

Sent to  
5.0.  
9-9-09

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     | ) | Subcase No. 63-2275      |
|                | ) |                          |
| Case No. 39576 | ) |                          |
|                | ) | 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 Irrigation District

 1/30/09  
\_\_\_\_\_  
Scott L. Campbell                      Date  
Attorney for Claimant/Objector

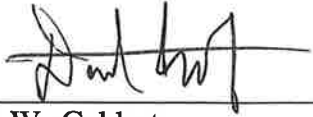
**OBJECTOR:**

Nampa & Meridian Irrigation District

 8/28/09  
\_\_\_\_\_  
Daniel V. Steenson                      Date  
Attorney for Objector

**RESPONDENT:**

Bureau of Reclamation

 8/20/09

David W. Gehlert

Date

Attorney for Respondent

**IDWR Concurrence:**

 9-9-09  
Jan Shurte Date  
Water Rights Supervisor

 2-11-09  
Nicholas B. Spencer Date  
Deputy Attorney General  
Attorney for IDWR

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

RIGHT NUMBER: 63-2275

NAME AND ADDRESS: PIONEER IRRIGATION DISTRICT  
PO BOX 426  
CALDWELL ID 83606 83605

SOURCE: WILSON DRAIN

TRIBUTARY: BOISE RIVER

QUANTITY: 60.000 CFS

PRIORITY DATE: 09/08/1915

POINT OF DIVERSION:

T03N R03W S12 SESW Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/01 11/15          | 60.000 CFS      |

PLACE OF USE:

34204.61 ACRES TOTAL

This right can be used to irrigate up to 34,204.61 acres within the boundary of the Pioneer Irrigation District.

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.

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

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

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.

SBF  
NBS  
dw  
RC

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

## CERTIFICATE OF MAILING

I certify that on \_\_\_\_\_, 2009, 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 IRRIGATION DISTRICT  
Represented by:  
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 & NATL' RESOURCES  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724

NAMPA & MERIDIAN IRR DIST  
Represented by:  
DANIEL V. STEENSON  
455 S. THIRD ST.  
P.O. BOX 2773  
BOISE, ID 83701-2773

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

---

Signature of person or attorney mailing the form

IDAHO DEPARTMENT OF WATER  
RECOMMENDATION OF WATER RIGHTS ACQUISITIONSent to  
J.O. on  
1-29-09

RIGHT NUMBER: 63-2275

NAME AND ADDRESS: PIONEER IRRIGATION DISTRICT  
PO BOX 426  
CALDWELL ID 83606 ~~83605~~

SOURCE: WILSON DRAIN

TRIBUTARY: BOISE RIVER

QUANTITY: 60.000 CFS

PRIORITY DATE: 09/08/1915

POINT OF DIVERSION:

T03N R03W S12 SESW Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/01 11/15          | 60.000 CFS      |

PLACE OF USE:

34204.61 ACRES TOTAL

This right can be used to irrigate up to 34,204.61 acres within the boundary of the Pioneer Irrigation District.

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

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

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

SF5

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2275 V1

WATER RIGHT NUMBER: 63-2275 V1

Owner Type

Current Owner

Name and Address

PIONEER IRRIGATION DISTRICT  
PO BOX 426  
CALDWELL, ID 83606  
(208)459-3617

Attorney

SCOTT L CAMPBELL  
MOFFATT THOMAS BARRETT ROCK  
& FIELDS CHTD  
PO BOX 829  
BOISE, ID 83701-0829  
(208) 345-2000

→ change to 83606

Priority Date: 09/08/1915

Basis: License

Status: Active

Source

WILSON DRAIN

Tributary

BOISE RIVER

Beneficial Use

IRRIGATION

From To

03/01 to 11/15

Diversion Rate

60.000 CFS

Annual Volume

Total Diversion: 60.000 CFS

Location of Point(s) of Diversion

WILSON DRAIN

SE1/4SW1/4

Sec. 12, Twp 03N, Rge 03W, B.M.

CANYON County

Place of Use

Conditions of Approval:

1. 188 This right can be used to irrigate up to 34,204.61 acres within the boundary of the Pioneer Irrigation District.
2. C18 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.
3. 135 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.

Remarks:

ADD under General Remark:  
This water right shall not alter or  
avrogate ...  
See attached.  
See next page  
NM10  
LANGUAGE

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 63-2275 V1

Comments:

1. awarntje 11/22/2006 POU

Comment: For irrigation of lands under canal system. Claimant is an irrigation district duly organized and existing under the laws of the State of Idaho. Claimant provides water delivery to privately owned lands within its service area.

*Comments:  
Obj. resolution - Changed zipcode and  
added xM10 language  
per agreement with  
PID.*

SubCase:

SubCase Number: 63-2275  
Class: 1  
SF5 Filed Date:  
Special Master Recom Signed Date:  
Attorney Assigned:  
Adjudication Agent: awarntje  
Basis of Claim: License  
Date Filed: 6/14/2007 Objection Status: Active  
Date Filed: 6/19/2007 Objection Status: Active

Water Supply Bank:

2008 OCT 31 AM 11:14  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED

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     | ) | ORDER SETTING STATUS                |
|                | ) | CONFERENCE                          |
| Case No. 39576 | ) |                                     |
| <hr/>          |   | SUBCASE NOS: SEE ATTACHED EXHIBIT A |

Please be advised that Special Master THEODORE R. BOOTH  
has set a Status Conference in the above subcase(s)  
as follows:

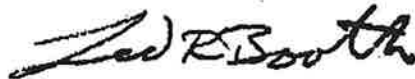
TUESDAY, FEBRUARY 03, 2009 at 11:30 AM (MT)

SRBA  
253 - 3RD AVENUE NORTH  
TWIN FALLS, ID

Parties may participate by telephone by dialing the number  
225-383-1099 and when prompted entering the code 675342.

IT IS SO ORDERED.

Dated: OCTOBER 31, 2008



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THEODORE R. BOOTH  
Special Master  
Snake River Basin Adjudication

Exhibit A

Subcase Nos:

63-02114  
63-02275  
63-02276  
63-02294  
63-02891  
63-05219  
63-05237  
63-05255  
63-21731  
63-21739  
63-32496  
63-32513  
63-32514  
63-32515

*Present  
5/5/08  
2/13/08*

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING STATUS CONFERENCE was mailed on OCTOBER 31, 2008, with sufficient first-class postage to the following:

NAMPA & MERIDIAN IRR DIST

Represented by:  
DANIEL V. STEENSON  
455 S THIRD ST  
PO BOX 2773  
BOISE, ID 83701-2773  
Phone: 208-342-4591

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

USDI BUREAU OF RECLAMATION

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

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