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Counsel for the United States of America

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	)	Sub-case Nos. 36-15450, 36-00030,
	)	36-00104A, 36-00104B, 36-00043A,
	)	36-00084, 36-00012.
	)	
CASE NO. 39576	)	MOTION TO VACATE HEARING
	)	
	)	
	)	
	)	
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DESCRIPTIVE SUMMARY

This document constitutes the United States' Motion to Vacate the hearing scheduled for Tuesday, March 29, 1994, at 8:00 a.m. on the United States' Alternative Motions for Preliminary Injunction and Interim Administration.

MOTION TO VACATE HEARING

At the March 24, 1994 hearing regarding the United States' Alternative Motions for Preliminary Injunction and Interim Administration in the above referenced subcases, the Court

offered the United States the options of proceeding with its motions now before the Court or moving forward to address the merits on an expedited basis before the Special Master. We responded at that time that we still wished to proceed with the motions, and a hearing on the motions was set for Tuesday, March 29, 1994 at 8:00 a.m.

After having the opportunity to further consult with the Department of the Interior and assess the overall situation regarding the Hagerman National Fish Hatchery, the United States has decided not to pursue its alternative motions at this time, and therefore respectfully requests that the hearing set for March 29, 1994 be vacated. Among the reasons for this decision are that much of the harm to the steelhead from reduced water flows through the Hatchery has already occurred in the period prior to and since denial of the United States' motion for a temporary restraining order. In addition, the staged removal of steelhead from the Hatchery is scheduled to begin Monday, March 28, 1994 pursuant to the previously developed 1994 release schedule.

For these reasons, rather than pursuing the alternative motions at this time, it is our preference that the parties proceed to address the merits of these subcases before the Special Master as soon as possible. We therefore request that the hearing on the motions now set for March 29, 1994 be vacated.

DATED this 25th day of March, 1994.

Respectfully submitted,

LOIS J. SCHIFFER
Acting Assistant Attorney General

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CERTIFICATE OF MAILING

I hereby certify that on the 25th day of March, 1994, I served a true and correct copy of the foregoing **MOTION TO VACATE HEARING** by depositing a copy thereof in the United States mail, postage prepaid and/or by Telefacsimile transmission, upon:

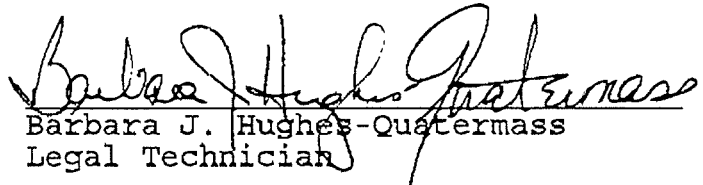
Clerk of the SRBA Court (original) (via FAX)
District Court
P. O. Box 2707
Twin Falls, ID 83303-2707

Chief, Natural Resources Division
c/o Lynn Krough, Esq. (via FAX)
Office of the Attorney General
STATE OF IDAHO
P. O. Box 44449
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Barbara J. Hughes-Quatremass
Legal Technician

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	)	Sub-case Nos. 36-15450, 36-00030,
	)	36-00104A, 36-00104B, 36-00043A,
	)	36-00084, 36-00012.
	)	
CASE NO. 39576	)	ORDER
	)	
	)	
	)	
	)	
	)	

Upon consideration of the United States' Motion to Vacate the March 29, 1994 hearing on the United States' Alternative Motions for Preliminary Injunction and Interim Administration, finding sufficient cause, the Motion is hereby GRANTED and the March 29, 1994 hearing vacated.

DATED: March _____, 1994

Daniel C. Hurlbutt, Jr.
Presiding Judge
Snake River Basin Adjudication

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
(208) 736-3011
FAX (208) 736-2121

RECEIVED
MAR 28 1994

Department of Water Resources
Adjudication Bureau

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

March 25, 1994

Ross K. Goddard
4905 HWY 93
Mackay, ID 83251

RE: Briefs to U.S. Motion to Withdraw and Defer Claim, Subcase Numbers: 34-13007A, 34-13008A, 34-13367 and 34-13390

Dear Mr. Goddard:

Our correspondence has crossed in the mail. March 24, 1994, I sent you a letter returning your Briefs in the above-mentioned subcases. Today, I received your clarification regarding the incorrect subcase numbers 34-13007 and 34-13008.

I will file your briefs and your clarification today, March 25, 1994, in subcase numbers: 34-13007A, 34-13008A, 34-13367 and 34-13390.

Sincerely,

A handwritten signature in cursive script, reading "Diana R. Delaney".
Diana R. Delaney
Chief Deputy Clerk

DRD

cc: Chief, Natural Resources Division
U.S. Department of Justice