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DEPARTMENT OF
WATER RESOURCES

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Fifth Judicial District
County of Twin Falls - State of Idaho

By _____ Clerk

**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. 63-2597

Case No. 39576

)
)
) STANDARD FORM 5

)
) STIPULATED ELEMENTS OF A
) WATER RIGHT

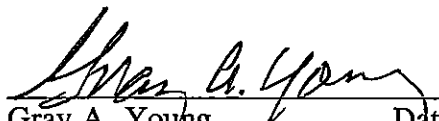
_____)
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

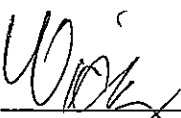
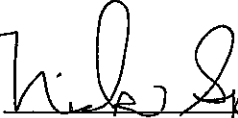
CLAIMANT/OBJECTOR:

Simplot Meat Products, LLC

 10/6/08

Gray A. Young Date
Attorney for Claimant/Objector

IDWR Concurrence:

	
<u>9-29-08</u>	<u>9-26-08</u>
Vicky L. Music	Nicholas B. Spencer
Senior Water Resource Agent	Deputy Attorney General
	Attorney for IDWR

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-2597

NAME AND ADDRESS: SIMPLOT MEAT PRODUCTS LLC
PO BOX 27
BOISE ID 83707

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.000 CFS
~~21.540 AFY~~
367.18 AFY

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/22/1942

POINT OF
DIVERSION:

T03N R02W S16 SWNW Within CANYON County
T03N R02W S16 SENW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
INDUSTRIAL	01/01 12/31	1.000 CFS ~~21.540 AFY~~ <u>367.18 AFY</u>
DOMESTIC	01/01 12/31	0.040 CFS

Domestic use is associated with an industrial meat packing and slaughterhouse facility.

Industrial use is for a slaughterhouse and meat packing plant.

NBS
VLM

PLACE OF USE: INDUSTRIAL in CANYON County

T03N R02W S16 SWNW T03N R02W S16 SENW

DOMESTIC in CANYON County

T03N R02W S16 SWNW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

CERTIFICATE OF MAILING

I certify that on October 9, 2008, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

SIMPLOT MEAT PRODUCTS, LLC

Represented by:
GRAY A. YOUNG
J R SIMPLOT COMPANY
999 MAIN ST. STE. 1300
P.O. BOX 27
BOISE, ID 83707-0027

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098

Deserae Kramer
Signature of person or attorney mailing form