

3. Parties preference for trial dates: **(Please confer and complete. Do not attach "unavailable dates")**.

(a) _____, 20__.

(b) _____, 20__.

(c) _____, 20__.

4. **The parties will submit a pretrial conference memorandum pursuant to I.R.C.P. 16(d), which shall be filed with the Clerk no later than seven (7) days before the pre-trial conference. The memorandum may be filed as a joint submission or separately.**

I. MEDIATION

1. The parties agree to mediation: Yes _____ No _____
2. If yes:
 - a. The parties agree to submit to mediation with a mediator mutually agreed upon.
 - b. Mediation shall be _____ days prior to trial.
 - c. Unless otherwise agreed in writing between the parties, the cost of mediation shall be equally divided between the parties.

The parties reserve the right to amend this stipulation by agreement of all parties, subject to court approval; each party reserves the right to seek amendment hereof by court order, and to request further status conferences for such purpose, in accordance with I.R.C.P. 16(a) and 16(b).

Appearances:

Counsel for Claimant(s):

_____ Date _____

Counsel for Objector(s)

_____ Date _____

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER REGARDING STIPULATION FOR SCHEDULING AND PLANNING was mailed on August 14, 2014, with sufficient first-class postage to the following:

STATE OF IDAHO

Represented by:
CHIEF NATURAL RESOURCES DIV
OFFICE OF THE ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-0449
Phone: 208-334-2400

STATE OF IDAHO

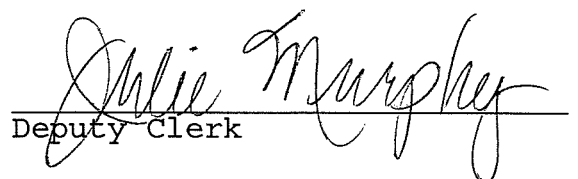
Represented by:
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-4449
Phone: 208-334-2400

UNITED STATES OF AMERICA

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

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".