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Movant's Name:

Department of Water Resources
Adjudication Bureau

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Department of Water Resources

UNITED STATES OF AMERICA

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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 Nos. 36-00012, 36-00030,
	)	36-00043A, 36-00084, 36-00104A,
CASE NO. 39576	)	and 36-00104B
	)	
_____	)	UNITED STATES' MOTION TO VACATE AND
		RESCHEDULE HEARING AND SCHEDULING
		CONFERENCE

DESCRIPTIVE SUMMARY

This document is the United States' Motion to Vacate and Reschedule hearings in subcase nos. 36-00012, 36-00030, 36-00043A, 36-00084, 36-00104A, and 36-00104B.

MOTION TO VACATE AND RESCHEDULE HEARING AND SCHEDULING CONFERENCE

The United States of America respectfully moves the District Court to enter an Order vacating the hearing on the Motion to Consolidate subcase nos. 36-00012, 36-00030, 36-00043A, 36-00084, 36-00104A, and 36-00104B currently scheduled for Monday July 10,

1995, and rescheduling that hearing to Tuesday, July 11th, 1995 at 10:00 a.m. In addition, the United States also moves the Court for an Order vacating the Settlement Conference currently scheduled to be held July 11, 1995 in subcase nos. 36-00012, 36-00030, 36-00043A, 36-00084, 36-00104A, and 36-00104B, and rescheduling that Settlement Conference to August 2, 1995. The grounds for this motion are as follows:

1. The United State filed a Motion to Consolidate Subcases, and a Motion for an Expedited Hearing on the Motion to Consolidate. The Motion for Expedited Hearing was granted, and a hearing date of July 10, 1995 was set. Due to miscommunication between the parties, this date presents a court appearance conflict for Mr. Brown, attorney for some of the claimants.

2. In order to resolve the scheduling conflict, the United States moves the Court for an order vacating the hearing on the Motion to Consolidate currently scheduled for July 10, 1995. The United States proposes that the hearing on the Motion to Consolidate be rescheduled for July 11, 1995 in the time currently scheduled for the Settlement Conferences in these subcases.

3. Because of the rescheduling of the hearing on the Motion to Consolidate, the Settlement Conference currently scheduled in these subcases for July 11, 1995 will also need to be rescheduled. The clerk of court has informed counsel for the United States that August 2, 1995 is available for the Settlement Conference. Therefore, the United States respectfully requests that the Settlement Conference currently set for Tuesday, July 11, 1995 be

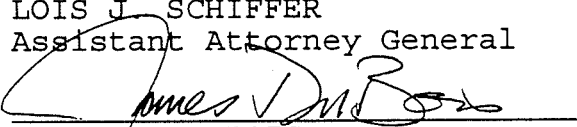
vacated, and rescheduled to Wednesday, August 2, 1995.

4. Counsel for the United States has discussed the rescheduling of these hearings with each of the parties to this case, or their attorneys. Counsel is authorized to represent to the Court that none of the parties object to the rescheduling of these two proceedings as set forth herein.

DATED this 30th day of June, 1995.

Respectfully submitted,

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