



STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL  
LAWRENCE G. WASDEN

April 5, 2010

Shasta Kilminster-Hadley  
Deputy Attorney General  
Office of the Attorney General  
P.O. Box 44449  
Boise, ID 83711-4449

*Sent via Statehouse Mail*

*RE: SRBA Subcase Nos. 63-2529, 63-2529A & 63-2529B  
(Pioneer Irrigation District)*

Dear Shasta:

I am enclosing SF5s for the above-referenced water rights. Please review the documents, and if they are acceptable to you, please sign on the indicated signature lines, initial the revised recommendations and return the original SF5s to me. I will obtain the remaining signatures and file them with the SRBA Court.

If you should have any questions or comments, please feel free to contact me at 287-4815.

Sincerely,

A handwritten signature in blue ink that reads "Ray Williams".

Ray Williams  
Paralegal

Enclosures

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

|                |   |                          |
|----------------|---|--------------------------|
| In Re SRBA     | ) | Subcase No. 63-2529      |
|                | ) |                          |
| Case No. 39576 | ) |                          |
|                | ) | STANDARD FORM 5          |
|                | ) |                          |
|                | ) | STIPULATED ELEMENTS OF A |
|                | ) | WATER RIGHT              |

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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(s)/OBJECTOR(s):**  
Pioneer Irrigation District

**RESPONDENT:**  
State of Idaho

 3/9/10  
\_\_\_\_\_  
Scott L. Campbell      Date  
Attorney for Claimant/Objector

\_\_\_\_\_  
Shasta Kilminster-Hadley      Date  
Attorney for Respondent

**DWR Concurrence:**

\_\_\_\_\_  
Jan Shurte  
Water Right Supervisor

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Nicholas B. Spencer  
Deputy Attorney General  
Attorney for IDWR

\_\_\_\_\_  
Date

2-9-10

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

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RIGHT NUMBER:        63-2529                DISALLOWED

SPLIT RIGHT:        RECOMMENDED AS RIGHT NOS. 63-2529A & 63-2529B

NBS  
SLC

## CERTIFICATE OF MAILING

I certify that on \_\_\_\_\_, 2010, 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:

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

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

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Signature of person or attorney

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

|                |   |                                 |
|----------------|---|---------------------------------|
| In Re SRBA     | ) | Subcase No. 63-2529A            |
|                | ) | <i>Split from 63-2529</i>       |
| Case No. 39576 | ) |                                 |
|                | ) | <b>STANDARD FORM 5</b>          |
|                | ) |                                 |
|                | ) | <b>STIPULATED ELEMENTS OF A</b> |
|                | ) | <b>WATER RIGHT</b>              |

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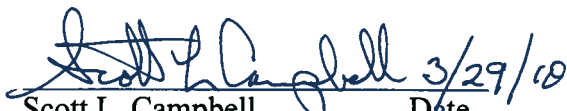
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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(s)/OBJECTOR(s):**  
Pioneer Irrigation District

**RESPONDENT:**  
State of Idaho

  
\_\_\_\_\_  
Scott L. Campbell      Date  
Attorney for Claimant/Objector

\_\_\_\_\_  
Shasta Kilminster-Hadley      Date  
Attorney for Respondent

Jan Shurte Date  
Water Right Supervisor

  
Nicholas B. Spencer Date 2-9-10  
 Deputy Attorney General  
 Attorney for IDWR

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

RIGHT NUMBER: 63-2529A

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 87.100 CFS  
44,918.300 AFY

Right Nos. 63-2529A and 63-2529B are limited to a total combined diversion rate of 87.1cfs.

PRIORITY DATE: 12/21/1936

POINT OF DIVERSION:

T03N R01W S7 NWNW Within CANYON County  
T03N R02W S1 SWSE Within CANYON County  
T03N R02W S2 SWSW Within CANYON County  
T03N R02W S4 NWSW Within CANYON County  
T03N R02W S10 SWNE Within CANYON County  
T03N R02W S11 SESW Within CANYON County  
T03N R02W S14 SWSW Within CANYON County  
T03N R02W S15 SWSE Within CANYON County  
T03N R02W S19 NENE Within CANYON County  
T03N R02W S21 NENW Within CANYON County  
T03N R03W S3 NWNW Within CANYON County  
T03N R03W S11 NESE Within CANYON County  
T04N R01W S30 SESW Within CANYON County  
T04N R02W S26 NESW Within CANYON County  
T04N R02W S27 NENW Within CANYON County  
T04N R02W S27 SWSE Within CANYON County  
T04N R02W S33 NWNE Within CANYON County  
T04N R02W S34 SESW Within CANYON County  
T04N R02W S35 SESW Within CANYON County  
T04N R02W S36 SENE Within CANYON County  
T04N R02W S36 SWNW Within CANYON County  
T04N R02W S36 NESW Within CANYON County  
T04N R03W S25 NESE Within CANYON County  
T04N R04W S22 SESE Within CANYON County  
T04N R04W S25 SENW Within CANYON County  
T04N R04W S26 SENE Within CANYON County

NBS  
SLC

SF5 Right No. 63-2529A

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>             |
|-----------------------|----------------------|-----------------------------|
| IRRIGATION            | 03/01 11/15          | 87.100 CFS<br>44,918.30 AFY |

PLACE OF USE:

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.

NBS  
SLC

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 -

This right is a split from former right 63-2529.

## CERTIFICATE OF MAILING

I certify that on \_\_\_\_\_, 2010, 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:

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ATTORNEY GENERAL'S OFFICE  
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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  
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Signature of person or attorney

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

|                |   |                                 |
|----------------|---|---------------------------------|
| In Re SRBA     | ) | Subcase No. 63-2529B            |
|                | ) | <i>Split from 63-2529</i>       |
| Case No. 39576 | ) |                                 |
|                | ) | <b>STANDARD FORM 5</b>          |
|                | ) |                                 |
|                | ) | <b>STIPULATED ELEMENTS OF A</b> |
|                | ) | <b>WATER RIGHT</b>              |

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**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(s)/OBJECTOR(s):**  
Pioneer Irrigation District

**RESPONDENT:**  
State of Idaho

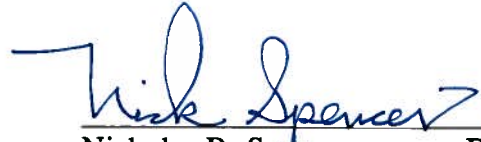
 3/29/10  
\_\_\_\_\_  
Scott L. Campbell      Date  
Attorney for Claimant/Objector

\_\_\_\_\_  
Shasta Kilminster-Hadley      Date  
Attorney for Respondent

**DWR Concurrence:**

\_\_\_\_\_  
Jan Shurte  
Water Right Supervisor

Date

  
\_\_\_\_\_  
Nicholas B. Spencer  
Deputy Attorney General  
Attorney for IDWR

2-9-10  
Date

SF5 Right No. 63-2529B

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

RIGHT NUMBER: 63-2529B

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

SOURCE: INDIAN CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 10.000 CFS

Right Nos. 63-2529A and 63-2529B are limited to a total combined diversion rate of 87.1 cfs.

Right Nos. 63-2529B and 63-5219 are limited to a total combined diversion rate of 18.4 cfs.

PRIORITY DATE: 12/21/1936

POINT OF DIVERSION:

T03N R02W S22 SWNE Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/01 11/15          | 10.000 CFS      |

PLACE OF USE:

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EXPLANATORY MATERIAL: BASIS OF CLAIM -

This right is a split from former right 63-2529.

SF5 Right No. 63-2529B

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Signature of person or attorney