

218

HUTCHINSON
&
BROWN, LLP

Keith E. Hutchinson, Esq.
Patrick D. Brown, Esq.

ATTORNEYS AT LAW

PHONE: (208) 733-9300
WATS: (800) 753-2529
FAX: (208) 733-9343

RECEIVED

FEB 22 2011

DEPARTMENT OF
WATER RESOURCES

February 18, 2011

-- via fax 736-2121 / 4 pages --

Clerk of District Court
SNAKE RIVER BASIN ADJUDICATION
253 3rd Ave. N.
P.O. Box 2707
Twin Falls ID 83303-2707

Re: **Hailey**, City of - Water Rights
Subcase No. 37-07854

Dear Clerk:

Enclosed herewith for filing in the above-entitled matter please find
CLAIMANT'S MOTION TO VACATE HEARING.

Thank you.

Sincerely,



Patrick D. Brown

/cb
Enc.

cc: Randall Budge, w/enc., via fax 232-6109
Dana Hofstetter, w/enc., via fax 424-8774
✓ Director of IDWR, w/enc.
Chief, Natural Resources Div., w/enc.
Environment & Natural Resource Div., w/enc.
City of Hailey, w/enc.

RECEIVED

FEB 22 2011

DEPARTMENT OF
WATER RESOURCES

Patrick D. Brown, ISB #4413
HUTCHINSON & BROWN, LLP
104 Lincoln St., P.O. Box 207
Twin Falls ID 83303-0207
Telephone: (208) 733-9300
Attorneys for **Claimant City of Hailey**

IN THE DISTRICT COURT OF THE 5th JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	Subcase Nos. 37-07854
	)	
Case No. 39576	)	
	)	CLAIMANT'S MOTION TO
	)	VACATE HEARING
_____	)	

COMES NOW Claimant City of Hailey and moves this Court to vacate the hearing set for Wednesday, 2-23-11, on Counsel Budge's Motion to Amend Objection and reset said hearing at a later time.

This Motion is made for the reason that counsel for City of Hailey, Patrick D. Brown, has been sick with pneumonia since approximately Saturday, 2-5-11, and has been unable to work. As a result, Mr. Brown has been unable to finalize his brief that was due in this matter; it now appears that he will be unable to finish the brief before the hearing set for 2-23-11 as he continues to be incapable of working. Additionally, he has been continuously unable to speak and will not be able to participate in the hearing as necessary.

It is Claimant's firm belief that it has meritorious claims and that it is absolutely necessary for their counsel Patrick D. Brown to represent them at the hearing.

Hearing on this Motion is not requested.

Dated this 18th day of February, 2011.

HUTCHINSON & BROWN, LLP

By: 
Patrick D. Brown
Attorneys for Claimant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 18th day of February, 2011, (s)he served a true and correct copy of the within and foregoing document upon the following, by the method indicated, addressed to:

Randall Budge
RACINE, OLSON, NYE, BUDGE & BAILEY
201 E. Center, Ste. A2
P.O. Box 1391
Pocatello ID 83204-1391
(for Indian Creek Ranch Owners Assoc. "ICROA")
fax 232-6109

Dana Hofstetter
HOFSTETTER LAW OFFICE
608 W. Franklin St.
Boise ID 83702
(for Indian Creek Ranch Owners "ICROA")
fax 424-8774

Director of IDWR
IDWR Document Depository
P.O. Box 83720
Boise ID 83720-0098
USPS

Chief, Natural Resources Div.
IDAHO ATTORNEY GENERAL
P.O. Box 44449
Boise ID 83711-4449

USPS

Environment & Natural Resource Div.
U.S. DEPT. OF JUSTICE
550 W. Fort St., MSC 033
Boise ID 83724

USPS

CITY OF HAILEY
115 Main St. S., Ste. H
Hailey ID 83333

USPS

A handwritten signature in cursive script, reading "Connie Bell", is written over a horizontal line.