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JAN 14 2008

DEPARTMENT OF
WATER RESOURCES

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

Subcase No.: 74-40

Case No. 39576

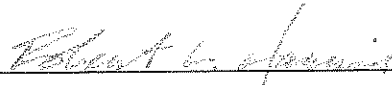
WITNESS LIST

1. Dan Smith – PO Box 22, Leadore, ID 83464; Cell phone No. 208-303-7411; Dan Smith has been Watermaster on and off prior to 1989 and continually from 1989 to the present on Big and Little Timber Creek. He will testify that Water Right No. 74-40 was always diverted from Little Timber Creek during his tenure as Water Master instead of Big Timber Creek as shown in the green book.
2. Ed Peterson – PO Box 85, Leadore, ID 83464; Phone No. 208-756-2495; Ed Peterson will testify that as an employee of Kermit Purcell's from May 1, 1964 to December 10, 2001, Water Right No. 74-40 was always been diverted from Little Timber Creek.
3. James Whittaker – PO Box 240, Leadore, ID 83464, Phone No. 208-768-2491; Mr. Whittaker will testify as to all relevant matters, including his observations of the points of diversion utilized under Water Right No. 74-40, specifically, that 74-40 has always been diverted from Little Timber Creek.
4. Alan Purcell – 98 Purcell Rd., Leadore, ID 83464, Phone No. 208-768-2735; Mr. Purcell will testify as to his observations that 74-40 has always been diverted from Little Timber Creek.

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5. Julia Russel – 1998 Meoldy St., Idaho Falls, ID 83402; Phone No. 208-529-5236; Ms. Russel worked for Kermit Purcell from 1972 through 1996. Ms. Russel assisted Mr. Purcell in all aspects of irrigation on the property. Ms. Russell with testify that 74-40 was only diverted from Little Timber Creek.

Dated this 11th day of January, 2008.



Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of January, 2008, 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
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Leadore Land Partners, Ltd.
Represented by:
Josephine P. Beeman
409 W. Jefferson St.
Boise, ID 83702

Purcell Partnership
Purcell Ranch Partnership
c/o Allan/Betty/Kerry Purcell
98 Purcell Rd.
Leadore, ID 83464

Richard Foster
PO Box 55
Leadore, ID 83464

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

Kurt Bird
56 Lower Texas Creek Rd.
Leadore, ID 83464



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