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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED *[Signature]*

Movant's Name:

UNITED STATES OF AMERICA

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RECEIVED

MAY 25 1995

OFFICE OF THE
ATTORNEY GENERAL

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 No. 34-00322A
)
) UNITED STATES' MOTION TO
) DISMISS SUBCASE AND VACATE
) SETTLEMENT CONFERENCE
)

Descriptive Summary

This is the United States' motion to dismiss subcase
34-00322A and vacate the settlement conference set for February
6, 1995.

Motion

The United States hereby moves to dismiss subcase 34-00322A and vacate the settlement conference scheduled for this subcase on February 6, 1995 at 8:00 a.m. In support of its motion the United States states the following.

1. The objector, San Felipe Ranch, filed an objection to claim number 34-322A on March 16, 1993. The objector listed the "BLM" as the claimant. The objection was signed by Mr. Randy Nelson for San Felipe Ranch.

2. The United States conducted a thorough and time-consuming search to locate the claim or information relating to a claim by the United States numbered 34-00322A.

3. The United States has determined neither the Bureau of Land Management nor any other U.S. agency has a claim designated 34-00322A. Furthermore, there is no such claim listed in the Director's Report.

4. Because there is no claim by the Bureau of Land Management numbered 34-00322A, objector simply had no basis for this objection.

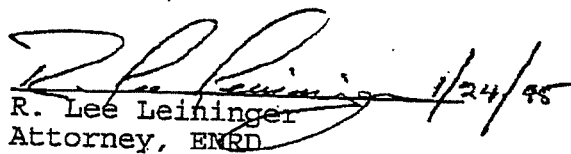
5. Despite the fact it is not a party and because the Court served it with the Order Setting Settlement Conference, the United States complied with the Court's Order and submitted to the Settlement Moderator its Initial Disclosure and its Settlement Statement.

6. The objector has not provided the United States a copy of its Initial Disclosure.

7. This erroneously filed objection has required the United States to expend time and resources unnecessarily. In the interest of judicial economy and to eliminate future expenditure of time, effort and resources, the United States respectfully requests that this subcase be dismissed.

WHEREFORE, the United States respectfully requests that this subcase be dismissed and that the Court vacate the settlement conference scheduled for this subcase.

Respectfully submitted,

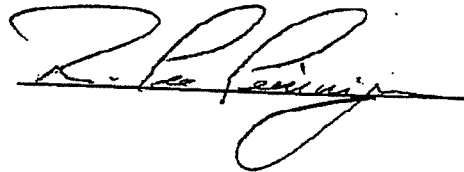
 1/24/98
R. Lee Leininger
Attorney, ENRD

CERTIFICATE OF SERVICE

I certify that on the 24th day of January, 1995, I served a true and correct copy of the United States' Motion to Dismiss Subcase and Vacate Settlement in Subcase No. 34-00322A upon the following individuals:

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

Mr. Patrick Brown
Hepworth, Lezamiz & Hohnhorst
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A handwritten signature in black ink, appearing to read "R. P. Brown", with a horizontal line drawn through the middle of the signature.