

RICHARD L. HARRIS
ATTORNEY AT LAW
1023 Arthur Street
P. O. Box 1438
Caldwell, Idaho 83605
Telephone: (208) 459-1588
Fax: (208) 459-1300

Attorney for Joyce Livestock

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

JOYCE LIVESTOCK, 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 involves 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.

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.

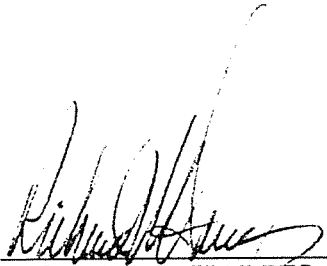
COPY

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.

5. Joyce Livestock agrees with the governments assessment that the following subcases relate to irrigation water and thus are deleted from the request to consolidate subcases: 57-00001A, 57-00002, 54-00173, 57-00174, 57-00176, 57-00180A, 57-02293, 57-10428, 57-10488, 57-10922. As to subcase 57-04008, Joyce Livestock still includes the subcase in the Amended Motion To Consolidate because review of subclaim indicates that it involves both stock water and irrigation water claims.

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

DATED: This 6 day of May, 1996.



RICHARD L. HARRIS
Attorney for Joyce Livestock

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 6 day of ^{May}~~April~~, 1996.

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

✓

United States Mail

Hand Delivered

Facsimile

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

✓

United States Mail

Hand Delivered

Facsimile

U. S. Department of Justice
Enviromental and Natural Resources Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

✓

United States Mail

Hand Delivered

Facsimile

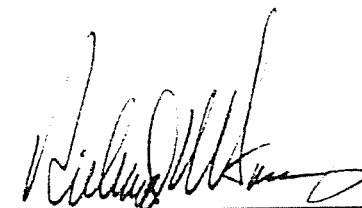
Joyce Livestock
c/o Paul Nettleton
Sinker Creek
P. O. Box 2050
Murphy, Idaho 83650
(208) 834-2237

✓

United States Mail

Hand Delivered

Facsimile



RICHARD L. HARRIS

EXHIBIT (A)
JOYCE LIVESTOCK

57 04008
57 10486
57 10487
57 10587
57 10588
57 10598
57 10770
57 11124
57 11125
57 11126
57 11127
57 11128
57 11129
57 11130
57 11131
57 11132
57 11133
57 11134
57 11334
57 11341
57 11342
57 11343
57 11344
57 11345
57 11346
57 10586

Attachment B

Harry Richard Bass

57 00243
57 02468
57 01045
57 01049
57 01050
57 01051
57 01053
57 01054
57 01057
57 01058
57 01059
57 01060
57 01061
57 01062
57 02372
57 02450
57 02469
57 02484
57 07089
57 07154
57 07165
57 07166
57 07168
57 07344
57 07354
57 07357
57 11138
57 11162
57 11164
57 11166
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
57 10914
57 10916
57 10917
57 10918
57 10919A
57 10919B
57 10920
57 10921
57 10924
57 10944
57 10946
57 01046
57 01047
57 10923
57 10945
57 10947
57 11148
57 11149
57 11156
57 11157
57 11158
57 11170
57 11176
57 11179
57 11181
57 11183

Joyce Livestock

57 00001A
57 00002
57 00173
57 00174
57 00176
57 00180A
57 02293
57 04008
57 04028
57 10428
57 10486
57 10487
57 10488
57 10587
57 10588
57 10598
57 10770
57 10922
57 11124
57 11125
57 11126
57 11127
57 11123
57 11129
57 11130
57 11131
57 11132
57 11133
57 11134
57 11334
57 11341
57 11342
57 11343
57 11344
57 11345
57 11346
57 10586



RICHARD L. HARRIS

Mailing Address:
P. O. Box 1438
Caldwell, Idaho 83606

Attorney at Law
208-459-1588
Fax: 208-459-1300

Office Location
1023 Arthur St.
Caldwell, Idaho

May 6, 1996

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

Re: SRBA Case No. 39576
Subcase No. 57-11124

Dear Gentlemen:

Enclosed for your records please find a copy of our Amended Motion To Consolidate Subcases in the above pending matter. Please contact our office if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rachel L. Rivera".

Rachel L. Rivera
Secretary To Richard L. Harris

RLH:rr
Enclosure