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DISTRICT

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9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA

11 FIREBAUGH CANAL WATER
12 DISTRICT and CENTRAL CALIFORNIA
IRRIGATION DISTRICT,

13 Plaintiffs,

14 v.

15 UNITED STATES OF AMERICA; et al.,

16 Defendants.

17
18 SUMNER PECK RANCH, INC., et al.,

19 Plaintiffs,

20 v.

21 BUREAU OF RECLAMATION, et al.,

22 Defendants.

CASE NO. CIV-F-88-0634 OWW DLB

CONSOLIDATED WITH
CIV-F-91-048 OWW DLB

**ORDER FOLLOWING HEARING
REGARDING AMENDMENT TO
CONTROL SCHEDULE**

DATE: June 30, 2011

TIME: 12:00 noon

COURTROOM: 3

Hon. Oliver W. Wanger

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24 The motion by Defendant Westlands Water District ("Westlands") for an order clarifying
25 or in the alternative amending the Court's December 23, 2009, Order Following Scheduling
26 Conference ("Scheduling Order"), Doc. 758, came on for hearing on June 30, 2011. Defendant
27 Westlands was represented by Kronick, Moskovitz, Tiedemann & Girard by Daniel J. O'Hanlon,
28 Esq. Plaintiffs were represented by Minasian, Spruance, Meith, Soares & Sexton and Paul R.

1 Minasian, Esq.; Federal Defendants were represented by Stephen M. Macfarlane, Esq., Trial
2 Attorney, U.S. Department of Justice; Environmental Intervenors were represented by Altshuler
3 Berzon LLP and Hamilton Candee, Esq.

4 After considering the papers filed in support of and in opposition to Westlands' motion,
5 the arguments of counsel, and all other matters presented to the Court, Westlands' motion to
6 amend the Scheduling Order is GRANTED, PROVIDED THAT the parties shall discuss, prepare
7 and submit to the Court by no later than July 8, 2011 a proposed modification to the Scheduling
8 Order that: (1) would allow the Federal Defendants 120 days to analyze and evaluate the
9 feasibility, design, cost and source of funding for commencing construction in the central subunit
10 of Westlands instead of the north subunit of Westlands; and (2) would require the Federal
11 Defendants to notify the Court and parties, sooner than the regular six month status reports, of
12 any developments requiring significant changes in the Control Schedule. The parties shall
13 submit a proposed modification to the Scheduling Order jointly if they reach agreement, but
14 failing agreement by July 8, the parties shall submit alternative proposals.

15 IT IS SO ORDERED.

16 Dated: July 1, 2011

17 /s/ Oliver W. Wanger
18 UNITED STATES DISTRICT JUDGE