

RECEIVED

DEC 17 2013

WATER RESOURCES
WESTERN REGION

**WITHDRAWAL
OF
APPLICATION FOR TRANSFER OF WATER RIGHT(S)**

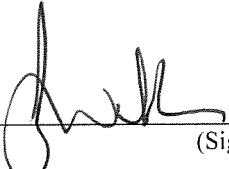
I/We, Pioneer Irrigation District and _____,
(Applicant's Printed Name) (Applicant's Printed Name)

_____ and _____,
(Applicant's Printed Name) (Applicant's Printed Name)

hereby withdraw our Application for Transfer No. 78262 of Water Right

No(s). 63-21731

Signed this 16th day of December, 20 13.



(Signature/Title of Applicant)
Andrew J. Waldera, Counsel for Pioneer Irrigation District

(Signature/Title of Applicant)

(Signature/Title of Applicant)

(Signature/Title of Applicant)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 17, 2013

Pioneer Irrigation District
PO Box 426
Caldwell ID 83606

Andy Waldera
Moffatt Thomas Barrett Rock & Fields, Chtd.
PO Box 829
Boise ID 83701

**RE: Application for Transfer No. 78262
Withdrawal of Application**

Dear Parties:

The Department of Water Resources acknowledges receipt of your withdrawal of application for transfer number 78262.

Please contact this office if you have any questions regarding this procedure. Information about water rights and other matters administered by this agency is also available on the Internet at www.idwr.idaho.gov.

Sincerely,


for

John Westra
Regional Manager

c.c Bryce Farris

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

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WATER RESOURCES
WESTERN REGION

Boise
Idaho Falls
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Richard C. Fields
John S. Simko
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David B. Lincoln
Gary T. Dance
Larry C. Hunter
Randall A. Peterman
Mark S. Prusynski
Stephen R. Thomas
Gerald T. Husch
Scott L. Campbell
Robert B. Burns
Patricia M. Olsson
Christine E. Nicholas
Bradley J. Williams

Lee Radford
Michael O. Roe
David S. Jensen
James L. Martin
C. Clayton Gill
Michael W. McGreaham
David P. Gardner
Julian E. Gabiola
Kimberly D. Evans Ross
Jon A. Stenquist
Mark C. Peterson
Tyler J. Anderson
Andrew J. Waldera
Dylan B. Lawrence
C. Edward Cather III

Benjamin C. Ritchie
Noah G. Hillen
Matthew J. McGee
Mindy M. Willman
Jetta Hatch Mathews
Andrea J. Rosholt
Maria O. Hart

Norman M. Semanko, *of counsel*
Terri L. Ackerman, *of counsel*

Willis C. Moffatt, 1907-1980
Eugene C. Thomas, 1931-2010
John W. Barrett, 1931-2011
Kirk R. Helvie, 1956-2003

Mailing Address
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December 16, 2013

via E-mail

(john.westra@idwr.idaho.gov) and U.S. Mail

John Westra
Western Region Office
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Re: Pioneer Irrigation District
Withdrawal of Application for Transfer No. 78262
Water Right No. 63-21731
MTBR&F File No. 18946.0136

Dear Mr. Westra:

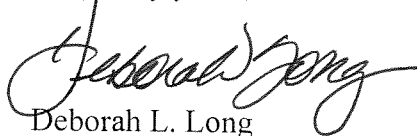
At the direction of Andy Waldera, please find enclosed for filing in the above-referenced matter the following original document:

1. Withdrawal of Application for Transfer of Water Right.

Please conform the copy of this document and return it via the enclosed self-addressed, postage prepaid envelope.

Thank you for your assistance.

Very truly yours,



Deborah L. Long
Administrative Assistant to
Andrew J. Waldera

DLL

Enclosure

cc: S. Bryce Farris (via E-mail bryce@sawtoothlaw.com and U.S. Mail)

Westra, John

From: Andy Waldera [AJW@moffatt.com]
Sent: Monday, December 16, 2013 3:28 PM
To: Bryce Farris
Cc: Westra, John
Subject: Pioneer Irrigation District Five Mile Drain Transfer

Bryce,

I just spoke with John Westra and informed him of Pioneer's authorization of me to withdraw the pending Application for Transfer. I will e-mail the Notice of Withdrawal to you and John later this afternoon.

Based upon my representation, John told me (to also tell you) that we should all consider tomorrow morning's status conference as canceled and off the calendar.

Thanks,

Andy

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Westra, John

From: Westra, John
Sent: Friday, December 06, 2013 8:17 AM
To: Andy Waldera; bryce Farris (bryce@sawtoothlaw.com)
Cc: Grimm, Angie; Sommer, Rachel
Subject: Contested Pioneer Irrigation Dist. Transfer--Phone Status Conference

Gentlemen:

This e-mail will serve as notice and reminder of the telephone status conference that was scheduled at our previous conference on 7/9.

The phone conference will be held at **9:30 AM on Tuesday December 17, 2013.**

-Call: 888-706-6468 for dial-in-toll-free and 215-446-0193 for dial –in-caller-paid
-Enter participant code: 7982325 followed by the pound sign (#).

Thank you.

John Westra, Manager

Phone conference 7/9/2013

Bryce Farris, Andy Waldera, John Westra, Angela Grimm, Megan Gregory

Andy-update

- Working to discuss use of five mile feeder canal and 1916 contract
- Sent Dan a letter on settlement negotiations 7/8
- Agreed to a construct for the settlement, hammering out exchange amount of water, deciding on minimum and maximum amounts
- Still need to put it in writing
- Should help ease concerns for Nampa/Meridian

Bryce

- Not privy to all the discussions, talked to Dan this morning, nothing to add

Andy

- Superintendent of Pioneer doing some investigations, going to be spendy, may pull transfer due to economics

John

- Where do you want to go?

Andy

- Reluctant to set a hearing date, making progress

John

- Let this flow until end of year, status conference at end of December, must either set hearing or withdraw application

Bryce and Andy agree to the timeline

Bryce

- Set a December date?
- Week of December 16 is open Tuesday 17th at 9:30?

Andy

- That's fine

John will send email reminder for Tuesday December 17 @ 9:30am

Pre-hearing Conference
Pioneer Irrigation District
Application for Transfer No:
77932 / **78262**

Reminder calls for the Phone Conference scheduled on 7/9/2013, 9:30 a.m.

Bryce Farris: (208) 629-7447

CONFIRMED WITH BRYCE ON 7/2/13 @ 12:58 PM. RS.

Andy Waldera: (208) 345-2000

CONFIRMED WITH DEBBIE ON 7/2/13 @ 1:00 PM. RS.



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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

May 15, 2013

S BRYCE FARRIS
SAWTOOTH LAW OFFICES PLLC
1101 W RIVER ST STE 110
PO BOX 7985
BOISE ID 83707

ANDY WALDERA
MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD
PO BOX 829
BOISE ID 83701-0829

RE: Application for Transfer No. 78262 — Pioneer Irrigation District

Dear Interested Parties:

The Department has scheduled the matter for phone conference on Tuesday, July 9, 2013, beginning at 9:30 AM, regarding the application in the name of Pioneer Irrigation District.

You will need to call in to attend this phone conference. Directions are listed below.

- Call: 888-706-6468 for dial-in toll-free and 215-446-0193 for dial-in caller-paid.
- Enter participant code: 7982325 and follow with the pound sign (#).

Thank you for your cooperation. If you have any questions regarding this matter, please feel free to contact this office at (208)334-2190.

Sincerely,

Rachel Sommer
Administrative Assistant
Western Regional Office

Transfer 78267 – Pioneer Irrigation District
5/13/13 Phone Conference Notes
Angie Grimm, IDWR

Attendees: Bryce Farris (protestants' attorney), Andy Waldera (applicant attorney), Angie Grimm (IDWR), and Rachel Somner (IDWR).

Andy Waldera:

- Pioneer Irrigation Dist. last meeting with Nampa & Meridian Irrigation Dist. May 1st:
 - Next meeting scheduled for this Thurs or Fri (5/16 or 5/17/13).
 - Discussing 1916 contract issues with two districts and Bureau of Reclamation.
 - Installation of new pumping plant at proposed point of diversion (PD) costly.
 - Prefer to alter existing PD (possible gate automation, etc.) to fix flow flux issues.
 - Will know within the next few weeks if resolution can be reached.
 - Pioneer Irrigation Dist. may withdraw transfer if contract negotiations successful.

Angie Grimm:

- Should we set a hearing date to push against?

Andy Waldera:

- Doesn't think necessary to set a hearing date at this point with resolution in the works/possible within a few weeks, but defers to Bryce Farris.

Bryce Farris:

- Doesn't think necessary to set a hearing date at this time. Suggested another status conference in couple of months.

Angie Grimm:

- John Westra suggested early December for hearing date. Keep that in mind as a date/time frame to push against or likely for a hearing.
- Department likes to set hearing dates to keep things moving along in the process, but if a resolution is possible within a short time frame and parties do not think it's necessary to set a hearing date at this time perhaps a status conference is the best thing.
- Date and time both parties available end of June first part of July?

Andy Waldera:

- Suggested July 9th. Stated available anytime that day.

Bryce Farris:

- Agreed to July 9th, with time suggestion of 9:30 am.

Angie Grimm:

- Next status conference set for July 9th, 2013 @ 9:30 am. Department will send notices of status conference.

5/13/13
Phone Conf Notes