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U.S. Department of Justice

Environment and Natural Resources Division

BB:DAJ

90-6-2-63C

Department of Water Resources

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January 8, 2003

via FedEx Mail

Diana R. Delaney, Chief Deputy Clerk
Snake River Basin Adjudication
DISTRICT COURT
253 Third Ave., North
Twin Falls, Idaho 83303-2707

Re: SRBA Case No. 39576
Subcase No. 43-11113

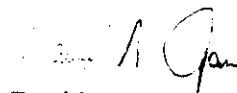
Dear Ms. Delaney:

Enclosed for filing is the following original document in the above mentioned subcase:

1. **MOTION TO VACATE HEARING.**

Thank you for your time and attention in this matter.

Sincerely,


David A. Jarvis
Paralegal

Enclosure

JAN 10 2003

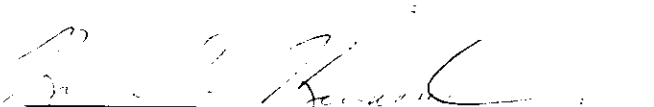
MOTION TO VACATE HEARING (NATIONAL PARK SERVICE - CITY OF ROCKS NATIONAL RESERVE) - Page 1

identify the purpose of use as "administrative including domestic" and to properly identify the amounts of water for the future as well as current administrative needs of this reserve and which, while still de minimus, are higher than identified in the original claim.

3. The United States believes that, due to the pending SF-4 Motion to File Amended Notice of Claim, it would be appropriate to vacate the evidentiary hearing and reset that hearing after the Court acts on the United States' SF-4 Motion to File Amended Notice of Claim and, if that Motion is granted, after the objection period on the United States' Amended Notice of Claim has run.

WHEREFORE, the United States respectfully requests the Court to: (1) take up and act upon the United States' SF-4 Motion to File Amended Notice of Claim at the Court's monthly status conference on January 21, 2003; (2) vacate the evidentiary hearing currently set for January 21, 2003, and to reset that hearing after the Court acts on the United States' pending Motion and, if granted, after the objection period on the United States' Amended Notice of Claim has run, or, in the event any objections to the amended claim are filed, to set the case for a status and scheduling conference; and (3) to vacate the date for the filing of any affidavits and to reset that deadline at an appropriate date in advance of the rescheduled evidentiary hearing.

Respectfully submitted,



BRUCE D. BERNARD

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Attorney for the United States of America, on
behalf of the United States Department of the
Interior, National Park Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of **MOTION TO VACATE HEARING** was mailed by U.S. mail this ____ day of January, 2003 to all individuals listed below.

By FedEx Mail:

DISTRICT COURT
253 Third Ave., North
Twin Falls, ID 83301
208-736-2121

By First-Class Mail:

State of Idaho
Office of the Attorney General
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