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DEPARTMENT OF
WATER RESOURCES

Attorneys for Tree Top Ranches, LP

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BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

In the Matter of:

Issuance of License No. 67-07899; in the name
of: TREE TOP RANCHES LP

**PETITION FOR RECONSIDERATION –
LICENSE NUMBER 67-07899**

COMES NOW, Tree Top Ranches, LP (“Tree Top”), by and through its counsel of record, MOFFATT, THOMAS, BARRETT, ROCK & FIELDS, CHARTERED, and pursuant to Code § 67-5245(3) and Idaho Department of Water Resources Rule of Procedure 730 (IDAPA 37.01.01.730.02(a)), hereby petitions the Idaho Department of Water Resources (the “Department”) to reconsider its Water Right License for water right number 67-07899, dated November 29, 2005 (the “License”). Specifically, Tree Top requests the Department reconsider its determination concerning the Quantity, Period of Use, and Conditions of Approval 1, 3 and 4 set forth in the License. Tree Top further petitions the Department for a hearing on the matters

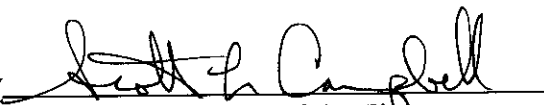
raised in this Petition in accordance with Idaho Code § 42-1701A(3) and Idaho Department of Water Resources Rule of Procedure 730 (IDAPA 37.01.01.730.02(e)).

This Petition is made on the grounds and for the reasons that the Department's determinations concerning Conditions of Approval 1, 3, and 4, and the determinations under the Quantity and Period of Use elements, are unreasonably restrictive to a relatively small irrigation system and the imposition of such conditions are unnecessary and without foundation or basis and may ultimately hinder the proper workings of such system.

For the reasons set forth herein, Tree Top respectfully moves the Department to reconsider the License. Again, Tree Top requests a hearing on the matters raised in this Petition in accordance with Idaho Code § 42-1701A(3) and Idaho Department of Water Resources Rule of Procedure 730 (IDAPA 37.01.01.730.02(e)).

DATED this 12th day of December, 2005,

MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED

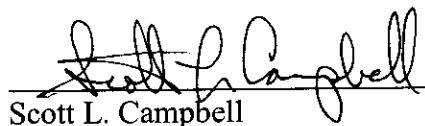
By 
Scott L. Campbell – Of the Firm
Attorneys for Tree Top Ranches, LP

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of December, 2005, I caused a true and correct copy of the foregoing **PETITION FOR RECONSIDERATION – LICENSE NUMBER 67-07899** to be served by the method indicated below, and addressed to the following:

Director
IDAHO DEPARTMENT OF WATER RESOURCES
322 East Front Street
PO Box 83720
Boise, ID 83720-0098

☐ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☒ Facsimile (208) 287-6700



Scott L. Campbell

Attorneys for Tree Top Ranches, LP

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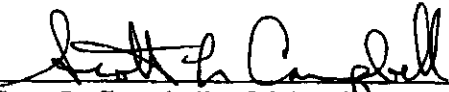
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