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)	**A.**	**Subcase** 63-04641B (Insert water right number)
)		
Case No. 39576)		**STANDARD FORM 1 OBJECTION**
)		

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Tree Top Ranches, LP

Address: 914 Houston Road

Boise, Idaho 83706

Daytime Phone: 208-377-0998

Name & Address of Attorney, if any:
Scott L. Campbell

Moffatt Thomas

PO Box 829, Boise, Idaho 83701

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Tree Top Ranches, LP

Address: 914 Houston Road

Boise, Idaho 83706

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
   Should be: _____

2. ☑ **Source**
   Should be: Tributary should be Boise River

3. ☑ **Quantity**
   Should be: 0.11 cfs

4. ☐ **Priority Date**
   Should be: _____

5. ☐ **Point of Diversion**
   Should be: _____

6. ☐ **Instream Flow Beginning and Ending Point**
   Should be: _____

7. ☑ **Purpose(s) of Use**
   Should be: Quantity should be 0.11 cfs

8. ☑ **Period of Year**
   Should be: Quantity should be 0.11 cfs

9. ☑ **Place of Use**
   Should be: Please see attachment 1 hereto

10 ☐ **I object because:**

☐ This water right Should not exist.

☐ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S):

Please see attachment 2 hereto.

F. **VERIFICATION** (must be completed)

State of Idaho)
)ss.
County of Ada)

Scott L. Campbell, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Scott L Campbell
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 19, 2007

DEBORAH L. LONG NOTARY PUBLIC IDAHO

Deborah L Long
Notary Public for Idaho
Residing at: Boise
My Commission Expires: 10/10/07

DEBORAH L. LONG NOTARY PUBLIC STATE OF IDAHO

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted**. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on June 19, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Tree Top Ranches, LP
Address: 914 Houston Road
Boise, Idaho 83706

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449

Signature of objector or attorney
mailing on Objector's behalf

ATTACHMENT 1 TO
STANDARD FORM 1 – OBJECTION
SUBCASE 63-04641B

The Director's Report incorrectly identifies the place of use for irrigation of lands under this water right. The correct, historic place of use is as follows:

TWP	RNG	SEC	1/4 of	1/4	Lot	Acres Claimed
5N	5W	15	SW	SE		3
					Total	3

ATTACHMENT 2 TO
STANDARD FORM 1 – OBJECTION
SUBCASE 63-04641B

Reasons Supporting Objection(s)

Source:

The tributary to Sand Hollow Creek is incorrectly listed as the Snake River. The correct tributary is the Boise River.

Quantity:

The claimed quantity of 0.11 cfs should be recommended in full, based upon historic diversion, delivery, and use of irrigation water by Tree Top Ranches, LP, and its predecessors.

Purpose of Use and Period of Year:

The claimed quantity of 0.11 cfs should be recommended in full, based upon historic diversion, delivery, and use of irrigation water by Tree Top Ranches, LP, and its predecessors.

Place of Use:

The place of use described in the Director's Report does not accurately describe the lands historically irrigated under this water right.

Other Provisions Necessary for Definition or Administration of this Water Right:

There is no legal basis for the inclusion of the following remark:

> This right remains subject to the right of the original appropriator, in good faith and in compliance with the state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.