

Names of Parties Filing Document:

UNITED STATES OF AMERICA

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**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. 47-16564
	)	
Case No. 39576	)	MOTION TO VACATE HEARING ON
	)	STANDARD FORM 5, AMENDED
	)	CLAIM

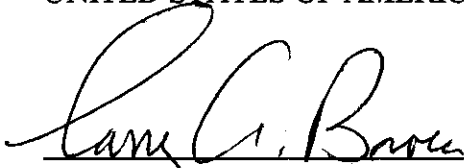
The United States of America, by and through the undersigned attorney, respectfully moves this Court to vacate the hearing on Standard Form 5, Amended Claim. The partial decree and the Standard Form 5 filed in the above-captioned subcase contain identical descriptions of the elements of water right 47-16564. Because there is no difference between the partial decree filed in the above-captioned subcase and Standard Form 5, Amended Claim filed in the above-captioned subcase, the hearing on the Standard Form 5, Amended Claim should be vacated.

There appearing to be good cause, this Court should file an order vacating the hearing on Standard Form 5, Amended Claim.

DATED this 4th day of July, 2004.

Respectfully submitted,

UNITED STATES OF AMERICA



Larry A. Brown
Of Attorneys for the United States

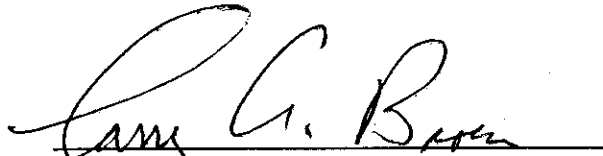
CERTIFICATE OF SERVICE

I certify that on July 14, 2004, I served a true and correct copy of the foregoing **MOTION TO VACATE HEARING ON STANDARD FORM 5, AMENDED CLAIM; SUBCASE 47-16564** and proposed **ORDER** by placing the documents in the United States Mail in Washington D.C., postage paid, and addressed as follows:

U.S. Department of Justice
General Litigation Section
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83720-0098

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098


Signature of Attorney Serving Documents

**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. 47-16564
	)	
	)	ORDER VACATING HEARING ON
Case No. 39576	)	STANDARD FORM 5, AMENDED
_____	)	CLAIM

On _____, 2004, the United States of America filed a Motion to Vacate

Hearing on Standard Form 5, Amended Claim in Subcase No. 47-16564. The Motion states:

The partial decree and the Standard Form 5 filed in the above-captioned subcase contain identical descriptions of the elements of water right 47-16564. Because there is no difference between the partial decree filed in the above-captioned subcase and Standard Form 5, Amended Claim filed in the above-captioned subcase, the hearing on the Standard Form 5, Amended Claim should be vacated.

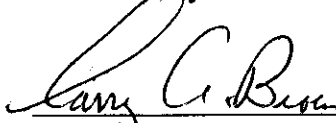
Based upon the Motion of the United States and the record herein, and there appearing to be good cause and the Court being fully informed, it is therefore

ORDERED that the Hearing on Standard Form 5, Amended Claim is vacated.

DATED this ____ day of July, 2004.

John M. Melanson
Presiding Judge, Snake River Basin Adjudication

Submitted by:



Larry A. Brown
Of Attorneys for the United States

CERTIFICATE OF SERVICE

I certify that on _____, 2004, I served a true and correct copy of the foregoing **ORDER VACATING HEARING ON STANDARD FORM 5, AMENDED CLAIM; SUBCASE NO. 47-16564** by placing the document in the United States Mail in Twin Falls, Idaho, postage paid, and addressed as follows:

U.S. Department of Justice
General Litigation Section
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

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Deputy Clerk