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Movant's Name:**UNITED STATES OF AMERICA****Attorneys' Names and Addresses:**

LOIS J. SCHIFFER
 Assistant Attorney General
 Environment and Natural Resources Division

PETER C. MONSON
 Attorney, Department of Justice
 Indian Resources Section
 Environment and Natural Resources Division

DARIA J. ZANE
 R. LEE LEININGER
 Attorneys, Department of Justice
 General Litigation Section
 Environment and Natural Resources Division
 P.O. Box 663
 Washington, D.C. 20044-0663
 (202) 272-8351, (202) 272-4692

**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. 34-07140
	)	34-00097 34-00099
	)	34-10250
	)	
Case No. 39576	)	UNITED STATES' MOTION TO
	)	STAY SUBCASES AND VACATE
	)	SETTLEMENT CONFERENCE
	)	

Descriptive Summary

This is the United States' motion to stay the above referenced subcases and vacate the order establishing a settlement conference for subcase no. 34-07140.

Motion to Stay Subcases
 34-07140, -00097, -00099
 and 34-10250

I. Background, Argument and Conclusion

The United States hereby moves to stay subcases 34-00097, -00099, -07140, and -10250 for a period of four months and vacate the order establishing a settlement conference for subcase no. 34-07140 scheduled for Wednesday, March 29, 1995 at 3:00 in Arco, Idaho. In support of its motion the United States states the following.

1. The United States, on behalf of the Bureau of Land Management, filed timely objections to these subcases. The basis for the United States' objections was the unauthorized places of use ("POUs") on the public lands as recommended in the Director's Report.

2. The United States and claimant for this water right, Ms. Joan Johnson, have engaged in settlement negotiations regarding these water rights. As a result of these discussions and discussions with the Idaho Department of Water Resources, a tentative resolution has been reached for these water rights.

3. The claimant has agreed to the removal of the POUs on the federal lands as recommended in the Director's Report, contingent on the administrative transfer of the water used on these POUs to areas not on the public lands.

4. The claimant has applied for the administrative transfer of the water used on the public lands pursuant to state law. The processing and approval of the administrative transfer by IDWR is expected to take approximately three to four months.

5. IDWR and the claimant, Joan Johnson, have been contacted and have no objection to this motion.

6. Should the claimant be unsuccessful in the transfer of the water recommended for use on the federal lands the parties may then proceed with this action. To date, no delays or obstacles to the administrative transfer are anticipated.

WHEREFORE, for the foregoing reasons, the United States, respectfully requests that subcase numbers 34-00097, -00099, -07140, and -10250 be stayed for a period of four months until August 1, 1995. The parties may then submit a Standard Form No. 5 resolving the United States' objections or, in the event the administrative water transfer does not go forward, submit a status report to the court recommending proceeding with the settlement conference or the establishment of pretrial and trial deadlines.

Respectfully submitted,

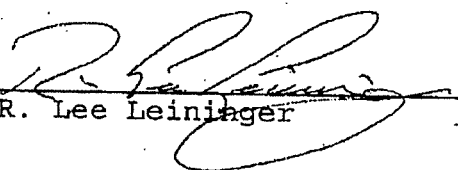

R. Lee Leininger
Attorney, ENRD

CERTIFICATE OF SERVICE

I certify that on the 24th day of March, 1995, I served a true and correct copy of the United States' Motion to Stay Subcases and Vacate Settlement Conference in Subcases No. 34-00097, -00099, -07140, and -10250 upon the following individuals:

Susan Hamlin
Deputy Attorney General
Idaho Department of Water Resources
1301 N. Orchard St.
Boise, Idaho 83702

Joan Johnson/Walter H. Johnson/
Sally Rae Johnson/Diane Hatmaker
Star Route
Mackay, ID 83251


R. Lee Leininger