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Department of Water Resources
Adjudication Bureau

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 THOMAS B. COATES

Case No. 39576

Subcase Nos.

SEE ATTACHED EXHIBIT "C"

STATE OF OREGON

County of Marion

)
)
) ss.

Thomas B. Coates, being first duly sworn upon oath, deposes and says:

1. My name is Thomas B. Coates and I reside on 41390 Sunset Way, Stayton, Oregon.
2. I make the following statements based upon my personal knowledge and beliefs, and I am otherwise competent to testify about these matters.
3. In the Snake River Basin Adjudication, I filed objections on behalf of my mother Lola L. Coates 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 is exhibit A, which lists the claims that I objected to on her behalf. I also attempted to file objections on her behalf to approximately 300 additional BLM stockwater and wildlife claims.
4. After I had mailed those objections, I was told by Court personnel that even though I had sent a petition asking to file multiple objections on a single form, I would have to file them on individual forms. I was also told that objections in addition to the 186 would not be accepted without a written request to the Court to allow us to file them late. Therefore, I helped my mother prepare the letter dated March 17, 1993. By that letter we intended to communicate that we were requesting to be allowed to file not only the 186 objections, but to numerous other claims as well. I so stated that within the letter.
5. The Court responded to that request by issuing an order allowing an extension of time to file (see exhibit "B"). I read the order to say that we could

file late objections as was requested in the letter. In other words, I understood that the Court was allowing us to file more than the 186 objections.

6. At the 3/31/93 date, as per the instructions on the objection form, I had mailed a copy of each prepared objection to the other parties whom were listed. Also at that time, I had my mother sign the statement at the end of the objection form that copies had been sent to the other listed parties (emphasis mine). The prepared objections were then hand delivered to the SRBA Court at which time I was notified that only the 186 were to be accepted.

7. I did not, at the time of filing, know of any other way to get the objections filed. In fact I understood that we would not be allowed to get permission to file late because that is exactly what I thought had been done when we sent exhibit "B", until sometime in the summer of 1994. During that time, Mr. Brown informed me that we would be unable to approach the Court about accepting late objections until a stay of the proceedings had been lifted. He also informed me that even after the stay was lifted, there would be questions about filing because new laws were being challenged, including whether the Director's Report on BLM claims would be the document that we would have to object to. Therefore, while I continued to negotiate with BLM about claims that we are now trying to object to, I relied on Mr. Brown to tell us when and how to file late objections.

8. I began discussing the issues with BLM personnel, and Justice Department attorneys. At one particular meeting held at the United States Forest Service office in Mackay, Idaho, attended by Mr. Haugrud, Ms. Zane, and BLM personnel, along with my mother, a representative of San Felipe Ranch, and

others, I was told that the federal government was going to pursue their claims regardless of what I objected to. I pointed out the fact that there were many claims to places that did not have any water present. The BLM personnel present assured me that they were going to investigate each and every claim, including the ones we are now trying to object to, and withdraw any that were incorrectly identified. I believed them, therefore I could not see any purpose to further pursue actions to file late objections until BLM provided us with a list of the un-objected to claims which they would withdraw.

9. From December 1993 through February 1994, Darla Zane confirmed to me on several occasions that BLM would move to withdraw claims whether objected to or not, after BLM had completed its investigations of all stockwater and wildlife claims in Basin-34. they had incorrectly identified. The BLM moved to withdraw and defer some claims, but Darla Zane continued to assure me that BLM was still investigating and would move to withdraw even more claims. It was not until March and April of 1995 that BLM or its counsel informed me that they would not withdraw the claims that we are now objecting to.

10. Further your affiant sayeth not.

Dated this 2nd day of November, 1995.

Thomas B. Coates
Thomas B. Coates

SUBSCRIBED and SWORN to before me this) day of November, 1995.



M. Kuenzi
NOTARY PUBLIC FOR OREGON
Residing at *Stayton Oregon 97383*
My Commission Expires: *10-19-99*

EXHIBIT "A"

34-07232	34-13148	34-13186	34-13225	34-13269
34-11563	34-13149	34-13187	34-13226	34-13271
34-12892	34-13150	34-13188	34-13227	34-13272
34-12893	34-13151	34-13189	34-13228	34-13273
34-13084	34-13152	34-13190	34-13229	34-13274
34-13085	34-13153	34-13191	34-13230	34-13275
34-13086	34-13154	34-13192	34-13231	34-13276
34-13087	34-13155	34-13192A	34-13232	34-13277
34-13088	34-13156	34-13193	34-13233	34-13278
34-13089	34-13157	34-13194	34-13234	34-13279
34-13090	34-13158	34-13195	34-13235	34-13280
34-13091	34-13159	34-13196	34-13237	34-13281
34-13092	34-13160	34-13197	34-13238	34-13282
34-13093	34-13161	34-13198	34-13239	34-13283
34-13094	34-13162	34-13199	34-13240	34-13284
34-13095	34-13163	34-13200	34-13241	34-13285
34-13096	34-13164	34-13201	34-13242	34-13286
34-13097	34-13165	34-13202	34-13243	34-13287
34-13098	34-13166	34-13203	34-13245	34-13288
34-13099	34-13167	34-13204	34-13246	34-13289
34-13100	34-13169	34-13205	34-13247	34-13290
34-13101	34-13169	34-13206	34-13248	34-13291
34-13101A	34-13170	34-13207	34-13249	34-13292
34-13106	34-13171	34-13208	34-13250	34-13293
34-13107	34-13172	34-13209	34-13251	34-13294
34-13108	34-13173	34-13210	34-13252	34-13295
34-13109	34-13174	34-13211	34-13253	34-13296
34-13110	34-13175	34-13212	34-13254	34-13297
34-13111	34-13176	34-13213	34-13255	34-13298
34-13112	34-13177	34-13214	34-13256	34-13299
34-13113	34-13178	34-13215	34-13257	34-13300
34-13114	34-13178A	34-13216	34-13258	34-13301
34-13115	34-13179	34-13217	34-13261	34-13337
34-13116	34-13180	34-13219	34-13262	34-13338
34-13117	34-13181	34-13220	34-13263	34-13339
34-13121A	34-13182	34-13221	34-13264	
34-13145	34-13183	34-13222	34-13265	
34-13146	34-13184	34-13223	34-13266	
34-13147	34-13185	34-13224	34-13267	

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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

Case No. 39576

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.

ORDER GRANTING EXTENSION
OF TIME TO FILE OBJECTIONS

Lola Coates, Pro Se, Mackay, Idaho

March 16, 1993, Lola Coates, pro se, filed an Objection which was intended to cover 186 separate water rights. The court contacted Mrs. Coates and informed her of the requirement that an objection form must be used to object to one water right per form.

Mrs. Coates has made an ex parte request to allow her until 5:00 p.m. on Wednesday, March 31, 1993 to file objections to the Director's Report for Reporting Area 34. The Court will treat the request as a Motion for Extension of Time to File Objections.

The Idaho Department of Water Resources does not oppose Mrs. Coates request.

Mrs. Coates request is granted with the following conditions:

1. Each water right to which an objection is being filed must be made separately on a standard objection form.
2. Mrs. Coates must follow the certificate of mailing form requirements and send

ORDER GRANTING EXTENSION OF TIME TO FILE OBJECTIONS

3/24/93

Page 1

EXHIBIT - B

EXHIBIT-C

34-02528	34-13087A	34-13147A	34-13207A
34-07444	34-13088A	34-13148A	34-13208A
34-07445	34-13090A	34-13154A	34-13209A
34-07447	34-13091A	34-13155A	34-13210A
34-07449	34-13095A	34-13157A	34-13211A
34-12536A	34-13100A	34-13161A	34-13215A
34-12536	34-13114A	34-13162A	34-13220A
34-12537A	34-13119	34-13163A	34-13223A
34-12537	34-13119A	34-13164A	34-13228A
34-12538A	34-13120	34-13166A	34-13229A
34-12538	34-13120A	34-13169A	34-13230A
34-12539A	34-13122	34-13171A	34-13231A
34-12539	34-13122A	34-13172A	34-13235A
34-12540A	34-13123A	34-13174A	34-13237A
34-12540	34-13123	34-13175A	34-13241A
34-12541A	34-13127	34-13176A	34-13243A
34-12541	34-13127A	34-13179A	34-13244A
34-12542A	34-13128A	34-13180A	34-13246A
34-12542	34-13128	34-13181A	34-13253A
34-12552	34-13129	34-13182A	34-13257A
34-12553	34-13129A	34-13183A	34-13258A
34-12554A	34-13133	34-13184A	34-13259
34-12565	34-13133A	34-13186A	34-13259A
34-12567	34-13134A	34-13187A	34-13261A
34-12568	34-13134	34-13188A	34-13262A
34-12569A	34-13135A	34-13189A	34-13264A
34-12569	34-13135	34-13190A	34-13266A
34-12570A	34-13136	34-13191A	34-13267A
34-12570	34-13136A	34-13194A	34-13268A
34-12573A	34-13137	34-13195A	34-13269A
34-12573	34-13137A	34-13196A	34-13271A
34-12574	34-13140	34-13197A	34-13272A
34-12574A	34-13140A	34-13200A	34-13273A
34-12575	34-13141	34-13201A	34-13274A
34-12575A	34-13141A	34-13202A	34-13275A
34-12903A	34-13144A	34-13203A	34-13280A
34-13084A	34-13144	34-13204A	34-13281A
34-13085A	34-13145A	34-13205A	34-13282A
34-13086A	34-13146A	34-13206A	34-13283A

34-13285A
34-13286A
34-13287A
34-13288A
34-13289A
34-13290A
34-13291A
34-13296A
34-13298A
34-13299A
34-13303
34-13303A
34-13305
34-13305A
34-13321
34-13321A
34-13322
34-13324A
34-13324
34-13328A
34-13328
34-13340
34-13341
34-13342
34-13343
34-13344
34-13347
34-13349
34-13350
34-13351
34-13355

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 for
Patrick D. Brown