



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

January 27, 2011

David W. Gehlert
Natural Resources Section
Environment and Natural Resource Division
U.S. Department of Justice
1961 Stout Street – 8th Floor
Denver, CO 80294

RE: SRBA Subcase No. 63-5255 (Pioneer Irrigation District)

Dear Dave:

I am enclosing an SF5 for the above-referenced subcase. Please review the document, and if it is acceptable, please sign on the indicated signature line, initial the revised recommendation and file the executed SF5 with the SRBA Court.

If you should have any questions or comments, please don't hesitate to contact me at (208) 287-4815.

Sincerely,

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

Ray Williams
Paralegal

Enclosure

RECEIVED
JAN 20 2011
Ringert Law Chartered

**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. 63-5255

STANDARD FORM 5

**STIPULATED ELEMENTS OF A
WATER RIGHT**

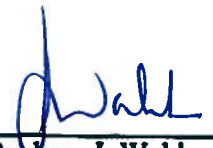
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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. No changes have been made to the digital boundary, thus no maps are attached.

CLAIMANT/OBJECTOR:
Pioneer Irrigation District

OBJECTOR:
Nampa & Meridian Irrigation Dist.

 1/17/11

Andrew J. Waldera Date
Attorney for Claimant/Objector

 for 1/26/11

Daniel V. Steenson Date
Attorney for Objector

Bureau of Reclamation

David W. Gehlert, USDOJ Date

 1-13-11
Jan Shurte Date
Water Right Supervisor


 Nicholas B. Spencer Date 7-13-11
 Deputy Attorney General
 Attorney for IDWR

SF5 Right No. 63-5255

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

RIGHT NUMBER: 63-5255

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

SOURCE: INDIAN CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 1.000-CFS 2.170 CFS

PRIORITY DATE: 05/24/1920

POINT OF DIVERSION:

T04N R03W S22 SESEW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

1.00-CFS 2.170 CFS

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.

This water right shall not alter or abrogate any provision of contract executed by the United States or State law regarding Pioneer Irrigation District's or ~~Shoshone~~ & Meridian Irrigation District's rights and responsibilities to use and make available water developed in drains within their boundaries.

SF5 Right No. 63-5255

NBS
[Signature]

[Signature]
SBF

SF5 Right No. 63-5255

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

NBS

A handwritten signature in blue ink, appearing to be 'J. L.' or similar, written below the 'NBS' text.

SF5 Right No. 63-5255

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:

NAMPA & MERIDIAN IRRIGATION DISTRICT

**Represented by:
DANIEL V. STEENSON
455 S. THIRD STREET
P.O. BOX 2773
BOISE, ID 83701-2773**

PIONEER IRRIGATION DISTRICT

**Represented by:
ANDREW J. WALDERA
SCOTT L. CAMPBELL
101 S. CAPITOL BLVD., 10TH FLOOR
P.O. BOX 829
BOISE, ID 83701-0829**

USDI BUREAU OF RECLAMATION

**Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATURAL RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724**

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

Signature of person or attorney