

COPY

Party's Name: Cranney Bros.

Attorneys' Names and Address

Jeffrey C. Fereday

Michael C. Creamer

Julie Klein Fischer

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\Pleading\consolid.mot

RECEIVED

MAR 18 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

Case No. 39576

Subcase Nos. A36-00048A, A36-
00049

**CRANNEY BROS. MOTION TO
CONSOLIDATE SUBCASES**

DESCRIPTIVE SUMMARY

This is a Motion brought by Respondents Cranney Bros. ("Cranney") to consolidate the above-referenced subcases.

MOTION

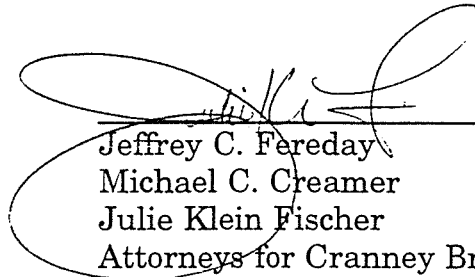
Cranney hereby moves this Court pursuant to Rule 42(a) of the Idaho Rules of Civil Procedure and SRBA Administrative Order No. 1, ¶ 9, for an order consolidating subcases A36-00048A and A36-00049, for the purpose of trial. This motion is made and based upon the fact that the claims in these subcases were filed by the same party, Dan H. and Irma R. McFadden, there are common questions of law and fact pending before the court in these subcases, and consolidation of these

subcases will avoid unnecessary cost and delay.

The grounds for Cranney's Motion are set forth in Cranney's Memorandum in Support of Motion to Consolidate filed herewith.

DATED this 14 day of March, 1996.

GIVENS PURSLEY & HUNTLEY LLP



Jeffrey C. Fereday
Michael C. Creamer
Julie Klein Fischer
Attorneys for Cranney Bros.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 16 day of March, 1996, 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

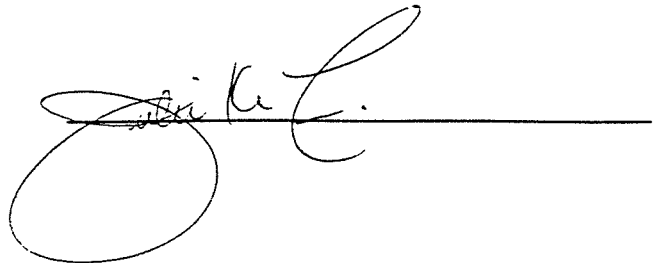
☒ U.S. Mail ☐ Fax ☐ Hand Delivery ☐ Federal Express

Environment & Natural Resources Division
United States Department of Justice
550 West Fort Street, Box 033
Boise, Idaho 83724

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

Josephine P. Beeman, Esq.
Dillion, Bosch, Daw & Bock, Chartered
Fidelity Building
243 N. 8th Street, Suite 200
Boise, Idaho 83702

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

A handwritten signature in dark ink, appearing to read "Patrick D. Brown", is written over a horizontal line.

COPY

Party's Name: Cranney Bros.

Attorneys' Names and Address

Jeffrey C. Fereday

Michael C. Creamer

Julie Klein Fischer

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\Pleading\consolid.ord

RECEIVED

MAR 14 1996

MAR 14 1996

RECEIVED

MAR 18 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

Case No. 39576

Subcase Nos. A36-00048A, A36-
00049

**ORDER TO CONSOLIDATE
SUBCASES**

Having reviewed Cranney Bros. Motion to Consolidate Subcases, and good cause appearing therefore,

IT IS HEREBY ORDERED, that subcases A36-00048A and A36-00049 shall be consolidated for the purpose of trial.

Dated this ____ day of March, 1996

Special Master