

DEPARTMENT OF
WATER RESOURCES

SCANNED

DEC 17 2024

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

DEC 12 2024

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 PRBA

Case No. 59576

ORDER ON MOTION TO ENTER LITIGATION SCHEDULE FOR FEDERAL CLAIMS

SUBCASE NO(S): SEE EXHIBIT A

I. PROCEDURAL BACKGROUND

On October 8, 2024, the United States as Trustee filed a *Motion to Enter Litigation Schedule for Federal Claims*. According to the *Motion*, the Nez Perce Tribe and the State of Idaho concurred with the *Motion*. In addition, the movants explain that the other parties do not oppose the *Motion*.

The proposed litigation schedule has dates and deadlines for three categories of subcases: the Allotment or DCMI claims; the Springs Claims; and the Instream Flow claims. A hearing on the *Motion* was held on Nov. 20, 2024.

II. DISCUSSION

The movants and the other parties reported that they continue to work effectively on settlement. Regular settlement conferences and additional meetings with the parties assist in managing the agenda for settlement talks and focusing the schedule for technical issues. In addition, the parties reported that concepts for resolution have been discussed, and the subcases are progressing.

III. CONCLUSIONS

Based on representations that technical issues are well-managed, that settlement discussions are ongoing, and that progress towards settlement is robust, the Court **granted the motion**.

As a result, the following schedule is ordered for all three categories of subcases including DCMI, Springs, and Instream Flow claims:

CLAIMANTS' RULE 26 WITNESS DISCLOSURES	FEB. 24, 2025
CLAIMANTS' EXPERT WITNESS REPORTS	APRIL 18, 2025
OBJECTORS' EXPERT WITNESS REPORTS	SEPT. 19, 2025
CLAIMANTS' REBUTTAL EXPERT REPORTS	NOV. 21, 2025
DISCOVERY CLOSES	FEB. 27, 2026
SUMMARY JUDGMENT MOTIONS DUE	MAY 6, 2026
RESPONSE BRIEFS ON SUMM. JUDGMENT	JULY 1, 2026
REPLY BRIEFS ON SUMM. JUDGMENT	AUG. 17, 2026
MOTION ON SUMMARY JUDG. HEARING	SEPT. 16, 2026
STATUS CONFERENCE	FEB. 2027

The following Pretrial Conference, Exhibit and Witness Lists and Trial deadlines are ordered only for the DCMI subcases and the Springs subcases:

PRETRIAL CONFERENCE	MARCH 2027
EXHIBIT & WITNESS LISTS DUE ALL PARTIES	MARCH 2027
TRIAL	APRIL 2027 BOISE, IDAHO

(No Trial date is currently set for the Instream Flow subcases.)

Dated: December 12, 2024.



Brigitte Bilyeu
Special Master
Palouse River Basin Adjudication

EXHIBIT A

Subcase Nos:

87-11982	87-12032	87-12085	87-12136	87-12365
87-11983	87-12033	87-12086	87-12137	87-12366
87-11984	87-12034	87-12088	87-12138	
87-11985	87-12035	87-12089	87-12139	
87-11986	87-12036	87-12090	87-12140	
87-11987	87-12037	87-12091	87-12141	
87-11988	87-12038	87-12092	87-12142	
87-11989	87-12039	87-12093	87-12143	
87-11990	87-12040	87-12094	87-12144	
87-11991	87-12041	87-12095	87-12145	
87-11992	87-12042	87-12096	87-12146	
87-11993	87-12043	87-12097	87-12147	
87-11994	87-12044	87-12098	87-12148	
87-11995	87-12045	87-12099	87-12149	
87-11996	87-12046	87-12100	87-12150	
87-11997	87-12047	87-12101	87-12151	
87-11998	87-12048	87-12102	87-12152	
87-11999	87-12049	87-12103	87-12153	
87-12000	87-12050	87-12104	87-12154	
87-12001	87-12051	87-12105	87-12155	
87-12002	87-12052	87-12106	87-12156	
87-12003	87-12053	87-12107	87-12157	
87-12004	87-12054	87-12108	87-12158	
87-12005	87-12055	87-12109	87-12159	
87-12006	87-12056	87-12110	87-12160	
87-12007	87-12057	87-12111	87-12161	
87-12008	87-12058	87-12112	87-12162	
87-12009	87-12059	87-12113	87-12163	
87-12010	87-12060	87-12114	87-12164	
87-12011	87-12062	87-12115	87-12165	
87-12012	87-12063	87-12116	87-12166	
87-12013	87-12064	87-12117	87-12167	
87-12014	87-12066	87-12118	87-12168	
87-12015	87-12067	87-12119	87-12169	
87-12016	87-12068	87-12120	87-12170	
87-12017	87-12069	87-12121	87-12171	
87-12018	87-12071	87-12122	87-12172	
87-12019	87-12072	87-12123	87-12173	
87-12020	87-12073	87-12124	87-12174	
87-12021	87-12074	87-12125	87-12175	
87-12022	87-12075	87-12126	87-12176	
87-12023	87-12076	87-12127	87-12337	
87-12024	87-12077	87-12128	87-12338	
87-12025	87-12078	87-12129	87-12339	
87-12026	87-12079	87-12130	87-12340	
87-12027	87-12080	87-12131	87-12342	
87-12028	87-12081	87-12132	87-12343	
87-12029	87-12082	87-12133	87-12344	
87-12030	87-12083	87-12134	87-12346	
87-12031	87-12084	87-12135	87-12364	

(Subcase list: B87FEDALL)
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CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER ON MOTION TO ENTER LITIGATION SCHEDULE FOR FEDERAL CLAIMS was mailed on December 12, 2024, with sufficient first-class postage to the following:

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