

Kelly Greene McConnell, Esq. (ISB No. 4900)
Michael C. Orr (ISB No. 6720)
GIVENS PURSLEY LLP
601 West Bannock Street
P.O. Box 2720
Boise, Idaho 83702
Telephone: (208) 388-1200
Facsimile: (208) 388-1300
S:\CLIENTS\562124\OBJECTION TO TRUSTEE'S REPORT.DOC

FILED
03 OCT 15 11 08:57
CLERK

Attorneys for Bank of the West

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF IDAHO

IN RE:

DAN L. JOHNSON

and

NANCY J. JOHNSON

Case No. 00-3091

**OBJECTION TO TRUSTEE'S FINAL
ACCOUNT AND REQUEST FOR
COMPENSATION AND EXPENSES**

Secured Creditor Bank of the West, by and through its attorneys of record, Givens Pursley LLP, hereby objects to the Trustee's Final Account And Request For Compensation And Expenses ("Trustee's Final Report") on the following grounds.

The Trustee's Final Report lists a Dairy Market Loss payment to the Estate by the Commodity Credit Corporation of the Farm Services Agency, United States Department of Agriculture, in the amount of \$15,563.95. See Trustee's Final Report at Form 1, p. 1 and Form 2, p.1. Dairy Market Loss payments constitute collateral securing the amounts outstanding under Bank of the West's two loans to the Debtors. See Stipulation For Relief From Automatic Stay (Dec. 12, 2000). Bank of the West therefore demands that the \$15,563.95 Dairy Market Loss payment be turned over to Bank of the West.

25

DATED this 15th day of October, 2003.

GIVENS PURSLEY LLP

By: Michael C. Orr
Kelly Greenc McConnell
Michael C. Orr, of the firm
Attorneys for Bank of the West

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 15th day of October, 2003, a true and correct copy of the foregoing document was served on the parties in the manner set forth below:

Richard E. Crawford
Trustee
410 S. Orchard St.
Boise, ID 83705

U.S. Mail
 By hand
 Overnight
 Facsimile

Dan Leroy Johnson
3783 Vista Dr.
Ontario, OR 97914

U.S. Mail
 By hand
 Overnight
 Facsimile

Nancy June Johnson
3783 Vista Dr.
Ontario, OR 97914

U.S. Mail
 By hand
 Overnight
 Facsimile

Cyrus J. Roodel
355 W. Myrtle St., #102
Boise, ID 83702-7607

U.S. Mail
 By hand
 Overnight
 Facsimile

Jerry V. Jensen
P.O. Box 1906
Twin Falls, ID 83303-1906

U.S. Mail
 By hand
 Overnight
 Facsimile

Warren S. Derbidge
P.O. Box 32
Boise, ID 83702-0032

U.S. Mail
 By hand
 Overnight
 Facsimile

Office of the United States Trustee
P.O. Box 110
Boise, ID 83701-0110

U.S. Mail
 By hand
 Overnight
 Facsimile



Michael C. Orr