

COPY

RECEIVED
JUN 23 1996
Department of Water Resources
Adjudication Bureau

RECEIVED
JUN 27 1996
OFFICE OF THE
ATTORNEY GENERAL

Claimant: David Kingston

Attorney Name and Address: HEPWORTH, LEZAMIZ & HOHNHORST,
CHARTERED
133 Shoshone St. North
P.O. Box 389
Twin Falls, ID 83303-0389
Telephone: (208)734-7510

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. 36-00003B
)
) MOTION TO CONSOLIDATE
Case No. 39576)
)

* * * * *

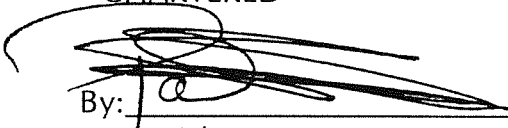
COMES NOW the claimant in the above subcase and moves to consolidate the above subcase under A.O.1(9) and I.R.C.P. 42(a) with subcases 36-00003A, 36-00003C, 36-00003E, 36-00003F and 36-00003J because the subcases involve common questions of law and fact pending before the court. The subcases involve the same original decreed water right. That right was used by Barbara Gardner until split in the 1990's. The subcases were investigated and reported by IDWR as one right. Claimant moves that all hearings or trial in the above matter be heard together so as to avoid unnecessary costs or delay.

Oral argument is requested, preferably before hearing on the Motions to

1 Participate filed by Buckeye Farms in subcase nos. 36-00003B and 36-00003J.

2 Dated this 24th day of June, 1996.

3 HEPWORTH, LEZAMIZ & HOHNHORST,
4 CHARTERED

5 By: 

6 Patrick D. Brown
7 Attorneys for Claimant
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

CERTIFICATE OF SERVICE

The undersigned, a resident attorney of the State of Idaho, with offices at 133 Shoshone St. North, P.O. Box 389, Twin Falls, Idaho 83303, and one of the attorneys for the claimant in this matter, certifies that on the 26 day of June, 1996, he served a true and correct copy of the foregoing document 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

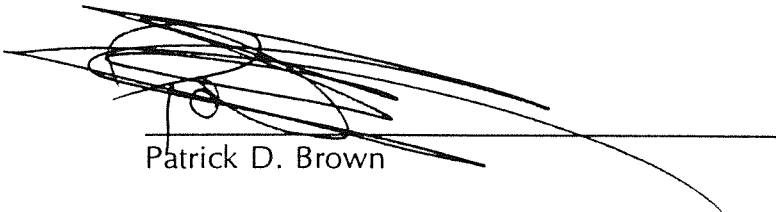
☒ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)

U.S. Department of Justice
Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, ID 83724

☒ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)

John K. Simpson
Rosholt, Robertson & Tucker
1221 W. Idaho, Ste. 600
P. O. Box 2139
Boise, ID 83701

☒ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)


Patrick D. Brown

(WATER\00003B.MT)\lm