

Movant's Name:
UNITED STATES OF AMERICA

Attorneys' Names and Addresses:

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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 No. 36-04219
	)	
Case No. 39576	)	UNITED STATES' RESPONSE TO REQUEST
	)	FOR POSTPONEMENT OF SETTLEMENT
	)	CONFERENCE

The United States hereby responds to the request filed by counsel on September 8, 1995. The United States has no position with regard to the withdrawal of Mr. Hiller as counsel of record or with regard to allowing Mr. Smith appear pro se at the settlement conference.

With regard to the description of the background, there has been some confusion regarding the facts surrounding this case. Sorting out the facts of this matter is a valid reason for a settlement conference.

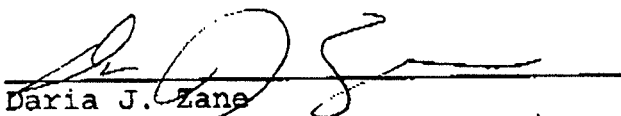
Finally, with regard to the request for continuance, counsel for the United States will not be available on September 22, 1995 or during the week of October 16, 1995. As a result, to

avoid rescheduling, counsel requests that, if the Court desires to postpone the matter the procedures whereby the parties agree on a date, which is cleared with the Court clerk be proposed and submitted to the Court.

III. CONCLUSION

WHEREFORE, for the foregoing reasons, the United States respectfully responds to the claimant's request for withdrawal, et al.

Respectfully submitted this 15 day of September, 1995.


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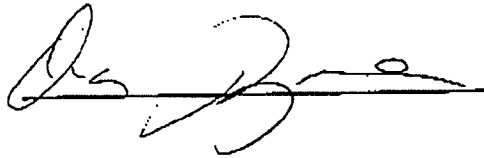
CERTIFICATE OF SERVICE

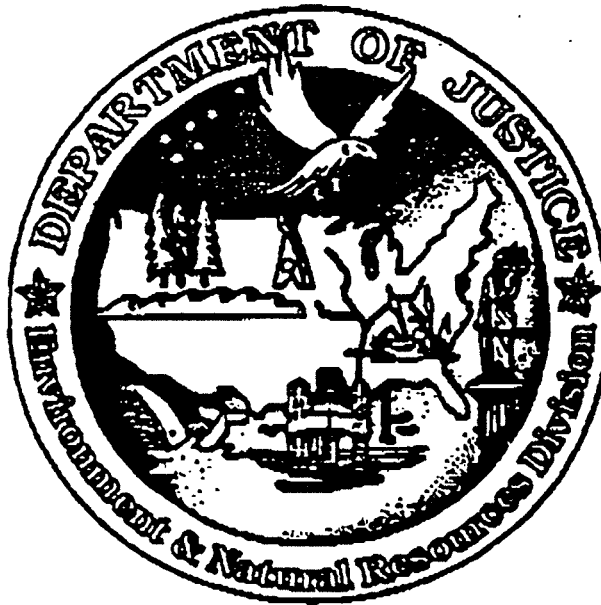
I certify that on the 15th day of September, 1995, I served a true and correct copy of the United States' Response to Request for Postponement of Settlement Conference by fax or first class, postage prepaid, on the the following individuals:

Nicholas Spencer
Deputy Attorney General
State of Idaho
1301 N. Orchard St.
Boise, Idaho 83702
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M.B. Hiller, Esquire
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Smith Ranches, Inc.
PO Box 106
Darlington, Idaho 83231

A handwritten signature in dark ink, appearing to be "D. B. Hiller", written over a horizontal line.



**DEPARTMENT OF JUSTICE
ENVIRONMENT & NATURAL RESOURCES DIVISION**

Primary Telefax # (202) **272-6815**

DATE

9/15/95

PLEASE DELIVER TO:

① IDWR
④ B. Ferry
① SRBA C+
② M.B. Hiller
③ CACT
⑤ D. T. [unclear]

FROM:

D. ZANE

NUMBER OF PAGES (INCLUDING COVER SHEET):

4

TELEFAX #:

① 208/736-2121 ② 208/327-5400 ③ 208/387-0842
④ 208/525-3232 ⑤ 208/384-1378 ⑥ 208/524-7505

CONFIRMATION #:

MESSAGE:

