

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 90450**

This is to certify that: **PIONEER IRRIGATION DISTRICT**
PO BOX 426
CALDWELL, ID 83606-0426

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-5200	WR/DECREED	6/18/1958	7.560 cfs	3898.8 af	N/A	34204.6	GROUND WATER

Purpose of Transfer (Changes Proposed)

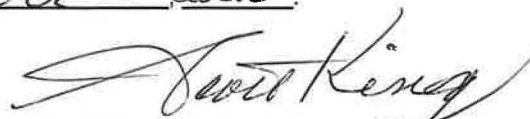
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-5200	NO	YES	NO	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-5200	63-5200	7.560 cfs	3898.8 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		7.560 cfs	3898.8 af	34204.6	34204.6		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 8th day of September, 2026.


Scott King, Western Regional Manager

WATER RIGHT NO. 63-5200

As Modified by Transfer No. 90450

In accordance with the approval of Transfer No. 90450, Water Right No. 63-5200 is now described as follows:

Right Holder: PIONEER IRRIGATION DISTRICT
PO BOX 426
CALDWELL, ID 83606-0426

Priority Date: 6/18/1958

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/01	to 11/15	7.560 cfs	3898.8 af
			7.560 cfs	3898.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNW	Sec 1 Twp 03N Rge 02W CANYON County
GROUND WATER	SENE	Sec 34 Twp 04N Rge 02W CANYON County

CONDITIONS OF APPROVAL

1. This right can be used to irrigate up to 34,204.61 acres within the boundary of the Pioneer Irrigation District.
2. Source is also known as Brandt well in Sec. 1, T3N, R2W and the Johnson well in Sec. 34, T4N, R2W.
3. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
4. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
5. This right does not grant any right-of-way or easement across the land of another.
6. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 90450

WATER RIGHT NO. 63-5200

As Modified by Transfer No. 90450

CONDITIONS OF APPROVAL

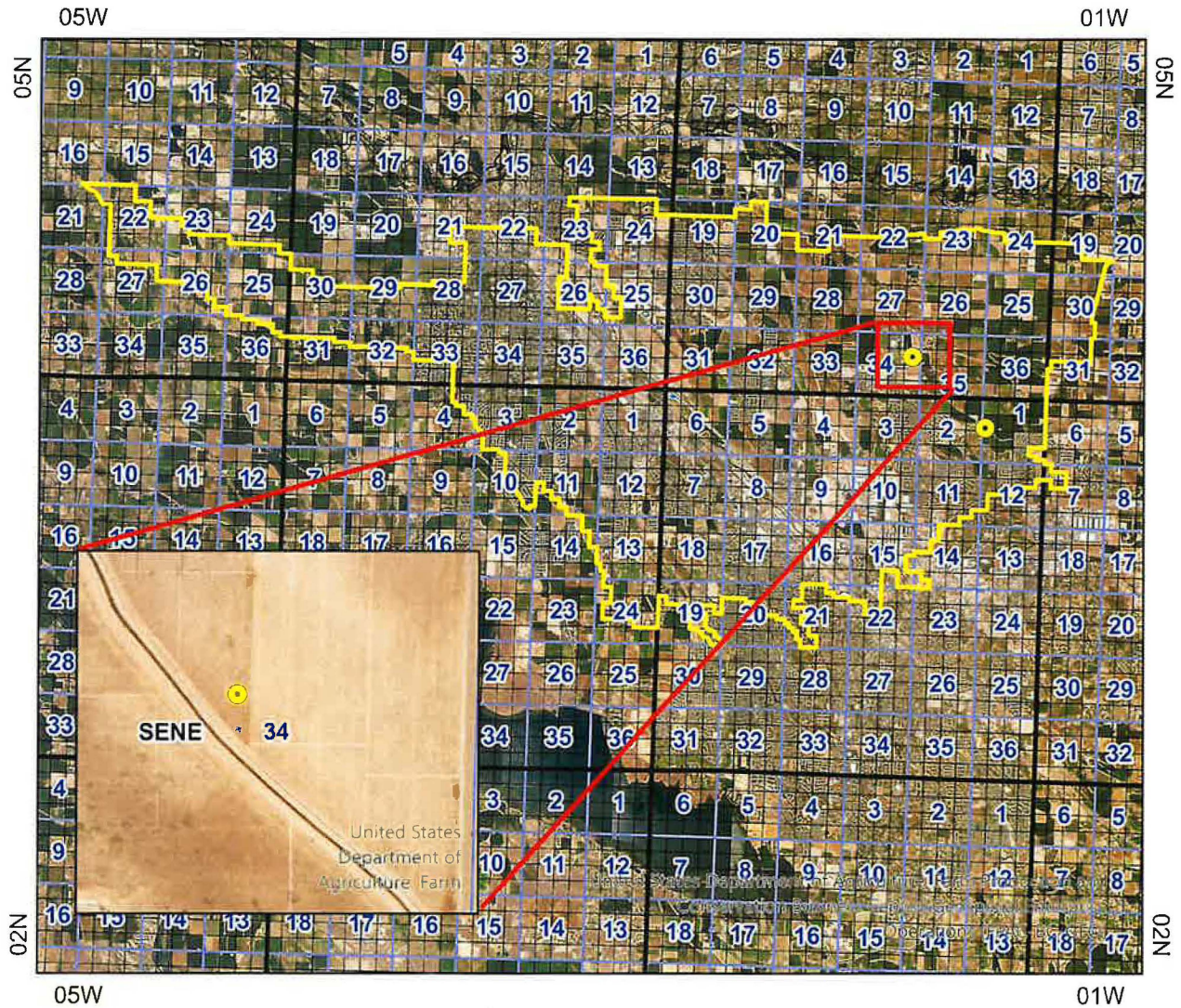
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.



State of Idaho
Department of Water Resources

Attachment to Transfer No. 90450

63-5200
(IRRIGATION)



- Point of Diversion
- Place Of Use Boundary
- Townships
- Sections



0 2 4 6 8 Miles



Imagery: 2023 Aerial Photography
Prepared By Crichton, Izzy

MEMORANDUM

TO: Transfer No. 90450
FROM: Izzy Crichton
DATE: June 6, 2026
RE: Evaluation of Application

The purpose of the transfer is to change the point of diversion for 63-5200 in Township 04N Range 02W Section 34 NESE to the SENE of the same Township, Range, and Section. Water will be used within the Pioneer Irrigation District's service area boundary.

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.

David Watkins of Pioneer Irrigation District is the representative for the Transfer. Mr. Watkins can be reached at davew@pioneerirrigation.com.

Summary of Information Submitted

Authority to File:

Pioneer Irrigation District is the current owner of the water right and the applicant. The application was signed by Brad Benke, the irrigation district's president. He is listed on the website and has authority to sign on behalf of the irrigation district.

Water Right Validity:

The decree for water rights no. 63-5200 was issued on 3/9/2010. The water authorizes the use of ground water for irrigation purposes within Pioneer Irrigation District's service area. It's unlikely that the irrigation district diverts less water than its customers have demand for. The rights are presumed valid.

Injury to Other Water Rights:

Other water rights should not be impacted by the proposed transfer. The transfer proposes a replacement well ~300 ft away from the current well location. If the replacement well was in the same land description, a transfer would not be needed because replacement wells typically don't result in injury. Since the replacement well is moving land descriptions, a transfer is needed. The replacement well is proposed with the same well diameter and depth. No injury anticipated.

Enlargement of Use:

Enlargement does not appear to be an issue. The proposed changes will not result in an increase of diversion rate or number of acres irrigated.

Local Public Interest:

There is no information in the record to suggest the proposed changes conflict with the local public interest.

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

Water Right Overlap

There is no POD overlap, the only right delivered from the new point of diversion will be 63-5200. There are many water rights' places of use that overlap Pioneer Irrigation District's service area. Research is done for new water rights to ensure that no injury or enlargement is taking place if there is overlap between an irrigation district and a privately held water right. Overlap is not a concern for the POU.

Discussion

If approved the following changes should be made to the conditions of water right no. 63-5200

- Update condition C18 to T19.
- Add standard transfer conditions T07 and T08
- Add condition 046 for the proposed groundwater well POD
- Remove condition F04 since the point of diversion will no longer be on the line between the two quarter-quarters
- Add condition 004 since the new point of diversion will be located on lands not owned by the applicant
- Replace condition 135 with 172 since service area boundaries are no longer kept up-to-date with CD-ROM discs.

Assuming no other information contradicts the above analysis, the application can be approved as reflected by the draft approval.



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

September 09, 2026

PIONEER IRRIGATION DISTRICT
PO BOX 426
CALDWELL ID 83606-0426

Re: Transfer No: 90450
Water Right No(s): 63-5200

Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change.

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 334-2190.

Sincerely,



Velma A. Lore

Technical Records Specialist I

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on September 10, 2026, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 90450
Water Right No(s): 63-5200

PIONEER IRRIGATION DISTRICT (CURRENT OWNER)
PO BOX 426
CALDWELL ID 83606-0426

ANDREW J WALDERA (REPRESENTATIVE)
SAWTOOTH LAW OFFICES PLLC
1101 W RIVER ST STE 110
BOISE ID 83702-7067



Velma A. Lore
Technical Records Specialist I

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

The accompanying document is a “**Preliminary Order**” issued by the Idaho Department of Water Resources (“Department”) pursuant to Idaho Code § 67-5243. **This preliminary order can and will become a final order without further action of the Department, unless a party petitions for reconsideration, petitions for review, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

(See Idaho Code § 67-5243(3))

Any party may file a petition for reconsideration of this preliminary order with the Department within fourteen (14) days of the service date of this order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The presiding officer will issue a written order disposing of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law.

PETITION FOR REVIEW (EXCEPTIONS)

(See Idaho Code § 67-5245)

Within fourteen (14) days after: (a) the service date of this preliminary order, (b) the service date of a denial of a petition for reconsideration of this preliminary order, or (c) the failure of the presiding officer to dispose of a petition for reconsideration of this preliminary order within twenty-one (21) days, any party may petition the Director in writing to review any part of this preliminary order by filing exceptions, and any supporting brief, with the Department.¹ Any parties opposing the exceptions shall have fourteen (14) days from the service date of the exceptions to file a brief. If the Director determines that oral argument is necessary, the Director will provide reasonable notice to the parties of the place, date, and hour for the argument.

The Director will issue a final order on exceptions within fifty-six (56) days of receipt of the final written brief or oral argument, whichever is later, unless extended for good cause. The Director may remand the matter for or hold an evidentiary hearing if further factual development of the record is necessary before issuing a final order.

REQUEST FOR HEARING

(See Idaho Code § 42-1701A(3))

Unless the right to a hearing before the Director or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order,

¹ The Director may decide to review this preliminary order upon his own motion. Should the Director decide to do so, the Director will provide written notice to the parties within the period the parties are allowed to petition the Director for review of the preliminary order.

or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the Director to contest the action. The person shall file with the Director, within fifteen (15) days after receipt of written notice of the action issued by the Director, or receipt of actual notice, a written petition stating the grounds for contesting the action by the Director and requesting a hearing. **Note: The request must be received by the Department within this fifteen (15) day period.**

CERTIFICATE OF SERVICE

(See IDAPA 37.01.01.053, 37.01.01.202)

All documents filed with the Department in connection with a petition for reconsideration, petition for review, or a request for hearing of this preliminary order shall be served on all other parties to the proceeding in accordance with Rules 53 and 202 of the Department's Rules of Procedure.