

34-13241 -0001/  
93-03-0170

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1993 MAR 31 PM 2:22  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re the General Adjudication  
of Rights to the Use of Water  
from the Snake River Basin  
Water System

The State of Idaho, ex rel.  
R. Keith Higginson in his  
official capacity as Director  
of the Idaho Department of  
Water Resources,

Petitioner,

vs.

The United States; the State  
of Idaho; and all Claimants to  
the use of water from the Snake  
River Basin Water System,

Respondents.

Case Nos. 34-12892 THRU  
34-12893  
34-13083 THRU 34-13101  
34-13106 THRU 34-13117  
34-13145 THRU 34-13217  
34-13219 THRU 34-13235  
34-13237 THRU 34-13258  
34-13261 THRU 34-13267  
34-13269  
34-13271 THRU 34-13301  
34-13337 THRU 34-13339  
34-13345

MOTION TO PARTICIPATE

SAN FELIPE RANCH, a Partnership, hereinafter  
Intervenor, requests that the above entitled Court recognize it  
as an Intervenor in the above-entitled matter in accordance with  
the rules of the Court (Rules of Procedure 6. g.), and the Idaho  
Rules of Civil Procedure (Rule 24), or any other applicable rule  
or regulation.

This motion is made upon the grounds that Intervenor  
holds similar water rights from the flows of Sage Creek, a

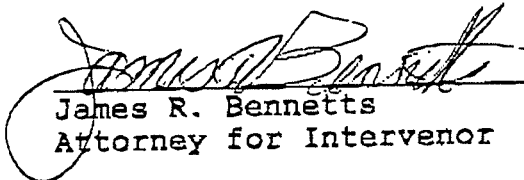
MOTION TO PARTICIPATE - 1

tributary of Big Lost River, as those held by Lola L. Coates, and/or Thomas B. Coates, who have previously been recognized as Objectors in regard to the above-designated claims. As an interested party, Intervenor wishes to support such Objectors, and further wishes to offer independent analysis in the protection of its property rights.

Further, Intervenor requests that it be permitted to intervene in regard to all claims without filing separate Motions in regard to each sub-case because to do otherwise is cost-prohibitive and will have the effect of denying Intervenor of its rights.

Intervenor is represented in this matter by James R. Bennetts, Attorney at Law, P. O. Box 36, Challis, Idaho 83226, and it is requested that all notices, pleadings, or other proceedings in the above matter be served upon such counsel for review or further action.

DATED: March 30<sup>th</sup>, 1993.

  
James R. Bennetts  
Attorney for Intervenor

CERTIFICATE OF MAILING

I hereby certify that on the 30<sup>th</sup> day of March, 1993, I mailed the original and copies of the foregoing motion, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to: (ORIGINAL HAND DELIVERED FOR FILING BY INTERVENOR)

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P. O. Box 2707  
Twin Falls, Idaho 83303-2707

2. One copy to the claimant of the water right:

Claimant Name: USDI - BLM  
Claimant's Address: 3380 Americana Terrace  
Boise, Idaho 83706

3. One copy to:

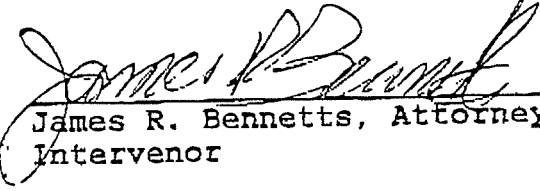
Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
P. O. Box 44449  
Boise, Idaho 83711-4449

4. One copy to:

United States Department of Justice  
Environment and Natural Resource Division  
550 West Fort Street, Box 33  
Boise, Idaho 83734

5. One copy to:

Lola L. Coates  
P. O. Box 146  
Mackay, Idaho 83251

  
James R. Bennetts, Attorney for  
Intervenor