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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

Movant's Name:

UNITED STATES OF AMERICA

OFFICE OF THE
ATTORNEY GENERAL

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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

Case No. 39576

) Subcase Nos. 34-00363,
) 34-00364, 34-00760, 34-00764,
) 34-10166, 34-10167, 34-12401,
) and 34-12402
) UNITED STATES'
) MOTION TO VACATE
) SETTLEMENT CONFERENCE
) OR, ALTERNATIVELY, TO
) EXTEND TIME FOR FILING
) INITIAL DISCLOSURE

Descriptive Summary

This is the United States' motion to vacate settlement conference or alternatively, to extend time for filing its initial disclosure(s).

Subcase No. 34-00363, et al

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Motion

The United States hereby moves to vacate the settlement conference set in the above-captioned subcases for February 6, 1995, and all filing requirements related thereto because the parties appear to have reached a settlement agreement.

Alternatively, the United States requests the Court extend the time for filing its initial disclosure because it appears that it may be possible to finalize and file all the Standard Form No. 5s in these subcases, thereby alleviating the need for such filings. In support of this motion, the United States states that:

1. On or about January 6, 1995, the United States received executed Standard Form No. 5s from Mr. Whitworth in all of these subcases. On that date, these were forwarded to IDWR to review, execute and file with the Court.

2. On January 13, 1995, one business day before the date the initial disclosure was due, IDWR advised the United States that there was one technical problem with one of the standard form no. 5s. IDWR further advised the United States that it would review the problem and determine whether to proceed with filing of the standard form 5 for this subcase.

3. On January 17, 1995, IDWR informed the United States that the technical problem was resolved and no change was necessary. IDWR further informed the United States that it would complete its review of the other above-referenced subcases on this date. Relying on the fact that there appeared to be an

DATED: 1/17/95

Respectfully submitted,


by: DARIA J. ZANE/R. LEE LEININGER
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CERTIFICATE OF SERVICE

I certify that on the 17th day of January, 1995, I served a true and correct copy of the United States' Motion to Vacate Settlement Conference or, Alternatively, to Extend Time for Filing Initial Disclosure for Subcases 34-00363, et. al., and Proposed Order upon the following individuals:

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

Herb Whitworth
Star Route
Mackay, ID 83251

A handwritten signature in black ink, appearing to read "Susan Hamlin", written over a horizontal line.