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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 Nos. 01-02064, <i>et al.</i> (See attachment A)
	)	"Ownership Issue"
Case No. 39576	)	
	)	UNOPPOSED MOTION TO VACATE TRIAL
_____	)	

COME NOW the parties to Subcase Nos. 01-02064, *et al.* (collectively known as the "Ownership Issue" and listed on Attachment A), by and through their counsels of record, and petition this Court for an Order vacating the trial scheduled for January 7, 2009.

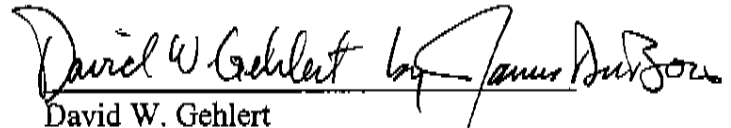
The parties held a conference call on December 22, 2008, and came to a collective agreement that, considering the progress they have made on the issues, the trial should be vacated in favor of a progress report to be issued in sixty (60) days.

To that end, the parties therefore, petition this Court for an Order vacating the trial set for January 7, 2009 and setting a deadline of February 20, 2009, for a progress report on the

status of continuing negotiations. In order to facilitate matters, the United States is submitting this motion as an unopposed motion rather than a joint motion. The United States distributed this motion to all parties. The following parties concurred with the motion: James S. Lochhead (Idaho Power Company), W. Kent Fletcher (Minidoka Irrigation Dist.), Roger D. Ling (A & B Irrigation Dist., Burley Irrigation Dist., & Falls Irrigation Dist.), Jerry R. Rigby (New Sweden Irrigation Dist.), and David I. Stanish (State of Idaho). No party objected to the motion.

DATED this 24th day of December, 2008.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David W. Gehlert by James D. Boren". The signature is written over a horizontal line.

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Attorney for the United States of America

CERTIFICATE OF SERVICE

I certify that on this 24th day of December 2008, I served a true and correct copies of the foregoing **JOINT MOTION TO VACATE TRIAL** as indicated below:

via facsimile:

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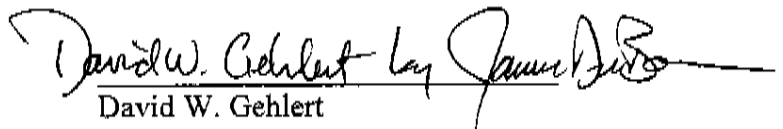
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David W. Gehlert

Attachment A**Subcase Nos.:**

01-02064	01-10528
01-02064A	01-10529
01-02064B	01-10530
01-02064C	
01-02064D	
01-02064E	
01-02064F	
01-02064L	
01-02068	
01-02068D	
01-02068E	
01-02068F	
01-02068M	
01-02068Y	
01-04024	
01-04025	
01-04054	
01-04055	
01-10042	
01-10042A	
01-10042B	
01-10043	
01-10043A	
01-10043E	
01-10044	
01-10045	
01-10045A	
01-10045B	
01-10053A	
01-10190	
01-10191	
01-10196	
01-10389	
01-10485	
01-10486	
01-10487	
01-10522	
01-10523	
01-10524	
01-10525	
01-10526	
01-10527	

**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. 01-02064, <i>et al.</i> (See attachment A)
	)	"Ownership Issue"
Case No. 39576	)	
	)	ORDER VACATING TRIAL
_____	)	

On December 23, 2008, the Parties filed *Joint Motion to Vacate Trial* in above listed subcases. In that motion the Parties asked the Court to vacate the trial scheduled for January 7, 2009, and instead issue an Order setting a deadline of February 20, 2009, for a progress report on the status of continuing negotiations.

The Parties having shown good cause, the motion is so **GRANTED**. The trial scheduled for January 7, 2009, is Vacated. The parties to the "Ownership Issue" subcases shall submit a progress report on the status of continuing negotiations no later than 5:00 PM, Friday, February 20, 2009.

DATED this _____ day of _____.

TERRANCE A. DOLAN
Special Master
Snake River Basin Adjudication



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SENT BY: David Jarvis, Paralegal

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	James S. Lochhead/Michael A. Gheleta	303-223-1111
	Travis L. Thompson	208-735-2444
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	Roger D. Ling	208-436-6804
	W. Kent Fletcher	208-678-2548
	C. Thomas Arkoosh	208-424-8874
	Josephine P. Beeman	208-331-0954
	IDWR Document Depository	208-287-6700
	U.S. Dept of Justice/ENRD	208-334-9375

NUMBER OF PAGES SENT (INCLUDING COVER PAGE): 6

SPECIAL INSTRUCTIONS: Attached for filing is Unopposed Motion to Vacate Trial in Subcase Nos. 01-02064, *et al.* ("Ownership Issue"). Additional file copies to follow via FedEx mail.