

Party's Name: Cranney Bros.

Attorneys' Names and Address

Jeffrey C. Fereday

Michael C. Creamer

GIVENS PURSLEY & HUNTLEY LLP

277 North 6th Street, Suite 200

P.O. Box 2720

Boise, Idaho 83701-2720

(208) 342-6571

(208) 343-9492 (facsimile)

4431\1\MOTION

10-27
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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

Case No. 39576

Subcase Nos. A36-04260B, A36-00048A, A36-00049, A36-02169, A36-00039D, A36-00048A

CONSOLIDATED MOTION TO
LIMIT DISCOVERY AND
REQUEST FOR EXPEDITED
HEARING

DESCRIPTIVE SUMMARY

This is a Motion brought by Cranney Bros. to limit the scope of discovery in the depositions of Cranney Bros. noticed by the claimants, and requests expedited hearing.

MOTION

Cranney Bros. ("Cranney"), the Movant for Permission to File Late Objection in the above-captioned subcases, pursuant to SRBA Administrative Order 1, and I.R.C.P. 26(b)(1) and 26(c), hereby moves the Court for an order limiting the scope of inquiry to be permitted at the depositions of Cranney, which have been noticed for November 3, 1995. Cranney requests that the Court order that discovery at such

depositions be limited to the issue of whether Cranney has good cause to file a late objection to Basin 36 claims. Cranney hereby requests an expedited hearing by telephone.

Because the subject depositions have been noticed for November 3, 1995, Cranney requests that this motion be scheduled for expedited hearing by the Special Master, and that Cranney be permitted to appear at such hearing through counsel by means of telephone conferencing.

The grounds for Cranney's Motion are set forth in Cranney's Memorandum in Support of Motion to Limit Discovery, filed contemporaneously herewith.

DATED this 26th day of October, 1995.

GIVENS PURSLEY & HUNTLEY LLP

Jeffrey C. Fereday
Jeffrey C. Fereday
Michael C. Creamer
Attorneys for Cranney Bros.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the ____ day of October, 1995, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

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

☐ U.S. Mail ☒ Fax ☐ Hand Delivery ☐ Federal Express

Patrick D. Brown
Hepworth, Lezamiz & Hohnhorst
133 Shoshone St. North
P.O. Box 389
Twin Falls, ID 83303-0389

☐ U.S. Mail ☒ Fax ☐ Hand Delivery ☐ Federal Express

Steph C. Herdberg

FAX COVER SHEET

DATE: October 26, 1995

TIME: 4:52 pm (Mountain Time)

PAGES (INCLUDING COVER): _____

ORIGINAL TO FOLLOW: () Yes () No

OUR FILE NUMBER: 4431-1

MATTER: In Re SRBA; Case No. 39576

*Motion to Limit Discovery, Memorandum in Support, Order for Hearing
(Cranney Bros.)*

SEND TO FAX PHONE: (208)736-2121

TO: Ms. Diana Delaney
Snake River Basin Adjudication
253 3rd Avenue N.
P.O. Box 2707
Twin Falls, ID 83303-2707

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OCT 27 1995

OFFICE OF THE
ATTORNEY GENERAL

MESSAGE:

Diana—

As we discussed in our telephone conference earlier today, attached for filing please find our Motion to Limit Discovery, Memorandum in Support of Motion, and Order for Hearing.

if you have any questions regarding the attached, do not hesitate to call me.

Thank you.

—Jeff Fereday

cc: Patrick D. Brown, (208) 734-4115 (w/encl., via fax)
Office of the Attorney General, 334-2690 (w/encl., via fax)

If transmission is incomplete, call Julie Best-Gilster at (208) 388-1234.

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