34-13286 -0001/
93-03-0211

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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

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 30th, 1993.

James R. Bennetts
Attorney for Intervenor

CERTIFICATE OF MAILING

I hereby certify that on the 30th 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