

SEP 25 2024

DEPARTMENT OF  
WATER RESOURCES

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*Counsel for 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**

|                       |   |                                     |
|-----------------------|---|-------------------------------------|
| <b>In Re: SRBA</b>    | ) | <b>Subcase No. 67-15263 et. al.</b> |
|                       | ) | <b>See Exhibit A</b>                |
| <b>Case No. 39576</b> | ) |                                     |
|                       | ) | <b>JOINT SCHEDULING MOTION</b>      |
|                       | ) |                                     |
|                       | ) |                                     |

Objector United States of America, on behalf of the Bureau of Land Management (“United States”), and Claimants Keith and Karen Hood (“Hoods”) hereby respectfully request that the Court modify the Second Amended Trial Scheduling Order in two ways:

1. To hold trial in the above-captioned subcases at the Idaho Department of Water

Resources office in Boise, rather than the Washington County Courthouse in Weiser.<sup>1</sup>

As good cause for this request, the parties note that because the Hoods have engaged

Boise-based counsel, the United States’ support staff and witness are based in Boise, and

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<sup>1</sup> The parties have conferred with counsel for IDWR, who initially proposed the change, and indicated that IDWR could host trial in its conference rooms at the Idaho Water Center.

Boise is closer to the Court than the Washington County Courthouse, moving trial will be a more efficient use of Court and party resources.

2. To begin trial one day later than scheduled, on October 2, 2024, to accommodate a conflict by counsel for the Hoods. Additionally, the parties request that the Court order both parties to remain available for the morning of October 4, 2024, to conclude trial, if needed. The parties anticipate it may be possible to conclude trial on October 3, 2024, but, nonetheless, the parties believe that two and a half days, at most, will be sufficient to complete trial.

For the foregoing reasons, the parties respectfully request that the Court grant their Joint Scheduling Motion.

Dated this 19th day of September, 2024

Respectfully submitted,

TODD KIM

Assistant Attorney General

*Mark J. Widerschein*

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WITH PERMISSION OF COUNSEL

NORMAN SEMANKO

GARRETT KITAMURA

Parsons, Behle, and Latimer

Counsel for Keith & Karen Hood

## CERTIFICATE OF SERVICE

I certify that on September 19, 2024, I served true and correct copies of the foregoing document as follows:

via FAX:

Clerk of the District Court  
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253 Third Avenue North  
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via First Class U.S. Mail, pre-paid:

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DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098



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Matthew Smith

## **EXHIBIT A**

Subcase Nos:

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