

**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 A22-07391      |
|                | ) |                        |
| Case No. 39576 | ) |                        |
|                | ) |                        |
|                | ) | <b>STANDARD FORM 1</b> |
|                | ) | <b>OBJECTION</b>       |
| _____          | ) |                        |

Please fill in the following information:

**NAME AND ADDRESS OF PERSON OBJECTING**

Name: Basic American, Inc.  
Keith Keller  
Bruce Wright  
Address: 415 Collins Road  
Blackfoot, Idaho 83221

Daytime Phone: 208/785-8590

Name & Address of Attorney, if any:

Josephine P. Beeman  
Beeman & Associates, P.C.  
409 West Jefferson Street  
Boise, Idaho 83702  
(208) 331-0950

**CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT**

Name: Basic American Foods  
Address: American Potato Co  
40 E 7<sup>th</sup> N  
Rexburg, Idaho 83440

I object to the following elements as recommended in the Director's Report.

1. ☐ **Name and Address**

Should be:

2. ☐ **Source**

Should be:

3. ☒ **Quantity**

Should be: .86 cfs

Should include: USE OF THIS RIGHT WITH RIGHTS LISTED BELOW  
IS LIMITED TO A TOTAL COMBINED ANNUAL  
DIVERSION VOLUME OF 2577.4 AF. COMBINED RIGHT  
NOS.: 22-2204, 22-10008

4. ☒ **Priority Date**

Should be: October/November 1961

5. ☒ **Point(s) of Diversion**

Should be: T06N R40E S19 NWNENE Within Madison County (2  
WELLS)

6. ☐ **Instream Flow Description**

Should be: \_\_\_\_\_

7. ☒ **Purpose(s) of Use**

Should include: THE WATER DIVERTED UNDER THIS RIGHT  
FOR INDUSTRIAL PURPOSES MUST FIRST BE USED IN  
ASSOCIATION WITH THE POTATO PROCESSING  
PLANT LOCATED IN T\_\_S, R\_\_E, S\_\_, \_\_\_\_ AND \_\_\_\_.  
AFTER WATER IS USED FOR INDUSTRIAL PURPOSES  
IN ASSOCIATION WITH THE POTATO PROCESSING  
PLANT, IT MAY BE APPLIED TO AND USED FOR THE  
IRRIGATION OF THE LAND DESCRIBED IN THE PLACE  
OF USE FOR INDUSTRIAL PURPOSES IN T\_\_S, R\_\_E,  
S\_\_, \_\_\_\_, TO SATISFY WATER QUALITY  
REQUIREMENTS. THE INDUSTRIAL USE OF WATER  
UNDER THIS RIGHT INCLUDES THE TREATMENT OF  
WASTE WATER WITH FRESH WATER.

8. **X** **Period of Year**

Should include: THE WATER DIVERTED UNDER THIS RIGHT FOR INDUSTRIAL PURPOSES MUST FIRST BE USED IN ASSOCIATION WITH THE POTATO PROCESSING PLANT LOCATED IN T\_\_S, R\_\_E, S\_\_, \_\_\_\_ AND \_\_\_\_\_. AFTER WATER IS USED FOR INDUSTRIAL PURPOSES IN ASSOCIATION WITH THE POTATO PROCESSING PLANT, IT MAY BE APPLIED TO AND USED FOR THE IRRIGATION OF THE LAND DESCRIBED IN THE PLACE OF USE FOR INDUSTRIAL PURPOSES IN T\_\_S, R\_\_E, S\_\_, \_\_\_\_\_, TO SATISFY WATER QUALITY REQUIREMENTS. THE INDUSTRIAL USE OF WATER UNDER THIS RIGHT INCLUDES THE TREATMENT OF WASTE WATER WITH FRESH WATER.

9. ☐ **Place of Use**

Should be: \_\_\_\_\_

11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

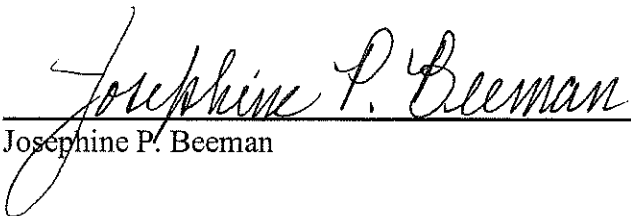
**REASONS SUPPORTING OBJECTION(S):** The original license file for 22-2204 shows that 3.56 cfs was diverted and in use from October/November 1961. Basic American, Inc. realizes that it may need to amend SRBA claims 22-2204, 22-7391, and 22-10008 and/or file new SRBA claims as a result of the listed objections.

**VERIFICATION**

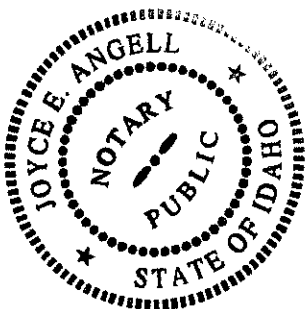
State of Idaho                     )  
                                              ) ss.  
County of Ada                    )

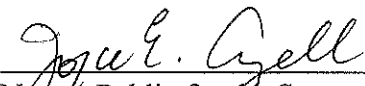
I, Josephine P. Beeman, duly sworn, upon oath, deposes and says:

That I am the attorney for the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(i) and (6), and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

  
\_\_\_\_\_  
Josephine P. Beeman

Subscribed and sworn to before me on: May 5, 2006



  
\_\_\_\_\_  
Notary Public for the State of Idaho  
Residing at: Boise, Idaho  
My Commission Expires: July 29, 2008

## CERTIFICATE OF MAILING

I certify that on May 5, 2006, 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  
PO Box 2707  
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

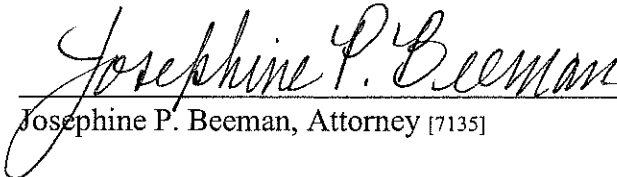
Name: Basic American, Inc.  
Keith Keller  
Bruce Wright  
Address: 415 Collins Road  
Blackfoot, Idaho 83221

3. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

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

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

  
\_\_\_\_\_  
Josephine P. Beeman, Attorney [7135]