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Attorney for Ted Blackstock

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APR 04 1996
Department of Water Resources
Adjudication Bureau

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 57-10979
Case No. 39576	)	
	)	MOTION TO CONSOLIDATE
	)	SUBCASES

TED BLACKSTOCK, moves that the subcases identified in the Motion be consolidated for pre-trial and trial purpose for the following reasons:

1. The subclaims identified in the Motion fall into three categories of substantive dispute:

- (a.) Validity of federal reserved rights claimed by the United States;
- (b.) Validity and superiority of historical, prior appropriation stockwatering rights of the private claimants;
- (c.) Validity of non-reserved rights claimed by the United States on a land ownership theory.

2. The subcases involving one or more of the above stated issues related to the moving party are those identified in Attachment A. Counsel has just been engaged to review the subcases, and is in the process of categorizing the subcases by specific issue. This motion is filed to meet the scheduling deadline of April 1, 1996, but leave will be sought to enlarge upon the Motion and the grounds as the categorization of subcases progresses and is completed.

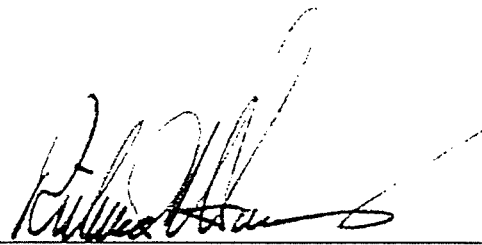
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3. Subcases identified on Attachment B also involve one or more of the issues stated in paragraph 1, and the moving party requests consolidation of said subcases with those identified on Attachment A.

4. Since common substantive issues are involved in the subcases identified by Attachments A and B, time and resources will be conserved by consolidation. Fees and costs, for the moving party will be high and will be unnecessarily increased if each subcase must be processed separately. Judicial time will also be conserved by consolidation for joint treatment of common issues.

Wherefore, Ted Blackstock, respectfully moves that the subcases identified by Attachments A and B be consolidated for pre-trial and trial proceedings as to common issues.

DATED: This 7 day of April, 1996.

A handwritten signature in black ink, appearing to read 'Richard L. Harris', is written over a horizontal line.

RICHARD L. HARRIS
Attorney for Ted Blackstock

CERTIFICATE OF SERVICE

I the undersigned do hereby certify that a true and correct copy of the foregoing instrument was served on the following this 1 day of April, 1996.

Special Master Fritz X Haemmerle
Snake River Basin Adjudication
P. O. Box 2707
Twin Falls, Idaho 83303-2707

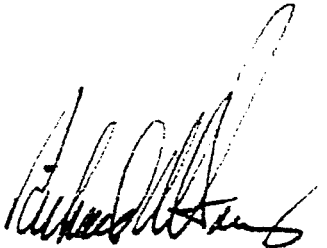
<u>X</u>	United States Mail
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Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

<u>X</u>	United States Mail
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U. S. Department of Justice
Enviromental and Natural Resources Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

<u>X</u>	United States Mail
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RICHARD L. HARRIS

BLACKSTOCK ATTACHMENT A

Subcase Numbers:

57 10979

57 11147

57 11319

57 10917

57 10920

Attachment B

Harry Richard Bass

57 00243
57 02468
57 01045
57 01049
57 01050
57 01051
57 01053
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57 07357
57 11138
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57 11164
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57 11173
57 11350
57 11351
57 11067
57 07512
57 07516
57 10930A
57 10930B
57 10930C
57 10930D

Ted Blackstock

57 10979
57 11147

57 11319
57 10917
57 10920

Henry Brandau

57 10914
57 10919A
57 10919B

Chipmunk Grazing

Association (Elias Jaca)

57 10373
57 10375
57 10660
57 10850
57 10851
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57 10916
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Joyce Livestock

57 00001A
57 00002
57 00173
57 00174
57 00176
57 00180A
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57 04008
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