

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

RIGHT NUMBER: 29-7305

NAME AND ADDRESS: WISTISEN LIVESTOCK CORP
C/O RULON WISTISEN
PO BOX 128
BANCROFT ID 83217

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 4.68 CFS
972.0 AFY

PRIORITY DATE: 02/02/1976

POINT OF DIVERSION:

T08S R39E S4 SWSE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/15 10/15	4.680 CFS 972.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within CARIBOU County

T08S R39E S04	SWNE	16.0	T08S R39E S04	SENW	27.0
T08S R39E S04	NESW	40.0	T08S R39E S04	SWSW	40.0
T08S R39E S04	SESW	40.0	T08S R39E S04	NESE	37.0
T08S R39E S04	NWSE	40.0	T08S R39E S04	SWSE	40.0
T08S R39E S04	SESE	40.0	T08S R39E S09	NENE	40.0
T08S R39E S09	NWNE	40.0	T08S R39E S09	SWNE	40.0
T08S R39E S09	SENE	40.0	T08S R39E S09	NENW	40.0
T08S R39E S09	NWNW	40.0	T08S R39E S09	SWNW	40.0
T08S R39E S09	SENW	40.0	T08S R39E S09	NESE	40.0
T08S R39E S09	NWSE	40.0	T08S R39E S09	SWSE	40.0
T08S R39E S09	SESE	40.0			

800 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 324 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THE MAXIMUM COMBINED RATE OF DIVERSION UNDER THIS RIGHT AND RIGHT 29-07041 SHALL NOT EXCEED 4.68 CFS.

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.

02/22/2002

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

EXPLANATORY MATERIAL: Decreed

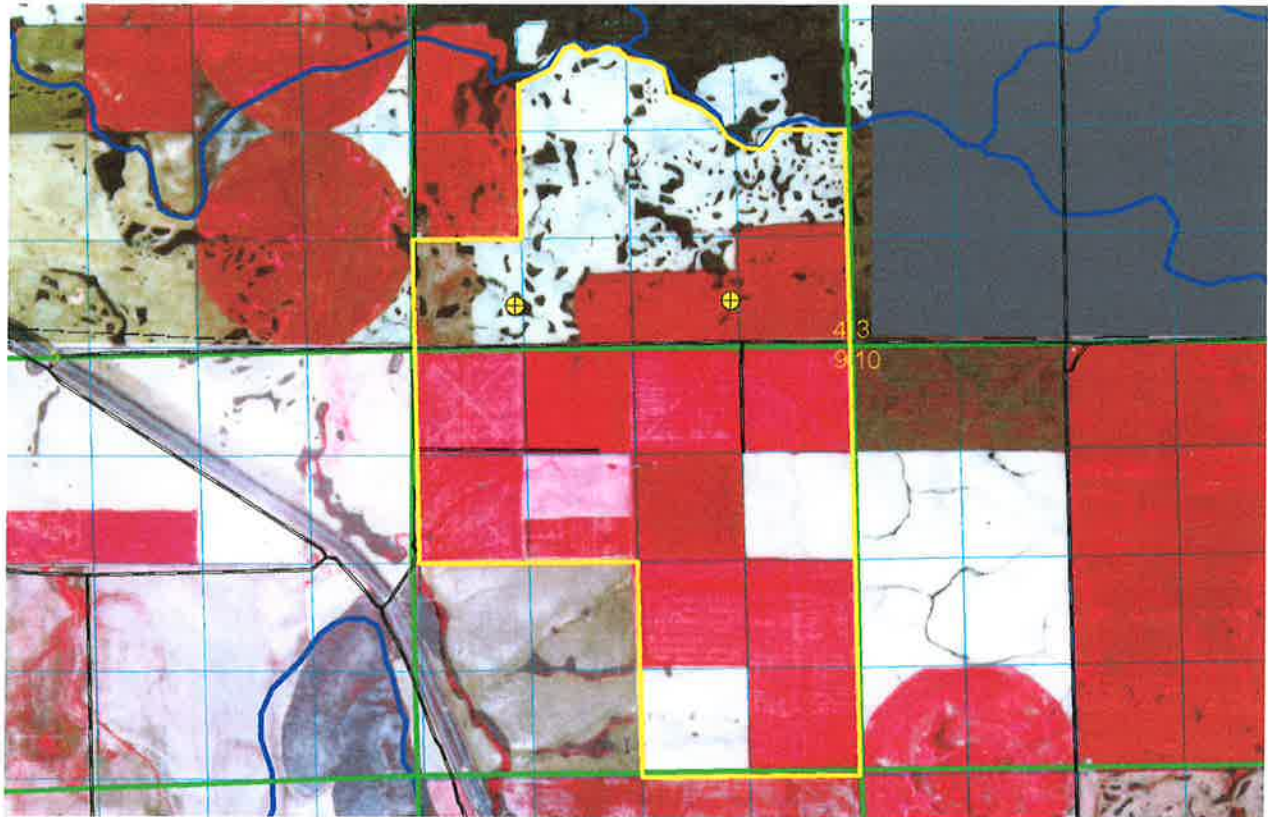
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s) 29-7041 & 29-7305



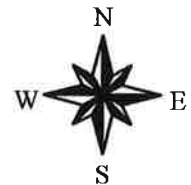
3000 0 3000 6000 Feet

LEGEND

-  Point of Diversion
-  Place of Use
-  Sections
-  Quater-Quaters

Place of Use: T8S, R39E
Secs. 4 and 9

Point of Diversion: T8S, R39E
Sec. 4 NESWSW AND NESWE



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: C. Bird
Date: February 2002

PROFILED

SCANNED

APR 26 2006

02/18/2003

NOTICE OF ERROR
REPLY

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: 29-7305

WISTISEN LIVESTOCK CORP
C/O RULON WISTISEN
PO BOX 128
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:

4/21/03

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

APR 22 2003

2/22/02 Rulon Wistisen was in my
office Wednesday, February 20th,
and we discussed the permissible place
of use for A29-7041 & A29-7305.
In the late 1975 early 1976 they
used water from this source on
both the land in section 4 & 9.

SCANNED
APR 20 2006

PROFILED

WR5809NP
No. 29-07305

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/27/01
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RAOUL WISTISEN PO BOX 157 BANCROFT ID 83217	02/02/1976	IRRIGATION	04/15 10/15	4.680 CFS	972.00 AFA
TOTAL DIVERSION:					4.680 CFS	972.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T08S R39E S04 SWSE

CARIBOU County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE														
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	SUM
08S	39E	4	:					17		08		:			25		40		38		39		:	39		40		39		324.0
TOTAL ACRES																									324.0					

Pou County: CARIBOU

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-07041

Remarks: GEN THE MAXIMUM COMBINED RATE OF DIVERSION UNDER THIS RIGHT AND RIGHT
29-07041 SHALL NOT EXCEED 4.68 CFS.

Dates:	App. Received:	Priority Date:	02/02/1976
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: Field Exam Fee:

Audit: 05/06/85 05/22/88 CONVERT 03/12/96 PRODMGR

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-7305

WATER RIGHT NUMBER: 29-7305

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

Priority Date: 02/02/1976

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>
IRRIGATION	4/15 to 10/15	4.680 CFS	972.00 AF
	<u>Total Diversion:</u>	4.680 CFS	972.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4	Sec. 4,	Twp 08S,	Rge 39E, B.M.
CARIBOU County				

Place of UseIRRIGATION Within CARIBOU County

T08S R39E S04	SWNE	17.0	T08S R39E S04	SENE	8.0
T08S R39E S04	SENE	25.0	T08S R39E S04	NESW	40.0
T08S R39E S04	SWSW	38.0	T08S R39E S04	SESW	39.0
T08S R39E S04	NESE	39.0	T08S R39E S04	NWSE	40.0
T08S R39E S04	SWSE	39.0	T08S R39E S04	SESE	39.0

Total Acres: 324

Conditions of Approval:Remarks:

- General THE MAXIMUM COMBINED RATE OF DIVERSION UNDER THIS RIGHT AND RIGHT 29-07041 SHALL NOT EXCEED 4.68 CFS.^^

Comments:Dates and Other Information:

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: GROUNDWATER						
29-07305	RAOUL WISTISEN P.O. BOX 157 BANCROFT ID 83217	02/02/1976	IRRIGATION	04-15 10-15	4.68 972.0	CFS AFY LICENSE
					TOTAL QUANTITY:	4.68 CFS
					972.0 AFY	
					CONSUMPTIVE USE:	810.0 AFY
POINT OF DIVERSION: T08S R39E S04 PLACE OF USE: IRRIGATION						
SWSE						
T08S R39E S04						
SWNE 17.0 SENE 8.0 SENW 25.0 NESW 40.0						
SWSW 38.0 SESW 39.0 NESE 39.0 NWSE 40.0						
SWSE 39.0 SESE 39.0						
324.0 ACRES TOTAL						
REMARKS: THE MAXIMUM COMBINED RATE OF DIVERSION UNDER THIS RIGHT AND RIGHT 29-07041 SHALL NOT EXCEED 4.68 CFS.						
29-07308	MILTON L. GILBERT P.O. BOX 28 BANCROFT ID 83217	02/20/1976	IRRIGATION	04-15 10-15	2.64 396.0	CFS AFY LICENSE
					TOTAL QUANTITY:	2.64 CFS
					396.0 AFY	
					CONSUMPTIVE USE:	330.0 AFY
POINT OF DIVERSION: T08S R39E S10 PLACE OF USE: IRRIGATION						
SESW						
T08S R39E S10						
S15						
SWSW 33.0 SESW 33.0						
NENW 33.0 NWNW 33.0						
132.0 ACRES TOTAL						

MAY 7 2001

MEMO

TO: FILES: A29-07394A, A29-07041, A29-07305

FROM: CHERI VANDERMEULEN 

DATE: April 18, 2000

RE: CHANGE OF ADDRESS

I have changed the address of the above-mentioned claims due to a phone conversation with Mr. Wistisen on April 18, 2000.

RT 1 box 1010 is the old address. The new mailing address is:

PO Box 128
Bancroft ID 83217

PROFILED

SCANNED

APR 26 2000

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: A29-07305

Date Received: 1-23-70

Receipt No: 1005574

Received By: B

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WISTISEN LIVESTOCK CORPORATION 208-648-7835
Address: C/O RULON WISTISEN
RT. 1 BOX 1010
BANCROFT, ID 83217

2. Date of Priority: FEB 02, 1976

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	4	NE	SW	SE		CARIBOU

5. Description of diverting works:
WELL WL@ 100', 14" CASING, 200 HP PUMP MAINLINE, HANDLINE & ROLL

6. Water is used for the following purposes:

Purpose	From 4/15	To 10/15	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/01	4.680		

7. Total Quantity Appropriated is:
4.680 C.F.S. (and/or) 972.00 A.F.A.

8. Total consumptive use is 2002.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
08S	39E	4	SW	NE		IRR	17.0
			SE	NE		IRR	8.0
			SE	NW		IRR	25.0

A29-07305

Page 1

Date: 01/23/90



MICROFILMED
NOV 13 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08S	39E	4	NE		SW		IRR	40.0
			SW		SW		IRR	38.0
			SE		SW		IRR	39.0
			NE		SE		IRR	39.0
			NW		SE		IRR	40.0
			SW		SE		IRR	39.0
			SE		SE		IRR	39.0

Section Acres 324.0

9	NE	NE	IRR	39.5
	NW	NE	IRR	39.5
	SW	NE	IRR	40.0
	SE	NE	IRR	40.0
	NE	NW	IRR	39.5
	NW	NW	IRR	38.0
	SW	NW	IRR	39.5
	SE	NW	IRR	40.0
	NE	SE	IRR	40.0
	NW	SE	IRR	40.0
	SW	SE	IRR	40.0
	SE	SE	IRR	40.0

Section Acres 476.0

Total Acres 800.0

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:
A29-07041

14. Remarks:

THIS RT. WHEN COMBINED WITH LICENSE 29-7041 SHALL PROVIDE NO MORE THAN A TOTAL CAPACITY OF 4.68 CFS.

THE RIGHT WILL APPLY WATER TO NO MORE THEN 324 ACRES WITH IN THE PLACE OF USE LISTED IN ITEM #10.

15. Basis of Claim: LICENSE

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 V wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Rulon Wistisen of
Title
Wistisen Livestock Corp., that I have signed the foregoing
Organization
document in the space below as Hordeman of
Title
Wistisen Livestock Corp. and that the statements contained in the
Organization
foregoing document are true and correct.
Rulon Wistisen
Signature of Authorized Agent
Hordeman Wistisen Livestock Corp.
Title and Organization
Jan. 23, 1990
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

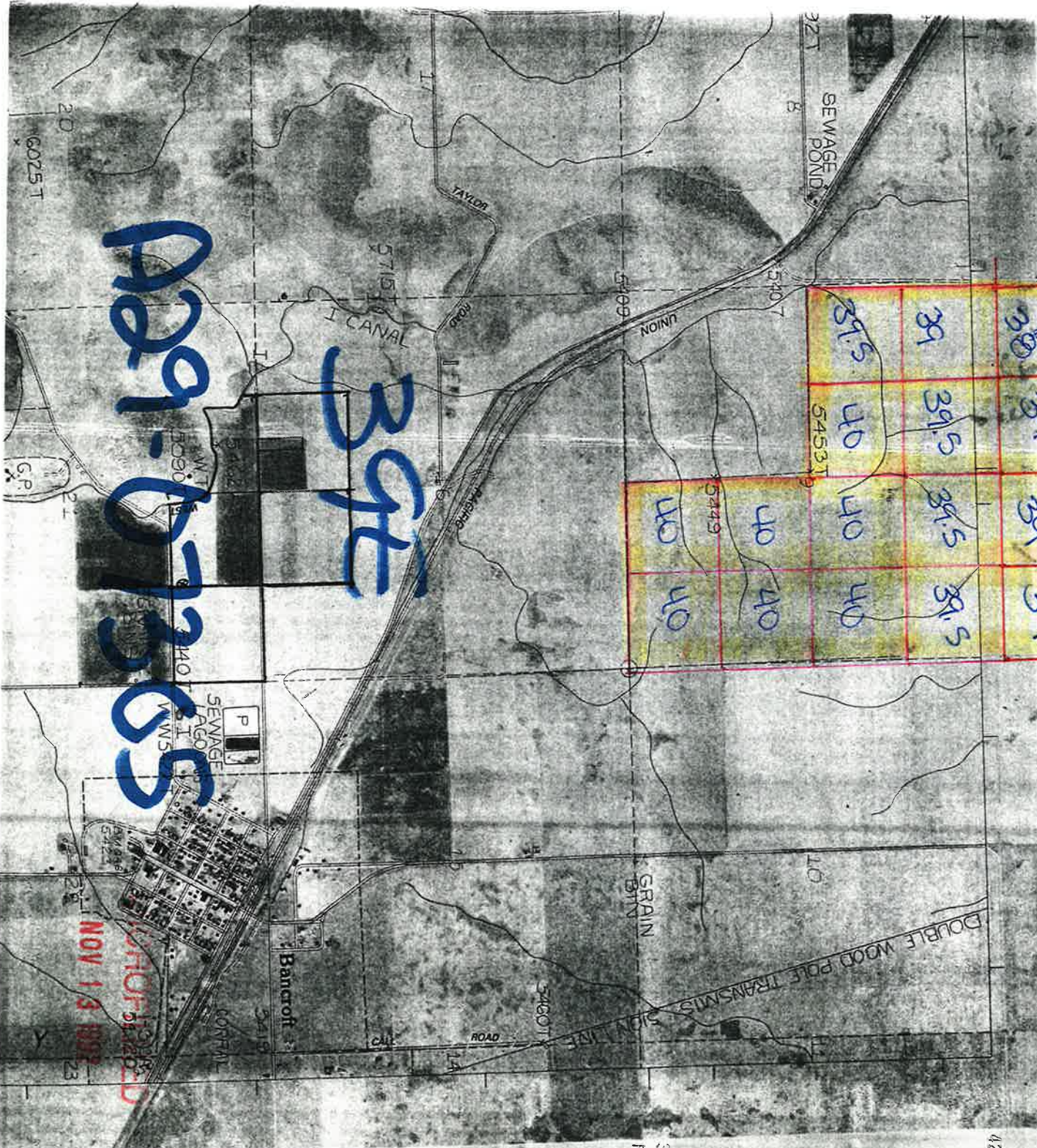
Residing at Anna Baumhoff, Notary Public
Residing at Boise, Idaho
My Commission Expires My Commission Expires December 7, 1994

82

38	34	31	31
39	39.5	39.5	38.5
39.5	40	40	40
40	40	40	40

39E

A29-07365



NOV 13 1997