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Andrew J. Waldera, ISB No. 6608  
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18946.0006

RECEIVED

MAY 23 2014

DEPARTMENT OF  
WATER RESOURCES

Attorneys for Pioneer Irrigation District

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 Nos. 63-33251 and 63-33253

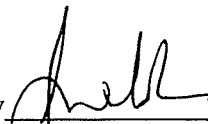
**NOTICE OF WITHDRAWAL OF PROTESTS**

Pioneer Irrigation District, by and through undersigned counsel of record, hereby withdraws its pending Standard Form 1 Objections in the above-referenced subcases (courtesy reference copies attached hereto). Relatedly, Pioneer requests that the status conference currently set for Tuesday, May 27, 2014, at 10:30 a.m. be vacated from the Court's calendar.

DATED this 22<sup>nd</sup> day of May, 2014.

MOFFATT, THOMAS, BARRETT, ROCK &  
FIELDS, CHARTERED

By



Andrew J. Waldera – Of the Firm  
Attorneys for Pioneer Irrigation District

## CERTIFICATE OF SERVICE

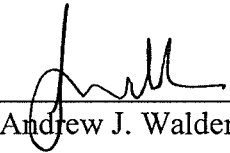
I HEREBY CERTIFY that on this 22<sup>nd</sup> day of May, 2014, I caused a true and correct copy of the foregoing **NOTICE OF WITHDRAWAL OF PROTESTS** to be served by the method indicated below, and addressed to the following:

Albert P. Barker  
BARKER, ROSHOLT & SIMPSON  
1010 W. Jefferson Street, Suite 102  
P.O. Box 2139  
Boise, ID 83701-2139

☒ U.S. Mail, Postage Prepaid  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Facsimile

Director  
IDAHO DEPARTMENT OF WATER RESOURCES  
P.O. Box 83720  
Boise, ID 83720-0098

☒ U.S. Mail, Postage Prepaid  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Facsimile

  
\_\_\_\_\_  
Andrew J. Waldera

|                                                                                                                |                                |
|----------------------------------------------------------------------------------------------------------------|--------------------------------|
| <b>DISTRICT COURT - SRBA</b><br><b>Fifth Judicial District</b><br><b>County of Twin Falls - State of Idaho</b> |                                |
| <div style="border: 1px solid black; width: 150px; margin: 0 auto; padding: 5px;"> <b>MAR 20 2014</b> </div>   |                                |
| By _____                                                                                                       | Clerk<br>_____<br>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 )<br>)<br>Case No. 39576 )<br>_____ ) | A. | Subcase <u>63-33251</u><br><small>(Insert water right number)</small><br><br><b>STANDARD FORM 1<br/>OBJECTION</b> |
|--------------------------------------------------|----|-------------------------------------------------------------------------------------------------------------------|

Please fill in the following information:

**B. NAME AND ADDRESS OF PERSON OBJECTING**

Name: Pioneer Irrigation District

Address: P.O. Box 426  
Caldwell, Idaho 83606

Daytime Phone: 208-459-3617

Name & Address of Attorney, if any:  
Andrew J. Waldera  
Moffatt Thomas Barrett Rock & Fields  
P.O. Box 829, Boise, ID 83701-0829

**C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT**

Name: Boise Project Board of Control

Address: c/o Albert Barker  
P.O. Box 2139, Boise, ID 83702-2139

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**  
Should be: \_\_\_\_\_
2. ☐ **Source**  
Should be: \_\_\_\_\_
3. ☒ **Quantity**  
Should be: \_\_\_\_\_
4. ☒ **Priority Date**  
Should be: \_\_\_\_\_
5. ☐ **Point of Diversion**  
Should be: \_\_\_\_\_
6. ☐ **Instream Flow Beginning and Ending Point**  
Should be: \_\_\_\_\_
7. ☐ **Purpose(s) of Use**  
Should be: \_\_\_\_\_
8. ☐ **Period of Year**  
Should be: \_\_\_\_\_
9. ☐ **Place of Use**  
Should be: \_\_\_\_\_
10. ☐ **I object because:**  
☐ This water right Should not exist.  
  
☐ This water right was not recommended, but Should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTIONS(S):** Pioneer objects due to concerns over, and to prevent injury to, its own downstream water rights on Indian Creek; including questions regarding the evidence submitted supporting the recommended quantity and priority for this beneficial use-based claim.

F.

VERIFICATION (must be completed)

State of Idaho )  
 )ss.  
County of Ada )

Andrew J. Waldera, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

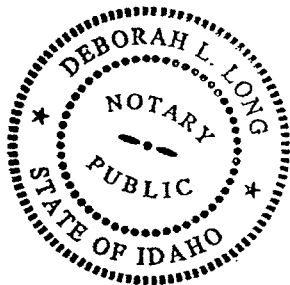
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

\_\_\_\_\_  
(Signature of person filing objection)

[Signature]  
\_\_\_\_\_  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

March 19, 2014



Deborah Long  
Notary Public for Idaho

Residing at: Boise, Idaho

My Commission Expires: 10/10/2019

## INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

### G. CERTIFICATE OF MAILING

I certify that on March 19, 2014, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

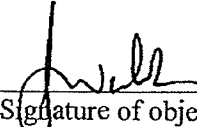
Name: Boise Project Board of Control  
Address: c/o Albert Barker  
P.O. Box 2139, Boise, ID 83702-2139

3. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

United States Department of Justice  
Environment & Nat'l Resources Div  
550 W Fort Street, MSC 033  
Boise, ID 83724

Chief, Natural Resources Division  
Office of Attorney General  
PO Box 44449  
Boise, ID 83711-4449

  
\_\_\_\_\_  
Signature of objector or attorney  
mailing on Objector's behalf

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

MAR 20 2014

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     | ) | A. Subcase | 63-33253                                   |
|                | ) |            | <small>(Insert water right number)</small> |
| Case No. 39576 | ) |            |                                            |
| _____          | ) |            |                                            |

**STANDARD FORM 1  
OBJECTION**

Please fill in the following information:

**B. NAME AND ADDRESS OF PERSON OBJECTING**

Name: Pioneer Irrigation District

Address: P.O. Box 426  
Caldwell, Idaho 83606

Daytime Phone: 208-459-3617

Name & Address of Attorney, if any:  
Andrew J. Waldera  
Moffatt Thomas Barrett Rock & Fields  
P.O. Box 829, Boise, ID 83701-0829

**C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT**

Name: Boise Project Board of Control

Address: c/o Albert Barker  
P.O. Box 2139, Boise, ID 83702-2139

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**  
Should be: \_\_\_\_\_
2. ☒ **Source**  
Should be: Blacks Creek \_\_\_\_\_
3. ☒ **Quantity**  
Should be: \_\_\_\_\_
4. ☒ **Priority Date**  
Should be: \_\_\_\_\_
5. ☐ **Point of Diversion**  
Should be: \_\_\_\_\_
6. ☐ **Instream Flow Beginning and Ending Point**  
Should be: \_\_\_\_\_
7. ☐ **Purpose(s) of Use**  
Should be: \_\_\_\_\_
8. ☐ **Period of Year**  
Should be: \_\_\_\_\_
9. ☐ **Place of Use**  
Should be: \_\_\_\_\_
10. ☐ **I object because:**
  - ☐ This water right Should not exist.
  - ☐ This water right was not recommended, but Should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTIONS(S):** Pioneer objects due to concerns over, and to prevent injury to, its own downstream water rights on the Five/Ten Mile Creek system; applicant's belief that the source is Blacks Creek; and questions regarding the evidence submitted supporting the recommended quantity and priority for this beneficial use-based claim.

F.

VERIFICATION (must be completed)

State of Idaho )  
 )ss.  
County of Ada )

Andrew J. Waldera, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

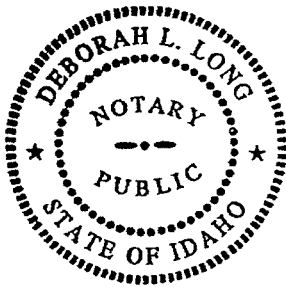
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(Signature of person filing objection)

[Signature]  
(Attorney signing in representative capacity)

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Deborah Long  
Notary Public for

Residing at:

My Commission Expires:

Boise, Idaho  
10/10/2019

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PO Box 2707  
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Boise Project Board of Control

Address: c/o Albert Barker

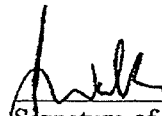
P.O. Box 2139, Boise, ID 83702-2139

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United States Department of Justice  
Environment & Nat'l Resources Div  
550 W Fort Street, MSC 033  
Boise, ID 83724

Chief, Natural Resources Division  
Office of Attorney General  
PO Box 44449  
Boise, ID 83711-4449



\_\_\_\_\_  
Signature of objector or attorney  
mailing on Objector's behalf