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DEPARTMENT OF
WATER RESOURCES

Attorneys for Tree Top Ranches, L.P.

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22567.0

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

Case No. 39576

Subcase Nos.	63-127A	63-127B
63-128A	63-128B	63-129A
63-129B	63-130A	63-130B
63-131A	63-131B	63-178B
63-178C		

AFFIDAVIT OF SCOTT L. CAMPBELL

STATE OF IDAHO)
) ss.
County of Ada)

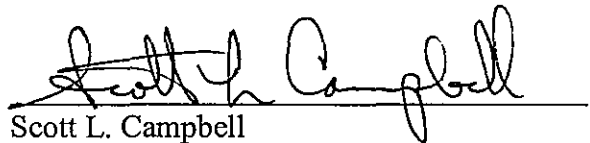
SCOTT L. CAMPBELL, being first duly sworn upon oath, deposes and says:

1. I am licensed to practice law in the State of Idaho. I represent Tree Top Ranches, L.P. in the above-captioned matter and have access to the files that are pertinent to this matter. I make this affidavit based upon personal knowledge.

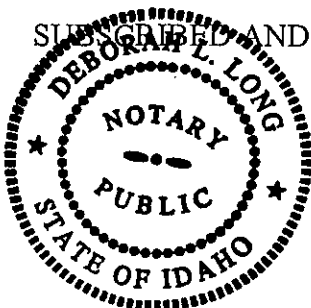
2. On June 6, 2006, I met with representatives of the Idaho Department of Water Resources and Dave Tidwell, a representative of Tina Iest, to discuss the legal and operational status of the Andrews Ditch Company. At that meeting, it was agreed that the Andrews Ditch Company was not a valid legal entity. Furthermore, it was determined that the Andrews Ditch Company never actually existed as a valid legal entity. Finally, it was agreed that each party would pursue in the SRBA its own separate and proportionate claims to the former Andrews Ditch Company water appurtenant to their respective land holdings.

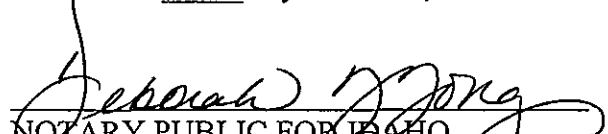
3. After the Boise Project Board of Control and the U.S. Bureau of Reclamation responded to Tree Top's objections to the Department's recommendations as to Purpose of Use and Place of Use for the Tree Top water rights, the parties endeavored to negotiate a remark that would resolve their pending objections/responses. The negotiation was successful. Unfortunately, however, counsel for Greg Obendorf refused to accept the negotiated resolution. Consequently, the SRBA Court has set the trial of the matter for June 11-12, 2009.

Further your affiant sayeth naught.


Scott L. Campbell

SUBSCRIBED AND SWORN to before me this 13th day of March, 2009.




NOTARY PUBLIC FOR IDAHO
Residing at Boise, Idaho
My Commission Expires 10/10/2013

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of March, 2009, I caused a true and correct copy of the foregoing **AFFIDAVIT OF SCOTT L. CAMPBELL** to be served by the method indicated below, and addressed to the following:

Boise Project Board Of Control
Represented By:
BARKER RSHOLT & SIMPSON LLP
1010 W Jefferson, Ste 102
P.O. Box 2139
Boise, ID 83701-2139

☐ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☒ Facsimile

Estate of Tina Iest
Greg Obendorf
The Hauck Family Revocable
The Tina Iest Family LLLP
Represented By:
Dana L. Hofstetter
608 West Franklin Street
Boise, ID 83702

☐ U.S. Mail, Postage Prepaid
☐ Hand Delivered
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☒ Facsimile

Chief of Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

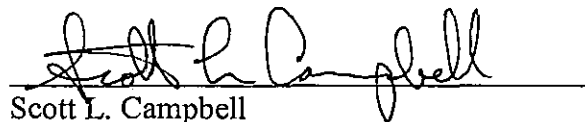
☒ U.S. Mail, Postage Prepaid
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☐ Facsimile

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile

Director
IDAHO DEPARTMENT OF WATER RESOURCES
322 East Front Street, 6th Floor
P.O. Box 83720
Boise, ID 83720-0098

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile


Scott L. Campbell