

02/25/2002

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

RIGHT NUMBER: 29-4093

NAME AND ADDRESS: RULON WISTISEN
1180 OLD HWY 30
BANCROFT ID 83217

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.02 CFS
1.0 AFY

PRIORITY DATE: 07/01/1937

POINT OF DIVERSION:

T08S R39E S8 SWSENE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.020 CFS

PLACE OF USE: STOCKWATER Within CARIBOU County

T08S R39E S08

NESE

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

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.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Decreed

STOCKWATER, 70 RANGE CATTLE

RECEIVED

FEB 27 2003

02/18/2003

Cindy

NOTICE OF ERROR
REPLY

Department of Water Resources
Eastern Region

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-4093

RULON WISTISEN
1180 OLD HWY 30
BANCROFT ID 83217
Telephone Number: (208) 648-7835

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: Feb. 21, 03

SIGNATURE:

Rulon Wistisen

Please print your name:

Rulon Wistisen

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PROFILED

SCANNED

MAR 10 2003



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.

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MAR 10 2006

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".

Cindy E. Bird
Adjudication Bureau

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

SCANNED

MAR 10 2006

Bird, Cindy

From: Carlsen, Ernie
Sent: Sunday, February 24, 2002 12:39 PM
To: Bird, Cindy
Cc: McHugh, Candice
Subject: RE: another bancroft-lund

Cindy,

If they wish to have a domestic right from this well I suggest they file a separate claim. The recommendation in the Bancroft Lund is for only 0.02 cfs for 50 head of livestock. Though the new claim seems to be substantially enlarged, a higher Q, additional uses and more livestock the elements of this right are limited by the BL decree. The increase in stock is likely later than 1937 or it would have been on the original 243 claim. Not sure why domestic was not included on the 243 claim if it was an existing use. Maybe the home was built but on a different well. The claimant may have an answer to this question.
Ernie

-----Original Message-----

From: Bird, Cindy
Sent: Thursday, February 21, 2002 1:12 PM
To: McHugh, Candice
Cc: Carlsen, Ernie
Subject: another bancroft-lund

Claim A29-4093 was decreed in the bancroft-lund as stock water. Their SRBA claim claims domestic and stockwater. Is there any problem with that?

cindy

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MAR 10 2006

Snake River Basin Adjudication
Change in Address of Notice of Claim

A 29-4093

Claim Number(s):

A29-07041, A29-07305

Previous Mailing Address:

Wistrsen Livestock Corp.
40 Rulon Wistrsen
Rt. 1 Box 1010
Bancroft, ID 83217

New Mailing Address:

1180 Old Hwy 30
Bancroft, ID 83217

Telephone Number:

(208) 648-7835

Signature of Claimant(s):

Rulon Wistrsen

Please return this completed form to:

Adjudication Bureau
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237
Ph. 1/800/451-4129 or
FAX 208/327-5400

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653 or
FAX 208/525-7177

SS
ADDRESS FM
Revised 12/13/1999

IDWR Use Only:
Data Entry: _____

Date: _____

SCANNED

MAR 10 2000

PROFILED



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

December 27, 2001

A29-4093
Rulon Wistisen
1180 Old Hwy 30
Bancroft, ID 83217

REF: Snake River Basin Adjudication (SRBA)

SUBJECT: CRP Contract

Dear Claimant(s);

The Idaho Department of Water Resources has recently begun its water right review in Basin 29. The Notice(s) of Claim identified with the number shown above in the "address" label has been filed in the Snake River Basin Adjudication (SRBA).

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. A field examination to verify items in the Notice will be conducted by Department personnel as soon as the weather permits. I was able to visit some of you this year before the snow arrived. While waiting for the weather to cooperate again I would like to collect some of the necessary documentation needed to recommend your claim to the SRBA court. The statute (42-104) requires the water be put to beneficial use to have a valid water right. One exception to the statute is if the land has been put into CRP. But evidence must be submitted to the Department of Water Resources to retain the water right otherwise the water right will not be recommended to the SRBA court.

If you have previously irrigated land that has been put into CRP, I would appreciate it if you could send me a copy of the contract when the land was put into CRP for my records, **by March 1, 2002. If you do not have any land in CRP please disregard this notice.** With no response from you, we will assume that you do not have any land in CRP. You may contact either the Farm Service Agency (FSA) or Natural Resource Conservation Service (NRCS) in Soda Springs at 547-4396 for a copy of the contract.

PROFILED
-1-

SCANNED
MAR 10 2002

Please feel free to contact me in Soda at (208) 547-3993 if you have any additional questions. Have a safe and happy holiday.

Sincerely;

Cindy E Bird

Cindy E. Bird
Adjudication Bureau

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-4093

WATER RIGHT NUMBER: 29-4093

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RAOUL WISTISEN PO BOX 157 BANCROFT, ID 83217

Priority Date: 07/01/1937

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.020 CFS	1.40 AF
	<u>Total Diversion:</u>	0.020 CFS	1.40 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 8,	Twp 08S,	Rge 39E, B.M.
CARIBOU County				

Place of UseSTOCKWATER Within CARIBOU County

T08S R39E S08 NESE

Total Acres: 0

Conditions of Approval:Remarks:

1. General STOCK, 70 RANGE

Comments:Dates and Other Information:

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

DATE: NOV-12-1991
PAGE: A-30

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: GROUNDWATER						
29-00561	CITY OF BANCROFT P.O. BOX 39 BANCROFT ID 83217	03/01/1935	MUNICIPAL	01-01 12-31	.36	CFS BENEFICIAL USE
	POINT OF DIVERSION: T08S R39E S22	SENE		TOTAL QUANTITY:	.36	CFS
	PLACE OF USE: MUNICIPAL					
	REMARKS: PLACE OF USE WITHIN THE CITY LIMITS OF BANCROFT.					
29-00527	LEWIS S. MCCLAIN 1718 LUND RD. BANCROFT ID 83217	04/01/1937	STOCKWATER	01-01 12-31	.02	CFS BENEFICIAL USE
			DOMESTIC	01-01 12-31	1.4	AFY
				TOTAL QUANTITY:	.04	CFS
					1.2	AFY
					.04	CFS
					2.6	AFY
	NON-IRRIGATION-USES: STOCK, 100 RANGE; DOMESTIC, 1 HOME					
	POINT OF DIVERSION: T09S R39E S03	NWSW				
	PLACE OF USE: STOCKWATER					
	T09S R39E S03	NWSW				
	PLACE OF USE: DOMESTIC					
	SAME AS OTHER USE					
29-04093	RACUL WISTISEN P.O. BOX 157 BANCROFT ID 83217	07/01/1937	STOCKWATER	01-01 12-31	.02	CFS BENEFICIAL USE
				TOTAL QUANTITY:	1.4	AFY
					.02	CFS
					1.4	AFY
	NON-IRRIGATION-USES: STOCK, 70 RANGE					
	POINT OF DIVERSION: T08S R39E S08	SENE				
	PLACE OF USE: STOCKWATER					
	T08S R39E S08	NESE				

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTSDATE: 23-MAY-90
PAGE: A-29

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE FROM TO	MAXIMUM DIVERSION	BASIS OF CLAIM
SOURCE: GROUNDWATER						
29-04093	RAOUL WISTISEN P.O. BOX 157 BANCROFT ID 83217	07/01/1937	STOCKWATER	01-01 12-31	.020 CFS 1.400 AFA	STATUTORY CLAIM
	NON-IRRIGATION-USES: STOCK, 70 RANGE POINT OF DIVERSION: T08S R39E S08 PLACE OF USE: STOCKWATER T08S R39E S08	SENE			TOTAL DIVERSION: .020 CFS 1.400 AFA	
29-00584	CENTRAL CEMETARY DIST. BANCROFT ID 83217	04/10/1938	IRRIGATION	04-01 11-01	.050 CFS 9.000 AFA	BENEFICIAL USE
	POINT OF DIVERSION: T09S R40E S17 PLACE OF USE: IRRIGATION T09S R40E S17 3.0 ACRES TOTAL	NESE			TOTAL DIVERSION: .050 CFS 9.000 AFA CONSUMPTIVE USE: 7.500 AFA	
13-00497	GLENN W. SORENSEN GWENDA SORENSEN 1508 TURNER RD. GRACE ID 83241	06/01/1940	DOMESTIC	01-01 12-31	.040 CFS 1.200 AFA	BENEFICIAL USE
	NON-IRRIGATION-USES: DOMESTIC, 1 HOME POINT OF DIVERSION: T10S R39E S12 LOT 2 (SENE) PLACE OF USE: DOMESTIC T10S R39E S12 Lot 2 (SENE)				TOTAL DIVERSION: .040 CFS 1.200 AFA	

SD-1603-3

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 05/17/01

Time: 10:06:21

Rec/No - M005574 AR/No -
From: - WISTISEN, RULON OR SHARON

Receipt Type - CK Doc/No - 1436
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 01/23/1990

Type Of Payment	Fund	FD	PCA	Obj	Subsid	Fee
ADJ. FEE (WISTISEN LIVESTOCK CORP)	9337		410162	6490		950.00

Total Due - 950.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A2904093	25.00	A2907041	850.00	A2907305	50.00
A2910217	25.00				

(Enter=Continue)

(GOLD7=Selection Screen)

(GOLD8=Cancel)

MAY 7 2001

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-04093

Date Received: 1-23-96

Receipt No: 005574

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RULON F. WISTISEN

Address: RT. 1 BOX 1010 charge
BANCROFT, ID 83217

208-648-7835

A2904093

2. Date of Priority: JUL 01, 1937

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	39E	8	SW	SE	NE		CARIBOU

5. Description of diverting works:
WELL, PUMP & PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.045		
DOMESTIC	01/01	12/31	0.450		

7. Total Quantity Appropriated is:
0.045 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

D/ ONE HOUSEHOLD; S/ 150 HEAD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
08S	39E	8	SE	NE		STOCK	
			SE	NE		DOMEST	

A29-04093

Page 1

Date: 01/23/90

MICROFILMED
NOV 13 1992

11. Place of use in counties: CARIBOU

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: ~~BENEFICIAL USE~~ Decree

16. Signature(s)

(a.) By signing below I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):

Carlson Wistman

Date:

1/23/90

Date:

State of Idaho

County of

Caribou

SS.

Subscribed and sworn (or affirmed) before me this

23rd

day

of

January

19

90

Anna Baumhoff
Notary Public

Seal

Residing at

Anna Baumhoff, Notary Public

Residing at Boise, Idaho

My Commission Expires December 7, 1994

8 S

A29-04093



RIGHT NUMBER: 29-04093

NAME AND ADDRESS: RULON F WISTISEN
RT 1 BOX 1010
BANCROFT ID 83217

SOURCE: GROUNDWATER

QUANTITY: 0.05 CFS
~~0.1043 CFS~~

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 07/01/1937

POINT OF DIVERSION: T08S R39E S08 SWSENE Within CARIBOU County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01-01 12-31	<u>0.05 CFS</u> ~~0.1043 CFS~~
<u>DOMESTIC 1 HOME</u>	01-01 12-31	<u>0.04 CFS</u> ~~0.143 CFS~~
~~DOMESTIC 1 HOME~~		

PLACE OF USE: STOCKWATER Within CARIBOU County
T08S R39E S08 SENE

DOMESTIC Within CARIBOU County
T08S R39E S08 SENE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 000000027240
STOCKWATER, 150 CATTLE

M

035000NP
(00-50)

WATER DEPARTMENT OF WATER RESOURCES
ADJUSTATION CLAIMS FROM HEARING REPORT

09/24/91 01:09:08
PAGE 1

WATER RIGHT NUMBER = 42Y-VAG93

PREFIX TRANSLATION: ADJUSTATION CLAIM

OLD (00) NUMBER =

LAST NAME =

FIRST NAME =

ADDRESS =

OWNED - CURRENT OWNER NAME
WISTISON

RULON R.

1 - RT. 1 BOX 1010

2 -

3 -

CITY - PANCHOFT

STATE - ID ZIP - 83217

PHONE - 208-648-7633

OWNED - ORIGINAL OWNER NAME
WISTISON

RULON

1 -

2 -

3 -

CITY - PANCHOFT

STATE - ID ZIP - 83217

PHONE - 208-200-0000

PRIORITY DATE =
01/01/1987

REGION =
15 EASTERN

STAGE =
1 - PERMANENT USE

STATUS =

SOURCE =
UNCONFINED

TRIBUTARY =

POINT OF DIVERSION =
SIPMAN INDEX (BLANK IF NO INDEX CODE)

OWNED - CURRENT OWNER NAME
WISTISON

WATER USE PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

01/01/1987

01/01/1987

12/31/1987

0.045

0.450

TOTAL DIV. RATE = 0.045 TOTAL DIV. VOLUME = TOTAL DIV. CAPACITY = TOTAL CONSUMPTIVE USE = KW USAGE =

OWNED - CURRENT OWNER NAME
WISTISON

01/01/1987

01/01/1987

12/31/1987

0.045

0.450

DIVERSION MEANS = WELL, PUMP & PIPELINE

NON-EXTRACTION USE = 0/ ONE HOUSEHOLD; 5/ 100 HEAD CATTLE

OTHER RIGHTS FOR SAME USE = NONE

NO REMARKS FOUND.

NO OLD WATER RIGHT NUMBERS FOUND.

U.S. DEPARTMENT OF WATER RESOURCES
RECREATION CLAIMS SCOUT READING REPORT

PAGE 2

RUSSIAN TRANSLATION: ADDUCTION CLASP

- - - CONDITIONS OF APPROVAL - -
NO CONDITIONS OF APPROVAL FOUND.

DEFENDANT

+ - DECLASS DATE - +
00/00/0000

- - CONFIDENTIAL - -
142 CONFIDENTIAL 07JUN69

ADJUNCTIVE RIGHTS DATES AND FLAGS ARE:

ADULT REPORT FILING	= 00/00/0000	FIELD INSPECTION DATE	= 00/00/0000	CIVIL CASE NUMBER	= 35576
ADULTATION WFLD DATE	= 00/00/0000	FIELD INSPECTION FLAG	=	OLD CASE NUMBER	=
RESPONSE FILED DATE	= 00/00/0000	VERIFICATION DATE	= 03/02/1995	OLD JUDICIAL DISTRICT	=
CLAIM RECEIVED DATE	= 00/00/0000	LAST ABANDON DATE	= 00/00/0000	TEMPORARY RIGHT	= P
PROCPD DATE	= 00/00/0000	PROCPD MAIL DATE	= 00/00/0000	WATER DISTRICT	=
LICENSE DATE	= 00/00/0000	RECEIPT NUMBER	= 4005574	FEDERAL/STATE INDICATOR	= S
CLAIMING TYPE ERROR FLG	=	POD GANERSHIP FLAG	= Y	PRESUMPTION FLAG	=
POD EXEMPT FLAG	=	NAME CONNECTION	=	NOTICE OF ERROR FLAG	=

00000027240

CHECKED

9-10-92 NND
126/92 NND

☐ TOWNSHIP
☐ ABCS with
☐ Voluntary
☐ NAPP Police
☐ Field Exam
☐ Other (See Remarks)
☐ County Records
☐ Witness Statement
☐ Project Records
☐ IDWR Records

OCT 16 1991

MICROFILMED
APR 12 1994

OCT 14 1991

WATER EXAMINER