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Department of Water Resources
Adjudication Bureau

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OFFICE OF THE
ATTORNEY GENERAL

Movant's Name:

UNITED STATES OF AMERICA

Attorneys' Names and Addresses:

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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. 34-04040
Case No. 39576	)	
	)	
_____	)	

MOTION TO DISMISS OBJECTION

Pursuant to Rule 41(b), I.R.C.P., the United States, on behalf of the Bureau of Land Management, hereby moves to dismiss the objection filed by Wade and Leanne Waddoups in the above-captioned subcase. In support of this motion, the United States states that:

The United States filed this claim based in accordance with Court procedures. The claim was based on a previously filed statutory claim pursuant to Idaho Code 42-243.

On or before March 30, 1993, the objector filed objection to this claim.

The Court scheduled a status conference with regard to this subcase for September 27, 1995.

The United States attempted to contact objector to settle this matter. In correspondence to objector, the United States enclosed a Standard Form No. 5, the Court-approved form for use in settlement of matters. Execution of a Standard Form No. 5 has in instances excused parties from attending court proceedings.

Prior to the September 27, date, the objector had not executed the Standard Form No. 5.

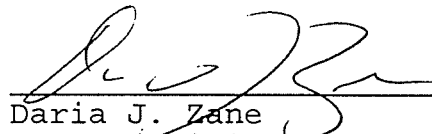
The objector did not appear at the September 27 status conference.

By failing to appear, objector has demonstrated a failure to prosecute. Accordingly, pursuant to Rule 41(b), the United States, on behalf of the Bureau of Land Management, moves to dismiss the objection filed by Wade and Leanne Waddoups.

III. CONCLUSION

WHEREFORE, for the foregoing reasons, the United States respectfully requests that objector's objection to the above-captioned claim be dismissed.

Respectfully submitted this 6th day of December,
1995.



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CERTIFICATE OF SERVICE

I certify that on the 16 day of December, 1995, I served a true and correct copy of the Motion to Dismiss Objection and Dismiss in Subcase 36-04040 was served by either fax or first class, postage paid mail on the the following individuals:

1. Original to

Clerk of the District Court by fax
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

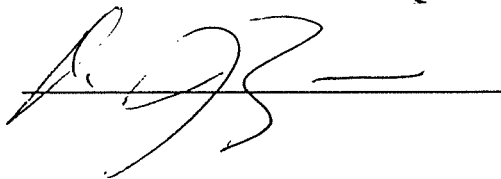
2. Copies to:

Chief, Natural Resources Division by mail
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

U.S. Department of Justice by fax
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

Wade and Leanne Waddoups by mail
Rt. 1, Box 20
Moore, Idhao 82355

Idaho Dept. of Water Resources by fax
1300 N. Orchard St.
Boise, Idaho 83702

A handwritten signature, likely "R. J. B.", is written over a horizontal line.