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APR 19 1996

Department of Water Resources
Adjudication Bureau

4-12

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. 57-11124
	)	
	)	PRELIMINARY RESPONSE
	)	TO MOTION TO
	)	CONSOLIDATE SUBCASES
Case No. 39576	)	

DESCRIPTIVE SUMMARY

This is the United States' preliminary response to Joyce Livestock's Motion to Consolidate Subcases filed in the above captioned subcase.

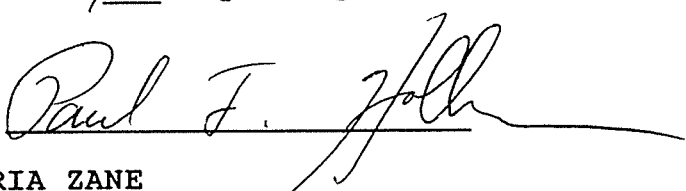
ARGUMENT

The United States does not generally object to the consolidation sought by Joyce Livestock. All contested subcases involving claims to stockwater on the federal public lands raise similar legal issues. Not all of the subcases listed on attachments A & B to Joyce Livestock's motion, however, involve such claims. The United States has contacted counsel for Joyce

Livestock with its suggested revisions to the list of subcases to be consolidated. The United States understands that Joyce Livestock has conducted its own review of the subcases listed on attachments A & B and intends to amend its motion to consolidate with a revised list of subcases. The United States will submit a response to the amended motion to consolidate when it has had a chance to review that revised list.

The United States is also concerned that Joyce has moved to consolidate cases involving parties other than the United States who do not appear to have participated in filing the motion to consolidate or to have consented to the consolidation. Any consolidation order must wait until the Court has received some filing on behalf of Harry Richard Bass, Ted Blackstock, Henry Brandau, Elias Jaca, and Chipmunk Grazing Association indicating their respective positions on the proposed consolidation.

Respectfully submitted this 12th day of April, 1996.

BY: 

DARIA ZANE
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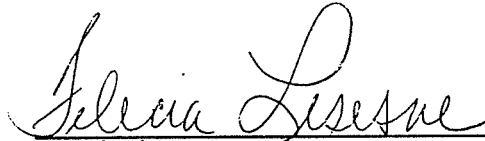
CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of April, 1996, I caused a true and correct copy of the United States' **Preliminary Response to Motion to Consolidate Subcases** to be served by United States mail, postage prepaid, on the following persons:

Special Master Fritz X Hammerle
Snake River Basin Adjudication
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Felicia Lesesne