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DEPARTMENT OF
WATER RESOURCES

TODD KIM

Assistant Attorney General
Environment and Natural Resources Division

MARK J. WIDERSCHEIN

KATHARINE LAUBACH

U.S. Department of Justice
Environment and Natural Resources Division
Natural Resources Section
550 West Fort Street, MSC 033
Boise, Idaho 83724
mark.widerschein@usdoj.gov

Counsel for the United States of America

**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.: 67-15263 et. al.
	)	See Exhibit A
	)	
Case No. 39576	)	UNITED STATES' UNOPPOSED MOTION
	)	FOR MODIFICATION OF TRIAL
	)	SCHEDULING ORDER
	)	
	)	

On May 31, 2023, the Court entered a Trial Scheduling Order in the above-captioned subcases, setting deadlines for pre-trial activities culminating in a trial setting June 11-14, 2024. The United States respectfully requests that the Court modify the close of discovery and initial motion for summary judgment deadlines to February 16 and March 1, respectively. Undersigned counsel has conferred with Claimants Keith & Karen Hood ("Claimants"), and this request is unopposed.

As good cause for this request, the United States notes that on October 2, 2023, it timely served a set of interrogatories, requests for admission, and requests for production on Claimants. After the parties informally agreed to extend the deadline for Claimants' response and a commensurate extension to the close of discovery to January 24, Claimants responded on November 21, 2023. After reviewing Claimants' responses, the United States responded by letter on December 15, asserting that the responses were insufficient under the Idaho Rules of Civil Procedure and seeking to confer pursuant to I.R.C.P. 37(a)(1). Claimants responded on December 22, indicating that they intended to revise their responses. No further response was received until January 4, 2024. In that message, Claimants indicated that a family member had experienced a health emergency, and that Claimants were unable to prioritize discovery responses at this time. Accordingly, in order to accommodate Claimants' needs while still allowing discovery to be completed and remain on track for a June trial setting, the United States respectfully requests that the Court modify the Trial Scheduling Order as follows:

DISCOVERY CLOSES	February 16, 2024
DISPOSITIVE MOTIONS DEADLINE	March 1, 2024
RESPONSES TO DISPOSITIVE MOTIONS DUE	March 25, 2024
REPLIES TO DISPOSITIVE MOTIONS DUE	April 8, 2024
HEARING ON MOTIONS FOR SUMMARY JUDGMENT	May 8, 2024
EXCHANGE FINAL EXHIBITS/WITNESSES	May 22, 2024
DEADLINE FOR FILING PRETRIAL BRIEFS	May 29, 2024

FINAL PRETRIAL CONFERENCE	May 29, 2024
TRIAL – Weiser, ID	June 11-14, 2024

For the good cause described above, the United States respectfully requests that the Court grant this motion.

DATED this 10th day of January, 2024.

Respectfully submitted,

TODD KIM
ASSISTANT ATTORNEY GENERAL



Mark J. Widerschein
Trial Attorney
U.S. Department of Justice
Environment and Natural Resources Division
Natural Resources Section

Attorney for the United States of America

CERTIFICATE OF SERVICE

I certify that on this 10th day of January, 2024, I served a true and correct copy of the foregoing **UNITED STATES' UNOPPOSED MOTION FOR MODIFICATION OF TRIAL SCHEDULING ORDER** as indicated below:

via U.S. Mail:

Keith R. & Karen M. Hood
P.O. Box 100
Cambridge, Idaho 83610-0100

A handwritten signature in black ink, appearing to read "Matthew H. Smith".

Matthew H Smith

EXHIBIT A

Subcase Nos:

67-15263
67-15264
67-15265
67-15266
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