

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 Chipmunk Grazing

RECEIVED  
JUL 25 1996  
Department of Water Resources  
Adjudication Bureau

RECEIVED  
JUL 24 1996  
OFFICE OF THE  
ATTORNEY GENERAL

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  
Case No. 39576

Subcase 57-11124 et. al.

AMENDED  
MOTION TO EXTEND TIME FOR  
FILING MOTION TO CONSOLIDATE

COMES NOW, CHIPMUNK GRAZING, and moves that the Court extend the time for  
filing a motion to consolidate sub-cases for the following reasons:

I.

The prior motion to consolidate subcases involving common issues has been granted.

II.

The United States has now filed a report identifying conflicting claims in the consolidated cases. That report has been submitted by Counsel of the claimant to the client and to Dr. Chad Gibson for review. Since counsel was not involved as counsel when the various claims and objection were filed, it is imperative that counsel receive the review by the client and Dr. Gibson before determining whether all conflicting claims have been identified.

III.

Counsel for the claimant has advised counsel for the United States that the report is currently being reviewed and has further advised counsel for the United States that the claimant would be requesting an extension of time for filing motion to consolidate in order to determine whether all contested claims with common issues have in fact been consolidated.

IV.

Counsel for the United States has advised counsel for claimant that three cases have been identified by the United States as possibly involving private claims in conflict with the United States claims. These case numbers have also been forwarded to the claimant and Dr. Gibson for review.

V.

Extension of time to file the final motion to consolidate will facilitate the review that is necessary to be as sure as possible that all subcases which should be consolidated have in fact been consolidated.

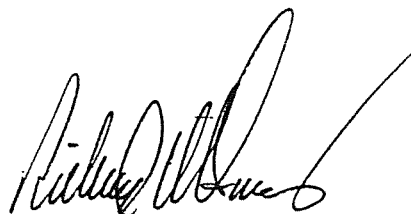
VI.

Claimant requests that the time for filing final motion to consolidate be extended to August 22, 1996.

VII.

Oral argument is hereby requested on said motion and Attorney for Claimant has attached as Exhibit (A) unavailable dates for said hearing.

DATED: This \_\_\_\_ day of July, 1996.

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

RICHARD L. HARRIS

## 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 \_\_\_\_ day of July, 1996.

|                                 |       |                    |
|---------------------------------|-------|--------------------|
| SPECIAL MASTER FRITZ X HAMMERLE | _____ | United States Mail |
| Snake River Basin Adjudication  |       |                    |
| P. O. Box 2707                  | _____ | Hand Delivered     |
| Twin Falls, Idaho 83033-2707    |       |                    |
| Fax: (208) 736-2121             | _____ | Facsimile          |

|                                   |       |                    |
|-----------------------------------|-------|--------------------|
| CHIEF, NATURAL RESOURCES DIVISION | _____ | United States Mail |
| Office of the Attorney General    |       |                    |
| State of Idaho                    | _____ | Hand Delivered     |
| P. O. Box 44449                   |       |                    |
| Boise, Idaho 83711-4449           | _____ | Facsimile          |

|                                            |       |                    |
|--------------------------------------------|-------|--------------------|
| PAUL F. HOLLEMAN                           | _____ | United States Mail |
| Attorney for Department of Justice         |       |                    |
| General Litigation Section                 | _____ | Hand Delivered     |
| Environment and Natural Resources Division |       |                    |
| 550 W. Fort St. MSC 033                    | _____ | Facsimile          |
| Boise, Idaho 83724                         |       |                    |
| Fax: (202) 305-0506                        |       |                    |

  
\_\_\_\_\_  
RICHARD L. HARRIS

RICHARD L. HARRIS  
ATTORNEY AT LAW  
1023 ARTHUR STREET  
P. O. BOX 1438  
CALDWELL, IDAHO 83606

UNAVAILABLE DATES

EXHIBIT (A)

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1996  
(as of 7/22/96)

|            |                                 |
|------------|---------------------------------|
| AUGUST:    | None Available.                 |
| SEPTEMBER: | None Available.                 |
| OCTOBER:   | None Available.                 |
| NOVEMBER:  | 1, 11, 12, 13, 18, 19, 26, 27.  |
| DECEMBER:  | 10, 11, 12, 13, 16, 17, 18, 23. |

1997  
(as of 7/22/96)

|           |                                  |
|-----------|----------------------------------|
| JANUARY:  | 6, 8, 9, 10, 17, 21, 22, 23, 24. |
| FEBRUARY: | 7, 21.                           |
| JULY:     | 2, 14, 15, 16                    |

UNAVAILABLE DATES