



State of Idaho

DEPARTMENT OF WATER RESOURCES

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May 29, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

SCOTT L CAMPBELL
MOFFATT THOMAS BARRETT ROCK & FIELDS
PO BOX 829
BOISE ID 83701

RE: Snake River Basin Adjudication (SRBA) recommendations 67-7066, 67-7070, and 67-7166 for Tree Top Ranches, LP

Dear Mr. Campbell,

I have been reviewing the objections filed in your clients behalf for SRBA recommendations 67-7066, 67-7070, and 67-7166.

The ownership of all three rights is one of the items objected to. I reviewed the documentation submitted with the objections, specifically the deed showing ownership of the property, and it appears that Tree Top Ranches, LP only owns a portion of the place of use (POU) applicable to 67-7066, 67-7070, and 67-7166. There appears to be a portion of the irrigated POU that is retained by Mallory. Thus, in order to change ownership I will need to split the rights.

Before I created the splits for this right and notify the SRBA court, I wanted to verify with you that there was not another deed that I might be missing that would show your client owns all of the place of use applicable to 67-7066, 67-7070, and 67-7166? Perhaps I am missing a deed?

If you or someone from your office could contact me regarding this issue I would really appreciate it.

Sincerely,

Craig L. Saxton
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Adjudication Bureau
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