

5-14

Movant: State of Idaho

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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. 36-00099
	)	
Case No. 39576	)	MOTION TO CONTINUE CONSIDERATION OF MOTION
	)	TO FILE LATE RESPONSE SCHEDULED TO BE HEARD
_____	)	BEFORE A SPECIAL MASTER MAY 16, 1996

DESCRIPTIVE SUMMARY

*This document is a Motion To Continue Consideration of Motion To File Late Response
Scheduled To Be Heard Before A Special Master May 16, 1996.*

**MOTION TO CONTINUE CONSIDERATION OF MOTION TO FILE LATE
RESPONSE SCHEDULED TO BE HEARD BEFORE A SPECIAL MASTER MAY 16,
1996**

MOTION

The State of Idaho moves that consideration of the *State of Idaho's Motion To File Late Response* in the above entitled subcase be continued for 90 days to allow the SRBA District Court and the Idaho Supreme Court to rule on the State of Idaho's Motion for Permission to Appeal Basin-Wide Issue No. 5. In support of this stipulation, Cheri C. Jacobus states the following:

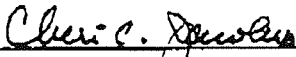
1. The SRBA District Court Memorandum Decision in Basin-Wide Issue No. 5, if upheld, potentially could negate the grounds for the State of Idaho's motion to file late response. Therefore, the most logical thing to do is to continue consideration of any motion to file late response in the above entitled subcase for another 90 days to determine whether the need to file late response is still necessary.

2. The necessity for this motion is unclear since action in the subcase was stayed by the District Court judge on April 24, 1996.

Therefore, the above party respectfully requests that the hearing for subcase no. 36-00099 presently scheduled for May 16, 1996, at the SRBA District Court in Twin Falls, Idaho, be continued for 90 days.

Dated this 14th day of May, 1996.

ALAN G. LANCE
Attorney General



CHERI C. JACOBUS
Deputy Attorney General
Natural Resources Division

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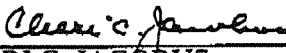
CERTIFICATE OF SERVICE

I certify that on this 14th day of May, 1996, I served true and correct copies of the MOTION TO CONTINUE CONSIDERATION OF MOTION TO FILE LATE RESPONSE SCHEDULED TO BE HEARD BEFORE A SPECIAL MASTER MAY 16, 1996 by facsimile as follows:

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