



U.S. Department of Justice

Environment and Natural Resources Division

LL:DAJ

90-6-2-63C

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RECEIVED

JUN 20 2002

June 18, 2002

Department of Water Resources

via facsimile transmission

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 Nos.: See Exhibit A

Dear Ms. Delaney:

Enclosed for filing are the original copies of the following documents in the above mentioned subcases:

1. UNITED STATES' UNOPPOSED MOTION TO WITHDRAW ITS MOTION TO STAY
2. [Proposed] ORDER WITHDRAWING MOTION TO STAY AND VACATING HEARING

Thank you for your time and attention in this matter.

Sincerely,

David A. Jarvis
Paralegal

Enclosure

Name of Party Filing Document:
UNITED STATES OF AMERICA

Attorneys' Names and Addresses:
THOMAS L. SANSONETTI
Assistant Attorney General
Environmental and Natural Resources Division

R. LEE LEININGER
LARRY A. BROWN
Attorneys, General Litigation Section
Environmental and Natural Resources Division
U.S. Department of Justice
999 18th Street, Suite 945, North Tower
Denver, CO 80202
(303) 312-7352

**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 Nos.: See Attached Exhibit A
	)	
Case No. 39576	)	UNITED STATES' UNOPPOSED
	)	MOTION TO WITHDRAW ITS
	)	MOTION TO STAY
_____	)	

The United States respectfully files this motion to withdraw its *Motion to Stay Entering of Schedule and All Other Proceedings*. The State of Idaho has indicated that it is not opposed to the filing of this motion.

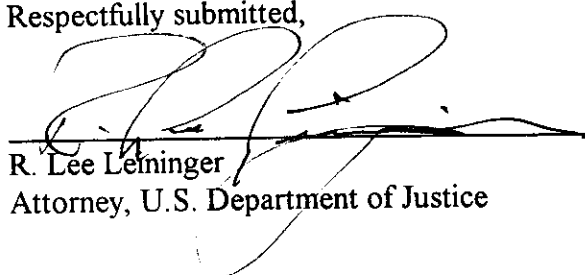
The Motion to Stay was filed in the subcases of Exhibit A on May 10, 2002. On June 3, 2002 a *[proposed] Order Establishing Schedule* was filed with the SRBA court in the subcases of Exhibit A. The proposed Order established schedule dates in calendar year 2003.

This was done in order to allow sufficient time for a ruling on the United States' dispositive motion on PWR 107 scope and application, currently pending in the SRBA court in other PWR 107 subcases, which could determine whether there is a legitimate basis for going forward with these subcases. Since the proposed Order accomplishes the same purpose that was intended by the Motion to Stay, the Motion to Stay is no longer necessary.

Since the *United States' Motion to Stay Entering of Schedule and All Other Proceedings* is no longer needed in the Subcases of Exhibit A, the United States respectfully moves to withdraw the Motion and thereby cancel the hearing on the motion that was scheduled for June 19, 2002.

DATED this 18th Day of June, 2002.

Respectfully submitted,



R. Lee Lefninger
Attorney, U.S. Department of Justice

CERTIFICATE OF MAILING

I hereby certify that on the 18th day of June, 2002, I mailed a true and correct copy of the foregoing **UNITED STATES' UNOPPOSED MOTION TO WITHDRAW ITS MOTION TO STAY** to the following persons, postage pre-paid, and addressed as follows:

via facsimile transmission:

Diana R. Delaney, Chief Deputy Clerk
Snake River Basin Adjudication
DISTRICT COURT
253 Third Ave., North
Twin Falls, ID 83301

David Barber, Esq.
Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 4449
Boise, Idaho 83711-4449

via First-Class Mail:

U.S. Department of Justice
Environment and Natural Resources
550 W. Fort Street, MSC 033
Boise, ID 83724

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

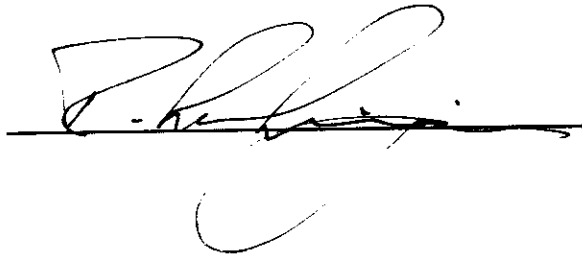
A handwritten signature in black ink, appearing to read "D. Barber", is written over a horizontal line. Below the line, there is a large, stylized flourish or checkmark-like mark.

Exhibit A

Subcase Nos.:

Subcase Nos.:

37-02807	37-18178	37-18254	37-19203	37-03139
37-02808	37-18179	37-18255	37-19204	37-03141
37-02838	37-18180	37-18264	37-19507	37-03142
37-02841	37-18181	37-18265	37-19508	37-03144
37-02904	37-18182	37-18266	37-19509	37-03145
37-02913	37-18184	37-18267	37-19548	37-03146
37-02939	37-18185	37-18270	37-19549	37-18393
37-02941	37-18186	37-18279	37-19630	37-18394
37-02948	37-18190	37-18282	37-20208	37-18395
37-02953	37-18197	37-18283	37-20210	37-18396
37-02962	37-18198	37-18286	37-20211	37-18397
37-02963	37-18199	37-18292	37-20222	37-18398
37-02965	37-18200	37-18293	37-20223	37-18399
37-02985	37-18202	37-18295	37-20224	37-18400
37-02993	37-18203	37-18298	37-20225	37-18401
37-03017	37-18204	37-18299	37-20239	37-18402
37-03018	37-18205	37-18300	37-20240	37-18403
37-03075	37-18207	37-18304	37-20241	37-18404
37-03081	37-18208	37-18306	37-20254	37-18405
37-04197	37-18209	37-18308	37-20255	37-18406
37-04198	37-18210	37-18312	37-20256	37-18407
37-04261	37-18211	37-18315	37-20260	37-18408
37-04355	37-18212	37-18318		37-18409
37-08042	37-18213	37-18319		37-18410
37-08162	37-18215	37-18320		37-18413
37-08163	37-18216	37-18322		37-18414
37-18146	37-18218	37-18331		37-18415
37-18147	37-18219	37-18336		37-18416
37-18148	37-18221	37-18341		37-18418
37-18153	37-18232	37-18344		37-18428
37-18159	37-18234	37-18347		37-19211
37-18161	37-18235	37-18363		37-19212
37-18163	37-18237	37-18369		37-19213
37-18165	37-18238	37-18386		37-19214
37-18166	37-18239	37-18195		37-19429
37-18169	37-18240	37-18199		37-20151
37-18175	37-18249	37-19200		37-20175
37-18176	37-18250	37-19201		37-20242
37-18177	37-18253	37-19202		37-20243

**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)
)
Case No. 39576)
)
)
)
_____)

SUBCASE Nos.: (See Attached Exhibit A)

**ORDER WITHDRAWING MOTION TO
STAY AND VACATING HEARING**

The United States seeks to withdraw **United States' Motion to Stay Entering of Schedule and All Other Proceedings** based on the subsequent filing of [proposed] **Order Establishing Schedule**.

There appearing to be good cause and no objection to the motion by the United States, **IT IS ORDERED** that the **United States' Motion to Stay Entering of Schedule and All Other Proceedings** be withdrawn. **IT IS FURTHER ORDERED** that the hearing on the motion, set for June 19, 2002, be vacated.

DATED June ____, 2002.

BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication