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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 the General Adjudication
of Rights to the Use of Water
from the Snake River Basin
Water System

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as director
of the Idaho Department of
Water Resources,

Plaintiff,

v.

the United States;
the State of Idaho;
and all claimants to the use
of water from the Snake River
Basin Water System,

Defendants.

Case No. 39576

Subcase No. 34-02474B

UNITED STATES' MOTION TO
RESCHEDULE HEARING

34-02474B -0001/
93-12-0063

DESCRIPTIVE SUMMARY

This is the United States' motion to reschedule the status conference in Subcase No. 34-02474B, currently scheduled for January 4, 1994.

1. BACKGROUND AND ARGUMENT

The United States hereby moves to continue the status conference in Subcase No. 34-02474B, currently scheduled for January 4, 1994. In support of this motion, the United States states the following:

This matter was initially set for hearing along with several other matters for January 4, 1994. Upon review by the Court and notice by undersigned counsel, it was determined that all the other subcases set for hearing on January 4, 1994, had been resolved. Based on discussions with the Court, undersigned counsel was advised that new orders would be issued resetting these matters. Counsel was under the impression that since this subcase was the only subcase remaining set for January 4, 1994, this hearing would be changed to January 5, 1994 without the need for a motion. As a result, counsel scheduled other matters on this date, which will be difficult to reschedule.

In addition, the United States, through the BLM, and the claimant have reached a tentative agreement to resolve this subcase. Therefore, there are no issues in dispute. Any hearing should be brief. Undersigned counsel has spoken to claimant about this matter. Claimant has no objection to moving this hearing to January 5, 1994. However, claimant will be leaving on January 6, 1994, to go out-of-state. To minimize delay, the United States is serving this motion on claimants by federal

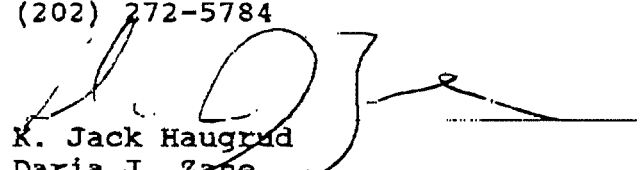
express. Should the Court order any change, undersigned counsel shall contact claimants to advise them.

II. CONCLUSION

WHEREFORE, for the foregoing reasons, the United States respectfully requests that this hearing be continued, possibly to January 5, 1994 or thereafter.

Respectfully submitted this 29th day of December, 1993.

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