

News Release

Pioneer Irrigation District

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PIONEER IRRIGATION DISTRICT OFFICIALS DISAPPOINTED **CITY OF CALDWELL REJECTS LAWSUIT MEDIATION OFFER**

For Immediate Use
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The City of Caldwell has decided it is not willing to join Pioneer Irrigation District in mediation efforts designed to resolve a lawsuit between the City and Pioneer dealing with the illegal dumping of urban storm water runoff into Pioneer canals and drains, District officials said today.

“We are truly disappointed that the City of Caldwell has chosen to continue this legal battle rather than sitting down with Pioneer and a mediator to find a way to resolve our differences,” said Scott Campbell, an attorney representing Pioneer.

Pioneer made the offer of mediation to Caldwell in mid-October following Idaho Water Users Association’s statewide Summit on Rural & Urban Water Delivery Challenges held October 8 in Boise. The IWUA Summit was designed to gain a mutual understanding of the problems and challenges that arise when irrigation entities and local governments find themselves in conflict, jointly identify potential solutions and determine how best to work together to implement them, according to IWUA officials.

“Pioneer truly felt that the positive reaction of virtually all of the 160 participants at the summit had created a climate in which a mediated resolution of the lawsuit was possible. But a letter from Pioneer to Caldwell offering mediation got a negative response,” Campbell added.

An October 28 letter to Pioneer from Mark Hilty, an attorney representing Caldwell, stated that the City was “unwilling to engage PID in mediation,” choosing instead to further develop the case through litigation.

Copies of the two letters are available on the Pioneer internet website:
www.pioneerirrigation.com.

“It is beginning to appear that Caldwell is not interested in seeking solutions, only in continuing a costly lawsuit. They seem to prefer to continue the conflict, rather than working with Pioneer to find solutions through a mediation process,” Campbell said.

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Pioneer officials say they had no other real choice but to file the lawsuit in an effort to protect Pioneer's private property rights and to avoid putting its patrons at health risk and exposing the District to criminal and civil liability from both flooding and pollution dangers. Defending itself against the City was a large part of why Pioneer was forced to raise its 2008 assessments on its patrons to historically high levels.

Pioneer has been wrestling for more than a year with the serious problems of urban storm water runoff and municipal encroachment involving the City of Caldwell. Pioneer filed suit against the City of Caldwell which is forcing developers to build municipal storm water sewers that dump polluted urban runoff directly into the District's canals and drains without permission of the District. The City of Caldwell itself is also dumping runoff water into Pioneer's facilities when and where they are modifying the city's system. Idaho law expressly prohibits encroachment into private property of irrigation entities.

Pioneer Irrigation District has provided irrigation and agricultural drainage services to Ada and Canyon County land owners for more than a century. The District currently maintains about 7,000 accounts providing irrigation water to approximately 34,000 acres of residential and farmland in Canyon and Ada Counties.

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