

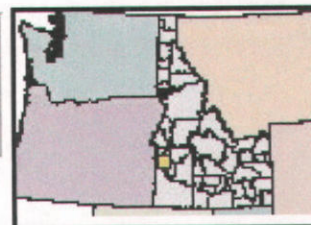
Locate Yourself

The lat/long you provided was 43° 38' 3.700" N; 116° 34' 32.600" W

Here are the results:

SE quarter of the **SE** quarter of Section **33**, Township **04N**, Range **02W**

IDTM NAD83 coordinates: Easting=2292226; Northing=1384711



Choose the map-display background:



Wells



Water Rights



Water Right Permits



Adjudication Claims

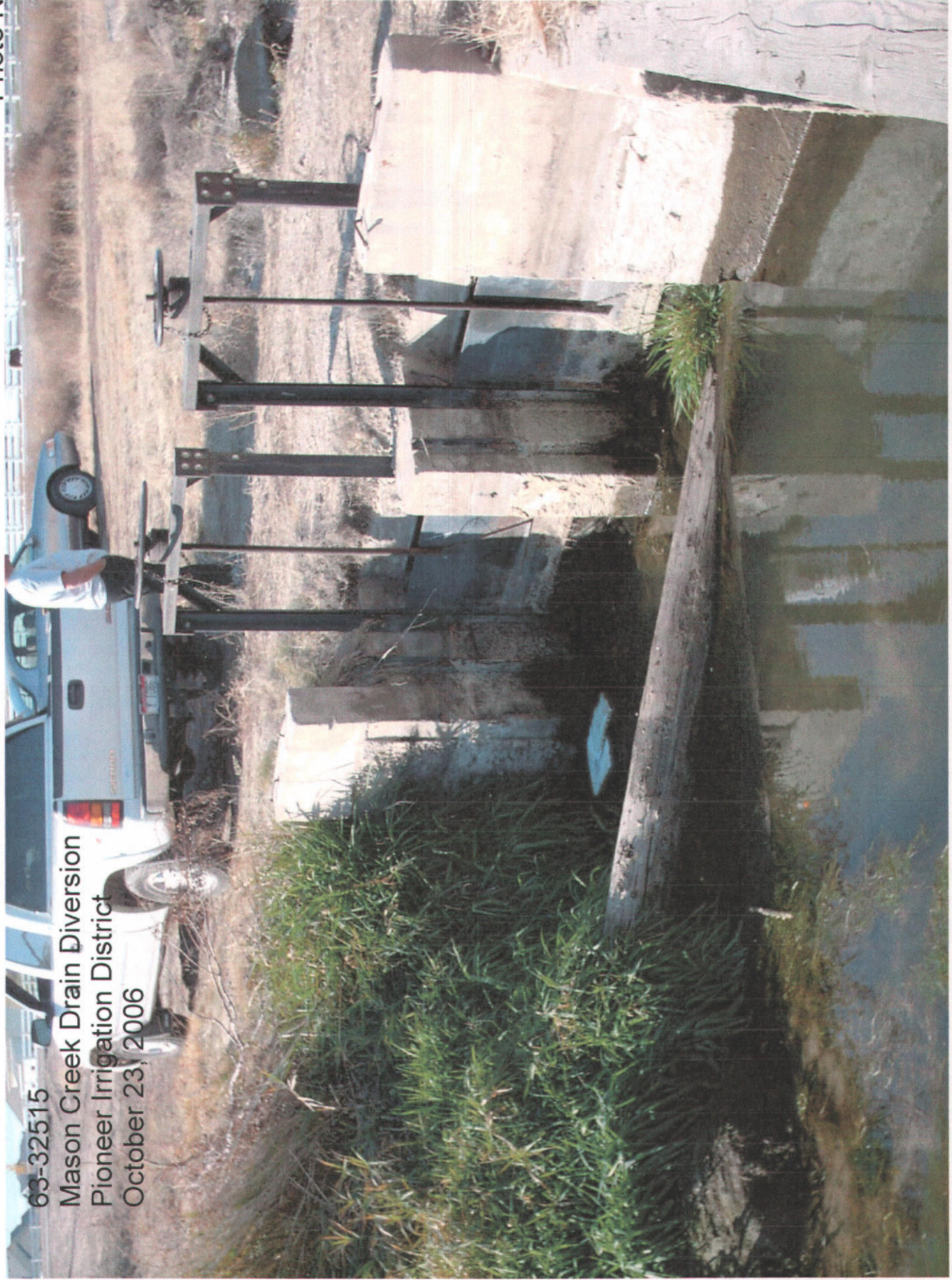


Adjudication Recommendations

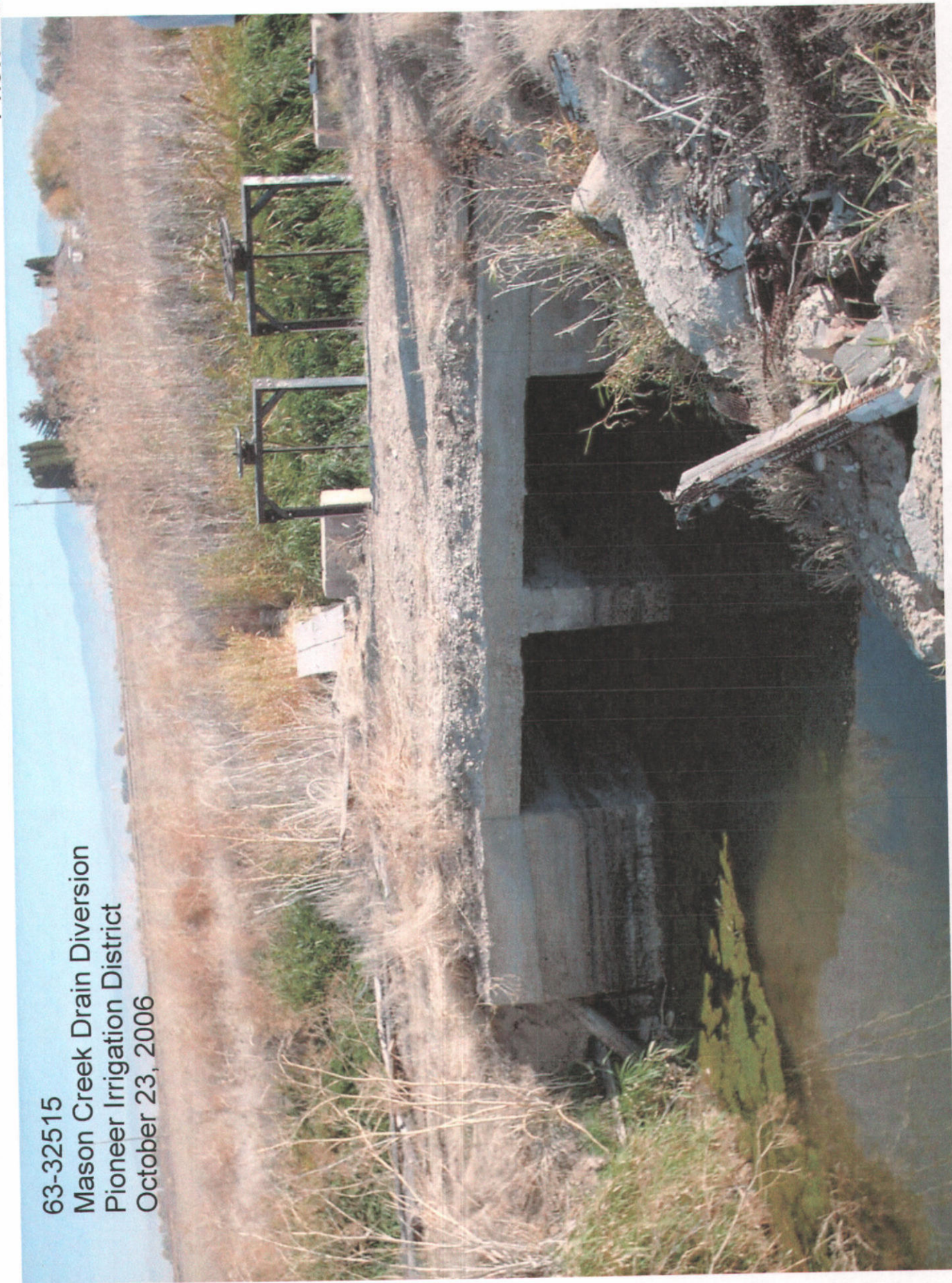
* Positions of wells/headgates may be based upon the center of a quarter-quarter section; those obtained by GPS or survey are accurate.

63-32515

Mason Creek Drain Diversion
Pioneer Irrigation District
October 23, 2006



63-32515
Mason Creek Drain Diversion
Pioneer Irrigation District
October 23, 2006



7

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 63-32514
Date Received: 9/26/2006
Receipt No: C082290
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

PIONEER IRRIGATION DISTRICT Phone: (208)459-3617

PO BOX 426
CALDWELL ID USA 83605

2. Date of Priority: 04/03/1917

3. Source: FIVE MILE CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	02W	27	SE SE	ADA	

5. Description of diverting works:

CONCRETE STRUCTURE TO EARTHEN CANAL TO CALDWELL HIGHLINE CANAL TO DISTRIBUTION
SYSTEM OF PIONEER IRRIGATION DISTRICT.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	100	

7. Total Quantity Appropriated is:
100 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
----------	-------	---------	------------	-----	-----	-------

11. Place of use in counties:

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

FOR IRRIGATION OF LANDS UNDER CANAL SYSTEM. CLAIMANT IS AN IRRIGATION DISTRICT DULY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF IDAHO. CLAIMANT PROVIDES WATER DELIVERY TO PRIVATELY OWNED LANDS WITHIN ITS SERVICE AREA.

THIS CLAIM IS FOR THE AMOUNT OF WATER DIVERTED FROM AND AFTER APRIL 3, 1917 ABOVE THE LICENSED AMOUNT (50.0 CFS) UNDER WATER RIGHT 63-2294.

OTHER WATER RIGHTS USED AT THE SAME PLACE AND FOR THE SAME PURPOSES AS DESCRIBED ABOVE: 63-161BU, 63-166A, 63-167A, 63-179, 63-224, 63-225, 63-294, 63-295, 63-371, 63-2275, 63-2276, 63-2294, 63-2529, 63-2891, 63-5199, 63-5200, 63-5219, 63-5237, 63-5255, 63-9109, 63-11622, 63-21731 AND 63-21739.

15. Basis of Claim: Beneficial Use

SEP 26 2006

DEPARTMENT OF
WATER RESOURCESIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER:

Ident. Number

Date Received

Receipt Number

39576
63-32514

9/29/06

C082290

d.P. po 10-11-06

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAWAttorney: Scott L. Campbell
Moffatt, Thomas, Barrett,
Rock & Fields, Chartered
P. O. Box 829
Boise, Idaho 83706
(208) 345-2000

Please type or print clearly

1. Name of Claimant (s) Pioneer Irrigation District Phone (208) 459-3617
Mailing Address PO Box 426, Caldwell, Idaho Zip 836062. Date of Priority (Only one (1) per claim) April 3, 19173. Source of water supply (a) Five Mile Creek Drain
which is tributary to (b) Boise River4. a. Location of existing point of diversion is: Township 4N Range 2W Section 27,
1/4 of SE 1/4 of SE 1/4, Govt. Lot, B.M., County of Ada

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Concrete structure to earthen canal to Caldwell Highline Canal to distribution system of Pioneer Irrigation District.

SCANNED

OCT 11 2006

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/15 to 11/15 amount 100.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 100.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic)

in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated 34,204.61

11. In which county (ies) are lands listed above as place of use located? Ada/Canyon

12. Do you own the property listed above as place of use? Yes _____ No x

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

Please see Attachment A

or None (☐)

14. Remarks:

For irrigation of lands under canal system. Claimant is an irrigation district duly organized and existing under the laws of the State of Idaho. Claimant provides water delivery to privately owned lands within its service area.

This claim is for the amount of water diverted from and after April 3, 1917 above the licensed amount (50.0 cfs) under water right 63-02294.

SCANNED

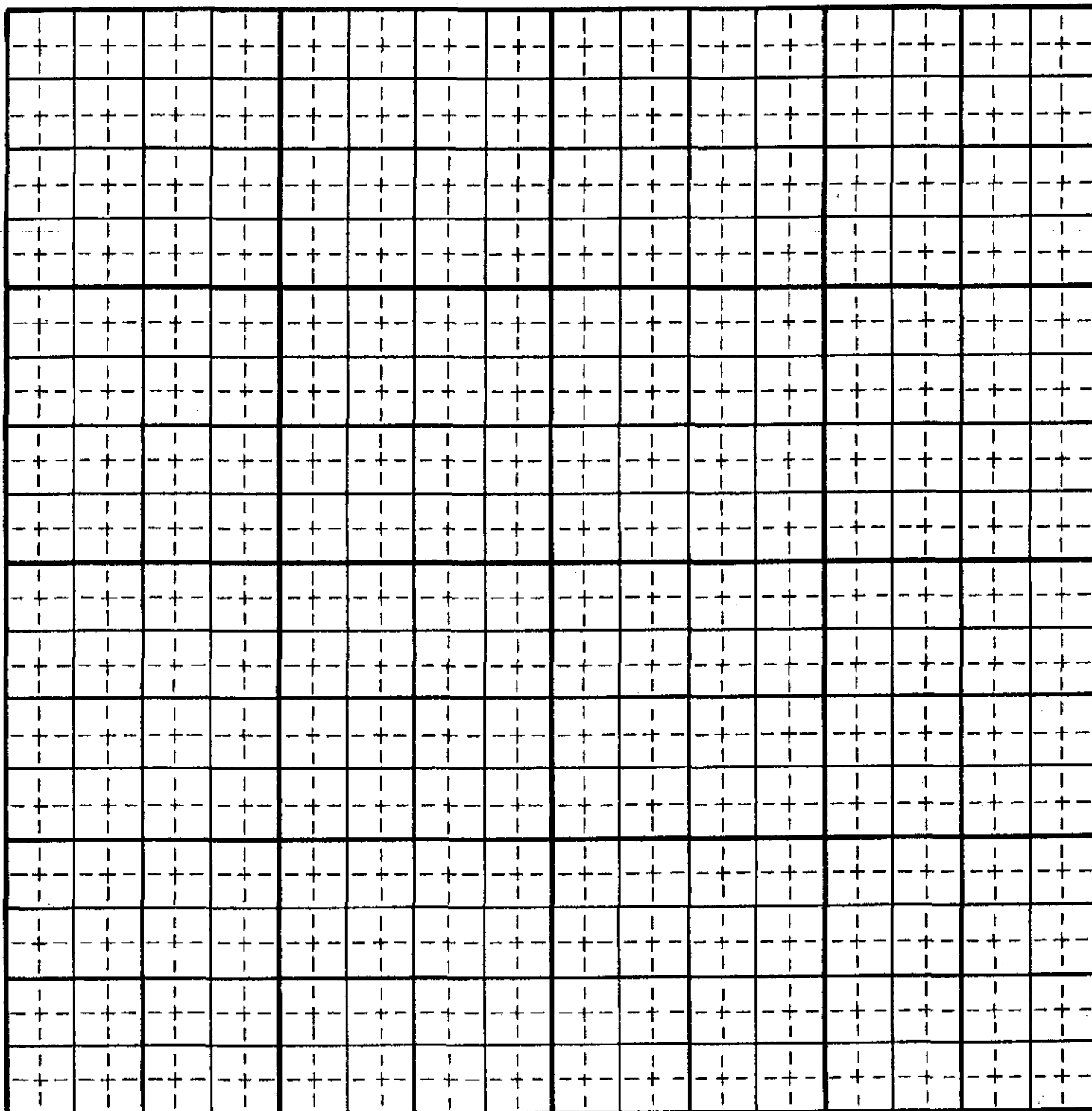
OCT 11 2006

Last Name Pioneer Irrigation District Ident No. 63-32514

BOL_MT2:627351.1

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile Please see attachments to initial claim filing for 63-00224.



SCANNED

OCT 11 2006

Last Name Pioneer Irrigation District

Ident No. 63-32514

BOI_MT2:627351.1

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am President

of Pioneer Irrigation District _____ Title _____, that I have signed the foregoing

document in the space below as President _____ of Pioneer Irrigation District _____
Organization Title Organization

and that the statements contained in the foregoing document are true and correct.

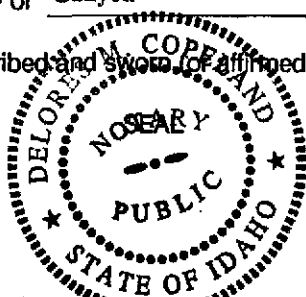
Signature of Authorized Agent Alan Newbill

Title and Organization Alan Newbill, President, Pioneer Irrigation District Date Sept 28 06

State of Idaho/or _____)
County of Canyon) SS.

Subscribed and sworn to (or affirmed) before me this

28 day of September 2006
Notary Public Delores M Copeland
Residing at Caldwell, Id
My Commission Expires 10-21-2010



Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Scott L. Campbell will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Scott L Campbell

Address Moffatt Thomas, PO Box 829, Boise, Idaho 83701

Date 9/29/06

Last Name Pioneer Irrigation District Ident. Number 63 32514

SCANNED

OCT 11 2006

BOL_MT2:627351.1

ATTACHMENT A

13. Describe any other water rights used at the same place and for the same purposes as described above:

63-00161BU
63-00166A
63-00167A
63-00179
63-00224
63-00225
63-00294
63-00295
63-00371
63-02275
63-02276
63-02294
63-02529
63-02891
63-05199
63-05200
63-05219
63-05237
63-05255
63-09109
63-11622
63-21731
63-21739

SCANNED
OCT 11 2006

BOI_MT2:562657.1

63-32514

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)

Case No. 39576)

A Subcase 63-32514

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Pioneer Irrigation District

Address: PO Box 426

Caldwell Idaho 83606

Daytime Phone: (208) 459-3617

Name & Address of Attorney, if any:

Scott L. Campbell

Moffatt Thomas Barrett Rock & Fields

PO Box 829, Boise, Idaho 83701

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Pioneer Irrigation District

Address: PO Box 426

Caldwell Idaho 83606

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

1. ☒ **Name and Address** Zip code should be 83606
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: 100.00 cfs _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☒ **Purpose(s) of Use** Quantity should be 100.00 cfs
Should be: _____
8. ☒ **Period of Year** Quantity should be 100.00 cfs
Should be: _____
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.

E. REASONS SUPPORTING OBJECTION(S):

Please see Attachment 1 hereto.

F

VERIFICATION (Must be Completed)

State of Idaho)
County of Ada)ss

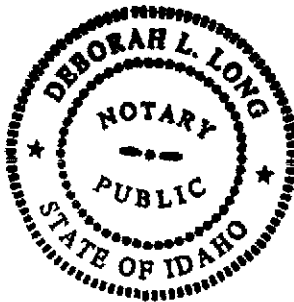
Scott L. Campbell, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

(Signature of person filing objection)

Scott L. Campbell
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6/19/07



Deborah L. Long
Notary Public for Idaho
Residing at: Boise
My Commission Expires: 10/10/07

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.

6

CERTIFICATE OF MAILING

I certify that on June 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:

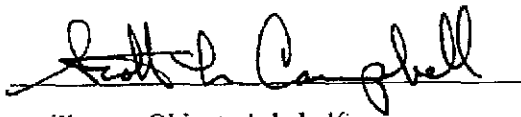
Name: Pioneer Irrigation District
Address: PO Box 426
Caldwell, Idaho 83606

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


mailing on Objector's behalf

**ATTACHMENT 1 TO
STANDARD FORM 1 – OBJECTION
SUBCASE 63-32514**

Reasons Supporting Objection(s)

Name and Address:

The Director's Report incorrectly identifies the zip code as 83605. The correct zip code is 83606.

Quantity:

The claimed quantity of 100.00 cfs should be recommended in full, based upon historic diversion, delivery, and use by the Pioneer Irrigation District through its system of canals and laterals.

Purpose of Use and Period of Year:

The claimed quantity of 100.00 cfs should be recommended in full, based upon historic diversion, delivery, and use by the Pioneer Irrigation District through its system of canals and laterals.

DEPARTMENT OF
WATER RESOURCES

In Re SRBA
Case No. 39576

(Insert water right no.)

Page 1

D. 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: _____
2. ☒ **Source**
Should be: See below.
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: N/A
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.

E. **REASONS SUPPORTING OBJECTION (S):** The point of diversion for this water right is downstream of Nampa & Meridian Irrigation District (NMID). At a minimum, a portion of the source of this water right includes the drainage/waste water of NMID and its lands, and under Idaho law is subject to NMID's right to cease wasting, change the manner or place of wasting or to recapture it. In addition, the rights of Claimant and NMID with respect to the drainage water is subject to various contracts between Claimant, NMID and/or the United States Bureau of Reclamation. NMID's rights under Idaho law and the contracts should be recognized in a remark.

VERIFICATION (must be completed)

State of Idaho)
) ss.
County of Ada)

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.

wledge.



S. Bryce Farris

Subscribed and sworn to before me on: June 15 2007

Notary Public for Florida
Residing at: 2000 N. 1st St.
My Commission Expires: 7/15/10

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 15, 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: Pioneer Irrigation District
Address: P.O. Box 426
Caldwell, Idaho 83605

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
PO Box 44449
Boise, ID 83711-4449

Scott Campbell
Moffat Thomas Barrett Rock & Fields, Chartered
P.O. Box 829
Boise, ID 83701-0829



Signature of Objector or attorney
mailing on Objector's behalf

12/13/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-32514

NAME AND ADDRESS: PIONEER IRRIGATION DISTRICT
PO BOX 426
CALDWELL ID 83605

SOURCE: FIVE MILE CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 35.000 CFS

PRIORITY DATE: 05/01/1935

POINT OF DIVERSION:

T04N R02W S27 SESE Within ADA County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

35.000 CFS

PLACE OF USE:

34204.61 ACRES TOTAL

This right is limited to the irrigation of 34,204.61 acres within the boundary of the Pioneer Irrigation District.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RECEIVED

DEC 08 2006

DEPARTMENT OF
WATER RESOURCES

12/05/2006

NOTICE OF ERROR

REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006.

Water right number: 63-32514

PIONEER IRRIGATION DISTRICT
PO BOX 426
CALDWELL ID 83606
Telephone Number: (208) 459-3617

- Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Quantity; Place of Use

- Describe the changes you wish to make in the proposed recommendation:

Quantity: Recommended as claimed in the amount of 100.0 cfs.

Place of Use: Increase the number of irrigated acres to 34,204.61.

- Give a brief explanation as to why you disagree with these portions:

Quantity: There is no legal basis for the reduction in quantity.

Place of Use: This water right is used within the service boundaries of the Pioneer Irrigation District, which total an amount of 34,204.61 irrigated acres, and should not be limited to the irrigation of 24,556 acres..

 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12/8/6

SIGNATURE: 

Please print your name:

Scott L. Campbell
Moffatt, Thomas, Barrett, Rock & Fields, Chartered
PO Box 8729
Boise, Idaho 83701

Counsel of record for Pioneer Irrigation District

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, 208-334-2190

SCANNED
DEC 11 2006

BOI_MT2:835384.1

11/07/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-32514

NAME AND ADDRESS: PIONEER IRRIGATION DISTRICT
PO BOX 426
CALDWELL ID 83605

SOURCE: FIVE MILE CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 35.000 CFS

PRIORITY DATE: 04/03/1917 5/1/1935

POINT OF DIVERSION:
T04N R02W S27 SESE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	35.000 CFS

PLACE OF USE:

24556 ACRES TOTAL

This right is limited to the irrigation of 24,556 acres within the boundary of the Pioneer Irrigation District.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

Eugene C. Thomas
John W. Barrett
R. B. Rock
Richard C. Fields
John S. Simko
John C. Ward
D. James Manning
Gary T. Dance
Larry C. Hunter
Randall A. Peterman
Mark S. Prusynski
Stephen R. Thomas
Glenna M. Christensen
Gerald T. Husch
Scott L. Campbell
Robert B. Burns

Michael E. Thomas
Patricia M. Olsson
Bradley J. Williams
Lee Radford
Michael O. Roe
David S. Jensen
James L. Martin
C. Clayton Gill
Michael W. McGreaham
David P. Gardner
Julian E. Gabiola
Angela Schaefer Kaufmann
Kimberly D. Evans Ross
Paul D. McFarlane
Jon A. Stenquist
Tyler J. Henderson

Jason G. Murray
Mark C. Peterson
Andrew J. Waldera
Tyler J. Anderson
Dylan B. Lawrence
Russell G. Metcalf
Benjamin C. Ritchie
Rebecca A. Rainey

Robert E. Bakes, *of counsel*
Morgan W. Richards, *of counsel*

Willis C. Moffatt, 1907-1980
Kirk R. Helvie, 1956-2003

RECEIVED
OCT 31 2006

DEPARTMENT OF
WATER RESOURCES

October 30, 2006

Boise
Idaho Falls
Pocatello
Twin Falls

US Bank Plaza Building
101 S Capitol Blvd 10th Fl
PO Box 829
Boise Idaho 83701 0829

208 345 2000
800 422 2889
208 385 5384 Fax
www.moffatt.com

David Tuthill 
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Re: **Pioneer Irrigation District**
Water Right Nos. 63-32513, 63-32514, and 63-32515
MTBR&F File No. 18946.6

Dear Dave:

I am writing in response to your letter dated October 16, 2006, concerning the above-referenced water rights. In your letter, you request that the District provide you with evidence establishing the claimed priority date for each water right. You also request flow measurements for these rights. Concerning the claimed priority date, I offer the following:

63-32513 - Source - Wilson Drain (Gahley Bend Pump)

In reviewing the records of the Pioneer Irrigation District (the "District"), it appears that a 20 horsepower Byron Jackson pump was installed when the District made its initial application to the Idaho Department of Water Resources (the "Department") for a water right permit in January 1952. In 1983, the District replaced the 20 horsepower Byron Jackson pump with a 40 horsepower Cascade pump. See attached receipt of Layne of Idaho, Inc., dated March 7, 1983. When the adjudication claim was filed in 1990, claiming a quantity of water of 13.0 cfs, the 40 horsepower Cascade pump was identified in the diversion works section of the claim.

Based upon this information, it is feasible to deduce that the installation of a stronger pump resulted in the increased quantity of water being diverted out of the Wilson Drain.

~~63-32514~~ **63-32514 - Source - Mason Creek Drain**

In reviewing the records of the District, it appears the initial application made to the Department on September 8, 1915, for diversion of water out of the Mason Creek Drain feeder to the Caldwell Highline Canal was in the amount of 86.0 cfs. This amount was later reduced to a quantity of 43.0 cfs when the license was issued on September 14, 1923. It appears that, at

the time, the carrying capacity of the feeder ditch was approximately 50.0 cfs. However, a Deposition of Holder signed by Elmer Brown, the Superintendent of the District at that time, indicated that it was District's intent to develop "up to the amount [of water] applied for." See attached Deposition of Holder, dated July 20, 1922.

In the 1930's, the District employed engineer Robert M. Ednie to investigate the possibility of obtaining additional water via the construction of additional drain ditches, drilling of drainage wells, and the cleaning and deepening of sixty-five miles of existing drain ditches. Mr. Ednie tendered to the District a report entitled, "Engineer's Report -- Report of Robert M. Ednie of Nampa, Idaho on Supplemental Water Supply and Drainage for the Pioneer Irrigation" dated September 20, 1933. A copy of the report is attached hereto. In 1935, the District adopted a resolution to construct the additional drains and drainage wells, as well as the cleaning and deepening of existing wells, at a cost of \$100,000. See attached minute entries dated October 17, 1935 and October 25, 1935. The minutes also identify a loan from the Federal Administration of Public Works in the amount of \$45,000 for such construction. Finally, the minutes reflect that the Board felt it necessary to issue \$55,000 in bonds to cover the remaining cost of construction and to put such issuance of bonds before the qualified electors of the District in a special election. The work identified in Ednie's report was completed thereafter.

Based upon this information, it is feasible to deduce that the cleaning and deepening of drains within the District boundaries in the 1930's would include the Fivemile Creek, Mason Creek, and Wilson Creek Drains, and this deepening, coupled together with the construction of the Anderson Ranch (1950) and Lucky Peak (1955) dams, would allow for additional water to flow through the Mason Creek Drainage System. Thus, as early as 1935, Pioneer began diverting additional water, in excess of the licensed quantity, at its headgate on Mason Creek Drain into its feeder ditch to the Highline Canal.

63-3214

✓ ~~63-32515~~ - Source - Fivemile Creek Drain

In reviewing the records of the District, it appears that all documents submitted to the Department to support the District's application for water right 63-02294 (application, depositions of holder, report of engineer) identify a quantity of 50.0 cfs, including the license which was issued on September 14, 1923.

In the 1930's, the District employed engineer Robert M. Ednie to investigate the possibility of obtaining additional water via the construction of additional drain ditches, drilling of drainage wells, and the cleaning and deepening of sixty-five miles of existing drain ditches. Mr. Ednie tendered to the District a report entitled, "Engineer's Report -- Report of Robert M. Ednie of Nampa, Idaho on Supplemental Water Supply and Drainage for the Pioneer Irrigation" dated September 20, 1933. A copy of the report is attached hereto. In 1935, the District adopted a resolution to construct the additional drains and drainage wells, as well as the cleaning and deepening of existing wells, at a cost of \$100,000. See attached minute entries dated

David Tuthill
October 30, 2006
Page 3

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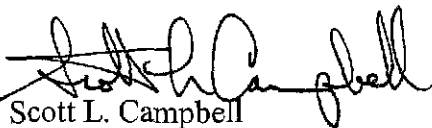
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b/c
DRC
1935

Concerning your request to provide the Department with flow measurements, Pioneer has consulted with ERO Resources to have certain water measurements taken relative to water right nos. 63-32513, 63-32514, and 63-32515. Enclosed you will find an original of the report titled "Diversion Capacity for Pioneer Irrigation District," dated October 25, 2006. This report identifies measurements for each of the respective diversions under water rights 63-32513, 63-32514, and 63-32515. Please note that because the request for discharge measurements was received following the close of the District's irrigation season for 2006, the discharge measurements may not be accurate. Thus, as noted in the Report, the measurements for all of these water rights should again be conducted during the 2007 irrigation season.

Thank you for your assistance in this matter. If you have any questions, please do not hesitate to contact me. In the event I am unavailable, please contact my paralegal, Tiffany Hudak, at 385-5435.

Very truly yours,



Scott L. Campbell

SLC/tmh
Enclosure
cc: Board of Directors (w/encl.)

ATTACHMENTS TO 63-32514

PERMIT NO. 11,897**Proof of Application of Water to Beneficial Use****Deposition of Holder**

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Elmer N Brown--45--Caldwell, Idaho--superintendent Pioneer Irrigation District--Caldwell, Idaho.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. Pioneer Irrigation District--Caldwell, Idaho--Superintendent--by order of the Board of Directors.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. 11,897--Jan 10, 1916--September 8, 1915.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Mason Creek as enlarged by the Mason Creek Drain constructed by the U. S. Government--point of diversion, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 29, T 4 N, R 2 W B M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Concrete diversion dam in Mason Creek Drain, Concrete Headgate--diversion Canal $\frac{1}{2}$ miles long known as Mason Creek Feeder Canal--capacity sufficient to carry ^{all water} so far available which has not exceeded about 40 second feet. Up to this date this Drain has not developed to exceed about one-half of the amount applied for, viz 86 second feet.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivate or natural meadow land and the nature of all improvement which have been made as a direct result of said use.

Ans. To irrigate approximately 4000 acres. Water is carried into the Caldwell Highline Canal and used to irrigate all land in the Pioneer Irrigation District between the point where it enters said Canal in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 29, T 4 N, R 2 W B M, and the Wilson Slough Drain as covered by permit No 11897. See statement attached.

Ques. 7. If for other than for irrigation purposes, state how applied, amount of horse power generated, etc.

Ans. _____

Ques. 8. What is the minimum amount of water required for the specified above?

Ans. Will eventually require all that can be developed up to the amount applied for.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

11897

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. 1920 and since, thru Caldwell Highline Canal, varying from 15 second feet up as available under varying conditions.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and right claimed thereunder.

Ans. See statement attached.

(Sign)

Elmer J. Brown

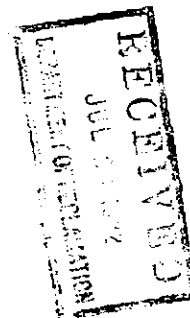
I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Caldwell County of Canyon State of Idaho, on this 20th day of July A. D. 1922.

Geo W. Shoup

Probate Judge

Canyon County Idaho.

11897



ENGINEER'S REPORT
REPORT OF ROBERT M. EDNIE
OF NAMPA, IDAHO
ON SUPPLEMENTAL WATER SUPPLY
AND DRAINAGE FOR THE
PIONEER IRRIGATION

The Pioneer Irrigation District is located in the Boise Valley and occupies a portion of Ada and Canyon Counties in the State of Idaho.

This district was organized in the year 1901 for the purpose of conveying water from the Boise River to 34,000 acres of desert lands lying within the boundaries of the district for irrigation and domestic use.

SOIL

The land found in this district consists of soil known and designated as Boise Sandy Loam, Deer Flat Sandy Loam and Boise Loam. This soil consists of lava ash intermixed with a decomposed granite sand and varies from 4 to 50 feet in depth.

Layers of hard pan containing lime have been deposited at different elevations in this soil by the percolation of the natural rain fall. Underlying this soil there is a deposit of sand and gravel, which ranges from a coarse decomposed granite sand to a coarse granite river gravel intermixed with sand.

CLIMATE

A semi-arid climate is found in the section of Idaho in which this district is located. The natural rainfall is about 13 inches, with the

greater part of this moisture precipitating during the fall and winter months.

The temperature ranges from 28 to 110 degrees. The extreme temperature occurs during short periods only and the most of the year has an enjoyable moderate temperature.

PRODUCTS

Upon the application of irrigation water to land situated in a climate, as found where the Pioneer Irrigation District is located, abundant crops of alfalfa hay, wheat, oats, barley, corn, potatoes, apples, prunes, small fruits and vegetables are produced.

Dairying, poultry raising and the feeding of sheep and cattle are industries which are carried on to a large extent in connection with the production of crops.

MARKETS

The cities of Nampa and Caldwell which are partly located within the boundaries of this district contain a number of grain elevators, creameries, egg and poultry packing plants which afford a market for the produce raised upon the land in this district.

WATER SUPPLY

When there is sufficient water flowing in the Boise River about 680 cu. feet per second is diverted and conveyed through the Phyllis and Caldwell High Line Canals to irrigate the agriculture lands and cities in the district.

In seasons where the flow of water in the Boise River is below normal the water allotted to these canals is not sufficient to furnish enough water for the latter end of the irrigation season.

To obtain a supplemental supply of water the district has constructed wells equipped with turbine pumps driven by an electric motor.

The installation of these wells and pumps have added 28 cu. feet per second to the water supply of the district and lowered the water table in sections of the district where the water table was endangering the production of the crops.

To further supplement the irrigation water supply for the lands under the Phyllis Canal and lower the water table where it is endangering the production of the crops, the district plans to install 15 more wells.

GROUND WATER

At the time irrigation water was first applied to the lands in this district the water table was 30 to 40 feet below the surface of the ground.

Lying East and South of the Pioneer Irrigation District is a large body of land comprising the Kampa-Meridian Irrigation District and the Boise Irrigation Project which contains the Deer Flat Reservoir.

The canals conveying water from the Boise River to these tracts of land and the Pioneer Irrigation District divert about 5 acre feet per acre during the irrigation season. A

large per cent of this amount of water percolates by capillary action into the underground water table. Most of the land within the Pioneer Irrigation District is at a lower elevation than that in the adjoining districts, which has caused the underground water table in many sections of the district to raise to the surface of the ground thereby rendering the land unfit for agricultural purposes..

DRAINAGE

Early investigations for drainage in the Boise Valley disclosed the fact that the capillary action of ground water in the loam soils was rapid in a vertical direction when assisted by gravity but was slow to move in a horizontal direction.

Where a vein of coarse sand or gravel was found to exist 10 or 12 feet below the surface of the ground a drain ditch could be constructed to lower the water table successfully.

About the year 1913 the Pioneer Irrigation District employed the United States Reclamation Service to construct a system of drainage canals which gave much relief in lowering the water table in many sections of the district.

In some sections the drain ditches have not proved sufficient to keep the ground water low enough for agricultural purposes.

By constructing and pumping wells, which have been built into the coarse gravel formation existing from 40 to 100 feet below the surface of the ground, the district has been able to lower the water table at a cost of 65 cents per acre foot of water.

Some wells have lowered the water table under 800 to 1000 acres of land sufficient to drain the basements in the vicinity and render the land suitable for the successful production of agricultural crops.

MANAGEMENT

The Pioneer Irrigation District is ably managed by a board of three Directors elected by the residents of the district and a superintendent employed by the Board of Directors.

Mr. J. O. Baum, president of the Board of Directors, has served the district for 15 years. Mr. Fred Kress and Mr. Tom DeCoursey have served for 8 and 7 years respectfully. Mr. John May, superintendent, has been an employee of the district for 25 years and has served as superintendent since 1917.

The Pioneer Irrigation District is the owner of a No. 4 Austin drag line dredge and a large size Star well drilling machine. This equipment is in good condition and suitable to perform the work contemplated by the district.

ROBERT M. EDNIE

September 20, 1933.

ESTIMATE OF COST
FOR
SUPPLEMENTAL WATER SUPPLY AND DRAINAGE
PIONEER IRRIGATION

Drain Ditch A.

Length 13,000 feet	Bottom Width 4.0	
Average Depth 9.3 feet	Slope 1:1½	
Excavation 80,923 cu. yds.		
Labor 5 men 360 days @ \$3.00--	\$5400.00	
1 man 360 days @ \$7.00--	2520.00	
	7920.00	
Gasoline, oil and grease -----		3600.00
Tools and repairs -----		600.00
Powder, caps and fuse -----		300.00
2 Highway Crossing		
100 feet 36 inch Galv. Arceo Ingot iron		
culvert pipe @ \$3.50 per ft. -----		350.00
Labor installing crossings		
4 men 8 days @ \$3.00 -----	96.00	
24 Farm Drains 12' x 8"		
288 feet 8 inch Galv. Arceo Ingot iron		
culvert pipe @ \$.75 per ft. -----		216.00
2 men 18 days @ \$3.00 -----	108.00	
Contingencies		
Material -----		500.00
Labor -----	700.00	
Engineering and Supervision	400.00	150.00
Total Labor -----	\$9224.00	
Total Material -----		\$5716.00
Total -----		\$14940.00

DRAIN DITCH B.

Length 3200 feet	Average Depth 9.8
Bottom Width 4 feet	Slope 1:1½
Excavation 21,720 cu. yds.	
Labor 5 men 90 days @ \$3.00	\$1350.00
1 man 90 days @ 7.00	<u>630.00</u>
	1980.00
Gasoline, oil and grease	820.00
Repairs	150.00
Powder, cap and fuse	75.00
1 Highway Crossing	
50 feet 15 inch Galv. Armco iron	
culvert pipe @ \$1.25 per ft.	62.50
Labor installing crossing	
4 men 3 days @ \$3.00	36.00
4 Farms Drains 12' x 8"	
48 feet 8 inch Galv. Armco Ingot iron	
culvert pipe @ \$.75 per ft.	36.00
Labor installing drains	
2 men 3 days @ \$3.00	18.00
Contingencies	
Labor	200.00
Material	100.00
Engineering and Supervision	<u>125.00</u> <u>25.00</u>
Total Labor	\$2359.00
Total Material	\$1268.50
Total	\$3627.50

DRAIN DITCH C.

Length 5800 feet	Average Depth 8.6
Bottom Width 4 feet	Slope 1:1½
Excavation 31221 cu. yds.	
Labor 5 men 120 days @ \$3.00	\$1800.00
1 man 120 days @ \$7.00	<u>840.00</u>
	2640.00
Gasoline, oil and grease	1200.00
Tools and repairs	200.00
Powder, caps and fuse	100.00
1 Highway Crossing	
50 feet 18 inch Galv. Armaco Ingot iron culvert pipe @ \$1.50 per ft.	75.00
Labor installing crossing 4 men 4 days @ \$3.00 per day	48.00
10 Farm Drains 12' x 8"	
120 feet 8 inch Galv. Armaco Ingot iron Culvert pipe @ \$.75 per ft.	90.00
Labor installing drains 2 men 8 days @ \$3.00 per day	48.00
Contingencies	
Labor	300.00
Material	140.00
Engineering and Supervision	
Labor	<u>140.00</u>
Material	<u>30.00</u>
Total Labor	\$3176.00
Total Material	\$1835.00
Total	\$5011.00

DRAIN DITCH D.

Length 5470 feet	Average Depth 8.4
Bottom Width 4 feet	Slope 1:1½
Excavation 28,280 cu. yds.	
Labor 5 men 110 days @ \$3.00	1650.00
1 man 110 days @ 7.00	770.00
	\$2420.00
Gasoline, oil and grease	\$1100.00
Tools and Repairs	170.00
Powder, caps and fuse	85.00
1 Highway Crossing	
50 feet 18 inch Galv. Armco Ingot iron culvert pipe @ \$1.50 per ft.	75.00
Labor installing crossing 4 men 4 days @ \$3.00 per day	48.00
8 Farm Drains	
96 feet 8 inch Galv. Armco Ingot iron culvert pipe @ \$.75 per ft.	72.00
Labor installing drains 2 men 6 days @ \$3.00	36.00
Contingencies	
Labor	270.00
Material	130.00
Engineering and Supervision	
Labor	<u>160.00</u>
Material	<u>30.00</u>
Total Labor	\$2934.00
Total Material	\$1662.00
Total	\$4596.00

DRAIN DITCH E.

Length 5760 feet	Average Depth 10.0
Bottom Width 4 feet	Slope 1:1½
Excavation 40,533 cu. yds.	
Labor 5 men 180 days @ \$3.00	\$2700.00
1 man 180 days @ 7.00	<u>1260.00</u>
	3960.00
Gasoline, oil and grease	1800.00
Tools and repairs	300.00
Powder, caps and fuse	125.00
1 Highway Crossing	
50 feet 24 inch Galv. Armco Ingot iron	
culvert pipe @ \$2.00 per ft.	100.00
Labor installing crossing	
4 men 4 days @ \$3.00 per day	48.00
9 Farm Drains 12' x 8"	
108 feet 8 inch Galv. Armco Ingot iron	
culvert pipe @ \$.75	81.00
Labor installing drains	
2 men 7 days @ \$3.00	42.00
Contingencies	
Labor	300.00
Material	200.00
Engineering and Supervision	
Labor	<u>200.00</u>
Material	<u>50.00</u>
Total Labor	\$4550.00
Total Material	\$2656.00
Total	\$7206.00

16. DRAIN WELLS

Average Depth 125 feet		Average Diameter 18 inch	
Average Head 45 feet			
2000 feet 18 inch double thick well casing @ \$4.00 per ft.			\$8000.00
16 Pcs. 18" x 14' tripple thick well casing with drive shoe @ \$75.00			1200.00
16 50 H.P. electric motors with auto starter and magnetic switch @ \$650.00			10400.00
16 16 inch single stage turpine pumps complete with motor head suction pipe and strainer @ \$750.00			12000.00
16 8' x 8' Wood frame pump houses			
Material 16 x \$45.00			720.00
Labor 2 men 72 days @ \$6.00		\$864.00	
Drilling and developing 16 wells			
Labor			
2 men 500 days @ \$6.00		\$6000.00	
2 men 500 days @ 3.00		<u>3000.00</u>	9000.00
Material			
Gasoline, oil and grease			1200.00
Tools and repairs			1800.00
Installing 16 Electric Motor and pump and testing wells			
Labor			
1 man 110 days @ \$6.00		\$660.00	
3 men 110 days @ 3.00		<u>990.00</u>	1650.00
Contingencies			
Labor		3200.00	
Material			800.00
Engineering and Supervision			
Labor		<u>2000.00</u>	
Material and supplies			<u>400.00</u>
Total Labor		\$16714.00	
Total Material			\$36520.00
Total			\$53234.00

CLEANING AND REPAIRING EXISTING

CANALS AND DRAINS

Labor		
40 men 75 days @ \$3.00	9000.00	
4 men 75 days @ 4.00	<u>1200.00</u>	
Transportation 10,500 miles @ \$.05		525.00
Material, tools and repairs		<u>620.50</u>
Total Labor	\$10200.00	
Total Material		\$1145.50

SUMMARY OF ESTIMATE

Drain Ditch A.		
Labor	\$9224.00	
Material		\$5716.00
Drain Ditch B.		
Labor	2399.00	
Material		1268.50
Drain Ditch C.		
Labor	3176.00	
Material		1835.00
Drain Ditch D.		
Labor	2934.00	
Material		1662.00
Drain Ditch E.		
Labor	4550.00	
Material		2656.00
16 Drain Wells		
Labor	16714.00	
Material		36520.00
Cleaning and repairing existing canals and drains		
Material	<u>10200.00</u>	<u>1145.50</u>
Total Labor	\$49197.00	
Total Material		\$50803.00
Total		\$100,000.00

Licensed Civil Engineer
Nampa, Idaho

W. G. SLOAN
Associate Member
American Society of Civil Engineers

Twin Falls, Idaho
September 25, 1933.

Mr. Ivan C. Crawford,
Engineer Public Works Advisory Board,
Boise, Idaho

Dear Sir:

I have examined the attached engineering report on the proposed supplemental water supply and drainage program for the Pioneer Irrigation District and concur therein.

For the past five or six years I have been acting in an advisory and supervisory capacity for the Pioneer District in connection with their drainage and water supply problems and the plan herein outlined is in accordance with the plan which I worked out for them about two years ago. In 1914 the Pioneer District entered into a contract with the then U. S. Reclamation Service under which some \$330,000 was expended for drainage work within the district and approximately 19000 acre-feet of additional water supply was purchased in Arrow Rock Reservoir. At that time these expenditures were considered sufficient for the needs of the project, and for a number of years the results secured were satisfactory. However, since 1924 recurring water shortage have repeatedly demonstrated the insufficiency of the water supply, but at the same time the water table underneath the district has continued to rise and has created an urgent need for additional drainage. The construction of the original drainage system developed a considerable additional water supply but on account of the physical conditions, the major portion of this additional water supply could not be made available for the use of the district.

Profiting by this experience, in 1927 experiments began with the development of the ground water by means of pumping from wells for the double purpose of accomplishing drainage and increasing the water supply. This work has been continued on a small scale up to the present time and has thoroughly demonstrated the feasibility of such a program. The program herein outlined is the result of the investigations and work carried on during the past six years and I am convinced is an ultimate solution of the problem.

Yours Very truly,

W. G. SLOAN

WHEREAS, Calvin M Burnett desires to purchase same and has paid to the District the sum of \$20.00 therefore; and

WHEREAS, It is deemed by the Board to be to the best interest of the District to sell said property at the price mentioned; it is therefore

RESOLVED, That the President and Secretary of the Board are hereby authorized and directed to execute and deliver to the said Calvin M Burnett a Quitclaim Deed to the said property.

It appearing that certain bonds will be due together with interest on all outstanding bonds in the total amount of \$21,702.00 before another assessment is made and collected, and that the apportionment to the lands of the District for the benefits received by reason of the issuance of said bonds is \$404,179.31, it is therefore

ORDERED, That there be and there is hereby levied and assessed 6.53 per cent on each and every dollar of said apportionment of benefits as spread upon the separate properties of the District for the purpose of raising sufficient funds with which to pay the bonds and interest when due.

No other business appearing the Board adjourned sine die.

ATTEST:

Fred L. Evans Secretary.

T M De Coursey
President.

Caldwell, Idaho. October 17, 1935.

The Board of Directors of Pioneer Irrigation District held a Special Meeting at the office of said District, 718 Arthur Street, Caldwell, IDAHO Canyon County, Idaho, on the 17th day of October, 1935, at two o'clock P. M., pursuant to waiver of notice and consent to the holding of said meeting by each member of the Board, and hereinafter set out.

Said meeting was called to order by T M De Coursey, President, and the minutes kept by Fred L. Evans, Secretary. A roll call showed the following directors present: T M De Coursey, President, Fred Kress, and E L Douglass, constituting the entire Board of Directors. A waiver of notice of this meeting and consent to holding the same was then signed by each member of the Board, on the minutes of this meeting, as follows:

We, the undersigned, constituting all of the members of the Board of Directors of Pioneer Irrigation District, hereby waive any notice of a special meeting of said Board to be held at the office of said District at 718 Arthur Street, Caldwell, Canyon County, Idaho, on the 17th day of October, 1935, at two o'clock P. M., and consent that said meeting may be held for the transaction of any business which may come before said Board.

T M De Coursey

Fred Kress

E L Douglass

The President stated the first matter to come before said meeting was in regard to the offer of the United States of America to aid this District by way of loan and grant in financing certain construction work it has under contemplation.

The President further stated that this District had received notice from the Federal Emergency Administration of Public Works; that the application of this District had been granted for a loan and grant under the terms and conditions set out in the offer made by the United States of America and delivered to this District.

After discussion of the offer of the United States of America to aid by way of loan and grant in financing the construction of certain drainage ditches, the boring of wells and deepening of drains already constructed for drainage purposes and to increase the water supply available for irrigation of the lands within said District, all as set out in the application for a loan made to Federal Emergency Administration of Public Works by this District, the following resolution was proposed by director E L Douglass and read in full by the Secretary as follows:

A RESOLUTION ACCEPTING THE OFFER OF UNITED STATES TO PIONEER IRRIGATION DISTRICT TO AID BY WAY OF LOAN AND GRANT IN FINANCING THE CONSTRUCTION OF DRAINAGE DITCHES AND BORING WELLS FOR THE PURPOSE OF DRAINAGE AND TO INCREASE THE WATER SUPPLY AVAILABLE TO THE LANDS OF SAID DISTRICT FOR IRRIGATION PURPOSES.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF PIONEER IRRIGATION DISTRICT:

Section 1. That the offer of the United States of America to the Pioneer Irrigation District to and by way of loan and grant in financing the construction of improvements to existing irrigation system, the installation of drainage wells with pumping equipment and the deepening of existing drainage canals, a copy of which offer reads as follows:

FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

Washington, D. C., Sep 19, 1935. (date)
PWA Docket No. 2364

Pioneer Irrigation District,
(Ada and Canyon Counties, Idaho),
Caldwell, Idaho.

1. Subject to the Rules and Regulations (PWA Form No. 166, July 22, 1935) which are made a part hereof, the United States of America hereby offers to aid in financing the construction of improvement to existing irrigation system comprising installation of drainage wells with pumping equipment, construction of approximately six miles of drainage ditch and the clearing and deepening of sixty-five miles of existing drainage ~~ditch~~ canals (herein called the 'Project'), by making a grant to Pioneer Irrigation District in the amount of forty-five (45%) per cent of the cost of the project upon completion, as determined by the Federal Emergency Administration of Public Works, but not to exceed in any event the sum of \$45,000.00, and by purchasing, at the principal amount thereof plus accrued interest thereon, from the Pioneer Irrigation District, obligations of the description set forth below (or such other description as shall be mutually satisfactory) in the aggregate principal amount of \$55,000.00, less such amount of such obligation, if any, as the Pioneer Irrigation District may, with the consent of the Federal Emergency Administration of Public Works, sell to purchasers other than the United States of America:

- (a) Obliger - Pioneer Irrigation District.
- (b) Type - Negotiable, general obligation, serial, coupon bond.
- (c) Denomination - \$1,000.00; \$500 & \$100.
- (d) Date - January 1, 1936.
- (e) Interest rate and interest payment dates - 4% per annum, payable January 1 and July 1 in each year.
- (f) Place of payment - At the office of the Treasurer of the Pioneer Irrigation District, Caldwell, Idaho.
- (g) Registration privileges - Registration at the option of the holder as to principal only.
- (h) Maturities - Payable January 1st in years and amounts as follows:

1947 - \$2,700	1952 - 5,500
1948 - 3,300	1953 - 6,000
1949 - 3,900	1954 - 7,100
1950 - 4,400	1955 - 8,300
1951 - 5,000	1956 - 8,800

- (i) Security - Payable as to both principal and interest from assessments to be levied without limit as to rate or amount upon all taxable property within the territorial limits of said Pioneer Irrigation District.

2. This offer is conditioned upon (a) the Board of Directors of the District providing by resolution for insertion of a provision in the bonds to the effect that a 'Safety Fund' will be provided for to insure their payment by making the annual levied for principal and interest of the bonds (until a safety fund of at least ten per cent of said unpaid bonded indebtedness has been created) fifteen per cent in excess of the amount which would be required to meet such obligations if the District taxes were paid without delinquency, which Safety Fund shall be used to meet and deficiency which might otherwise occur in the payment of principal and interest on said bonds, and that such Safety Fund be kept intact by a renewal of fifteen per cent levies when required for that purpose.

(b) The benefit, as finally apportioned, be not less than the estimated cost of the construction of the project.

UNITED STATES OF AMERICA

Federal Emergency Administrator
of Public Works
By HORATIO B HACKETT
Assistant Administrator.

be, and the same is hereby in all respects accepted.

Section 2. That said Pioneer Irrigation District agrees to abide by all the rules and regulations relating to such loan and grant, a copy of which rules and regulations were annexed to the Government's offer and made a part thereof.

Section 3. That the Secretary of the Board of Directors of Pioneer Irrigation District be, and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of this resolution and three certified copies of the proceedings of this meeting in connection with the adoption of this resolution, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

ATTEST:

Fred L. Evans Secretary.

T M De Coursey
President.

After the reading of the above resolution and the consideration thereof by the Board of Directors, it was moved by Director E L Douglass and seconded by Director Fred Kress that the same be adopted.

Upon roll call those voting in favor of the motion to adopt said resolution were:
T. M. De Coursey, Fred Kress, E. L. Douglass, Total three.

Those voting against the motion to adopt said resolution were; None.

The President thereupon declared the motion to adopt said resolution unanimously carried and the President, T M De Coursey, and the Secretary Fred L Evans, thereupon signed said resolution in approval thereof.

The President stated that in full compliance with law, the Board had heretofore formulated general plan for the construction of improvements to the existing irrigation system of

334

this District, comprising installation of drainage wells with pumping equipment and the deepening of sixty-five miles of existing drainage canals and other improvements specifically set out in an application for financial aid from the Federal Emergency Administration of Public Works; that for the purpose of ascertaining the cost of the construction of such works and improvements said Board has heretofore caused surveys, examinations and plans to be made so as to demonstrate the practicability of such plan and furnish the proper basis for an estimate of the cost of carrying out the same; that all such surveys, examinations, maps, plans and estimates have been made under the direction of a competent engineer and certified by him; that a copy of all surveys, examinations, maps, plans and estimates so certified by the engineer who prepared the same should be submitted to and filed with the Department of Reclamation of the State of Idaho, all in conformity with Section 42-401 Idaho Code Annotated. Thereupon Director Kress presented and the Secretary read the following resolution:

WHEREAS, Pioneer Irrigation District has heretofore made application to Federal Emergency Administration of Public Works for aid in financing the construction of certain improvements to the irrigation and drainage system of said District, and

WHEREAS, Surveys, examinations, maps, plans and estimates of cost and all other requirements of Section 42-401 Idaho Code Annotated have been compiled with and filed with Federal Emergency Administration of Public Works and approved thereby, and

WHEREAS, All of the above information is required to be filed with the Department of Reclamation of the State of Idaho,

NOW THEREFORE, Be it resolved that the Secretary of this Board is hereby authorized and directed to immediately file with the Department of Reclamation of the State of Idaho copies of all surveys, examinations, maps, plans and estimates and reports made or caused to be made by this Board in connection with the proposed improvements to the system of Pioneer Irrigation District, all in conformity with the provisions of Section 42-401 Idaho Code Annotated, and that the Commissioner of Reclamation be requested to immediately examine all of such instruments so filed in his office and report thereon to this Board, which report shall contain such matters as, in the judgment of the Department, may be desirable.

After consideration of the above resolution it is moved by Director Kress, and seconded by Director Douglass, that the same be adopted. Upon roll call all directors voted in favor of the motion to adopt said resolution and the President thereupon declared the motion to adopt said resolution unanimously carried.

The President further stated that inasmuch as this District has had extensive experience in drilling wells and digging drain ditches, and owns efficient and expensive equipment for these purposes, and inasmuch as experience has shown the District can do work more cheaply than can be done by contract, that it is in the interest of this District to be permitted to do all, or a large portion of the contemplated improvements by force account, and that a request should be filed with the Federal Emergency Administration of Public Works to permit this District to make its improvements by force account.

Thereupon director Douglass presented and the Secretary read, the following resolution:

WHEREAS, The Federal Emergency Administration of Public Works has notified this District that financial aid has been granted to said District by way of a loan and grant, aggregating \$100,000.00 for the improvement of its system, and

WHEREAS, This District owns an efficient and modern well drilling outfit, and also an efficient ~~and modern well drilling outfit~~ Austin Dragline dredge, and

WHEREAS, This District has had extensive experience in drilling wells and digging drain ditches, and based upon its experience it can make the contemplated improvements more cheaply by force account than by contract, and

WHEREAS, It is in the interest of the District and the landowners thereof that it be permitted to make the contemplated improvements by force account.

NOW THEREFORE, Be it resolved that the Secretary of this District immediately file a written request with Federal Emergency Administration of Public Works that said Pioneer Irrigation District be permitted to make the improvements set out in its application for a loan and grant, and which have been granted, by force account.

After consideration of said resolution it was moved by Director Douglass, and seconded by Director Kress, that the same be adopted. Upon roll call all directors voted in favor to adopt said resolution and the same was unanimously carried.

The following resolution was presented and unanimously adopted:

WHEREAS, This District is the owner by reason of Treasurer's Tax Deed of the property described as Lots 9 to 12, inclusive, in Block 26, Original Plat of the City of Caldwell, Idaho, and

WHEREAS, John W Ross, owner of record of said property desires to purchase same and has paid to the District the sum of \$38.00 therefore, and

WHEREAS, It is deemed by this Board to be to the best interest of the District to sell said property for the price offered, it is therefore

RESOLVED, That the President and Secretary of the Board are hereby authorized and directed to execute and deliver to the said John W Ross a Quitclaim Deed to said property.

The following resolution was presented and unanimously adopted:

WHEREAS, This District is the owner by reason of Treasurer's Tax Deed of the property

described as the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 33, Township 4 North, Range 3 West of Boise Meridian, and

WHEREAS, Jeanette I Alexander desires to purchase said property and has paid to the District the sum of \$75.75 in offer therefore, and

WHEREAS, This Board deems it to be to the best interest of the District to accept said offer, it is therefore

RESOLVED, That the President and Secretary of the Board are hereby authorized and directed to execute and deliver to the said Jeanette I Alexander a Quitclaim Deed to the said property.

No other business coming before the Board a motion prevailed unanimously that it adjourn sine die.

ATTEST: Fred L. Evans Secretary.

T M De Coursey President.

MEMORANDUM:

All papers in connection with the proposed loan from the United States of America for the improvement of the works of the District as hereinbefore set forth having been filed with the Commissioner of Reclamation of the State of Idaho, the following letter was received from him in reply thereto:

Boise, Idaho Oct 22, 1935.

Honorable Board of Directors
Pioneer Irrigation District
Caldwell, Idaho.

Gentlemen; I have this day received a copy of the surveys, examinations, maps, plans and estimates adopted by your Board for the construction of improvements to the existing irrigation system of Pioneer Irrigation District by the installation of drainage wells with pumping equipment and the construction of additional drain ditches and other improvements, as therein set out, all certified by Mr R M Ednis, a Civil and Irrigation Engineer, licensed to practice his profession under the laws of the State of Idaho.

Said instruments filed with me consist of a report of your Engineer, the estimated cost for supplemental water supply and drainage, including drain ditches "A", "B", "C", "D" and "E", sixteen drainage wells, cleaning and repairing existing canals and drains, a summary of the estimate of cost and a map of Pioneer Irrigation District showing the location of all of said proposed improvements and other information, all as certified by your Engineer, Mr Ednis.

In accordance with the provisions of Section 42-401 Idaho Code Annotated, I have carefully examined all such surveys, examinations, maps, plans and estimates of cost. I am personally familiar with your District and the need of drainage and securing supplemental water supply. It is my opinion the plan adopted by you will accomplish the desired purposes, and I approve the plans submitted, together with the maps and estimates of cost.

Respectfully submitted,
(Signed) R. W. FARIS,
Commissioner of Reclamation
State of Idaho.

Caldwell, Idaho. Oct 25, 1935.

The Board of Directors of Pioneer Irrigation District held a special meeting at the office of said District at 718 Arthur Street, Caldwell, IDAHO Canyon County, Idaho, on the 25th day of October, 1935, at ten o'clock A. M., pursuant to waiver of notice and consent to the holding of said meeting signed by each member of the Board, and hereinafter set out.

Said meeting was called to order by T M De Coursey, President, and the minutes were kept by Fred L Evans, Secretary. A roll call showed the following directors present: T M De Coursey, President, Fred Kress, and E L Douglass, constituting the entire Board of Directors. A waiver of notice of this meeting and consent to ~~the~~ holding same was then signed by each member of the Board, on the minutes of this meeting, as follows:

We, the undersigned, constituting all of the members of the Board of Directors of Pioneer Irrigation District, hereby waive any notice of special meeting of said Board to be held at the office of said District at 718 Arthur Street, Caldwell, Canyon County, Idaho, on the 25th day of October, 1935, at ten o'clock A. M., and consent that said meeting may be held for the transaction of any business which may come before said Board.

T M De Coursey

Fred Kress

E L Douglass

The President stated this meeting had been called for the purpose of considering the calling of a special election in said District to provide funds for improvements in said District, in connection with a grant and loan from Federal Emergency Administration of Public Works, and that said question is open for consideration. Thereupon Director Kress presented and the Secretary read the following resolution:

WHEREAS, the Board of Directors of Pioneer Irrigation District has heretofore, by resolu-

tion entered on its records, formulated a general plan for improvements to the existing system of said District, comprising the installation of drainage wells with pumping equipment, construction of approximately six miles of drainage ditches and the cleaning and deepening of sixty-five miles of existing drainage canals, and appurtenances thereto, thereby improving the drainage of lands within the District, and making the water developed thereby available for irrigation purposes on the lands within said District, and

WHEREAS, said Board has caused detailed surveys, examinations, maps, plans and estimates of cost of such improvements proposed to be made by R M Ednie, a competent irrigation Engineer, licensed to practice his profession under the laws of the State of Idaho, and

WHEREAS, said Engineer made a report to this Board regarding supplemental water supply and drainage for Pioneer Irrigation District, dated September 20, 1933, and filed with this Board, together with detailed estimates of the cost of all such improvements, all certified by him; and also prepared a map, from actual survey, showing the location of all such drains, wells and other detail of such proposed improvements, and

WHEREAS, a copy of said report, detailed estimates, map and plans, certified by R M Ednie, have been submitted to the Department of Reclamation of the State of Idaho, and said department has filed a report thereon with this Board under date of October 22, 1935, approving said plans, together with the map and estimates of cost, and

WHEREAS, this Board, by resolution duly adopted at a regular meeting thereof held on the 3rd day of October, 1935, made application to Federal Emergency Administration of Public Works for financial aid in making said contemplated improvements by way of grant and loan in the sum of \$100,000.00, and

WHEREAS, under date of September 19, 1935, said Federal Emergency Administration of Public Works offered to aid in financing the construction of said improvements by granting to this District the sum of \$45,000.00 and to purchase its bonds in the principal amount of \$55,000.00, bearing interest at the rate of 4 per cent per annum, and

WHEREAS, This Board at a special meeting thereof held on the 17th day of October, 1935, accepted said offer of Federal Emergency Administration of Public Works, as shown by the minutes of this Board, and

WHEREAS, It is necessary that this Board find and determine the amount of money necessary to be raised in order to make said improvements as shown on the plans, maps, and estimates of cost, and

NOW THEREFORE, BE IT RESOLVED That this Board finds and hereby determines, and it is hereby ORDERED that the amount of money necessary to make said improvements is as follows:

Drain Ditch A.		
Labor	\$9224.00	
Material		\$5716.00
Drain Ditch B.		
Labor	2399.00	
Material		1268.50
Drain Ditch c.		
Labor	3716.00	
Material		1835.00
Drain Ditch D.		
Labor	2934.00	
Material		1662.00
Drain Ditch E.		
Labor	4550.00	
Material		2656.00
16 Drain Wells		
Labor	16714.00	
Material		36520.00
Cleaning and repairing existing canals & drains		
Labor	10200.00	
Material		1145.50
Total Labor	49,197.00	
Total Material		50803.00
TOTAL		\$100,000.00

AND BE IT FURTHER RESOLVED, That it is the judgment of this Board, and it hereby finds and determines that it is to the best interest of said District and the landowners thereof that said improvements be made, and

BE IT FURTHER RESOLVED, In order to provide \$55,000.00 so as to enable this District to accept the grant of \$45,000.00 from Federal Administration of Public Works and said loan of \$55,000.00, for the purpose of making said improvements, it is necessary to issue bonds of this District in the principal sum of \$55,000.00 and that said question be submitted to the qualified electors of said Pioneer Irrigation District.

THEREFORE, IT IS FURTHER ORDERED, That a special election be, and the same is hereby called to be held on Tuesday, the 26th day of November, 1935, at which election there shall be submitted to the qualified electors of Pioneer Irrigation District the question of whether or not bonds of said District in the amount of \$55,000.00 be authorized to be issued, and

BE IT FURTHER RESOLVED That at such election the boundaries of the District, and the places of holding the election therein, be named, described and designated in the notice of said special election, which notice is made a part of this resolution and is as follows:

317

NOTICE OF ELECTION

NOTICE IS HEREBY GIVEN, That a special election will be held in the Pioneer Irrigation District on Tuesday, the 26th day of November, 1935, at which election there will be submitted to the qualified electors of said District the question of whether or not the Board of Directors of said District shall be authorized to issue bonds of Pioneer Irrigation District in the principal amount of \$55,000.00, the proceeds from the sale of which are to be used for the purpose of making improvements to the existing irrigation system of said District, consisting of installing drainage wells with pumping equipment, the construction of approximately six (6) miles of drainage ditches and the cleaning and deepening of the existing drainage canals, and all other necessary appurtenances, all of which more fully appears from the report of R M Ednie, an Irrigation Engineer, filed with this Board, and the resolution of this Board, as shown on the minutes thereof, which report and resolution are hereby referred to. Copies of maps, plans and estimates, and the report of the Department of Reclamation of the State of Idaho are on file and open to public inspection by the people of the District at the office of the Board of Directors of Pioneer Irrigation District at 718 Arthur Street, Caldwell, Idaho, and also at the Department of Reclamation of the State of Idaho at the State Capitol, Boise, Idaho.

Said election will be held at the following named places, to-wit:

Precinct No. 1. At office of Nampa Tractor Company, 113 Eleventh Avenue North, Nampa, Idaho.

Precinct No 2. At the Courthouse in Caldwell, Idaho.

Precinct No 3. At the office of the District, 718 Arthur Street, Caldwell, Idaho.

The boundaries of said Precincts are as follows:

Precinct No 1, shall consist of all that portion of said District lying East of a line commencing at the South boundary of the District on the boundary line between Sections Nineteen (19) and Twenty (20), in Township 3 North of Range 2 West of the Boise Meridian; thence running due North to the north boundary line of said District.

Precinct No 2, shall consist of that portion of said District lying West of Precinct No 1, and east of a line beginning at the south boundary line of said District on the west line of Section 3, Township 3 North of Range 3 West of Boise Meridian; thence running north to the Northwest corner of said section; thence east to the northeast corner of said section; thence North to the north line of the Oregon Short Line Railroad right of way; thence northwesterly along said right-of-way to the boundary line of said District.

Precinct No 3, shall consist of all that portion of said District lying west of Precinct No 2.

The polls will be open at 8:00 o'clock A. M. and remain open until 7:00 P. M. of said day.

REGISTRATION

No registration will be required to vote at this election, but in lieu thereof the judges of election shall require every elector to subscribe to an elector's oath as a prerequisite of casting his or her vote, and such oath shall be the usual elector's oath with the following words added thereto, "And I am a resident within the boundaries of Pioneer Irrigation District and I own land therein".

WITNESS my hand and seal this 25th day of October, 1935.

FRED L. EVANS,
Secretary Pioneer Irrigation
District, Canyon and Ada
Counties, Idaho.

AND BE IT FURTHER RESOLVED, AND IT IS HEREBY ORDERED, That the polls at said special election to be held on November 26, 1935, shall be opened at 8:00 A. M. and remain open until 7:00 P. M. of said day.

AND IT IS FURTHER RESOLVED, That the Secretary of Pioneer Irrigation District be, and he is hereby directed to give due notice and legal notice thereof to be published in The Caldwell News-Tribune, a newspaper of general circulation published within said District at Caldwell, Canyon County, Idaho, at least once a week for a period of four consecutive weeks before the date of said election, so that at least twenty-nine (29) days shall have elapsed between the date of the first publication and the date of the said election, and shall further cause notice of said special election to be posted in at least three public places in each election precinct in said District at least four (4) weeks before the date of said election, so at least twenty-nine (29) days shall elapse between the date of posting said notices and the date of said election.

AND BE IT FURTHER RESOLVED, That the judges at said special election be, and they are hereby appointed as follows:

Precinct No 1. Frank Kuehn, Mike Duspiva and Frank Grim.
Precinct No 2. Earl Horton, Luther Emerson and Elixabeth Hanley.
Precinct No 3. A E Hastie, C C Gurwell, and C A Bayless.

and that ~~notice~~ of their appointment as judge of said special election be mailed by the Secretary of this Board to each of the above named persons at least ten (10) days before the date of said special election.

BE IT FURTHER RESOLVED, That the following form of Ballot be, and the same is hereby adopted and approved as the form of ballot to be used at the special election in Pioneer Irrigation District, to be held on the 26th day of November, 1935, for the purpose of voting on the proposition as to whether or not bonds of said District in the principal sum of \$55,000.00 shall be authorized.

OFFICIAL BALLOT

to be held in the Pioneer Irrigation District, 1935, at which election there will be the question of whether or not the said District shall be authorized to issue bonds of Pioneer Irrigation District in the principal amount of \$55,000.00, the proceeds from the sale of which are to be used for the purpose of making improvements to the existing irrigation system of said District, consisting of installing drainage wells with pumping equipment, the construction of approximately six (6) miles of drainage ditches and the cleaning and deepening of the existing drainage canals, and all other necessary appurtenances, all of which more fully appears from the report of R M Ednie, an Irrigation Engineer, filed with this Board, and the resolution of this Board, as shown on the minutes thereof, which report and resolution are hereby referred to. Copies of maps, plans and estimates, and the report of the Department of Reclamation of the State of Idaho are on file and open to public inspection by the people of the District at the office of the Board of Directors of Pioneer Irrigation District at 718 Arthur Street, Caldwell, Idaho, and also at the Department of Reclamation of the State of Idaho at the State Capitol, Boise, Idaho.

Said election will be held at the following named places, to-wit:

Precinct No. 1. At office of Nampa Tractor Company, 113 Eleventh Avenue North, Nampa, Idaho

Precinct No 2. At the Courthouse in Caldwell, Idaho.

Precinct No 3. At the office of the District, 718 Arthur Street, Caldwell, Idaho.

The boundaries of said Precincts are as follows:

Precinct No 1, shall consist of all that portion of said District lying East of a line commencing at the South boundary of the District on the boundary line between Sections Nineteen (19) and Twenty (20), in Township 3 North of Range 2 West of the Boise Meridian; thence running due North to the north boundary line of said District.

Precinct No 2, shall consist of that portion of said District lying West of Precinct No 1, and east of a line beginning at the south boundary line of said District on the west line of Section 3, Township 3 North of Range 3 West of Boise Meridian; thence running north to the Northwest corner of said section; thence east to the northeast corner of said section; thence North to the north line of the Oregon Short Line Railroad right of way; thence northwesterly along said right-of-way to the boundary line of said District.

Precinct No 3, shall consist of all that portion of said District lying west of Precinct No 2.

The polls will be open at 8:00 o'clock A. M. and remain open until 7:00 P. M. of said day.

REGISTRATION

No registration will be required to vote at this election, but in lieu thereof the judges of election shall require every elector to subscribe to an elector's oath as a prerequisite of casting his or her vote, and such oath shall be the usual elector's oath with the following words added thereto, "And I am a resident within the boundaries of Pioneer Irrigation District and I own land therein".

WITNESS my hand and seal this 25th day of October, 1935.

FRED L. EVANS,
Secretary Pioneer Irrigation
District. Canyon and Ada
Counties, Idaho.

AND BE IT FURTHER RESOLVED, AND IT IS HEREBY ORDERED, That the polls at said special election to be held on November 26, 1935, shall be opened at 8:00 A. M. and remain open until 7:00 P. M. of said day.

AND IT IS FURTHER RESOLVED, That the Secretary of Pioneer Irrigation District be, and he is hereby directed to give due notice and legal notice thereof to be published in The Caldwell News-Tribune, a newspaper of general circulation published within said District at Caldwell, Canyon County, Idaho, at least once a week for a period of four consecutive weeks before the date of said election, so that at least twenty-nine (29) days shall have elapsed between the date of the first publication and the date of the last said election, and shall further cause notice of said special election to be posted in at least three public places in each election precinct in said District at least four (4) weeks before the date of said election, so at least twenty-nine (29) days shall elapse between the date of posting said notices and the date of said election.

AND BE IT FURTHER RESOLVED, That the judges at said special election be, and they are hereby appointed as follows:

Precinct No 1. Frank Kushn, Mike Duspiwa and Frank Grim.
Precinct No 2. Earl Horton, Luther Emerson and Elixabeth Hanley.
Precinct No 3. A E Hastie, C C Gurwell, and C A Bayless.

and that notice of their appointment as judge of said special election be mailed by the Secretary of this Board to each of the above named persons at least ten (10) days before the date of said special election.

BE IT FURTHER RESOLVED, That the following form of Ballot be, and the same is hereby adopted and approved as the form of ballot to be used at the special election in Pioneer Irrigation District, to be held on the 26th day of November, 1935, for the purpose of voting on the proposition as to whether or not bonds of said District in the principal sum of \$55,000.00 shall be authorized.

OFFICIAL BALLOT

WHEREAS, Swift & Company desires to purchase said property and has offered therefore the sum of \$20.22, and

WHEREAS, It is deemed by this Board to be to the best interest of the District to accept said offer, it is therefore

RESOLVED, That the President and Secretary of the Board are hereby authorized and directed to execute and deliver to Swift & Company a quitclaim deed to the said property upon payment of the purchase price mentioned above.

The following resolution was presented and unanimously approved:

WHEREAS, The District is the owner of the property described as Lots 14 and 15 in Block 13, College Heights Addition to the City of Caldwell, Idaho, by reason of Treasurer's Tax Deed, and

WHEREAS, Parks Commercial Company of Jordan Valley, Orego, desires to purchase said property and has paid to the District the sum of \$18.72 therefore, and

WHEREAS, It is deemed by the Board to be to the best interest of the District to accept said offer, it is therefore

RESOLVED, That the President and Secretary of the Board are hereby authorized and directed to execute and deliver to the said Parks Commercial Company a quit claim deed to said property.

The following resolution was presented and unanimously adopted:

WHEREAS, The District is the owner of the property described as Lots 1 and 2, and the E $\frac{1}{2}$ of the Northwest Quarter, (except that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ lying South and East of Caldwell Highline Canal) in Section 31, T 4 North, R 2 W B M, by reason of Treasurer's Tax Deed, and

WHEREAS, the George Runciman Estate desires to purchase said land and has offered therefore the sum of \$331.63, and

WHEREAS, It is deemed by the Board to be to the best interest of the District to accept said offer, it is therefore.

RESOLVED, That the President and Secretary of the Board are hereby authorized and directed to execute and deliver to the George Runciman Estate a quitclaim deed to said property upon payment of the purchase price mentioned.

The following resolution was presented and unanimously adopted:

WHEREAS, The District is the owner of the property described as the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25, T 4 North, Range 2 WBM, by reason of Treasurer's Tax Deed, and

WHEREAS, Harmine Backer desires to purchase said land and thru the Federal Land Bank of Spokane, Spokane, Washington has offered therefore the sum of \$896.47, and

WHEREAS, It is deemed by this Board to be to the best interest of the District to accept said offer, it is therefore

ORDERED, That the President and Secretary of the Board be authorized and directed to execute and deliver to the said Harmine Backer a quit claim deed to said property upon payment of the amount above mentioned.

The following resolution was presented and unanimously adopted:

WHEREAS, The District is the owner of the property described as Lots 1 to 10, both included, in Block 10, College Heights Addition to the City of Caldwell, Idaho, and

WHEREAS, Emmett Garland desires to purchase said property and has deposited \$20.00 in payment therefore, and

WHEREAS, It is deemed by this Board to be to the best interest of the District to accept said offer, it is therefore

RESOLVED, That the President and Secretary of the Board are hereby authorized and directed to execute and deliver to the said Emmett Garland, a quit claim deed to said property.

The following resolution was presented and unanimously adopted:

WHEREAS, Harry H Smith has completed payment for the property described as all that part of the East one-half of the SE Quarter, lying West of the Government drainage canal, according to contract entered into with the District on August 14, 1934 for the purchase of said property, it is therefore

RESOLVED, That the President and Secretary of the Board are hereby authorized and directed to execute and deliver to the said Harry H Smith, a quitclaim deed to said property.

The following resolution was presented and unanimously adopted:

WHEREAS, This District is the owner of the property described as Lot 18 in Block 134, Original Plat of the City of Caldwell, Idaho, and

WHEREAS, Martha Healy desires to purchase said lot and has paid the sum of \$5.00 therefore,

AND WHEREAS, It is deemed by this Board to be to the best interest of the Board to accept

ner offer for the purchase of said lot, it is therefore

RESOLVED, That the President and Secretary of the Board are hereby authorized and directed to execute and deliver to the said Martha Healy a quit claim deed to the property.

The following resolution was presented and unanimously adopted:

WHEREAS, This District is the owner by reason of Treasurer's Tax Deed of the property described as Lots 7 to 12 inclusive in Block 65 Original Plat of the City of Caldwell, Idaho, and

WHEREAS, Ada N Isaac Hartenbower desires to purchase said property and has offered therefore the sum of \$11.64, and

WHEREAS, It is deemed by this Board to be to the best interest of the District to accept said offer, it is therefore

RESOLVED, That the President and Secretary of this Board are hereby authorized and directed to execute and deliver to the said Ada N Isaac Hartenbower a quitclaim deed to the property upon payment of the amount above named.

A motion was made, seconded and duly carried that the Secretary be duly authorized and directed to advertise in the Idaho Statesman and the Caldwell News Tribune for bids for the purchase for all or any part of \$34,700.00 on Pioneer Irrigation District ~~SSM~~ Refunding bonds to provide funds to pay an equal amount of bonds which will be due January 1, 1936, said bids to be opened on the 24th day of December, 1935, the Board reserving the right to reject any and all bids.

The following resolution was offered by Fred Kress and seconded by E L Douglass:

WHEREAS, In the execution and completion of the work of cleaning old drainage ditches, making new drainage ditches and drainage wells as proposed in the application made to the Public Works Administration for a grant and loan in the amount of \$100,000.00, designated as PWA Docket 2364, it is necessary to have a competent Engineer, and

WHEREAS, Robert M Ednie, a duly licensed Engineer, has made a proposition to act in that capacity, a copy of which proposition is on file in the office of the District at Caldwell, Idaho, and is by reference made a part hereof; it is therefore

RESOLVED, That this Board hereby accepts the proposition made by the said Robert M Ednie, and does hereby duly appoint him as its engineer to perform and direct all necessary engineering work required by the Board and the Public Works Administration in the execution of the construction of the proposed work as provided in said PWA Docket No. 2364.

A vote taken on this resolution it was carried unanimously, Directors De Coursey, Kress and Douglass voting "Aye", nays none, whereupon the President, T M De Coursey, declared the resolution carried by unanimous vote.

The following resolution was presented by Fred Kress, seconded by E L Douglass:

RESOLVED, By the Board of Directors of Pioneer Irrigation District, Canyon and Ada Counties, Idaho, that said Board hereby accepts the report of its Engineer, Robert M Ednie, which report consists of plans and specifications for the construction of drainage ditches, drainage wells, and the cleaning of existing drainage ditches, in conjunction with U. S. Government PWA Docket, No 2364, which report is on file in this office and by reference thereto is made a part of this resolution. It is further

RESOLVED, That the Secretary of the District, Fred L Evans, is hereby authorized and instructed to request of Mr J Vernon Otter, Acting State Director for Idaho, that the said Pioneer Irrigation District be permitted to perform the construction of the aforesaid project by force account, under the direct supervision of its organization.

A vote being taken results in Ayes, Kress, Douglass and De Coursey, nays none, whereupon President DeCoursey declared the resolution adopted by unanimous vote.

No other business appearing the Board adjourned sine die.

ATTEST:

Fred L. Evans Secretary.

T M De Coursey President.

Caldwell, Idaho. December 2, 1935

Pursuant to the provisions of Section 42-208, Idaho Code Annotated, requiring the Board of Directors of an irrigation district to meet at its usual place of meeting on the first Monday after each election to canvass the returns thereof, the Board of Directors of the Pioneer Irrigation District met at the office of the District, 718 Arthur Street, Caldwell, Idaho, (that being its usual place of meeting), on the 2nd day of December, 1935, at 1:00 o'clock P.M. in compliance with law and for the purpose of canvassing the vote of the election held on November 26, 1935, on the question of authorizing the Board of Directors of said District to issue bonds of said PIONEER IRRIGATION DISTRICT in the principal sum of Fifty-five Thousand Dollars (\$55,000.00), the proceeds from the sale of which are to be used for the purpose of making improvements to the existing irrigation system of said District, consisting of installing drainage wells, the constructing of drainage ditches, and other purposes.

The meeting was called to order by T M De Coursey, President; and the minutes were kept by Fred L Evans, Secretary.

A roll call showed the following directors present: T. M. De Coursey, President, Fred Kress, and E. L. Douglass, comprising the entire Board of Directors of said District.

Upon canvass of the votes cast upon the question of authorizing the Board to issue said bonds as aforesaid, the vote was found to be as follows:

FIRST PRECINCT:
Bonds-Yes 75. Bonds-No 34. Blank 0. Total Votes Cast 109.

SECOND PRECINCT:
Bonds-Yes 36. Bonds-No 27. Blank 0. Total Votes Cast 63.

THIRD PRECINCT:
Bonds-Yes 147. Bonds-No 60. Blank 1. Total Votes Cast 208.

TOTALS.
Bonds-Yes 258. Bonds-No 121. Blank 1. Total Votes Cast 380.

It was declared by the Board of Directors that "Bonds-Yes" had been duly carried and that the issuance of said bonds had been duly authorized by the District in the sum of Fifty-five Thousand Dollars (\$55,000.00).

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Whereupon the following resolution was presented by Director Kress and read by the Secretary as follows:

WHEREAS, It appears from a canvass of the votes cast at the Special Election of Pioneer Irrigation District held on Tuesday, the 26th day of November, 1935, for the purpose of voting on the question of whether or not the Board of Directors of said District should be authorized to issue bonds of said District in the principal sum of Fifty-five Thousand Dollars (\$55,000.00), the proceeds from the sale of which are to be used for the purpose of making improvements to the existing irrigation system of said District; that 258 votes were cast in favor of said bonds, 121 votes were cast against said bonds, and one vote was blank, and that more than two-thirds of all votes cast at said election were in favor of the issuance of said bonds;

NOW THEREFORE, BE IT RESOLVED That bonds in the principal amount of Fifty-five Thousand Dollars (\$55,000.00) of said Pioneer Irrigation District were at said election duly authorized to be issued and sold.

After the reading of said resolution it was moved by Director Kress and seconded by Director Douglass that the same be adopted, and upon roll call upon the motion to adopt said resolution the result was as follows:

Director De Coursey voted aye.
Director Kress voted aye.
Director Douglass voted aye.

The President thereupon declared the motion to adopt said resolution unanimously carried.

Secretary Evans reported he had been furnished proof of publication of notice of said by the Caldwell News-Tribune and also the affidavit of John W May of posting notices of said election in three public places in each election precinct of said District at least four weeks before the date of said election, all in conformity with the resolution of this Board adopted at a special meeting thereof on October 25, 1935.

Said proof of publication and said affidavit were ordered filed in the permanent records of the District.

There being no further business to come before said meeting, the same was duly adjourned.

ATTEST:

Fred L. Evans
Secretary.

D. M. Williams
President.

Caldwell, Idaho. December 3, 1935.

The Board of Directors met in regular session, all members and the Secretary present.

Minutes of meetings held since those last approved were read and approved.

Claims were presented in the amount of \$ and were ordered paid by the issuance of Maintenance Warrants Nos to inclusive as recorded in the Warrant Register, which by reference is hereby made a part of these minutes.

The following resolution was presented, duly seconded, and upon vote unanimously approved:

WHEREAS, In order to properly execute and carry out the provisions and requirements of the United States in connection with the project known as PWA Document No. 2364 for constructing certain improvements to the existing system of the Pioneer Irrigation District as provided therein, it is necessary to designate and authorize some person to sign certain forms and certificates required to be signed for the District; it is hereby

RESOLVED That Fred L. Evans, Secretary of this Board be so designated, and he is hereby duly authorized to sign such necessary papers.

Mr W H McWilliams having made application to rent the property known as the Steunenberg pasture for the season of 1936; after discussion it was decided not to rent this property at the present time, but that he would be given the first opportunity in case it was decided later to rent this property.

The following resolution was presented and unanimously adopted:

WHEREAS, The property described as Lots 13 to 16 in Block 9, College Heights Addition to the City of Caldwell, Idaho, belongs to the District by reason of Treasurer's Tax Deed; and

WHEREAS, Thomas M Nichol desires to purchase said property and has deposited therefore the sum of \$8.00, and

WHEREAS, It is deemed by this Board to be to the best interest of the District to sell said property for said amount; it is therefore

RESOLVED, That the President and Secretary of the Board are hereby authorized and directed to execute and deliver to the said Thomas M Nichol a quitclaim deed to the property.

The following resolution was presented and unanimously adopted:

WHEREAS, The District is the owner of the property described as the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 23, Township 4 North, Range 3 WBM; and

WHEREAS, Jennette R Stewart desires to purchase same and has offered therefore the sum of \$76.25; and

WHEREAS, It is deemed by this Board to be to the best interest of the District to sell said property for the price offered; it is therefore

RESOLVED, That the President and Secretary of the Board are hereby authorized and directed to execute and deliver to the said Jennette R Stewart a quitclaim deed to the premises.

The following resolution was presented and unanimously adopted:

WHEREAS, The property described as Lot 7 in Block 97, G Griffith & King Addition to the City of Nampa belongs to the District by reason of Treasurer's Tax Deed, and

WHEREAS, Chas Rumiser desires to purchase said property and has offered therefore the sum of \$15.38; and

WHEREAS, It is deemed by this Board to be to the best interest of the District to accept said offer and sell this property; it is therefore

RESOLVED, That the President and Secretary of this Board are hereby authorized and directed to execute and deliver to the said Chas Rumiser a quitclaim deed to this property.

The following resolution was presented and unanimously adopted:

WHEREAS, This District is the owner of the property described as Lot 6, Block 96, Griffith and King Addition to Nampa, Idaho, by reason of Treasurer's Tax Deed, and OSCAR L. STARFORD desires to purchase same and has offered \$10.74 therefore; it being deemed by this Board to be to the best interest of the District to sell said property at the price

**DIVERSION CAPACITY
FOR
PIONEER IRRIGATION DISTRICT**

Prepared for –

Tiffany Hudak
Moffatt Thomas Rock & Fields, Chtd.
101 S. Capitol Blvd., 10th Floor
Boise, Idaho 83701

Prepared by –

ERO Resources Corporation
3314 Grace St.
Boise, Idaho 83703
(208) 373-7983

October 25, 2006

**DIVERSION CAPACITY
FOR
PIONEER IRRIGATION DISTRICT**

OCTOBER 25, 2006

At the request of Ms. Tiffany Hudak of Moffatt Thomas Barrett Rock & Fields, Chtd, Norm Young, ERO Resources Corp., made a field visit to three diversions operated by Pioneer Irrigation District. Mr. Jeff Scott, manager of Pioneer Irrigation District accompanied Mr. Young to the diversions. The purpose of the field visit was to measure or otherwise determine the diversion rate from these facilities. The irrigation season ended and the flow in the Pioneer Irrigation District facilities and in systems operating upstream that provide return flows to the sources relied upon by Pioneer Irrigation District terminated about two weeks prior to this field visit. For this reason, before a measurement could be made, the diversions would have to be reactivated. However, re-establishing flow in the diversion would not be appropriate if the flow available in the source was no longer adequate to fill the diversion or if doing so would cause problems downstream on the canal or the source.

The location of each diversion was checked using a GPS reading taken at the site. The GPS reading plotted on an aerial photograph overlain by the legal survey lines for quarter-quarter parcels obtained from IDWR's electronic files is attached for each of the following diversions along with photographs taken of the diversion:

1. **Wilson Slough Pump Diversion** (Reference Water Right No. 63-32513) located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, T3N R2W. **Discharge = 7.82 cfs.**
2. **Five Mile Creek Diversion** (Reference Water Right No. 63-32514) located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27, T4N R2W. **Discharge estimate = 85 cfs.** (Note that the claim lists the point of diversion in Ada County, instead of Canyon County).
3. **Mason Creek Drain Diversion** (Reference Water Right No. 63-32515) located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, T4N R2W. **Discharge estimate = 96 cfs.** (Note that the claim lists the point of diversion in Ada County, instead of Canyon County).

DIVERSION CAPACITY
FOR
PIONEER IRRIGATION DISTRICT

The discharge from the **Wilson Slough Pump** was measured on October 23, 2006 using a current meter at a point in the Phyllis Canal about 50 feet downstream from the location of the pump discharging into the canal. The discharge from the well was the only flow in the lateral allowing water pumped into the canal to flow upstream also to create a pond several hundred yards long. The current meter measurement indicated the pump was discharging 7.82 cfs, but this measurement does not include the substantial seepage loss occurring in the ponded area upstream of measurement. The pump discharge was also impaired from normal operations because the water level in the Wilson Slough was lower than it had been during the irrigation season. The discharge measurement notes are attached.

The measurement should be repeated during the irrigation season.

Measuring the flow with an ultra-sound meter or other device for measuring flow in closed pipes is recommended. Because the discharge pipe changes diameter from about 16 inches to about 26 inches in the short section that is visible between the pump house and the ditch embankment through which the pipe is buried, it may be necessary to excavate a trench midway along the pipe to facilitate this measurement.

The apparent discharge into a feeder canal to the Caldwell High Line Canal from the **Five Mile Creek Diversion** was estimated on October 23, 2006, by assuming the rectangular openings created the screw gates are adequately described by using a standard formula available for suppressed submerged orifices. The maximum discharge could only be estimated because water was not being diverted at the time of the visit and the flow in the source was not as large as available during the irrigation season. The judgment of the Pioneer Irrigation District Manager, Jeff Scott, and ERO representative, Norm Young was that the entire flow available at the time of the field visit could have been diverted without completely filling the canal. Completely dewatering the source would have damaged the fishery present in the source.

For these reasons, the flow was not diverted into the canal for a direct measurement. Instead, an estimate of the flow rate that had occurred during the irrigation season was made by observing the dimensions of the diversion structure and the water levels that appeared to have been diverted through it. High water marks observable on

DIVERSION CAPACITY
FOR
PIONEER IRRIGATION DISTRICT

the diversion structure upstream and downstream were measured using the water level in the structure at the time of the measurement as a reference elevation. The difference between these measurements, corrected for an assumed approach velocity of 5 feet per second, was used in an equation described by the U.S. Bureau of Reclamation to estimate flows in a suppressed submerged orifice (Ref. Water Measurement Manual, USBR, 1984, p.94).

$$Q = 0.61(1+0.15r)A(2gH)^{1/2};$$

Where "Q" is the discharge in cfs, "A" is the cross-sectional area of the orifice in square feet, "r" is the percentage of the perimeter of the orifice with a suppressed contraction, "g" is the acceleration of gravity, 32.2 fps per second and "H" is the total head in feet, including the affect of the velocity of approach. For Five Mile Creek Diversion the parameters are: Area = Two 39-inch wide gates with a vertical opening of 24 inches = 13 square feet. $H = (34 \text{ inches upstream} - 21 \text{ inches downstream})(12 \text{ inches per foot}) + (5 \text{ fps})^2/64.4 = 1.47 \text{ feet}$ $r = 87 \text{ inches}/126 \text{ inches} = 0.69$
 $Q = 0.61(1+0.15(0.69))(13)((64.4)(1.47))^{1/2} = 85 \text{ cfs.}$

This is only an estimate. An actual measurement of the flow should be made, using a current meter or other commonly accepted measurement device or technique, during the irrigation season when the diversion rate can be adjusted to the maximum diversion rate commonly used while the system is in operation.

The apparent discharge of the diversion from **Mason Creek Drain** was estimated on October 13, 2006, using the same method and for the same reason as that described above for the Five Mile Creek Diversion. The parameters used were: Two-rectangular slide gates with openings of 41 inches wide by 24 inches high, a head loss across the gate of $38\frac{1}{2}$ inch upstream – 23 inches downstream = $15\frac{1}{2}$ inches, an "r" value of 0.68 because the two sides and bottom of the gate structures suppress the contraction, and an approach velocity of 5 fps. These parameters used in the previously listed formula provide an estimate of flow of 96 cfs.

This is only an estimate. An actual measurement of the flow should be made, using a current meter or other commonly accepted measurement device or technique,

DIVERSION CAPACITY
FOR
PIONEER IRRIGATION DISTRICT

during the irrigation season when the diversion rate can be adjusted to the maximum diversion rate commonly used while the system is in operation.

ATTACHMENT 3
MASON CREEK DIVERSION

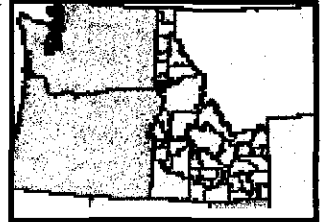
Locate Yourself

The lat/long you provided was 43° 38' 3.700" N; 116° 34' 32.600" W

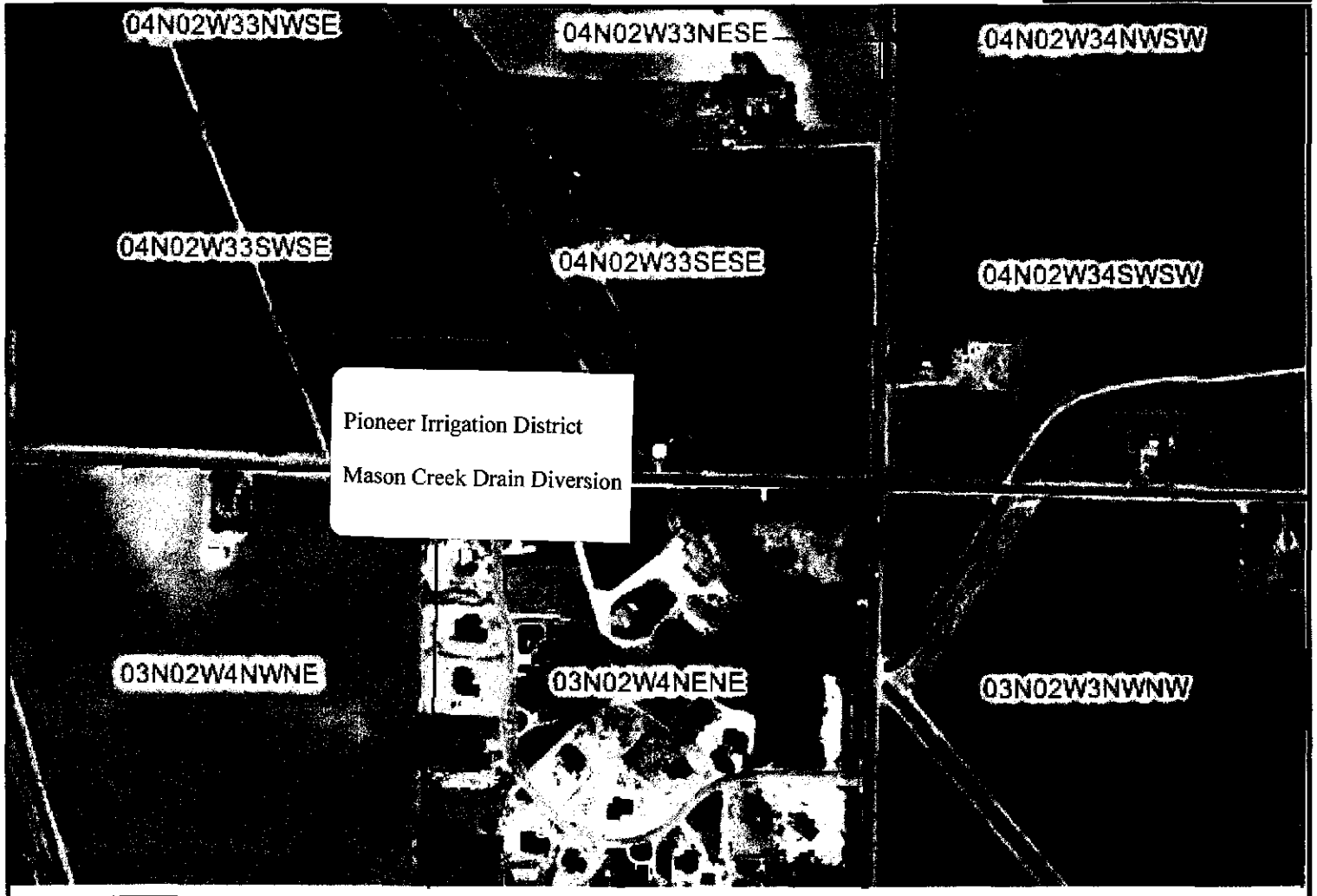
Here are the results:

SE quarter of the SE quarter of Section 33, Township 04N, Range 02W

IDTM NAD83 coordinates: Easting=2292226; Northing=1384711



Choose the map-display background: ☒ Photo ☐ Topo



Add Layer

☐ Wells ☐ Water Rights ☐ Water Right Permits ☐ Adjudication Claims ☐ Adjudication Recommendations

* Positions of wells/headgates may be based upon the center of a quarter-quarter section; those obtained by GPS or survey are accurate.



Mason Creek Drain Diversion
Bioscience Information District
2006

63-32515

Mason Creek Drain Diversion

Pioneer Irrigation District

October 23, 2006



10/23/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-32514

NAME AND ADDRESS: PIONEER IRRIGATION DISTRICT
PO BOX 426
CALDWELL ID 83605

SOURCE: FIVE MILE CREEK

50
TRIBUTARY: BOISE RIVER 35

QUANTITY:

~~100,000 CFS~~

85 cfs measured - ~~45 cfs~~ licensed = ~~40 cfs~~

Whenever it becomes necessary for the watermaster to deliver this right the following condition shall apply. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: ~~04/03/1917~~

5/1/1935

POINT OF DIVERSION:

T04N R02W S27 SESE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
~~03/15 - 11/15~~

3/1 to 11/15
QUANTITY
100,000 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:

10/23/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

Pioneer ID
POW

~~This right~~ when combined with Right Nos. 63-161BU, 63-166A, 63-167A, 63-179, 63-224, 63-225, 63-294, 63-295, 63-371, 63-2275, 63-2276, 63-2288, 63-2529, 63-2891, 63-5199, 63-5200, 63-5219, 63-5237, 63-5255, 63-9109, 63-11622, 63-21731 and 63-21739 can be used to irrigate up to 24,556 acres within the boundary of the Pioneer Irrigation Company.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

October 16, 2006

Mr. Alan Newbill, President
Pioneer Irrigation District
PO Box 426
Caldwell, ID 83605

Re: Evidence of Priority Date & Flow Measurement Data for
Claims Nos. 63-32513, 63-32514 & 63-32515

RESPONSE DEADLINE
OCTOBER 30, 2006

Dear Mr. Newbill:

The Notices of Claim to a Water Right (claims) identified with the numbers shown above your name have been filed in the Snake River Basin Adjudication (SRBA). The claims indicate your water usage is based on "Beneficial Use." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed, and are termed beneficial use rights. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. Since the priority date and historic use of a beneficial use right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed and the historic use of the water.

Also, please send flow measurement data for the claims to verify the capacity of your diversions.

Enclosed you will find copies of the claims and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: IDWR will recommend the SRBA Court decree the claim disallowed if no evidence of the priority date and of the historic use is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statements should be in the form of notarized affidavits.

Please submit the required evidence supporting the water measurement data, the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129.

Sincerely,

David R. Tuthill, Jr.
Administrator
Water Management Division

Enclosures
cc: Scott Campbell

Receipt Details for ID C082290

Status	Adjustment Type	Version
		1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
9/29/2006 10:55:42 AM	9/29/2006 11:16:41 AM	STATE	\$300.00	Check
Payer		MOFFATT THOMAS		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
184431			
Card Expiration Date	Credit Card Transaction #		

Comment 3 Adjudication Filing Fees Pioneer Irrigation District

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$300.00	ADJUDICATION FILING FEE	41503	0337			1155

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
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Print Report

63-32514
63-32515