

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

Subcase 63-21537

(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 Livestock Co.

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 Livestock Co.

Address: 999 Main Street, Suite 1300

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 Livestock Co., C/O Terry Uhling 999 Main Street, Suite 1300, PO Box 27, Boise, ID 83707

2. ☒ **Source**  
Should be: Groundwater

3. ☒ **Quantity**  
Should be: 0.67 cfs

4. ☒ **Priority Date**  
Should be: January 1, 1912

5. ☒ **Point(s) of Diversion**  
Should be:

| Township | Range | Section | Quarter Quarter                                    |
|----------|-------|---------|----------------------------------------------------|
| 4N       | 3W    | 20      | SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ |
|          |       |         | SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ |
|          |       | 18      | SW $\frac{1}{4}$ SW $\frac{1}{4}$                  |
|          |       |         | SE $\frac{1}{4}$ SW $\frac{1}{4}$                  |
|          |       | 19      | NW $\frac{1}{4}$ NE $\frac{1}{4}$                  |
|          |       |         | SE $\frac{1}{4}$ NE $\frac{1}{4}$                  |
|          |       |         | SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ |
|          |       |         | NE $\frac{1}{4}$ NW $\frac{1}{4}$                  |
|          |       |         | NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ |
|          |       |         | NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ |
|          |       |         | NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ |
|          |       |         | NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ |
|          | 4W    | 13      | SW $\frac{1}{4}$ SE $\frac{1}{4}$                  |
|          |       | 24      | NE $\frac{1}{4}$ NW $\frac{1}{4}$                  |

6. ☐ **Instream Flow Description**  
Should be: \_\_\_\_\_

7. ☒ **Purpose(s) of Use**  
Should be: Irrigation, Industrial and Stockwater

8. ☒ **Period of Year**  
Should be: *Irrigation* from March 15 to November 15 (Inclusive); *Industrial* from January 1 to December 31 (Inclusive); *Stockwater* from January 1 to December 31 (Inclusive)

9. ☒ Place of Use

Should be:

| Township | Range | Section | Quarter<br>Quarter | Use                     | Acres (if<br>irrigation) |
|----------|-------|---------|--------------------|-------------------------|--------------------------|
| 4N       | 3W    | 17      | NW¼NW¼             | Irrigation & Industrial | 5.0                      |
|          |       |         | SW¼NW¼             | Irrigation & Industrial | 5.0                      |
|          |       |         | NE¼SW¼             | Irrigation & Industrial | 15.0                     |
|          |       |         | NW¼SW¼             | Irrigation & Industrial | 10.0                     |
|          |       |         | SW¼SW¼             | Irrigation & Industrial | 25.0                     |
|          |       |         | SE¼SW¼             | Irrigation & Industrial | 35.0                     |
|          |       | 18      | NE¼NE¼             | Irrigation & Industrial | 35.0                     |
|          |       |         | NW¼NE¼             | Irrigation & Industrial | 15.0                     |
|          |       |         | SW¼NE¼             | Irrigation & Industrial | 15.0                     |
|          |       |         | SE¼NE¼             | Irrigation & Industrial | 25.0                     |
|          |       |         | NE¼NW¼             | Irrigation & Industrial | 40.0                     |
|          |       |         | NW¼NW¼             | Irrigation & Industrial | 40.0                     |
|          |       |         | SW¼NW¼             | Irrigation & Industrial | 35.0                     |
|          |       |         | SE¼NW¼             | Irrigation & Industrial | 40.0                     |
|          |       |         | NE¼SW¼             | Irrigation & Industrial | 15.0                     |
|          |       |         | NE¼SW¼             | Stockwater              |                          |
|          |       |         | NW¼SW¼             | Stockwater              |                          |
|          |       |         | SW¼SW¼             | Stockwater              |                          |
|          |       |         | SE¼SW¼             | Stockwater              |                          |
|          |       |         | NE¼SE¼             | Stockwater              |                          |
|          |       |         | NW¼SE¼             | Stockwater              |                          |
|          |       |         | SW¼SE¼             | Stockwater              |                          |
|          |       |         | SE¼SE¼             | Irrigation & Industrial | 29.0                     |
|          |       |         | SE¼SE¼             | Stockwater              |                          |
|          |       | 19      | NE¼NE¼             | Irrigation & Industrial | 25.0                     |
|          |       |         | NE¼NE¼             | Stockwater              |                          |
|          |       |         | NW¼NE¼             | Stockwater              |                          |
|          |       |         | SW¼NE¼             | Stockwater              |                          |
|          |       |         | SE¼NE¼             | Stockwater              |                          |
|          |       |         | SE¼NE¼             | Irrigation & Industrial | 20.0                     |
|          |       |         | NW¼NW¼             | Irrigation & Industrial | 30.0                     |
|          |       |         | SW¼NW¼             | Irrigation & Industrial | 35.0                     |
|          |       |         | SE¼NW¼             | Irrigation & Industrial | 25.0                     |
|          |       | 20      | NE¼NW¼             | Irrigation & Industrial | 30.0                     |
|          |       |         | NW¼NW¼             | Irrigation & Industrial | 30.0                     |
|          |       |         | SW¼NW¼             | Irrigation & Industrial | 25.0                     |
|          |       |         | SE¼NW¼             | Irrigation & Industrial | 30.0                     |
|          | 4W    | 12      | SE¼SE¼             | Irrigation & Industrial | 30.0                     |
|          |       | 13      | NE¼NE¼             | Irrigation & Industrial | 40.0                     |
|          |       |         | NW¼NE¼             | Irrigation & Industrial | 35.0                     |
|          |       |         | SW¼NE¼             | Irrigation & Industrial | 30.0                     |

|  |  |    |                                   |                         |      |
|--|--|----|-----------------------------------|-------------------------|------|
|  |  |    | SE $\frac{1}{4}$ NE $\frac{1}{4}$ | Irrigation & Industrial | 35.0 |
|  |  |    | SE $\frac{1}{4}$ SW $\frac{1}{4}$ | Stockwater              |      |
|  |  |    | NE $\frac{1}{4}$ SE $\frac{1}{4}$ | Stockwater              |      |
|  |  |    | NW $\frac{1}{4}$ SE $\frac{1}{4}$ | Stockwater              |      |
|  |  |    | SW $\frac{1}{4}$ SE $\frac{1}{4}$ | Irrigation & Industrial | 40.0 |
|  |  |    | SW $\frac{1}{4}$ SE $\frac{1}{4}$ | Stockwater              |      |
|  |  |    | SE $\frac{1}{4}$ SE $\frac{1}{4}$ | Irrigation & Industrial | 35.0 |
|  |  |    | SE $\frac{1}{4}$ SE $\frac{1}{4}$ | Stockwater              |      |
|  |  | 24 | NE $\frac{1}{4}$ NE $\frac{1}{4}$ | Irrigation & Industrial | 30.0 |
|  |  |    | NE $\frac{1}{4}$ NE $\frac{1}{4}$ | Stockwater              |      |
|  |  |    | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | Irrigation & Industrial | 30.0 |
|  |  |    | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | Stockwater              |      |
|  |  |    | SW $\frac{1}{4}$ NE $\frac{1}{4}$ | Irrigation & Industrial | 20.0 |
|  |  |    | SW $\frac{1}{4}$ NE $\frac{1}{4}$ | Stockwater              |      |
|  |  |    | SE $\frac{1}{4}$ NE $\frac{1}{4}$ | Irrigation & Industrial | 40.0 |
|  |  |    | SE $\frac{1}{4}$ NE $\frac{1}{4}$ | Stockwater              |      |

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):**

Information was supplied to the IDWR in connection with their request for evidence of priority for claims submitted in the SRBA related to a large water supply system. This claim is a component of that water supply system. Said information was supplied by the claimant to IDWR after the IDWR completed its 2006 field work season. Because of the accelerated schedule for submitting its Director's Report for the geographic scope covering this reporting area, IDWR advised Simplot that it did not have time to schedule an examination to verify the water uses claimed before the Director's Reporting deadline.

The IDWR has informed the claimant that, based on information submitted, an examination of the claimant's water systems will be scheduled to confirm the uses claimed. The claimant looks forward to cooperating with the IDWR in providing access to the water systems for the examination and will also assist the IDWR in supplying any available additional information that may be necessary for the recommendation of this water right.

**VERIFICATION** (Must be Completed)

State of IDAHO )  
 )ss.  
County of ADA )

Terry T. Uhling, Secretary, Simplot Livestock Co., 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 Livestock Co.

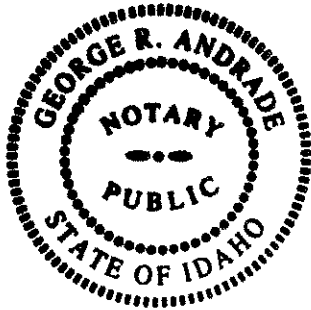
By: [Signature]  
Terry T. Uhling, Secretary

(Signature of person filing objection)

\_\_\_\_\_  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

[Signature]



JUNE 12, 2007  
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 Livestock Co.  
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.B. Simplot Company  
By: Vic Conner, Director, LAND, Water  
Signature of Objector or attorney & Asset Recovery  
mailing on Objector's behalf