

**U.S. District Court
District of Idaho (LIVE Database)Version 6.1.2 (Pocatello – Eastern)
CIVIL DOCKET FOR CASE #: 4:06-cv-00277-BLW**

Western Watersheds Project vs U.S. Fish and Wildlife Service
Assigned to: Judge B. Lynn Winmill

Case in other court: 9CCA, 07-35265

9CCA, 07-35267

9CCA, 08-35352

9CCA, 08-35353

9CCA, 08-35409

9CCA, 08-35414

Cause: 16:1538 Endangered Species Act

Plaintiff

Western Watersheds Project

represented by **Laurence J Lucas**

Advocates for the West

Executive Director

POB 1612

Boise, ID 83701

208-342-7024

Fax: 208-342-8286

Email: llucas@advocateswest.org

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Todd C Tucci

ADVOCATES FOR THE WEST

POB 1612

Boise, ID 83701

(208) 342-7024

Email: ttucci@advocateswest.org

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

V.

Defendant

US Fish and Wildlife Service

represented by **Coby Howell**

US DEPT OF JUSTICE

Environment & Natural Resources

Division

Wildlife & Marine Resource Section

c/o US Attorney's Office

1000 SW Third Ave Ste 600

Portland, OR 97204

503-727-1023

Fax: 503-727-1117

Email: coby.howell@usdoj.gov

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Robert Pendleton Williams

U.S. Department of Justice

Ben Franklin Station

POB 7369

Washington, DC 20044-7369

202-305-0206

Email: robert.p.williams@usdoj.gov

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Deborah A Ferguson
Ferguson Durham, PLLC
223 N. 6th Street
Suite 325
Boise, ID 83702
208-345-5183
Fax: 208-906-8663
Email: daf@fergusondurham.com
ATTORNEY TO BE NOTICED

V.

Intervenor Defendant

Anadarko Petroleum Corporation

represented by **Christopher H Meyer**
GIVENS PURSLEY
PO Box 2720
Boise, ID 83701-2720
(208) 388-1200
Fax: (208) 388-1200
Email: chrismeyer@givenspursley.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael B Wigmore
BINGHAM MCCUTCHEN LLP
2020 K Street, N.W.
Washington, DC 20006
(202) 373-6000
Fax: (202) 373-6001
Email: michael.wigmore@bingham.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sandra P Franco
BINGHAM MCCUTCHEN LLP
2020 K Street, N.W.
Washington, DC 20006
(202) 373-6000
Fax: (202) 373-6001
Email: s.franco@bingham.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Gary G Allen
GIVENS PURSLEY
PO Box 2720
Boise, ID 83701-2720
(208) 388-1200
Fax: 1-208-388-1300
Email: GaryAllen@givenspursley.com
ATTORNEY TO BE NOTICED

Intervenor Defendant

State of Wyoming

represented by **David Fermin Hensley**
OFFICE OF THE GOVERNOR
304 N. 8th St
Boise, ID 83720
(208) 334-2100
Fax: (208) 334-2189
Email: dhensley@gov.idaho.gov
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Robert A Nicholas

Wyoming Attorney General's Office
123 Capitol Building
Cheyenne, WY 82002
307-777-6946
Email: jjerde@state.wy.us

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

William Gerry Myers , III

HOLLAND & HART
PO Box 2527
Boise, ID 83701
(208) 342-5000
Fax: (208) 343-8869
Email: wmyers@hollandhart.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Intervenor Defendant

Governor James E. Risch

Governor James E. Risch

represented by **David Fermin Hensley**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Thomas C. Perry

Office of the Governor
State Capitol
Boise, ID 83720
(208) 334-2100
Fax: (208) 854-3036
Email: tom.perry@gov.idaho.gov

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Intervenor Defendant

Idaho Farm Bureau Federation

represented by **James S Burling**

Pacific Legal Foundation
930 G Street
Sacramento, CA 95814
916-419-7111
Email: jsb@pacificlegal.org

LEAD ATTORNEY

PRO HAC VICE

ATTORNEY TO BE NOTICED

Jared Wayne Allen

2105 Coronado
Idaho Falls, ID 83404
208-557-5206
Fax: 208-529-9732
Email: allen@beardstclair.com

LEAD ATTORNEY

Nathan M Olsen

PETERSEN MOSS HALL & OLSEN
485 "E" St
Idaho Falls, ID 83402
(208) 523-4650
Fax: (208) 524-3391
Email: nolsen@pmholaw.com

LEAD ATTORNEY

Sonya D. Jones
Pacific Legal Foundation
10940 NE 33rd Place, Ste 210
Bellevue, WA 98004
425-753-0984
Fax: 425-576-9565
Email: redraider2x@yahoo.com
LEAD ATTORNEY

Russell C Brooks
PACIFIC LEGAL FOUNDATION
10940 NE 33rd Pl Ste 210
Bellevue, WA 98004
(425) 576-0484
TERMINATED: 03/22/2007
PRO HAC VICE

Intervenor Defendant

Idaho Cattle Association

represented by **James S Burling**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jared Wayne Allen
(See above for address)
LEAD ATTORNEY

Nathan M Olsen
(See above for address)
LEAD ATTORNEY

Sonya D. Jones
(See above for address)
LEAD ATTORNEY

Russell C Brooks
(See above for address)
TERMINATED: 03/22/2007
PRO HAC VICE

Intervenor Defendant

Washington County Farm Bureau

represented by **James S Burling**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jared Wayne Allen
(See above for address)
LEAD ATTORNEY

Nathan M Olsen
(See above for address)
LEAD ATTORNEY

Sonya D. Jones
(See above for address)
LEAD ATTORNEY

Russell C Brooks
(See above for address)
TERMINATED: 03/22/2007

PRO HAC VICE

Intervenor Defendant

Custer County Farm Bureau

represented by **James S Burling**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jared Wayne Allen
(See above for address)
LEAD ATTORNEY

Nathan M Olsen
(See above for address)
LEAD ATTORNEY

Sonya D. Jones
(See above for address)
LEAD ATTORNEY

Russell C Brooks
(See above for address)
TERMINATED: 03/22/2007
PRO HAC VICE

Intervenor Defendant

Lost Rivers Farm Bureau

represented by **James S Burling**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jared Wayne Allen
(See above for address)
LEAD ATTORNEY

Nathan M Olsen
(See above for address)
LEAD ATTORNEY

Sonya D. Jones
(See above for address)
LEAD ATTORNEY

Russell C Brooks
(See above for address)
TERMINATED: 03/22/2007
PRO HAC VICE

Intervenor Defendant

**Oregon Livestock Producer
Association**

represented by **James S Burling**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jared Wayne Allen
(See above for address)
LEAD ATTORNEY

Nathan M Olsen
(See above for address)

LEAD ATTORNEY

Sonya D. Jones
(See above for address)
LEAD ATTORNEY

Russell C Brooks
(See above for address)
TERMINATED: 03/22/2007
PRO HAC VICE

Intervenor Defendant

Wyoming Farm Bureau Federation

represented by **James S Burling**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jared Wayne Allen
(See above for address)
LEAD ATTORNEY

Nathan M Olsen
(See above for address)
LEAD ATTORNEY

Sonya D. Jones
(See above for address)
LEAD ATTORNEY

Russell C Brooks
(See above for address)
TERMINATED: 03/22/2007
PRO HAC VICE

Intervenor Defendant

Nevada Farm Bureau

represented by **James S Burling**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jared Wayne Allen
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Nathan M Olsen
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sonya D. Jones
(See above for address)
LEAD ATTORNEY

Russell C Brooks
(See above for address)
TERMINATED: 03/22/2007
PRO HAC VICE

Intervenor Defendant

Wyoming Stock Growers Association

represented by

William Gerry Myers , III
(See above for address)
LEAD ATTORNEY

Intervenor Defendant

Petroleum Association of Wyoming

represented by **William Gerry Myers , III**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor Defendant

State of Colorado

represented by **David Fermin Hensley**
(See above for address)
LEAD ATTORNEY

Timothy J Monahan
Natural Resources and Environment
Section
1525 Sherman St, 5th Floor
Denver, CO 80203
Email: tim.monahan@state.co.us
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William Gerry Myers , III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/14/2006	<u>1</u>	COMPLAINT against US Fish and Wildlife Service (Filing fee \$ 350 receipt number 162717.), filed by Western Watersheds Project. (Attachments: # <u>1</u> Cover Sheet # <u>2</u> Summons)(Lucas, Laurence)
07/17/2006	<u>2</u>	NOTICE of Assignment to Magistrate Judge and Requirement for Consent sent to counsel for Western Watersheds Project re <u>1</u> Complaint (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by ja,)
07/17/2006		Summons Issued as to US Fish and Wildlife Service. (ja,)
07/18/2006	3	AN OBJECTION TO A US MAGISTRATE JUDGE HAS BEEN FILED IN THIS CASE. (ja) (Entered: 07/19/2006)
07/19/2006		DOCKET ENTRY NOTICE of Case Number Change, Case reassigned to Judge B. Lynn Winmill for all further proceedings. Judge Larry M. Boyle no longer assigned to case. Please use this case number on all future pleadings, CV 06-277-E-BLW (ja)
09/14/2006	<u>4</u>	SUMMONS Returned Executed by Western Watersheds Project. US Fish and Wildlife Service served on 7/24/2006, answer due 9/22/2006. (Lucas, Laurence)
09/18/2006	<u>5</u>	MOTION for Leave to Appear Pro Hac Vice for <i>Michael Wigmore</i> by Anadarko Petroleum Corporation. Responses due by 10/12/2006 (Allen, Gary)
09/18/2006	<u>6</u>	MOTION for Leave to Appear Pro Hac Vice for <i>Sandra Franco</i> by Anadarko Petroleum Corporation. Responses due by 10/12/2006 (Allen, Gary)
09/18/2006	<u>7</u>	Corporate Disclosure Statement by Anadarko Petroleum Corporation identifying None as Corporate Parent. (Allen, Gary)
09/18/2006	<u>8</u>	MOTION to Intervene by Anadarko Petroleum Corporation. Responses due by 10/12/2006 (Allen, Gary)

09/18/2006	<u>9</u>	MEMORANDUM in Support re <u>8</u> MOTION to Intervene filed by Anadarko Petroleum Corporation. (Allen, Gary)
09/18/2006	<u>10</u>	DECLARATION of Thomas Clayson re <u>8</u> MOTION to Intervene filed by Anadarko Petroleum Corporation. (Allen, Gary)
09/19/2006		CORRECTIVE ENTRY – Docket numbers <u>6</u> MOTION for Leave to Appear Pro Hac Vice for Sandra Franco filed by Anadarko Petroleum Corporation and <u>5</u> MOTION for Leave to Appear Pro Hac Vice for Michael Wigmore filed by Anadarko Petroleum Corporation, were inadvertently filed using the incorrect motion relief. Please disregard them, they are being re–filed. (ja)
09/19/2006		CORRECTIVE ENTRY – The entry docket number <u>8</u> MOTION to Intervene filed by Anadarko Petroleum Corporation, was inadvertently filed with the incorrect PDF image attached. Please disregard it. The Motion shall be re–filed with the correct PDF image attached. (ja)
09/19/2006	<u>11</u>	First MOTION FOR PRO HAC VICE APPEARANCE by Gary G Allen <i>for Sandra P. Franco</i> (Filing fee \$ 200 receipt number 180313.) by on behalf of Anadarko Petroleum Corporation. Responses due by 10/13/2006 (Allen, Gary)
09/19/2006	<u>12</u>	First MOTION FOR PRO HAC VICE APPEARANCE by Gary G Allen <i>for Michael B. Wigmore</i> (Filing fee \$ 200 receipt number 180342.) by on behalf of Anadarko Petroleum Corporation. Responses due by 10/13/2006 (Allen, Gary)
09/19/2006	<u>13</u>	MOTION to Intervene by Anadarko Petroleum Corporation. Responses due by 10/13/2006 (Attachments: # <u>1</u> Memorandum in Support # <u>2</u> Declaration of Tom Clayson)(Allen, Gary)
09/19/2006	<u>14</u>	DOCKET ENTRY ORDER approving <u>11</u> Motion for Pro Hac Vice Appearance of attorney Sandra P Franco for Anadarko Petroleum Corporation Per General Order 206, out–of–state counsel shall immediately register for ECF., approving <u>12</u> Motion for Pro Hac Vice Appearance of attorney Michael B Wigmore for Anadarko Petroleum Corporation Per General Order 206, out–of–state counsel shall immediately register for ECF. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by ja,)
09/19/2006	<u>15</u>	ANSWER to Complaint by US Fish and Wildlife Service.(Williams, Robert)
09/19/2006	<u>16</u>	Amended MOTION to Intervene by Anadarko Petroleum Corporation. Responses due by 10/13/2006 (Attachments: # <u>1</u> Memorandum in Support # <u>2</u> Amended Declaration of Tom Clayson)(Allen, Gary)
09/19/2006	<u>17</u>	MOTION to Intervene by State of Wyoming. Responses due by 10/13/2006 (Attachments: # <u>1</u> Memorandum in Support # <u>2</u> Affidavit Declaration of Tom Christiansen# <u>3</u> Exhibit Proposed Answer)(Myers, William)
09/19/2006	<u>18</u>	MOTION FOR PRO HAC VICE APPEARANCE by William Gerry Myers, III, William Gerry Myers, III, William Gerry Myers, III <i>for Robert A. Nicholas</i> (Filing fee \$ 200 receipt number 180763.) by on behalf of State of Wyoming. Responses due by 10/13/2006 (Myers, William)
09/20/2006	<u>19</u>	DOCKET ENTRY ORDER approving <u>18</u> Motion for Pro Hac Vice Appearance of attorney Robert A Nicholas for State of Wyoming Per General Order 206, out–of–state counsel shall immediately register for ECF. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by ta).
09/20/2006	<u>20</u>	NOTICE of Availability of Magistrate Judge and Requirement for Consent sent to counsel for US Fish and Wildlife Service re <u>15</u> Answer to Complaint (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by ta,)
09/26/2006	<u>21</u>	NOTICE of Hearing: Telephone Scheduling Conference set for 11/1/2006 08:00 AM before Honorable B. Lynn Winnmill. (Attachments: # <u>1</u> Litigation Plan Letter# <u>2</u> Litigation Plan)(caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by lg,)

09/27/2006	<u>22</u>	DOCKET ENTRY NOTICE of Hearing: Telephone Scheduling Conference set for 11/1/2006 at 8:00 AM HAS BEEN RESCHEDULED FOR 11/8/2006 08:00 AM before Honorable B. Lynn Winmill. All other information contained in the original notice shall remain in effect.(caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by lg,)
10/06/2006	<u>23</u>	MEMORANDUM in Opposition re <u>17</u> MOTION to Intervene, <u>16</u> Amended MOTION to Intervene <i>PLAINTIFFS' RESPONSE TO MOTIONS TO INTERVENE</i> filed by Western Watersheds Project. Replies due by 10/23/2006. (Lucas, Laurence)
10/13/2006	<u>24</u>	MOTION to Intervene by James E. Risch. Responses due by 11/6/2006 (Attachments: # <u>1</u> Memorandum in Support of Governor's Motion to Intervene# <u>2</u> Exhibit Governor's Proposed Answer# <u>3</u> Affidavit Hemker Declaration)(Hensley, David)
10/19/2006	<u>25</u>	REPLY to Response to Motion re <u>16</u> Amended MOTION to Intervene filed by Anadarko Petroleum Corporation. (Attachments: # <u>1</u> Exhibit Attachment to Reply Memorandum (copy of Order in Center for Biological Diversity)# <u>2</u> Certificate of Service)(Meyer, Christopher)
10/19/2006	<u>26</u>	NOTICE of Appearance by Deborah A Ferguson on behalf of US Fish and Wildlife Service (Ferguson, Deborah)
10/20/2006	<u>27</u>	REPLY to Response to Motion re <u>24</u> MOTION to Intervene, <u>17</u> MOTION to Intervene, <u>16</u> Amended MOTION to Intervene filed by US Fish and Wildlife Service. (Williams, Robert)
10/23/2006	<u>28</u>	REPLY to Response to Motion re <u>24</u> MOTION to Intervene filed by James E. Risch. (Hensley, David)
10/24/2006	<u>29</u>	REPLY to Response to Motion re <u>17</u> MOTION to Intervene filed by State of Wyoming. (Myers, William)
10/25/2006	<u>30</u>	MEMORANDUM in Opposition re <u>24</u> MOTION to Intervene <i>PLAINTIFF'S RESPONSE TO IDAHO'S MOTION TO INTERVENE</i> filed by Western Watersheds Project. Replies due by 11/8/2006. (Lucas, Laurence)
10/25/2006	<u>31</u>	SCHEDULING CONFERENCE FORM – LITIGATION PLAN by Western Watersheds Project, US Fish and Wildlife Service. (Lucas, Laurence)
10/26/2006	<u>32</u>	SCHEDULING CONFERENCE FORM – LITIGATION PLAN by State of Wyoming. (Myers, William)
10/31/2006	<u>33</u>	NOTICE of Appearance by Thomas C. Perry on behalf of James E. Risch (Perry, Thomas)
11/08/2006	<u>34</u>	CASE MANAGEMENT ORDER Hearing on dispositive motions set for 7/9/2007 at 9:00 a.m. in Boise, ID before the Honorable B. Lynn Winmill. Administrative Record due by 12/4/2006, objections (if any) due by 1/15/2007. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jlg,)
11/30/2006	<u>35</u>	MOTION to Amend/Correct <u>34</u> Order, by US Fish and Wildlife Service. Responses due by 12/26/2006 (Attachments: # <u>1</u> Proposed Order)(Williams, Robert).
12/01/2006		CORRECTIVE ENTRY – The entry document number <u>35</u> MOTION to Amend/Correct <u>34</u> Order, filed by US Fish and Wildlife Service was filed incorrectly in this case. Pursuant to the ECF Procedures, section 12B, all proposed orders are to be submitted by email to the appropriate Judges proposed order email box. The filing party shall re-submit their proposed order. (ta,)
12/11/2006	<u>36</u>	MOTION to Intervene by Idaho Farm Bureau Federation, Idaho Farm Bureau Federation, Idaho Cattle Association, Washington County Farm Bureau, Custer County Farm Bureau, Lost Rivers Farm Bureau, Oregon Livestock Producer Association, Wyoming Farm Bureau Federation, Nevada Farm Bureau. Responses due by 1/4/2007 (Attachments: # <u>1</u> Memorandum in Support Motion to Intervene# <u>2</u> Affidavit Declaration of Doug Busselman in Support of Motion to Intervene# <u>3</u> Affidavit Declaration of Margene Eiguren in Support of Motion to Intervene# <u>4</u> Affidavit Declaration of Rick Keller in Support of Motion to Intervene# <u>5</u> Proposed Answer)(Allen, Jared)

12/11/2006	<u>37</u>	MOTION FOR PRO HAC VICE APPEARANCE for Idaho Farm Bureau Federation (Filing fee \$ 200 receipt number 202934.) by Russell C Brooks. Responses due by 1/4/2007 (Allen, Jared)
12/11/2006	<u>38</u>	MOTION FOR PRO HAC VICE APPEARANCE for Idaho Farm Bureau Federation (Filing fee \$ 200 receipt number 202948.) by Sonya D. Jones. Responses due by 1/4/2007 (Allen, Jared)
12/12/2006	39	DOCKET ENTRY ORDER approving <u>37</u> & <u>38</u> Motions for Pro Hac Vice Appearance of attorney Sonya D. Jones and Russell C. Brooks (Notice sent to CM/ECF Registration Clerk); Per General Order 206, out-of-state counsel shall immediately register for ECF. (Notice sent to CM/ECF Registration Clerk) (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by ja,)
12/13/2006	<u>40</u>	ERRATA by Intervenor Defendant Idaho Farm Bureau Federation re <u>36</u> MOTION to Intervene. (Allen, Jared)
12/15/2006	<u>41</u>	Administrative Record by Robert Pendleton Williams on behalf of US Fish and Wildlife Service. (Attachments: # <u>1</u> Exhibit)(Williams, Robert)
12/18/2006	<u>42</u>	Administrative Record by Robert Pendleton Williams on behalf of US Fish and Wildlife Service. (Attachments: # <u>1</u> Exhibit)(Williams, Robert) (3 CD-ROM Disks in Envelope on shelf in Clerk's Office).
01/06/2007	<u>43</u>	MEMORANDUM in Opposition re <u>36</u> MOTION to Intervene <i>Plaintiff's Opposition To Farm Bureau Motion To Intervene</i> filed by Western Watersheds Project. Replies due by 1/22/2007. (Lucas, Laurence)
01/10/2007	44	DOCKET ENTRY ORDER – Pending before the Court is the unopposed Motion <u>35</u> filed by Defendant U.S. Fish and Wildlife Service's to Amend the Scheduling Order. The Court having considered the pleadings shall approve the Motion as follows: (1) Defendant shall file the administrative record on or before December 18, 2006; (2) Any objections to the administrative record shall be filed on or before January 29, 2007; (3) The remaining deadlines set forth in the Scheduling Order shall remain unchanged; and (4) The hearing on the Motion for Summary Judgment remains as previously scheduled on Monday, July 9, 2007 at 9:00 a.m. to 11:00 a.m. in Boise, Idaho. Signed by Judge B. Lynn Winmill. (sbh)
01/11/2007	<u>45</u>	MOTION to Intervene by Wyoming Stock Growers Association, Petroleum Association of Wyoming. Responses due by 2/5/2007 (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u>)(Myers, William)
01/11/2007	<u>46</u>	Corporate Disclosure Statement by Wyoming Stock Growers Association, Petroleum Association of Wyoming identifying None as Corporate Parent. (Myers, William)
01/12/2007	<u>47</u>	MOTION to Intervene by State of Colorado. Responses due by 2/5/2007 (Attachments: # <u>1</u> Exhibit Proposed Answer# <u>2</u> Memorandum in Support # <u>3</u> Affidavit (Declaration) of Thomas Remington)(Myers, William)
01/15/2007	<u>48</u>	APPLICATION FOR PRO HAC VICE APPEARANCE for Timothy J. Monahan as counsel for the State of Colorado (Filing fee \$ 200 receipt number 211501.) by William Gerry Myers, III. Responses due by 2/8/2007 (Myers, William) Modified on 1/16/2007 to edit text (ja,).
01/16/2007	49	DOCKET ENTRY ORDER approving <u>48</u> Motion for Pro Hac Vice Appearance of attorney Timothy J Monahan for State of Colorado Per General Order 206, out-of-state counsel shall immediately register for ECF. (Notice sent to CM/ECF Registration Clerk) (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by ja,)
01/16/2007	<u>50</u>	MEMORANDUM in Opposition re <u>45</u> MOTION to Intervene, <u>47</u> MOTION to Intervene <i>Plaintiff's Opposition To Further Motions To Intervene</i> filed by Western Watersheds Project. Replies due by 1/30/2007. (Lucas, Laurence)
01/22/2007	<u>51</u>	REPLY to Response to Motion re <u>36</u> MOTION to Intervene <i>by Defendant-Intervenor Applicants</i> filed by Idaho Farm Bureau Federation, Idaho Cattle Association, Washington County Farm Bureau, Custer County Farm Bureau, Lost Rivers Farm Bureau, Oregon Livestock Producer Association, Wyoming Farm Bureau Federation,

		Nevada Farm Bureau. (Jones, Sonya)
01/26/2007	<u>52</u>	STIPULATION re 44 Order,, <i>Stipulation To Extend Time For Objections To Record</i> by Western Watersheds Project. (Lucas, Laurence)
01/27/2007	53	DOCKET ENTRY ORDER – Pending before the Court is the Stipulation of counsel <u>52</u> to Extend Time for filing Objection to the Record. The Court having considered the pleadings shall approve the Stipulation. The Objections shall be filed on or before February 19, 2007. The hearing on the Motion for Summary Judgment remains as previously scheduled on Monday, July 9, 2007 at 9:00 a.m. to 11:00 a.m. in Boise, Idaho. Signed by Judge B. Lynn Winmill. (sbh)
01/30/2007	<u>54</u>	REPLY to Response to Motion re <u>47</u> MOTION to Intervene filed by State of Colorado. (Myers, William)
01/30/2007	<u>55</u>	REPLY to Response to Motion re <u>45</u> MOTION to Intervene filed by Wyoming Stock Growers Association, Petroleum Association of Wyoming. (Myers, William)
02/02/2007	<u>56</u>	Administrative Record by Robert Pendleton Williams on behalf of US Fish and Wildlife Service. (Attachments: # <u>1</u> Manual Filing Notification)(Williams, Robert) (10 CDs in file folder on shelf in Clerk's Office [2 sets of 5 CDs]).
02/19/2007	<u>57</u>	MOTION to Compel <i>Plaintiff WWP's Objections To Administrative Record, And Motion To Compel Supplementation</i> by Western Watersheds Project. Responses due by 3/15/2007 (Attachments: # <u>1</u> Exhibit A -- Washington Post Article# <u>2</u> Exhibit B -- New York Times Article)(Lucas, Laurence)
03/09/2007	<u>58</u>	MEMORANDUM DECISION AND ORDER Granting in part and Denying in Part the Motions to Intervene: <u>16</u> Amended MOTION to Intervene filed by Anadarko Petroleum Corporation, <u>17</u> MOTION to Intervene filed by State of Wyoming, <u>24</u> MOTION to Intervene filed by James E. Risch, <u>45</u> MOTION to Intervene filed by Petroleum Association of Wyoming, Wyoming Stock Growers Association, <u>36</u> MOTION to Intervene filed by Idaho Farm Bureau Federation, Custer County Farm Bureau, Idaho Cattle Association, Lost Rivers Farm Bureau, Washington County Farm Bureau, Oregon Livestock Producer Association, Nevada Farm Bureau, Wyoming Farm Bureau Federation, <u>47</u> MOTION to Intervene filed by State of Colorado. They are granted to the extent they seek to intervene only for the purpose of challenging any proposed remedy beyond a remand to the Service for the purpose of conducting a proper process under the ESA. They are denied in all other respects. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by ja,)
03/14/2007	<u>59</u>	STIPULATION re <u>34</u> Order, <i>Stipulation To Extend Briefing Schedule</i> by Western Watersheds Project. (Lucas, Laurence)
03/14/2007	60	DOCKET ENTRY ORDER – Pending before the Court is the Stipulation <u>59</u> to Extend Briefing Schedule Time For Objections To Record <u>58</u> submitted by Plaintiff Western Watersheds Project and Defendant U.S. Fish and Wildlife Service. Good cause appearing, IT IS ORDERED THAT said Stipulation is APPROVED. The summary judgment briefing as set forth in the Case Management Order <u>34</u> is modified as follows: (1) Monday, April 9, 2007: WWP opening summary judgment brief due; (2) Monday, May 14, 2007: Service opening/response summary judgment brief due; (3) Monday, June 4, 2007: WWP response/reply summary judgment brief due; (4) Monday, June 25, 2007: Service reply summary judgment brief due; and (5) The hearing date of July 9, 2007 will remain as established in the Case Management Order, and is unaffected by this Order. Signed by Judge B. Lynn Winmill. (sbh)
03/15/2007	<u>61</u>	RESPONSE to Motion re <u>57</u> MOTION to Compel <i>Plaintiff WWP's Objections To Administrative Record, And Motion To Compel Supplementation</i> filed by US Fish and Wildlife Service. Replies due by 3/29/2007. (Attachments: # <u>1</u> Declaration# <u>2</u> Exhibit)(Williams, Robert)
03/22/2007	<u>62</u>	NOTICE OF DEATH Upon the Record as to Attorney Russell C. Brooks by Idaho Farm Bureau Federation, Idaho Cattle Association, Washington County Farm Bureau, Custer County Farm Bureau, Oregon Livestock Producer Association, Nevada Farm Bureau (Jones, Sonya)

03/23/2007	<u>63</u>	NOTICE OF APPEAL (Interlocutory) as to <u>58</u> Memorandum Decision, Order, Terminate Motions by Idaho Farm Bureau Federation, Idaho Cattle Association, Washington County Farm Bureau, Custer County Farm Bureau, Lost Rivers Farm Bureau, Oregon Livestock Producer Association, Wyoming Farm Bureau Federation, Nevada Farm Bureau, Wyoming Stock Growers Association, Petroleum Association of Wyoming, Anadarko Petroleum Corporation. Filing fee \$ 455, receipt number 230594. (Notice sent by e-mail to Court Reporter) (Attachments: # <u>1</u> Docketing Statement# <u>2</u> Representation Statement)(Meyer, Christopher)
03/23/2007	<u>64</u>	Expedited MOTION to Stay <i>Pending Appeal</i> by Idaho Farm Bureau Federation, Idaho Cattle Association, Washington County Farm Bureau, Custer County Farm Bureau, Lost Rivers Farm Bureau, Oregon Livestock Producer Association, Wyoming Farm Bureau Federation, Nevada Farm Bureau, Wyoming Stock Growers Association, Petroleum Association of Wyoming, Anadarko Petroleum Corporation. Responses due by 4/16/2007 (Attachments: # <u>1</u> Memorandum in Support)(Meyer, Christopher)
03/23/2007	<u>65</u>	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <u>63</u> Notice of Appeal, (ja,)
03/23/2007	<u>66</u>	CERTIFICATE of Record on Appeal re <u>63</u> Notice of Appeal, (ja,)
03/26/2007	<u>67</u>	RESPONSE to Motion re <u>64</u> Expedited MOTION to Stay <i>Pending Appeal</i> filed by US Fish and Wildlife Service. Replies due by 4/9/2007. (Williams, Robert)
03/26/2007	<u>68</u>	NOTICE OF APPEAL (Interlocutory) as to <u>58</u> Memorandum Decision, Order, Terminate Motions by State of Colorado, State of Wyoming, James E. Risch. Filing fee \$ 455, receipt number 231130. (Notice sent by e-mail to Court Reporter) (Attachments: # <u>1</u> Docketing Statement# <u>2</u> Memorandum Decision and Order# <u>3</u> Representation Statement)(Hensley, David) .
03/26/2007	<u>69</u>	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <u>68</u> Notice of Appeal (ja,)
03/26/2007	<u>70</u>	CERTIFICATE of Record on Appeal re <u>68</u> Notice of Appeal, (ja,)
03/26/2007	<u>71</u>	Expedited Joint MOTION to Stay by State of Colorado, State of Wyoming, James E. Risch. Responses due by 4/19/2007 (Attachments: # <u>1</u> Memorandum in Support)(Hensley, David)
03/28/2007	72	DOCKET ENTRY ORDER – The Court has received expedited motions to stay pending appeal. Under the standard briefing deadlines, the briefing on these motions will be completed by the end of April, 2007. Because this is about two months before the hearing on the cross-motions for summary judgment, it will give the Court ample time to rule on the motions to stay before the summary judgment hearing. If the motions to stay are granted, the summary judgment hearing will be vacated and further proceedings stayed pending appeal. If the motions to stay are denied, the proposed intervenors will still have time to appeal that decision prior to the hearing on the summary judgment motions. Thus, the Court will not compel expedited briefs on the motions to stay, but will urge counsel to complete the briefing as quickly as possible, and then notify the Court that all briefing is complete so that the Court might rule expeditiously. Contact Dave Metcalf at(208) 334-9025 when the briefing is complete. Signed by Judge B. Lynn Winmill. (sbh)
03/28/2007	<u>73</u>	MOTION FOR PRO HAC VICE APPEARANCE for Idaho Farm Bureau Federation, Idaho Cattle Association, Washington County Farm Bureau, Custer County Farm Bureau, Lost Rivers Farm Bureau, Oregon Livestock Producer Association, Wyoming Farm Bureau Federation, Nevada Farm Bureau (Filing fee \$ 200 receipt number 232031.) by Idaho Farm Bureau Federation, Idaho Cattle Association, Washington County Farm Bureau, Custer County Farm Bureau, Lost Rivers Farm Bureau, Oregon Livestock Producer Association, Wyoming Farm Bureau Federation, Nevada Farm Bureau. Responses due by 4/23/2007 (Olsen, Nathan)
03/29/2007	74	DOCKET ENTRY ORDER approving <u>73</u> Application for Pro Hac Vice Appearance of attorney James S Burling for Idaho Farm Bureau Federation, Idaho Cattle Association, Washington County Farm Bureau, Custer County Farm Bureau, Lost Rivers Farm Bureau, Oregon Livestock Producer Association, Wyoming Farm Bureau Federation, Nevada Farm Bureau Per General Order 206, out-of-state counsel shall immediately register for ECF. (Notice sent to CM/ECF Registration Clerk) (caused to

		be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by ja,)
03/29/2007	<u>75</u>	NOTICE by Western Watersheds Project re <u>57</u> MOTION to Compel <i>Plaintiff WWP's Objections To Administrative Record, And Motion To Compel Supplementation NOTICE OF WITHDRAWAL OF MOTION TO COMPEL</i> (Lucas, Laurence)
04/05/2007	<u>76</u>	USCA Case Number 07-35265 for <u>63</u> Notice of Appeal,, filed by Idaho Farm Bureau Federation, Custer County Farm Bureau, Idaho Cattle Association, Lost Rivers Farm Bureau, Washington County Farm Bureau, Oregon Livestock Producer Association, Petroleum Association of Wyoming, Nevada Farm Bureau, Wyoming Stock Growers Association, Anadarko Petroleum Corporation, Wyoming Farm Bureau Federation. (ja,)
04/05/2007	<u>77</u>	USCA Scheduling Order as to <u>63</u> Notice of Appeal,, filed by Idaho Farm Bureau Federation, Custer County Farm Bureau, Idaho Cattle Association, Lost Rivers Farm Bureau, Washington County Farm Bureau, Oregon Livestock Producer Association, Petroleum Association of Wyoming, Nevada Farm Bureau, Wyoming Stock Growers Association, Anadarko Petroleum Corporation, Wyoming Farm Bureau Federation. (Notice sent by e-mail to Court Reporter) (ja,)
04/05/2007	<u>78</u>	USCA Case Number 07-35267 for <u>68</u> Notice of Appeal, filed by James E. Risch, State of Colorado, State of Wyoming. (ja,)
04/05/2007	<u>79</u>	USCA Scheduling Order as to <u>68</u> Notice of Appeal, filed by James E. Risch, State of Colorado, State of Wyoming. (Notice sent by e-mail to Court Reporter) (ja)
04/09/2007	<u>80</u>	MOTION for Summary Judgment by Western Watersheds Project. Responses due by 5/3/2007 (Attachments: # <u>1</u> Plaintiff WWPs Opening Summary Judgment Brief# <u>2</u> Plaintiff's Statement of Facts# <u>3</u> WWP Exh 1: Listing Petition# <u>4</u> WWP EXH 2: May Be Warranted Finding# <u>5</u> WWP EXH 3: Not Warranted Determination# <u>6</u> WWP EXH 4: ESA Background memo# <u>7</u> WWP EXH 5: prior listing memo# <u>8</u> WWP EXH 6: threat rankings# <u>9</u> WWP EXH 7: extinction votes# <u>10</u> WWP EXH 8: extinction bar graphs# <u>11</u> WWP EXH 9: Nov mtg memo# <u>12</u> WWP EXH 10: Allen notes# <u>13</u> WWP EXH 11: Deibert presentation# <u>14</u> WWP EXH 12: decision team votes# <u>15</u> WWP EXH 13: pop summary# <u>16</u> WWP EXH 14: Graf clean it up# <u>17</u> WWP EXH 15: JM interfere# <u>18</u> WWP EXH 16: Inspector General report)(Lucas, Laurence)
04/09/2007	<u>81</u>	MOTION for Leave to File Excess Pages <i>Unopposed Motion To Allow Oversized Opening Summary Judgment Brief</i> by Western Watersheds Project. Responses due by 5/3/2007 (Lucas, Laurence)
04/09/2007	<u>82</u>	NOTICE RE: REMEDIAL RELIEF by Western Watersheds Project re <u>80</u> MOTION for Summary Judgment, <u>58</u> Memorandum Decision Order <i>NOTICE RE: REMEDIAL RELIEF</i> (Lucas, Laurence)
04/10/2007	83	DOCKET ENTRY ORDER – Pending before the Court is Western Watersheds Project's unopposed Motion To Allow Oversized Opening Summary Judgment Brief <u>81</u> . As the motion is unopposed by Defendant U.S. Fish and Wildlife Service, and good cause appearing, IT IS ORDERED THAT the motion is GRANTED, and Plaintiff may file its opening summary judgment brief totaling not more than 46 page of text. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by sbh)
04/12/2007	84	NOTICE of Hearing on Motion <u>80</u> MOTION for Summary Judgment : Motion Hearing set for 7/9/2007 09:00 AM in Boise, ID before Honorable B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by lg,)
04/16/2007	<u>85</u>	STIPULATION re <u>63</u> Notice of Appeal,, <u>68</u> Notice of Appeal, <u>64</u> Expedited MOTION to Stay <i>Pending Appeal</i> , <u>71</u> Joint MOTION to Stay by Anadarko Petroleum Corporation. (Meyer, Christopher)
04/16/2007	<u>86</u>	ORDER of USCA as to <u>63</u> Notice of Appeal,, filed by Idaho Farm Bureau Federation, Custer County Farm Bureau, Idaho Cattle Association, Lost Rivers Farm Bureau, Washington County Farm Bureau, Oregon Livestock Producer Association, Petroleum Association of Wyoming, Nevada Farm Bureau, Wyoming Stock Growers Association, Anadarko Petroleum Corporation, Wyoming Farm Bureau Federation (ja,

) (Entered: 04/17/2007)
04/17/2007	87	DOCKET ENTRY ORDER – The Court hereby APPROVES IN FULL the Stipulation <u>85</u> , and adopts the deadlines and procedures contained therein. Signed by Judge B. Lynn Winmill. (sbh) Modified on 4/18/2007 to link to dkt #85 (ja).
05/07/2007	<u>88</u>	WITHDRAWAL OF DOCUMENT re: <u>64</u> Expedited MOTION to Stay <i>Pending Appeal</i> filed by Idaho Farm Bureau Federation, Custer County Farm Bureau, Idaho Cattle Association, Lost Rivers Farm Bureau, Washington County Farm Bureau, Oregon Livestock Producer Association, Petroleum Association of Wyoming, Nevada Farm Bureau, Wyoming Stock Growers Association, Anadarko Petroleum Corporation, Wyoming Farm Bureau Federation. (Meyer, Christopher)
05/08/2007	<u>89</u>	NOTICE by State of Colorado, State of Wyoming, James E. Risch re <u>71</u> Joint MOTION to Stay (Hensley, David)
05/10/2007	<u>90</u>	MOTION for Extension of Time to File Response/Reply <i>Defendant's Unopposed Motion for Extension of Time to File its Combined Opposition to Plaintiffs Motion for Summary Judgment and Cross–motion for Summary Judgment</i> by US Fish and Wildlife Service. Responses due by 6/4/2007 (Williams, Robert)
05/10/2007	<u>91</u>	ORDER of USCA as to <u>63</u> Notice of Appeal, filed by Idaho Farm Bureau Federation, Custer County Farm Bureau, Idaho Cattle Association, Lost Rivers Farm Bureau, Washington County Farm Bureau, Oregon Livestock Producer Association, Petroleum Association of Wyoming, Nevada Farm Bureau, Wyoming Stock Growers Association, Anadarko Petroleum Corporation, Wyoming Farm Bureau Federation. Appellants' motion for voluntary dismissal of this appeal is granted. This appeal is dismissed. The certified copy of this order sent to the District Court shall constitute the mandate. (ja)
05/11/2007	92	DOCKET ENTRY ORDER – Pending before the Court is Defendant U.S. Fish and Wildlife Service's Unopposed Motion <u>90</u> for Extension of Time to File its Combined Opposition to Plaintiffs Motion for Summary Judgment and Cross–motion for Summary Judgment. The Court having considered the pleadings, shall grant the motion. It is hereby ordered as follows: (1) Defendant and Intervenor–Defendants shall have until May 21, 2007 to file their oppositions and cross–motions for summary judgment; and (2) Plaintiff shall have until June 11, 2007 to file its combined opposition and reply. The remaining deadlines set forth in the Scheduling Order shall remain unchanged. Signed by Judge B. Lynn Winmill.(caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by sbh)
05/11/2007	<u>93</u>	Consent MOTION for Leave to File Excess Pages by Idaho Farm Bureau Federation, Idaho Cattle Association, Washington County Farm Bureau, Custer County Farm Bureau, Lost Rivers Farm Bureau, Oregon Livestock Producer Association, Wyoming Farm Bureau Federation, Nevada Farm Bureau, Wyoming Stock Growers Association, Petroleum Association of Wyoming, State of Colorado, Anadarko Petroleum Corporation, State of Wyoming, James E. Risch. Responses due by 6/4/2007 (Myers, William)
05/11/2007		Set/Reset Deadlines as to <u>80</u> MOTION for Summary Judgment. This is a court utility event only. Responses due by 5/21/2007 Replies due by 6/11/2007. (ja,) (Entered: 05/14/2007)
05/14/2007		Set Deadlines/Hearings: This is a court utility event only. Case Management deadline set for 5/21/2007 for defendant and Intervenor–defs to file their cross–motions for summary judgment. (ja,)
05/16/2007	94	DOCKET ENTRY ORDER – Pending before the Court is the unopposed motion <u>93</u> of Defendants–Intervenor for leave to file over–length briefs in support of both their cross–motions for summary judgment and their responses to Plaintiffs motion for summary judgment, and the State Intervenor request for leave to file an over–length statement of facts. IT IS HEREBY ORDERED that the Motion is GRANTED, and Defendants–Intervenor may file their briefs totaling not more than 35 pages of text and that the state Intervenor may file a statement of facts not to exceed 15 pages in length. The private party Intervenor shall file a statement of facts not to exceed 10 pages in length. Signed by Judge B. Lynn Winmill. (caused to be mailed to non

		Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by sbh)
05/21/2007	<u>95</u>	Cross MOTION for Summary Judgment <i>and Response to WWP's Motion for Summary Judgment</i> by Anadarko Petroleum Corporation. Responses due by 6/14/2007 (Attachments: # <u>1</u> Memorandum in Support Response to WWP's Motion for Summary Judgment & Memorandum in Support of Cross-Motion for Summary Judgment# <u>2</u> Statement of Material Facts)(Meyer, Christopher)
05/21/2007	<u>96</u>	DECLARATION of Christopher Meyer re <u>95</u> Cross MOTION for Summary Judgment <i>and Response to WWP's Motion for Summary Judgment</i> filed by Anadarko Petroleum Corporation. (Attachments: # <u>1</u> Appendix 4_172# <u>2</u> Appendix 4_213# <u>3</u> Appendix 4_218# <u>4</u> Appendix 4_223# <u>5</u> Appendix BLM76# <u>6</u> Appendix PC-34# <u>7</u> Appendix PC-37# <u>8</u> Appendix PC-46# <u>9</u> Appendix PC-761# <u>10</u> Appendix PC-781# <u>11</u> Appendix PC-801# <u>12</u> Appendix PC-868# <u>13</u> Appendix BLM2004a# <u>14</u> Appendix EM639# <u>15</u> Appendix EM1307# <u>16</u> Appendix EM5442# <u>17</u> Appendix EM5454# <u>18</u> Appendix EM8052# <u>19</u> Appendix EM8627)(Meyer, Christopher)
05/21/2007	<u>97</u>	Cross MOTION for Summary Judgment by US Fish and Wildlife Service. Responses due by 6/14/2007 (Attachments: # <u>1</u> Exhibit Washington State Farm Bureau v. NMFS, No. C06-388Z (W.D. Wash., Dec. 20, 2006)# <u>2</u> Affidavit Declaration of Thomas R. Graf# <u>3</u> Defendant's Response to Plaintiff's Statement of Facts)(Williams, Robert)
05/21/2007	<u>98</u>	MEMORANDUM in Opposition re <u>80</u> MOTION for Summary Judgment filed by US Fish and Wildlife Service. Replies due by 6/5/2007. (Attachments: # <u>1</u> Exhibit Washington State Farm Bureau v. NMFS, No. C06-388Z (W.D. Wash., Dec. 20, 2006)# <u>2</u> Affidavit Declaration of Thomas R. Graf# <u>3</u> Defendant's Response to Plaintiff's Statement of Facts)(Williams, Robert)
05/21/2007	<u>99</u>	Consent MOTION for Leave to File Excess Pages by US Fish and Wildlife Service. Responses due by 6/14/2007 (Williams, Robert)
05/21/2007	<u>100</u>	MOTION for Summary Judgment by State of Colorado, State of Wyoming, James E. Risch. Responses due by 6/14/2007 (Attachments: # <u>1</u> Memorandum in Support # <u>2</u> Exhibit WAFWA Graphing for 1995-2004# <u>3</u> Exhibit Solicitor's Opinion: DOI# <u>4</u> Exhibit BLM Conservation Efforts# <u>5</u> Statement of Facts# <u>6</u> Exhibit 2nd Hemker Declaration# <u>7</u> Exhibit Hemker Exhibit 1# <u>8</u> Exhibit Hemker Exhibit 2)(Hensley, David)
05/21/2007	<u>101</u>	CERTIFICATE OF SERVICE by Anadarko Petroleum Corporation re <u>96</u> Declaration,, (Meyer, Christopher)
05/21/2007	<u>102</u>	CERTIFICATE OF SERVICE by Anadarko Petroleum Corporation re <u>95</u> Cross MOTION for Summary Judgment <i>and Response to WWP's Motion for Summary Judgment</i> (Meyer, Christopher)
05/21/2007	<u>104</u>	ORDER of USCA as to <u>68</u> Notice of Appeal, filed by James E. Risch, State of Colorado, State of Wyoming. Appellants' motion for voluntary dismissal of this appeal is granted. (ja,) (Entered: 05/22/2007)
05/22/2007	103	DOCKET ENTRY NOTICE of Hearing on Motion <u>95</u> Cross MOTION for Summary Judgment <i>and Response to WWP's Motion for Summary Judgment</i> , <u>97</u> Cross MOTION for Summary Judgment, <u>100</u> MOTION for Summary Judgment : Motion Hearing set for 7/9/2007 09:00 AM in Boise, ID before Honorable B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by lg,)
05/29/2007	105	DOCKET ENTRY ORDER – Pending before the Court is the unopposed Consent Motion <u>99</u> filed the the U.S. Fish and Wildlife Service for Leave to File an Overlength Brief. The Court having considered the pleadings shall grant the motion. IT IS HEREBY ORDERED that the overlength brief is hereby ordered filed. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by sbh)
06/10/2007	<u>106</u>	REPLY to Response to Motion re <u>80</u> MOTION for Summary Judgment, <u>97</u> Cross MOTION for Summary Judgment <i>Plaintiff WWP's Combined Reply Brief In Support Of Its Summary Judgment Motion, And Response Brief Opposing Defendant's Motion For Summary Judgment</i> filed by Western Watersheds Project. (Attachments: # <u>1</u>

		Declaration of Jon Marvel# <u>2</u> Certificate of Service)(Lucas, Laurence)
06/10/2007	<u>107</u>	MOTION for Leave to File Excess Pages <i>Motion For Leave To File Overlength Combined Reply/Response Summary Judgment Brief</i> by Western Watersheds Project. Responses due by 7/9/2007 (Lucas, Laurence)
06/10/2007	<u>108</u>	MEMORANDUM in Opposition re <u>100</u> MOTION for Summary Judgment, <u>95</u> Cross MOTION for Summary Judgment <i>and Response to WWP's Motion for Summary Judgment Plaintiff WWP's Response Brief Opposing Intervenors' Motions For Summary Judgment</i> filed by Western Watersheds Project. Replies due by 6/25/2007. (Lucas, Laurence)
06/11/2007	109	DOCKET ENTRY ORDER – Pending before the Court is Plaintiff's Motion To Allow Oversized Reply/Response Summary Judgment Brief <u>107</u> , which totals 44 pages of text and represents a combined reply brief in support of Plaintiff's motion for summary judgment and response brief opposing Defendant's motion for summary judgment. The Court having considered the pleadings shall grant the motion. IT IS HEREBY ORDERED that the motion is GRANTED, and Plaintiff may file its proposed Combined Reply/Response Summary Judgment Brief totaling not more than 44 pages of text. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by sbh)
06/12/2007	<u>110</u>	RESPONSE to Motion re <u>100</u> MOTION for Summary Judgment, <u>95</u> Cross MOTION for Summary Judgment <i>and Response to WWP's Motion for Summary Judgment</i> , <u>97</u> Cross MOTION for Summary Judgment filed by Western Watersheds Project. Replies due by 6/29/2007. (Tucci, Todd) Modified on 6/13/2007 to link to dkt #80 (ja,).
06/13/2007		Set/Reset Deadlines as to <u>97</u> Cross MOTION for Summary Judgment, <u>95</u> Cross MOTION for Summary Judgment <i>and Response to WWP's Motion for Summary Judgment</i> , <u>100</u> MOTION for Summary Judgment. This is a court utility event only. Replies due by 6/25/2007. See docket order #60 (ja)
06/25/2007	<u>111</u>	REPLY to Response to Motion re <u>95</u> Cross MOTION for Summary Judgment <i>and Response to WWP's Motion for Summary Judgment</i> filed by Anadarko Petroleum Corporation. (Attachments: # <u>1</u> Certificate of Service# <u>2</u> Declaration of Christopher H. Meyer# <u>3</u> Exhibit 4_56 to Declaration# <u>4</u> Exhibit 4-134 to Declaration# <u>5</u> Exhibit 4_213 to Declaration# <u>6</u> Exhibit 4_220 to Declaration# <u>7</u> Exhibit PC_580 to Declaration# <u>8</u> Exhibit PC_868 to Declaration# <u>9</u> Certificate of Service for Declaration)(Meyer, Christopher)
06/25/2007	<u>112</u>	REPLY to Response to Motion re <u>97</u> Cross MOTION for Summary Judgment filed by US Fish and Wildlife Service. (Williams, Robert)
06/25/2007	<u>113</u>	Consent MOTION for Leave to File Excess Pages by US Fish and Wildlife Service. Responses due by 7/23/2007 (Williams, Robert)
06/25/2007	<u>114</u>	REPLY to Response to Motion re <u>100</u> MOTION for Summary Judgment filed by State of Colorado, State of Wyoming, James E. Risch. (Perry, Thomas)
06/29/2007	<u>115</u>	NOTICE by Wyoming Stock Growers Association, Petroleum Association of Wyoming <i>of Supplemental Authority</i> (Attachments: # <u>1</u> NAHB v. Defenders, 06-340)(Myers, William)
07/09/2007	<u>116</u>	<i>Minute Entry for proceedings held before Judge B. Lynn Winmill : Motion Hearing held on 7/9/2007 re <u>100</u> MOTION for Summary Judgment filed by James E. Risch, State of Colorado, State of Wyoming, <u>95</u> Cross MOTION for Summary Judgment <i>and Response to WWP's Motion for Summary Judgment</i> filed by Anadarko Petroleum Corporation, <u>80</u> MOTION for Summary Judgment filed by Western Watersheds Project, <u>97</u> Cross MOTION for Summary Judgment filed by US Fish and Wildlife Service. Matters deemed UNDER ADVISEMENT. (Court Reporter Stacy Heinz.) (lg,)</i>
10/04/2007	117	DOCKET ENTRY ORDER – Pending before the Court is Defendant U.S. Fish and Wildlife Service's unopposed Motion <u>113</u> for Leave to File Excess Pages. The Court having considered the pleadings shall grant the motion. IT IS HEREBY ORDERED that Defendant may file a reply brief in support of its combined opposition to Plaintiff's motion for summary judgment and cross-motion for summary judgment not exceeding 25 pages of text. Signed by Judge B. Lynn Winmill. (caused to be mailed to

		non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by sbh)
12/04/2007	<u>118</u>	MEMORANDUM DECISION re: <u>80</u> MOTION for Summary Judgment filed by Western Watersheds Project. The Court will grant WWP's motion for summary judgment, reverse the FWS's decision, and remand the case to the agency for further consideration. The Court will deny the other motions, and will issue a separate Judgment as required by Rule 58(a)(1). Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by ja,)
12/04/2007	<u>119</u>	JUDGMENT Granting <u>80</u> MOTION for Summary Judgment filed by Western Watersheds Project; Denying <u>97</u> Cross MOTION for Summary Judgment filed by US Fish and Wildlife Service; Denying <u>100</u> MOTION for Summary Judgment filed by James E. Risch, State of Colorado, State of Wyoming; Denying <u>95</u> Cross MOTION for Summary Judgment <i>and Response to WWP's Motion for Summary Judgment</i> filed by Anadarko Petroleum Corporation. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by ja,)
12/04/2007	120	DOCKET ENTRY ORDER – For recordkeeping purposes, the Memorandum Decision <u>118</u> and Judgment <u>119</u> filed this date, are amended as to the caption only. The Fish and Wildlife Service replaces the U.S. Forest Service, which was inadvertently listed as the Defendant. Signed by Judge B. Lynn Winmill. (sbh)
12/18/2007	<u>121</u>	MOTION for Reconsideration re 120 Order, <u>119</u> Judgment, 118] Memorandum Decision by Idaho Farm Bureau Federation, Idaho Cattle Association, Washington County Farm Bureau, Custer County Farm Bureau, Lost Rivers Farm Bureau, Oregon Livestock Producer Association, Wyoming Farm Bureau Federation, Nevada Farm Bureau, Wyoming Stock Growers Association, Petroleum Association of Wyoming, State of Colorado, State of Wyoming, James E. Risch. Responses due by 1/11/2008 (Jones, Sonya).
12/18/2007	<u>122</u>	MOTION to Alter Judgment <i>Plaintiff's Motion To Alter Or Amend Judgment</i> by Western Watersheds Project. Responses due by 1/11/2008 (Attachments: # <u>1</u> Memorandum in Support Brief In Support Of Motion To Alter Or Amend Judgment)(Lucas, Laurence)
12/19/2007	123	DOCKET ENTRY NOTICE of Hearing on Motion <u>122</u> MOTION to Alter Judgment <i>Plaintiff's Motion To Alter Or Amend Judgment</i> : Motion Hearing set for 2/22/2008 08:30 AM in Boise, ID before Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by lg,)
12/21/2007	124	DOCKET ENTRY ORDER – The Court has before it Intervenor's motion for reconsideration. The Court fully considered Intervenor's arguments in making its earlier ruling. Accordingly, the motion to reconsider <u>121</u> is DENIED.. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by sbh)
12/24/2007	125	DOCKET ENTRY ORDER – The Court previously denied Intervenor's motion for reconsideration 124 , but will now expand upon its decision. A motion seeking reconsideration is only appropriate if the district court (1) is presented with newly discovered evidence, (2) committed clear error or the initial decision was manifestly unjust, or (3) if there is an intervening change in controlling law, or, perhaps, in some other highly unusual circumstances. <i>School Dist. No. 1J, Multnomah County, Oregon v. ACandS, Inc.</i> , 5 F.3d 1255, 1263 (9th Cir. 1993). The Court carefully considered the briefs submitted in support of the motion to reconsider and finds that the Intervenor's have not presented grounds requiring the Court to reconsider its earlier decision. The Court fully considered Intervenor's arguments in making its earlier ruling. Accordingly, the motion to reconsider <u>121</u> is DENIED. Signed by Judge B. Lynn Winmill. (sbh)
01/08/2008	<u>126</u>	Private Party Intervenor's Response to <u>122</u> <i>Plaintiff's Motion To Alter Or Amend Judgment</i> filed by Wyoming Stock Growers Association, Petroleum Association of Wyoming. Replies due by 1/28/2008.(Myers, William) Modified on 1/9/2008 to edit text (ja).

01/11/2008	<u>127</u>	MEMORANDUM in Opposition re <u>122</u> MOTION to Alter Judgment <i>Plaintiff's Motion To Alter Or Amend Judgment</i> filed by US Fish and Wildlife Service. Replies due by 1/31/2008. (Attachments: # <u>1</u> Affidavit Declaration of Bryan Arroyo, # <u>2</u> Text of Proposed Order)(Williams, Robert)
01/11/2008	<u>128</u>	MEMORANDUM in Opposition re <u>122</u> MOTION to Alter Judgment <i>Plaintiff's Motion To Alter Or Amend Judgment</i> filed by State of Colorado, State of Wyoming, James E. Risch. Replies due by 1/31/2008. (Attachments: # <u>1</u> Exhibit Hemker Declaration, # <u>2</u> Exhibit Christiansen Declaration)(Perry, Thomas)
01/29/2008	129	DOCKET ENTRY NOTICE of Hearing on Motion <u>122</u> MOTION to Alter Judgment <i>Plaintiff's Motion To Alter Or Amend Judgment</i> : DUE TO THE COURT'S TRIAL CALENDAR, THE Motion Hearing set for 2/22/2008 AT 8:30 AM HAS BEEN RESCHEDULED BY THE COURT FOR HEARING ON 2/29/2008 09:00 AM in Boise, ID before Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by lg,)
01/30/2008	<u>130</u>	STIPULATION re <u>122</u> MOTION to Alter Judgment <i>Plaintiff's Motion To Alter Or Amend Judgment STIPULATION ON REMAND</i> by Western Watersheds Project. (Attachments: # <u>1</u> Proposed Order)(Lucas, Laurence)
01/31/2008		CORRECTIVE ENTRY – The entry document number <u>130</u> Stipulation filed by Western Watersheds Project in regards to the proposed order, was filed incorrectly in this case. Pursuant to the ECF Procedures, section 12B, all proposed orders are to be submitted by email to the appropriate Judges proposed order email box and not attached to pleadings. The filing party shall re-submit their proposed order. (jm)
02/07/2008	<u>131</u>	MOTION to withdraw Stipulation Coby Howell appearing for Defendant US Fish and Wildlife Service. Responses due by 3/3/2008 (Attachments: # <u>1</u> Affidavit of Bryan Arroyo)(Howell, Coby)
02/13/2008	<u>132</u>	MEMORANDUM in Opposition re <u>131</u> MOTION to withdraw Stipulation, <u>122</u> MOTION to Alter Judgment <i>Plaintiff's Motion To Alter Or Amend Judgment WWP'S BRIEF OPPOSING SERVICE MOTION TO WITHDRAW STIPULATION ON REMAND</i> filed by Western Watersheds Project. Replies due by 3/3/2008. (Attachments: # <u>1</u> Lucas Declaration, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5)(Lucas, Laurence)
02/13/2008	133	DOCKET ENTRY ORDER – Finding good cause therefore, NOW THEREFORE IT IS HEREBY ORDERED, that the Government's Motion to Withdraw Stipulation <u>131</u> shall be heard on February 29, 2008, along with the Motion to Alter or Amend <u>122</u> . Signed by Judge B. Lynn Winmill. (sbh)
02/15/2008	134	DOCKET ENTRY NOTICE of Hearing on Motion <u>131</u> MOTION to withdraw Stipulation : Pursuant to order (doc 133) Motion Hearing set for 2/29/2008 09:00 AM in Boise, ID before Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by lg,)
02/21/2008	<u>135</u>	REPLY to Response to Motion re <u>131</u> MOTION to withdraw Stipulation filed by US Fish and Wildlife Service.(Williams, Robert)
02/29/2008	<u>136</u>	Minute Entry for proceedings held before Judge B. Lynn Winmill: Motion Hearing held on 2/29/2008 re <u>122</u> MOTION to Alter Judgment <i>Plaintiff's Motion To Alter Or Amend Judgment</i> filed by Western Watersheds Project, <u>131</u> MOTION to withdraw Stipulation filed by US Fish and Wildlife Service. (Court Reporter Stacy Heinz.) (so)
02/29/2008	<u>137</u>	MEMORANDUM DECISION AND ORDER Deeming as moot <u>122</u> MOTION <i>To Alter Or Amend Judgment</i> filed by Western Watersheds Project, Denying <u>131</u> MOTION to withdraw Stipulation filed by US Fish and Wildlife Service. The Stipulation <u>130</u> is Approved. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jm,)
03/14/2008	<u>138</u>	MOTION for Attorney Fees <i>Plaintiff's Motion For Award Of Attorney Fees And Litigation Expenses</i> Laurence J Lucas appearing for Plaintiff Western Watersheds Project. Responses due by 4/7/2008 (Lucas, Laurence)

03/14/2008	<u>139</u>	MOTION to Stay re <u>138</u> MOTION for Attorney Fees <i>Plaintiff's Motion For Award Of Attorney Fees And Litigation Expenses WWP's Motion To Stay Briefing On Fees Motion</i> Laurence J Lucas appearing for Plaintiff Western Watersheds Project. Responses due by 4/7/2008 (Lucas, Laurence)
03/19/2008		NOTICE TO COURT that counsel Sonya D. Jones wishes to no longer be noticed electronically on this case as of the date of this notice. (Jones, Sonya)
03/20/2008	<u>140</u>	RESPONSE to Motion re <u>139</u> MOTION to Stay re <u>138</u> MOTION for Attorney Fees <i>Plaintiff's Motion For Award Of Attorney Fees And Litigation Expenses WWP's Motion To Stay Briefing On Fees Motion</i> MOTION to Stay re <u>138</u> MOTION for Attorney Fees <i>Plaintiff's Motion For Award Of Attorney Fees And Litigation Expenses WWP's Motion To Stay Briefing On Fees Motion</i> filed by US Fish and Wildlife Service. Replies due by 4/7/2008.(Williams, Robert)
03/21/2008	<u>141</u>	WWP's REPLY on its Motion to Stay Fees Briefing re <u>139</u> MOTION to Stay filed by Western Watersheds Project.(Lucas, Laurence) Modified on 3/21/2008 to edit text (jm).
04/07/2008	142	DOCKET ENTRY ORDER – Pending before the Court is Plaintiff's Motion <u>139</u> to Stay Briefing on the Attorneys' Fees Motion and Defendant's Response <u>140</u> . The Court having reviewed the pleadings shall grant the motion. IT IS HEREBY ORDERED THAT briefing on Plaintiff's Motion for Award of Attorneys' Fees and Litigation Expenses <u>138</u> is stayed until May 16, 2008, at which time the Court will schedule a telephonic status conference to discuss the future course of action on Plaintiff's Motion for Award of Attorneys' Fees and Litigation Expenses. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by sbh)
04/17/2008	143	DOCKET ENTRY NOTICE of Hearing: Pursuant to the Court's docket entry order (doc 142) A Telephonic Status Conference set for 5/27/2008 01:00 PM in Boise Chambers before Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by lg,)
04/17/2008	144	DOCKET ENTRY NOTICE of Hearing: ** CLARIFICATION** Telephonic Status Conference set for 5/27/2008 01:00 PM in Boise Chambers before Judge B. Lynn Winmill. Government is directed to initiate the conference call. The Court can be reached at (208)334-9145.(caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by lg,)
04/25/2008	<u>145</u>	NOTICE OF APPEAL by US Fish and Wildlife Service. (Notice sent by e-mail to Court Reporter) (Attachments: # <u>1</u> Exhibit December 4, 2007 Judgment, # <u>2</u> Exhibit December 4, 2007 Memorandum Decision, # <u>3</u> Exhibit February 29, 2008 Memorandum Decision and Order)(Williams, Robert) (08-35352).
04/28/2008	<u>146</u>	NOTICE OF APPEAL by Idaho Farm Bureau Federation. Filing fee \$ 455, receipt number 0976000000000346757. (Notice sent by e-mail to Court Reporter) (Burling, James) (08-35353)
04/28/2008	<u>147</u>	APPEAL DOCKETING STATEMENT re <u>146</u> Notice of Appeal : by Intervenor Defendant Idaho Farm Bureau Federation (Attachments: # <u>1</u> Exhibit Memorandum Decision, # <u>2</u> Exhibit Judgment, # <u>3</u> Exhibit Representation Statement)(Burling, James)
04/28/2008	<u>148</u>	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <u>145</u> Notice of Appeal. NOTE: The Transcript Designation and Ordering Form is located on the Court web site at www.id.uscourts.gov >Forms>General>Transcript Designation & Ordering Form. (jm)
04/28/2008	<u>149</u>	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <u>146</u> Notice of Appeal. NOTE: The Transcript Designation and Ordering Form is located on the Court web site at www.id.uscourts.gov >Forms>General>Transcript Designation & Ordering Form. (jm)
05/05/2008	<u>150</u>	USCA Case Number 08-35352 for <u>145</u> Notice of Appeal, filed by US Fish and Wildlife Service. (jm) (Entered: 05/06/2008)

05/05/2008	<u>151</u>	USCA Scheduling Order as to <u>145</u> Notice of Appeal, filed by US Fish and Wildlife Service. (Notice sent by e-mail to Court Reporter) (jm) (Entered: 05/06/2008)
05/06/2008	<u>153</u>	USCA Case Number 08-35353 for <u>146</u> Notice of Appeal filed by Idaho Farm Bureau Federation. (jm) (Entered: 05/08/2008)
05/06/2008	<u>154</u>	USCA Time Schedule Order as to <u>146</u> Notice of Appeal filed by Idaho Farm Bureau Federation. (Notice sent by e-mail to Court Reporter) (08-35353) (jm) (Entered: 05/08/2008)
05/07/2008	<u>152</u>	NOTICE by Idaho Farm Bureau Federation, Idaho Cattle Association, Washington County Farm Bureau, Custer County Farm Bureau, Lost Rivers Farm Bureau, Oregon Livestock Producer Association, Wyoming Farm Bureau Federation, Nevada Farm Bureau <i>re: No Transcript Will Be Ordered for Appeal</i> (Burling, James)
05/08/2008	<u>155</u>	CERTIFICATE of Record on Appeal by Idaho Farm Bureau Federation re <u>146</u> Notice of Appeal (cc: 9CCA) (jm)
05/09/2008	<u>156</u>	NOTICE OF APPEAL as to 125 Order, <u>119</u> Judgment <u>118</u> Memorandum Decision, Order, 124 Order on Motion for Reconsideration, by State of Wyoming. Filing fee \$ 455, receipt number 0976000000000351315. (Notice sent by e-mail to Court Reporter) (Attachments: # <u>1</u> Docketing Statement, # <u>2</u> Doc 118, # <u>3</u> Doc 119, # <u>4</u> Doc 124, # <u>5</u> Doc 125, # <u>6</u> Representation Statement)(Myers, William) (08-35409).
05/09/2008	<u>157</u>	APPEAL DOCKETING STATEMENT re <u>156</u> Notice of Appeal, : by Intervenor Defendant State of Wyoming <i>AS AMENDED</i> (Myers, William)
05/09/2008	<u>158</u>	NOTICE OF APPEAL by Wyoming Stock Growers Association, Petroleum Association of Wyoming. Filing fee \$ 455, receipt number 0976000000000351442. (Notice sent by e-mail to Court Reporter) (Attachments: # <u>1</u> Docketing Statement, # <u>2</u> Doc 118, # <u>3</u> Doc 119, # <u>4</u> Doc 124, # <u>5</u> Doc 125, # <u>6</u> Representation Statement)(Myers, William) (08-35414).
05/12/2008	<u>159</u>	STIPULATION re <u>138</u> MOTION for Attorney Fees <i>Plaintiff's Motion For Award Of Attorney Fees And Litigation Expenses Stipulation to Further Stay Briefing On Fees Motion</i> by Western Watersheds Project. (Lucas, Laurence)
05/12/2008	160	DOCKET ENTRY ORDER – Pending before the Court is the Stipulation of Counsel <u>159</u> to Stay Briefing on the Attorneys' Fees Motion <u>138</u> and Defendant's Response <u>140</u> . The Court having reviewed the pleadings shall approve the Stipulation. IT IS HEREBY ORDERED THAT briefing on Plaintiff's Motion for Award of Attorneys' Fees and Litigation Expenses <u>138</u> is stayed until August 12, 2008. Therefore, the telephone status conference currently set on May 27, 2008 at 1:00 p.m. to discuss the future course of action on Plaintiff's Motion for Award of Attorneys' Fees and Litigation Expenses is VACATED. The telephonic status conference shall be reset on August 28, 2008 at 1:00 p.m. Plaintiff is directed to placed the call with all counsel on the line, using a conference operator, to (208) 334-9145. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by sbh)
05/12/2008	<u>161</u>	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <u>156</u> Notice of Appeal. NOTE: The Transcript Designation and Ordering Form is located on the Court web site at www.id.uscourts.gov >Forms>General>Transcript Designation & Ordering Form. (jm)
05/12/2008	<u>162</u>	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <u>158</u> Notice of Appeal,. NOTE: The Transcript Designation and Ordering Form is located on the Court web site at www.id.uscourts.gov >Forms>General>Transcript Designation & Ordering Form. (jm)
05/12/2008		Set/Reset Hearings: Telephonic Status Conference reset for 8/28/2008 01:00 PM in Boise Chambers before Judge B. Lynn Winmill. (jm) (Entered: 05/14/2008)
05/16/2008	<u>163</u>	NOTICE by Wyoming Stock Growers Association, Petroleum Association of Wyoming <i>That No Transcript Will Be Ordered</i> (Myers, William)
05/16/2008	<u>164</u>	NOTICE by State of Wyoming <i>That No Transcript Will Be Ordered</i> (Myers, William)

05/19/2008	<u>165</u>	CERTIFICATE of Record on Appeal by State of Wyoming re <u>156</u> Notice of Appeal, (jm) (Additional attachment(s) added on 5/19/2008: # <u>1</u> Certificate of Record on Appeal) (jm).
05/19/2008	<u>166</u>	CERTIFICATE of Record on Appeal by Wyoming Stock Growers Association, Petroleum Association of Wyoming re <u>158</u> Notice of Appeal, (jm) (Additional attachment(s) added on 5/19/2008: # <u>1</u> Certificate of Record on Appeal) (jm).
05/19/2008	<u>167</u>	USCA Case Number 08-35409 for <u>156</u> Notice of Appeal, filed by State of Wyoming. (jm)
05/19/2008	<u>168</u>	USCA Time Schedule Order as to <u>156</u> Notice of Appeal, filed by State of Wyoming. (Notice sent by e-mail to Court Reporter) (jm)
05/21/2008	<u>169</u>	USCA Case Number 08-35414 for <u>158</u> Notice of Appeal, filed by Petroleum Association of Wyoming, Wyoming Stock Growers Association. (jm)
05/21/2008	<u>170</u>	USCA TIME SCHEDULE ORDER as to <u>158</u> Notice of Appeal, filed by Petroleum Association of Wyoming, Wyoming Stock Growers Association. (Notice sent by e-mail to Court Reporter) (jm) (Additional attachment(s) added on 5/21/2008: # <u>1</u> Time Schedule Order) (jm).
08/22/2008	<u>171</u>	STIPULATION to Continue Briefing on Plaintiff's Motion for Attorney Fees and Costs and Vacate Status Conference. re <u>138</u> <i>Plaintiff's Motion For Award Of Attorney Fees And Litigation Expenses</i> , re 160 Order to Continue Briefing on Plaintiff's Motion for Attorney's Fees and Costs and Vacate Status Conference by US Fish and Wildlife Service. (Attachments: # <u>1</u> Text of Proposed Order)(Williams, Robert) Modified on 8/25/2008 to edit text (jm).
08/26/2008	172	DOCKET ENTRY ORDER – Pending before the Court is Stipulation <u>171</u> of counsel to Stay the Briefing on Plaintiff's Motion for Attorney's Fees and Costs and Vacate Status Conference. The Court having considered the pleadings shall approve the Stipulation. IT IS HEREBY ORDERED THAT the briefing on Plaintiff's Motion for Award of Attorney's Fees and Litigation Expenses <u>138</u> is stayed until October 10, 2008 and the status conference scheduled for August 28, 2008 at 1:00 p.m. is vacated. Signed by Judge B. Lynn Winmill. (sbh)
08/26/2008		Set/Reset Deadlines as to <u>138</u> MOTION for Attorney Fees <i>Plaintiff's Motion For Award Of Attorney Fees And Litigation Expenses</i> . Responses due by 10/10/2008 (dks) (Entered: 08/27/2008)
08/29/2008	<u>173</u>	STATUS REPORT by US Fish and Wildlife Service. (Attachments: # <u>1</u> Declaration of James J. Slack)(Williams, Robert)
09/11/2008	<u>174</u>	ORDER of USCA as to <u>146</u> Notice of Appeal filed by Idaho Farm Bureau Federation, <u>145</u> Notice of Appeal, filed by US Fish and Wildlife Service, <u>156</u> Notice of Appeal, filed by State of Wyoming, <u>158</u> Notice of Appeal, filed by Petroleum Association of Wyoming, Wyoming Stock Growers Association (jm) (Entered: 09/12/2008)
09/19/2008	<u>175</u>	ORDER of USCA as to <u>158</u> Notice of Appeal, filed by Petroleum Association of Wyoming, Wyoming Stock Growers Association. The appellants' motion for voluntary dismissal of the case under Fed. R. App. P. 42(b) is granted. (jm)
10/03/2008	<u>176</u>	STIPULATION to Continue Briefing on Plaintiff's Motion for Attorney's Fees and Costs by US Fish and Wildlife Service. (Attachments: # <u>1</u> Text of Proposed ORder)(Williams, Robert)
10/04/2008	177	DOCKET ENTRY ORDER – Pending before the Court is Stipulation <u>176</u> of counsel to Stay the Briefing on Plaintiff's Motion for Attorney's Fees and Costs and Vacate Status Conference. The Court having considered the pleadings shall approve the Stipulation. IT IS HEREBY ORDERED THAT the briefing on Plaintiff's Motion for Award of Attorney's Fees and Litigation Expenses <u>138</u> is stayed until December 12, 2008. Signed by Judge B. Lynn Winmill. (sbh)
11/06/2008	<u>178</u>	ORDER of USCA as to <u>146</u> Notice of Appeal filed by Idaho Farm Bureau Federation. The USA's motion to dismiss this appeal for lack of jurisdiction is granted. (jm) (Entered: 11/07/2008)

12/03/2008	<u>179</u>	MANDATE of USCA as to <u>146</u> Notice of Appeal filed by Idaho Farm Bureau Federation (jm) (Entered: 12/04/2008)
12/12/2008	<u>180</u>	STIPULATION <i>Regarding Plaintiff's Motion for Attorney's Fees and Costs</i> by US Fish and Wildlife Service. (Williams, Robert)
12/15/2008	<u>181</u>	ORDER The Stay in this matter is hereby lifted. The terms of the Stipulated Settlement Agreement are hereby granted. re <u>180</u> Stipulation. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jm)
01/16/2009	<u>182</u>	STATUS REPORT by US Fish and Wildlife Service. (Attachments: # <u>1</u> Guertin Declaration)(Williams, Robert)
05/29/2009	<u>183</u>	STIPULATION re <u>130</u> <i>Stipulation Amended Stipulation on Remand</i> by US Fish and Wildlife Service. (Williams, Robert)
06/15/2009	184	DOCKET ENTRY ORDER – Before the Court is an Amended Stipulation on Remand <u>183</u> submitted by Plaintiff Western Watersheds Project (WWP) and Defendant U.S. Fish and Wildlife Service (Service). The Court having considered the pleadings shall approve the Stipulation. IT IS ORDERED THAT the Amended Stipulation on Remand is APPROVED and adopted as an order of the Court. IT IS FURTHER ORDERED THAT, by February 26, 2010, the Service will submit for publication in the Federal Register a new listing determination on greater sage–grouse upon remand from the Court. Signed by Judge B. Lynn Winmill. (sbh)
02/22/2010	<u>185</u>	Consent MOTION for Extension of Time to File / <i>Consent Motion to Extend Deadline In Amended Joint Stipulation On Remand</i> Robert Pendleton Williams appearing for Defendant US Fish and Wildlife Service. Responses due by 3/18/2010 (Williams, Robert)
02/25/2010	186	DOCKET ENTRY ORDER – Pending before the Court is the Federal Defendant's unopposed Motion <u>185</u> to extend the deadline for submission for a new listing determination on greater sage–grouse upon remand. The Court having considered the pleadings shall grant the Motion. IT IS ORDERED THAT by March 5, 2010, the Service will submit for publication in the Federal Register a new listing determination on greater sage–grouse upon remand from the Court. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by sbh)
03/08/2010	<u>187</u>	AMENDED COMPLAINT <i>proposed First Supplemental Complaint</i> against US Fish and Wildlife Service, filed by Western Watersheds Project.(Lucas, Laurence)
03/08/2010	<u>188</u>	MOTION to Supplement <i>Motion For Leave To File First Supplemental Complaint</i> re: <u>187</u> Amended Complaint Laurence J Lucas appearing for Plaintiff Western Watersheds Project. Responses due by 4/1/2010 (Lucas, Laurence)
03/18/2010	<u>189</u>	RESPONSE to Motion re <u>188</u> MOTION to Supplement <i>Motion For Leave To File First Supplemental Complaint</i> re: <u>187</u> Amended Complaint filed by US Fish and Wildlife Service. Replies due by 4/5/2010.(Williams, Robert)
03/29/2010	<u>190</u>	JOINDER by Intervenor Defendants James E. Risch, State of Wyoming joining <u>189</u> Response to Motion. (Myers, William) Modified on 3/30/2010 to create a relationship to Doc #188 (dks).
03/31/2010	<u>191</u>	JOINDER by Intervenor Defendants Anadarko Petroleum Corporation, Idaho Cattle Association, Idaho Farm Bureau Federation, Petroleum Association of Wyoming, Wyoming Stock Growers Association joining <u>189</u> Response to Motion <i>for Leave to File First Supplemental Complaint</i> . (Myers, William)
04/27/2010	<u>192</u>	MEMORANDUM DECISION AND ORDER denying <u>188</u> Motion for leave to file supplemental complaint. It is further ordered that if pla brings a new action raising allegations set forth in the proposed supplemental complaint, it shall be assigned to the undersigned judge for purposes of judicial economy. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by dks)