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OCT 22 2007
DEPARTMENT OF
WATER RESOURCES

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 No. 22-2204

Case No. 39576)

STANDARD FORM 1
OBJECTION

NAME AND ADDRESS OF PERSONS OBJECTING

Name: Basic American Foods
c/o Bruce Wright
Address: 415 Collins Road
Blackfoot, ID 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
(208) 331-0954
jo.beeman@beemanlaw.com

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Basic American Foods
American Potato Co.
40 E 7th N
Rexburg, ID 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: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☒ **Purpose(s) of Use**
Should be: See Reasons below.
8. ☒ **Period of Year**
Should be: See Reasons below.
9. ☒ **Place of Use**
Should be: See Reasons below.
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)

Following the filing of the Amended Director's Report for this right, Basic American and the Idaho Department of Water Resources agreed to changes to the language recommended with PURPOSE AND PERIOD OF USE and language recommended with PLACE OF USE for this right. This objection documents those changes. An SF5 with the language changes will be filed, confirming resolution of the objection.

PURPOSE AND PERIOD OF USE:

Industrial use is for potato processing. The water diverted under this right for industrial purposes must first be used in association with potato processing. Use in association with potato processing may ~~and includes~~ the treatment of process water with fresh water. After water is used for these industrial purposes it may be applied to land to satisfy federal or state water quality requirements. Water diverted shall not be used for land application unless the water is applied to land that has an appurtenant water right, which normally provides ~~is capable of providing~~ a full supply of water for irrigation.

PLACE OF USE:

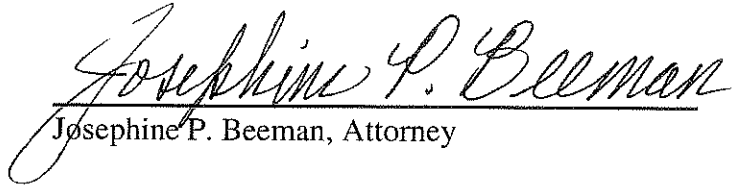
Place of use may also include other lands upon which the process water may be applied for land application purposes to satisfy federal or state water quality requirements. Water diverted shall not be used for land application unless the water is applied to land that has an appurtenant water right, which normally provides ~~is capable of providing~~ a full supply of water for irrigation. Water diverted shall not be used for land application unless the water is first used in association with potato processing ~~and treatment of process water~~ as authorized by the water right. The industrial use of water under this right includes treatment of process water with fresh water.

VERIFICATION

State of Idaho)
)ss.
County of Ada)

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

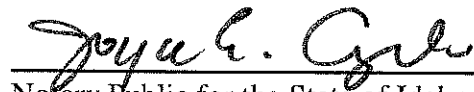
That I am the attorney for the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(i) and (6), and that I have read this objection, know its contents, and believe that the statements are true to the best of my knowledge.



Josephine P. Beeman, Attorney

Subscribed and sworn to before me on: October 19, 2007





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

CERTIFICATE OF MAILING

I certify that on October 19, 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:

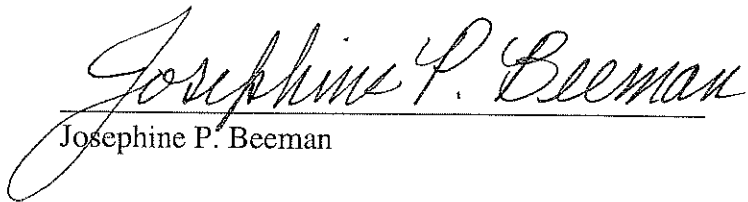
Basic American Foods
c/o Bruce Wright
415 Collins Road
Blackfoot ID 83221

3. Copies to:

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

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

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


Josephine P. Beeman