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Department of Water Resources
Adjudication Bureau

COPY

Objector:

Lola Coates and San Felipe Ranches

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

11-3
34-2528

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

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)
)
)
)
)

AFFIDAVIT OF WALT JOHNSON

Case No. 39576

Subcase Nos.

SEE ATTACHED EXHIBIT "B"

STATE OF IDAHO

)
) ss.
)

County of Custer

Walt Johnson, being first duly sworn upon oath, deposes and says:

1. My name is Walt Johnson and I reside on Trail Creek Rd., north of
Mackay, Idaho.

2. I make the following statements based upon my personal knowledge and beliefs, and I am otherwise competent to testify about these matters. In the Snake River Basin Adjudication, I filed objections to several United States Bureau of Land Management claims for stockwater and wildlife rights located in the Big Lost River drainage. Attached to this affidavit and incorporated into it is Exhibit A, which lists the rights I objected to.

3. I understand that Lola Coates and San Felipe Ranches are attempting to file late objections to some of the BLM claims. I support the Coates and San Felipe Ranches in their attempts because I believe the claims are not legitimate, but will be awarded by the court unless Mrs. Coates and San Felipe are allowed to object.

4. While I have removed my objections to the BLM claims, I did not withdraw those objections because I thought the rights were valid.

5. From the time that I objected until the present, I have always believed that the BLM has no basis to make those claims. However, I am simply not in the financial position to pursue my beliefs before the court, nor do I have the time necessary to adequately address those claims. Threatened with over 72 separate trips to Arco, which is nearly one hundred miles round trip, and a half-day of my time used in this endeavor, I determined that it would be in my best immediate financial interests to not further pursue these objections. The reason that I withdrew my objections is that I do not have the time, money or expertise to continue to fight with them in court. The idea is clear in my mind that while I may have limited resources to fight the claims, the BLM has unlimited resources.

6. I do not believe that it would prejudice me or the BLM to allow the Coates and San Felipe to object. The BLM has informed me that they completely researched

their claims and were certain of their position. If that is true, I do not see how it would cost them any more money or time except the time involving in showing their position to the court. It is my understanding the court must review the legal and factual basis for the claim even if the objections are withdrawn.

7. Further your affiant sayeth not.

Dated this 31 day of October, 1995.

Walt Johnson
Walt Johnson

SUBSCRIBED and SWORN to before me this 31st day of October, 1995.

Cecelia Joanne Durbe
NOTARY PUBLIC FOR IDAHO
Residing at: Mackay, Idaho 83251
My Commission Expires: 3-11-98

(WATER\SF\41040AFF.WJ)\lm

EXHIBIT "A"

34-12729A	34-12811A
34-12760A	34-12812A
34-12761A	34-12813A
34-12762A	34-12814A
34-12763A	34-12815A
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EXHIBIT "B"

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CERTIFICATE OF SERVICE

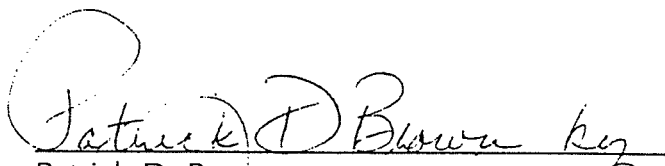
The undersigned, a resident attorney of the State of Idaho, with offices at 133 Shoshone St. North, P.O. Box 389, Twin Falls, Idaho 83303, and one of the attorneys for the objector in this matter, certifies that on the 3rd day of November, 1995, he served a true and correct copy of the foregoing document by the method indicated below, and addressed to the following:

Attorney General's Office
IDWR
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
Division
550 West Fort St.
MSC 033
Boise, ID 83724

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


Patrick D. Brown
