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Movant's Name:

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 No. 34-02055
	)	
Case No. 39576	)	MOTION TO VACATE ORDER
	)	ESTABLISHING SETTLEMENT
	)	CONFERENCE;
	)	FULLY EXECUTED STANDARD
	)	FORM 5

Descriptive Summary

This is the United States' motion to vacate the order setting a settlement conference, submission of initial disclosure and a settlement statement for subcase 34-02055.

Background and Discussion

On December 8, 1994, the SRBA Court issued an Order Setting Mandatory Settlement Conference requiring all parties to

subcase 34-02055 to participate in a settlement conference and to submit initial disclosure and a settlement statement. Pursuant to SRBA Administrative Order No. 9, § j, parties who have reached complete settlement of every element of a water right may petition the Special Master for exemption from attending a settlement conference by filing a fully executed Standard Form 5 no later than 20 days before the date scheduled for the settlement conference.

A fully executed Standard Form 5 is submitted with this motion. The Standard Form 5 fully resolves this subcase and renders the need for settlement conference, disclosure and a statement unnecessary and moot. The Court's stated goal of helping parties minimize litigation expenses, see Order Setting Mandatory Settlement Conference, would best be served by vacating these time- and resource-consuming requirements.

The United States has contacted the claimant and the IDWR and they do not oppose this motion.

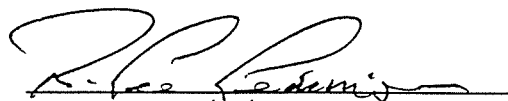
Conclusion

WHEREFORE, for the foregoing reasons, the United States respectfully requests that this court enter an order vacating the order setting mandatory settlement conference, initial disclosure and settlement statement for subcase 34-02055.

Respectfully submitted,

Dated:

12/30/94


R. Lee Leininger
Attorney, ENRD

CERTIFICATE OF SERVICE

I certify that on the 30th day of December, 1994, I served a true and correct copy of the United States' Motion to Vacate Order Establishing Settlement Conference and Standard Form No. 5 for Subcase No. 34-02055 upon the following individuals:

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