

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

MAY 19 2010

By _____
Clerk
Deputy Clerk

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

In Re SRBA

Case No. 39576

Subcase No. 37-12836

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 Well System


Fritz X. Haemmerle, Attorney

5/13/10
Date

IDWR Concurrence:

Kelly Christensen 5-13-10
IDWR Agent Date

[Signature] 5/17/10
Deputy Attorney General, IDWR Date

CERTIFICATE OF MAILING

I certify that on May 18, 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:

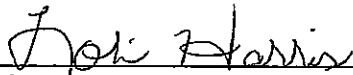
1. Original to:

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:

PIONEER WELL SYSTEM
Represented by:
HAEMMERLE, FRITZ X.
PO BOX 1800
HAILEY, ID 83333

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098



Signature of person or attorney mailing the form

03/12/2010

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

RIGHT NUMBER: 37-12836
NAME AND ADDRESS: PIONEER WELL SYSTEM
C/O JULIE DAHLGREN
PO BOX 4402
KETCHUM ID 83340

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.100 CFS
7.50 AFY

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

PRIORITY DATE: 12/31/1947 ~~1951~~ *F&W* *KKC* *CB*

POINT OF
DIVERSION:

T04N R18E S18 SWSESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.070 CFS 3.60 AFY
IRRIGATION	04/15 10/31	0.030 CFS 3.90 AFY

Domestic use is for 6 homes.

PLACE OF USE: IRRIGATION in BLAINE County

T04N R18E S18 SESW 1.10

DOMESTIC in BLAINE County

T04N R18E S18 SESW

1.1 ACRES TOTAL

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Point of diversion is located within Tax Lot 6601

Property is also known as Tax Lots 6204 (aka Lt 2 Shelby Duke subdivision), 2242, 2099, 6600, 2126, and 2420 for domestic and irrigation use and Tax Lots 2241 and 2246 for irrigation use.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.