

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Subcase 63-2597
(Insert water right number)

In Re SRBA)

Case No. 39576)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

NAME AND ADDRESS OF PERSON OBJECTING

Name: Simplot Meat Products, LLC

Address: P. O. Box 27

Boise, Idaho 83707

Daytime Phone: 208-336-2110

Name & Address of Attorney, if any:

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Simplot Meat Products, Inc.

Address: PO Box 27

Boise, ID 83707

I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ **Name and Address**

Should be: Simplot Meat Products, LLC C/O Terry Uhling 999 Main Street,
Suite 1300, PO Box 27, Boise, ID 83707

2. ☐ **Source**

Should be: _____

3. ☒ **Quantity**

Should be: 1.36 cfs

4. ☐ **Priority Date**

Should be: _____

5. ☒ **Point(s) of Diversion**

Should be:

Township	Range	Section	Quarter Quarter
3N	2W	16	SW $\frac{1}{4}$ NW $\frac{1}{2}$
			SE $\frac{1}{4}$ NW $\frac{1}{4}$

6. ☐ **Instream Flow Description**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be:

9. ☐ **Place of Use**

Should be:

10. **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 quantity of water licensed under this water right provided the right to divert up to 1.36 cfs from groundwater sources for industrial and irrigation purposes. All of the water appropriated under this water right was used for industrial and domestic purposes prior to the commencement of this

adjudication. Consequently, the claim submitted for this licensed water right was filed in the SRBA for the entire 1.36 cfs to be diverted from groundwater sources for industrial and domestic use.

The recommendation by the IDWR for this water right, reduces the amount of water available for diversion to no more than 1.0 cfs and no more than 21.45 acre feet per annum. Diverting continuously at a rate of 1.0 cfs reaches the recommended volume limit within 11 days clearly insufficient to cover the beneficial use associated with this right. The beneficial uses in connection with the licensed purposes substantially exceed the amount recommended. Without an understanding of the basis for the Director's recommendation, the claimant must object to this substantial reduction in the licensed quantity appropriated to determine the basis for the recommendation of this water right.

VERIFICATION (Must be Completed)

State of IDAHO)
)ss.
County of ADA)

Terry T. Uhling as Secretary, Senior Vice President, and General Counsel of the J. R. Simplot Company, a Member of Simplot Meat Products, LLC and as Secretary of SMP, Inc. a Member of Simplot Meat Products, LLC, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

SIMPLOT MEAT PRODUCTS, LLC

SMP, Inc. a Member

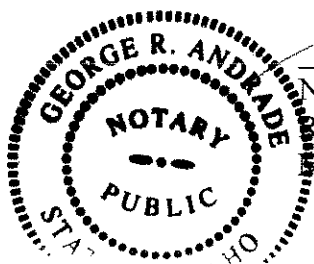
By: [Signature]
Terry T. Uhling, Secretary

J. R. Simplot Company, a Member

By: [Signature]
Terry T. Uhling, Sr. Vice President, Secretary and General Counsel

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: JUNE 12, 2007



[Signature]
Notary Public for _____
Residing at: BOISE, IDAHO
My Commission Expires: JUNE 13, 2012

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on June 13, 2007, 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: Simplot Meat Products, LLC
Address: PO Box 27
Boise, ID 83707

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
PO 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

J.R. Simplot Company

By: Dic C. [Signature], Director Land, Water & Asset Recovery
Signature of Objector or attorney
mailing on Objector's behalf