

The United States hereby moves to withdraw its objections to these claims. In support of this motion, the United States states that:

1. On March 1, 1993, the United States, on behalf of the Bureau of Land Management, filed timely objections in subcase nos. 34-10694 and 34-10701.
2. On June 16, 1993, the Idaho Department of Water Resources (IDWR) filed its responses to these objections.
3. On June 21, 1993, the United States filed its notice to withdraw its objections.
4. Shortly thereafter, at a monthly status conference, the Court ruled that the United States' Notices of Withdrawal would be accepted if IDWR had not filed a response to the particular objection prior to receiving the United States' Notice. In cases where a response had previously been filed, such as this one, the parties would have to resolve the matter as with any other subcase.
5. Prior to resolving this subcase, the Court stayed these matters pending resolution of the impact of the new legislation passed in early 1994.
6. In July, 1994, while the stay was in place, claimants filed motions to file late objections in these subcases. Due to the stay, the Court did not rule on this motion.
7. In December 1994, the stay was lifted. Shortly thereafter, the Court set these subcases for settlement

Subcase Number: 34-10694

conference. At the same time the Court scheduled a hearing on claimants' motions for late objections.

8. A settlement conference is currently scheduled in these subcases and initial disclosures have already been filed. Because there has not been a ruling on the late objections' motion, these disclosures and the conference will not address all the issues the parties raise in its current posture. In fact, there are really no issues remaining in the subcase in its present posture.

9. The claimants' late objections raise issues relating to IDWR's reporting of the claim, in which the United States has no interest. In fact, the United States has no interest in pursuing any issues relating to this subcase.

10. As a result of the foregoing, the United States requests that the Court permit it to withdraw these objections or that the Court dismiss these objections prior to ruling on the claimants' pending motion to file late objections. There is no reason for the United States' continued participation in these subcases. It would be in the interest of the parties remaining to be able to litigate or negotiate the issues between them without the involvement of other nonaffected parties.

11. The United States requests that this matter be decided on or before the Court rules on the Motion for Late Objections. Thus, should the Court believe it necessary to hold a hearing on this matter, because the claimants' motion for late objections is set for January 17, 1995, of which all parties to

Subcase Number: 34-10694

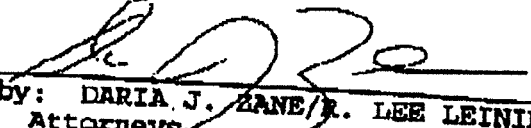
the subcase have notice, the United States requests that the Court hear this motion at that time.

WHEREFORE, for the foregoing reasons, the United States respectfully requests that the Court grant this Motion to Withdraw or Dismiss Objections. In light of the procedural posture of this matter, the United States further requests that the Court address this matter before or at the time of hearing the claimants' Motion for Late Objections.

Respectfully submitted,

UNITED STATES OF AMERICA
on behalf of the Bureau of Land
Management

Dated: *Jan 15 1995*


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Subcase Number: 34-10694

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

Case No. 39576

) Subcase Nos. 34-10694 & 34-10701
)
)
)
)

ORDER GRANTING MOTION TO WITHDRAW
OBJECTION

ORDER

This matter having come before the Court upon motion of the United States to withdraw/dismiss its objections in the above-captioned subcases, and good cause having been shown,

IT IS HEREBY ORDERED that the United States' motion should be and hereby is GRANTED. The United States' objections in these subcases shall be deemed WITHDRAWN.

DATED and signed this _____ day of _____, 1995.

BRIGETTE BILYEU
Special Master

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CERTIFICATE OF SERVICE

I certify that on the 13th day of January, 1995, I served a true and correct copy of the Motion to Withdraw or Dismiss Late Objections by fax upon the following individuals:

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ENVIRONMENT & NATURAL RESOURCES DIVISION



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NUMBER OF PAGES (INCLUDING COVER SHEET): 7

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CONFIRMATION #: 202 272 8073

MESSAGE: _____

