



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 25, 2002

Rulon Wistisen
1180 Old Hwy 30
Bancroft, ID 83217

Ref: Snake River Basin Adjudication (SRBA) Claim
A29-4093

Subject: Domestic Use
Change in Place of Use for Stock water

Dear Rulon,

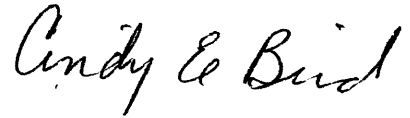
The domestic use under your SRBA claim A29-4093 will not be recommended because it was not filed on in the Bancroft-Lund Adjudication under this right. To claim the domestic use in SRBA the Department wants you to file a separate claim form 42-1409(2) b 6/89. Since the Bancroft-Lund was a recent decree the Department won't allow changes in the SRBA unless a transfer has been filed with the Department. I've enclosed a notice of claim form for you if you choose to file for domestic use. When was the home built? Was the home originally on a different well? If the house was always there and using the same point of diversion why wasn't it claimed in the Bancroft-Lund Adjudication?

The diversion rate for this claim will be recommended at 0.02 cfs for the 50 head of range cows to match the Bancroft-Lund Decree. The increase in the claimed stock water might be covered under the domestic use depending on the when the house was built and when the herd was increased. The diversion rate for 150 range cows should be 0.05 cfs and the diversion rate of domestic is 0.04 cfs. The SRBA claims are based on historical use so the priority date of use is important to establish this historical use. Domestic by definition does include irrigation of one-half acre, home use and stock watering based on the historical use.

Also, the decreed stock water place of use claimed in the Bancroft-Lund Adjudication was in the NESE of section 8, township 8 south, range 39 east. The claimed stock water place of use in the SRBA is the SENE of section 8, township 8 south, range 39 east. For the same reason of the later decree the recommended place of use must match the decreed place of use. If you want to change the place of use with the Department you will need to file a transfer after your adjudication decree has been issued.

If you have any further questions or comments please feel free to call me at 547-3993.

Sincerely;

A handwritten signature in cursive script that reads "Cindy E. Bird". The signature is written in black ink and is positioned above the printed name.

Cindy E. Bird
Adjudication Bureau

Enclosure: Notice of Claim Form 42-1409 (2) b 6/89