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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. 34-00164
	)	
Case No. 39576	)	MOTION TO VACATE
	)	SETTLEMENT CONFERENCE
	)	AND CONTINUANCE TO SUBMIT
	)	A FULLY EXECUTED STANDARD
	)	FORM NO. 5

Descriptive Summary

This is the United States' motion to vacate the settlement conference scheduled for subcase no. 34-00164 on January 30, 1995, and permit the parties additional time to fully

Motion to Vacate
 Settlement Conference
 Subcase No. 34-00164

execute and file a Standard Form No. 5 resolving the United States' objection.

Motion

The United States hereby moves to vacate the settlement conference scheduled for this subcase on January 30, 1995 at 10:00 a.m. In support of its motion the United States states the following.

1. On or before March 1, 1993, the United States, on behalf of the Bureau of Land Management, filed a timely objection to this water right claim as listed in the Director's Report.

2. The parties have recently reached a settlement agreement that will resolve the United States' objection.

3. An employee of the United States Bureau of Land Management is today travelling to Arco, Idaho, to meet with and acquire the signature of the claimant, Ronald Dee, on a Standard Form No. 5 that will resolve this objection per the agreement.

4. The Standard Form 5 will then be delivered overnight to the Department of Justice offices in Boise and hand delivered to the IDWR offices on Friday, January 27.

5. IDWR has indicated a willingness to sign the Standard Form 5, fully executing the document. IDWR is expected to then file the fully executed Standard Form 5 with the Court.

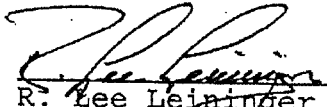
6. Because the parties have reached an agreement to resolve this subcase and are expected to submit a fully executed

Standard Form 5 in the near future there is no reason to hold a settlement conference.

7. Claimant has not served any initial disclosures on the United States and, presumably, therefore does not intend to proceed with this matter.

WHEREFORE, for the foregoing reasons the United States respectfully requests that the Court vacate the settlement conference scheduled for this subcase and permit the parties additional time to submit a fully executed Standard Form 5.

Respectfully submitted,

 1/26/95
R. Lee Leininger
Attorney, ENRD

CERTIFICATE OF SERVICE

I certify that on the 26th day of January, 1995, I served a true and correct copy of the United States' Motion to Vacate Settlement and Continuance to Submit a Fully Executed Standard Form 5 in Subcase No. 34-00164 upon the following individuals:

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

Mr. Ronald Dee
P. O. Box 452
Moore, ID 83255

