

RECEIVED

JUN 26 1995

Department of Water Resources

6-23

Movant's Name:

UNITED STATES OF AMERICA

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

JAMES J. DuBOIS
Attorney, General Litigation Section
Environment and Natural Resources Division
U.S. Department of Justice
999 18th Street, Suite 945
Denver, Colorado 80202
(303) 294-1941

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.:	36-00030
CASE NO. 39576	)		36-00104A
	)		36-00104B
	)		36-00043A
	)		36-00084
	)		36-00012
	)		
	)	UNITED STATES' MOTION FOR EXPEDITED	
	)	HEARING	

DESCRIPTIVE SUMMARY

This motion of the United States of America requests the Special Master to expedite the hearing for consideration of the attached United States' MOTION TO CONSOLIDATE SUBCASES. The United States requests a hearing date of Monday, July 10, 1995, at a time set at the Court's discretion.

MOTION FOR EXPEDITED HEARING

The United States of America moves the Special Master to expedite the hearing on the United States' MOTION TO CONSOLIDATE SUBCASES. The United States requests a hearing be scheduled for Monday, July 10, 1995, at a time set at the Special Master's discretion. The grounds for this motion are as follows:

1. The United States has moved under SRBA Administrative Order 1, Rules of Procedure, Section 9, to consolidate subcases in Basin 36 which present common issues of law & fact.

2. Four of these subcases (36-00030, 36-00043A, 36-00084, and 36-00104B) are scheduled for settlement conferences before Special Master Brigitte Bilyeu on July 11, 1995. Two of these subcases (36-00012, 36-00104A) have not been scheduled for settlement conferences by the Court at the time of the filing of this motion. There is not time to proceed on this motion under the General Docket Sheet Procedure prior to the July 11, 1995 settlement conferences. However, the United States previously noticed the Court of its intention to consolidate these subcases in its' Motion to Reset Settlement Conferences dated May 23, 1995.

3. Counsel previously representing the United States in these proceedings has resigned from the U.S. Department of Justice and new counsel for the United States has only recently been assigned.

4. All of these subcases present common issues of law and fact. Resolution and reconciliation of these issues can be most expeditiously and effectively achieved through presentation in consolidated hearings.

5. The United States has attempted to schedule a time convenient to all parties in these subcases, but was unable to coordinate with opposing counsel. However, the United States was able to notify the pro se claimants of the date advised by the Court in advance of filing this request. Consequently, the United States seeks an expedited hearing on this matter.

DATED this 23rd day of June, 1995.

Respectfully submitted,

LOIS J. SCHIFFER
Assistant Attorney General

PETER C. MONSON
Attorney, Indian Resources Section

ERIC GOULD
DARIA ZANE
LEE LEININGER
Attorneys, General Litigation Section


JAMES J. DuBOIS
Attorney, General Litigation Section
Environment and Natural Resources
Division
U.S. Department of Justice
999 18th Street, Suite 945
Denver, Colorado 80202
(303) 294-1941

6-23

CERTIFICATE OF MAILING

I hereby certify that on this 23rd day of June, 1995, I served a true and correct copy of the foregoing United States' Consolidated Motions for Preliminary Injunction and Interim Administration, United States' Motion for Expedited Hearing and Order Setting Expedited Hearing by overnight delivery via Federal Express upon:

Clerk of the SRBA Court (original)
District Court
253 3rd Ave., North
Twin Falls, ID 83303

Chief, Natural Resources Division
Office of the Attorney General
STATE OF IDAHO
1301 North Orchard Street
Boise, Idaho 83706

Daniel L. Steckel, Deputy A.G.
Nicholas B. Spencer, Deputy A.G.
IDWR
1301 N. Orchard Street
Boise, Idaho 83706

Steve Goddard, Deputy A.G.
Idaho Department of Fish & Game
1075 Park Blvd.
Boise, Idaho 83707

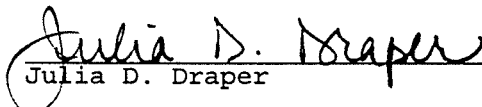
United States Department of Justice
Environment and Natural Resources
Division
550 West Fort Street
Box 33
Boise, Idaho 83724

Nevada Omohundro
2901 S. 1050 East
Hagerman, ID 83332

Sharlene and Ronnie Smith
1046 E. 2900 South
Hagerman, ID 83332

Patrick D. Brown, Esquire
Hepworth, Nungester & Lezamiz,
Chartered
133 Shoshone Street North
Twin Falls, ID 83303
Representing: Fred L. & V.
John Mavencamp; Joan & Shelby
Wise

John K. Simpson, Esquire
Rosholt, Robertson & Tucker
1221 W. Idaho St., Ste. 600
Boise, ID 83702
Representing: Flying Triangle,
Inc. & William Brailsford


Julia D. Draper