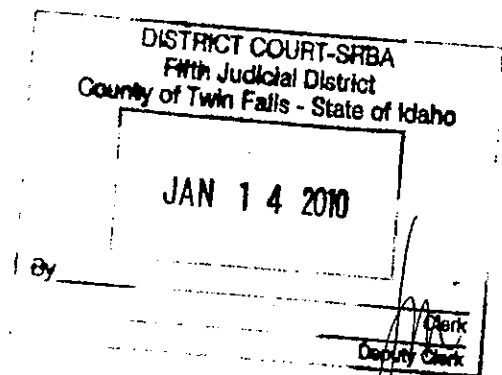




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

Subcase No. 63-5200

STANDARD FORM 5

**STIPULATED ELEMENTS OF A
WATER RIGHT**

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

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

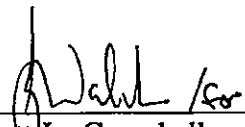
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:

Pioneer Irrigation District

RESPONDENT:

State of Idaho

 /s/ 9/25/09

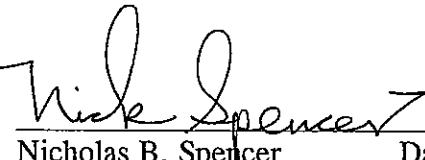
Scott L. Campbell Date
Attorney for Claimant/Objector

 1/7/10

David I. Stanish Date
Attorney for Respondent

STANDARD FORM 5 – 63-5200

IDWR Concurrence:

 9-23-09	 9-21-09
Jan Shurte	Nicholas B. Spencer
Water Rights Supervisor	Deputy Attorney General
	Attorney for IDWR

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

RIGHT NUMBER: 63-5200

NAME AND ADDRESS: PIONEER IRRIGATION DISTRICT
PO BOX 426
CALDWELL ID 83606 ~~83605~~

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 7.560 CFS
3,898.800 AFY

PRIORITY DATE: 06/18/1958

POINT OF DIVERSION:

T03N R02W S1 SWNW Within CANYON County

T04N R02W S34 SENE Within CANYON County

T04N R02W S34 NESE Within CANYON County

One point of diversion is on the line dividing the NESE and SENE T4N, R2W, S34.PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	7.560 CFS <u>3,898.80 AFY</u> ~~3,989.80 AFY~~

PLACE OF USE:

34204.61 ACRES TOTAL

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.

This right can be used to irrigate up to 34,204.61 acres within the boundary of the Pioneer Irrigation District.

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

Source is also known as Brandt well in Sec. 1, T3N, R2W and the Johnson well in Sec. 34, T4N, R2W.

CERTIFICATE OF MAILING

I certify that on January 13, ²⁰¹⁰~~2009~~, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

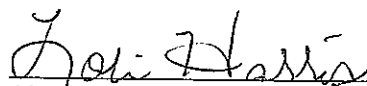
CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

PIONEER IRRIGATION DISTRICT
Represented by:
SCOTT L. CAMPBELL
101 S. CAPITOL BLVD. 10TH FLOOR
P.O. BOX 829
BOISE, ID 83701-0829

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

STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIV. CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
P.O. BOX 44449
BOISE, ID 83711-4449



Signature of person or attorney mailing the form