

RECEIVED
APR 12 2012
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
APR 11 2012	
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	)	SPECIAL MASTER'S REPORT
	)	
Case No. 39576	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHTS 63-02529A
	)	and 63-02529B
	)	
	)	RECOMMENDATION OF
_____	)	DISALLOWANCE FOR 63-02529

I. FINDINGS OF FACT

A notice of claim was filed for water right 63-02529 pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

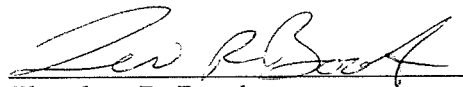
On June 19, 2007, the claimant Pioneer Irrigation District, through its attorney Scott L. Campbell, filed an objection to the *Director's Report*. On August 20, 2007, the State of Idaho filed a response to the objection. On June 23, 2010, the parties filed *Standard Forms 5 – Stipulated Elements of a Water Right* which resolved the objection and which split water right number 63-02529 into right numbers 63-02529A and 63-02529B. The Idaho Department of Water Resources concurred with the stipulations.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Forms 5*, IT IS RECOMMENDED that water rights 63-02529A and 63-02529B be decreed with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P.*

54(b). IT IS FURTHER RECOMMENDED that the SRBA District Court enter a final order disallowing water right number 63-02529.

Dated April 11, 2012

A handwritten signature in dark ink, appearing to read "Theodore R. Booth", written over a horizontal line.

Theodore R. Booth
Special Master
Snake River Basin Adjudication

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 63-02529A

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

SOURCE: GROUND WATER

QUANTITY: 87.10 CFS
44918.30 AFY

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

PRIORITY DATE: 12/21/1936

POINT OF DIVERSION: T03N R01W S07 NWNW Within Canyon County
R02W S01 SWSE
S02 SWSW
S04 NWSW
S10 SWNE
S11 SESW
S14 SWSW
S15 SWSE
S19 NENE
S21 NENW
R03W S03 NWNW
S11 NESE
T04N R01W S30 SESW
R02W S26 NESW
S27 SWSE
NENW
S33 NWNE
S34 SESW
S35 SESW
S36 SENE
S36 SENE
S36 SENE
S36 SENE
R03W S25 NESE
R04W S22 SESE
S25 SENW
S26 SENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	87.10 CFS 44918.30 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.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication



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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 63-02529B

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

SOURCE: INDIAN CREEK TRIBUTARY: BOISE RIVER

QUANTITY: 10.00 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:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	10.00 CFS

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
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This right can be used to irrigate up to 34,204.61 acres within
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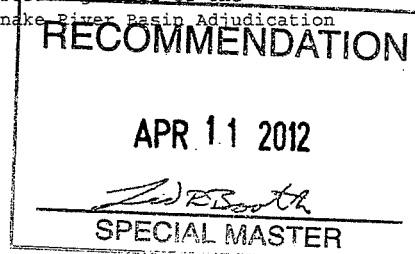
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

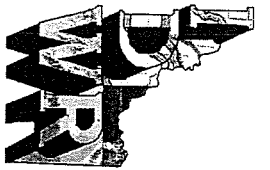
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Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication





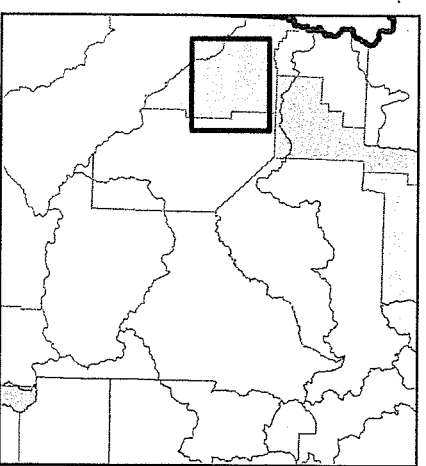
Pioneer Irrigation District

Adjudication Recommendations: 63-2114, 63-2529A, 63-2529B, 63-2891, 63-5199, 63-5200, 63-5255, 63-9109, 63-21706, 63-21713, 63-32584

Irrigation Service Area Boundary
GIS Place of Use Illustration

Legend

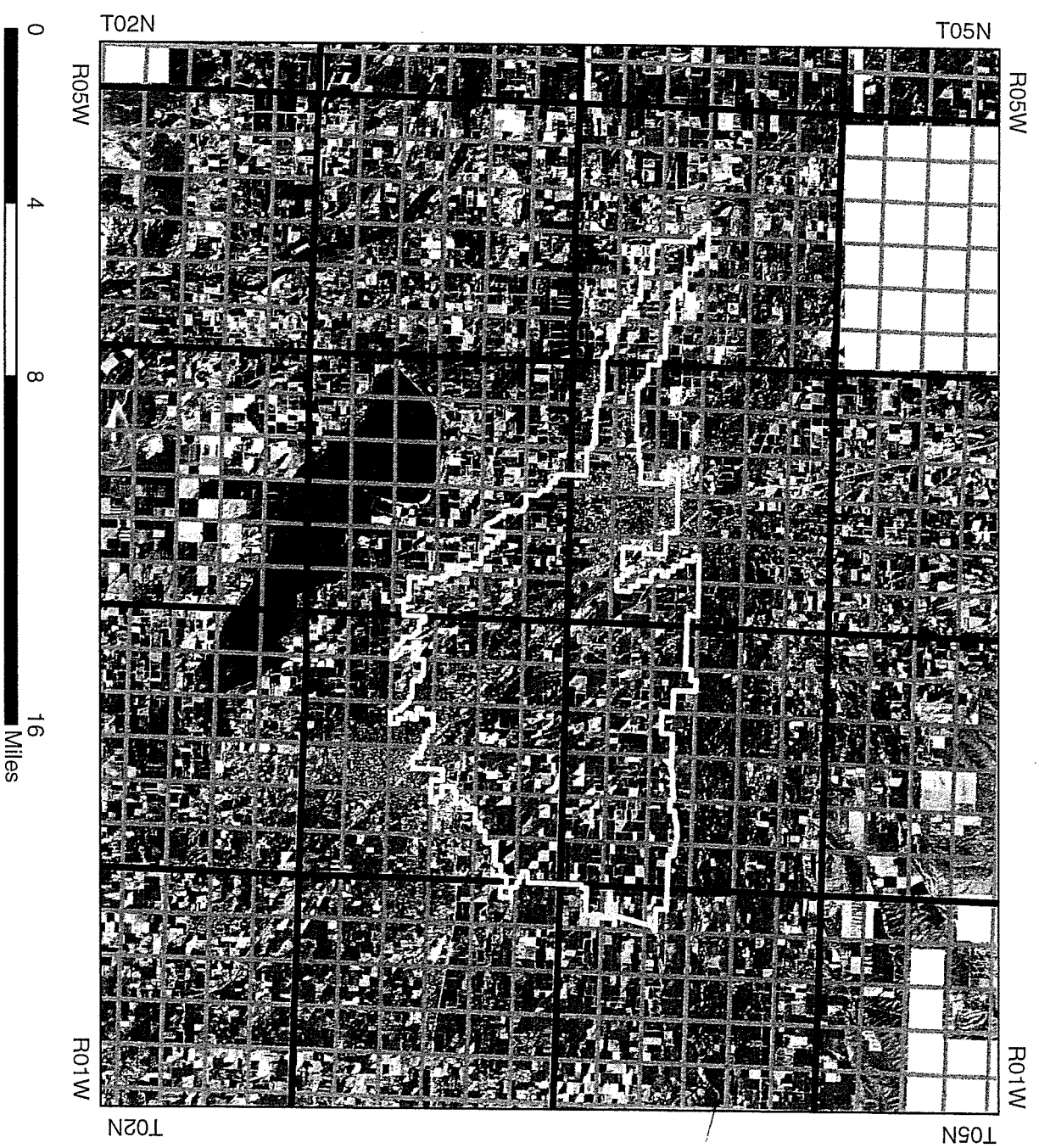
- Service Area
- State Outline
- Townships
- PLS Sections

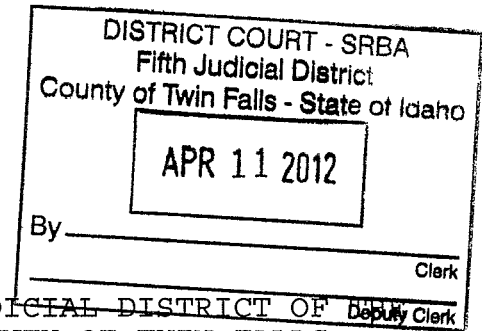


Ada, Canyon Counties

IDWR Basin 63

Prepared by Jan Shurte
On June 23, 2010
1987/88 Aerial Photography





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

In Re SRBA)
)
Case No. 39576)
)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

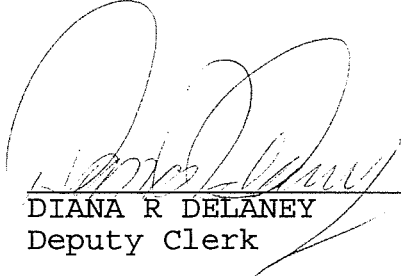
Water Right(s): 63-02529
63-02529A 63-02529B

On April 11, 2012, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED April 11, 2012.



DIANA R DELANEY
Deputy Clerk

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
APR 11 2012	
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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 63-02529
63-02529A 63-02529B

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on April 11, 2012, with sufficient first-class postage prepaid to the following:

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

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

PIONEER IRRIGATION DISTRICT
Represented by:
SCOTT L CAMPBELL
101 S CAPITOL BLVD 10TH FLOOR
PO BOX 829
BOISE, ID 83701-0829
Phone: 208-345-2000

CERTIFICATE OF MAILING


DIANA R DELANEY
Deputy Clerk

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04/11/12