

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: A45-02329A

Date Received: 5/ 8/1989

Receipt No: S007055

Received By: *JP: address change*

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: MARK T NEWCOMB
Address: 251 E 200 S
RUPERT ID 83350 208-436-5679

2. Date of Priority: SEP 30, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	25E	6	NW	SW	SE		CASSIA

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.600		

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

8. Total consumptive use is 324.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
10S	25E	6	NE	SW		IRR	26.0
			NW	SW	3	IRR	1.0
			SW	SW	4	IRR	1.0
			SE	SW		IRR	19.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10S	25E	6	NE		SE		IRR	1.0
			NW		SE		IRR	30.0
			SW		SE		IRR	29.0
			SE		SE		IRR	1.0

Section Acres 108.0

Total Acres 108.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
NONE

14. Remarks:
06/28/99, CHANGED ADDRESS AS PER REQUEST RECEIVED 06/24/99. C.T.

15. Basis of Claim: LICENSE

DATE: 06/28/99
PAGE: 1

Misc: Water District Number: Field Inspection Flag:
Presumption Flag: C



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

RECEIVED

CHANGE IN ADDRESS

JUN 24 1999

Department of Water Resources
Southern Region

☐ Water Right Number(s): A45-12440, A45-02636, A45-07268B,
A45-02329A, A45-02370, A45-02508,
A45-02754, A45-07252

☐ Old Mailing Address: Rt. 1 Box 421
Rupert, Id. 83350

☐ New Mailing Address: 251 E. 200 S.
Rupert, Id. 83350

☐ New Telephone Number: ()

☐ Signature of Claimant(s): Mark D. Newcomb

Date: 06-22-99

FOR IDWR USE ONLY	
Initial Review and Data Entry	
Date: <u>6/29/99</u>	By: <u>CF</u>
Further Action Needed:	
Further Action Taken	
Date:	By:
Final Review and Data Entry	
Date:	By:

JD



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 25, 1999

MARK T NEWCOMB
251 E 200 S
RUPERT ID 83350

RE: Snake River Basin Adjudication (SRBA) Change of Address
Water Right No. A45-12440, A45-02636, A45-07268B, A45-02329A, A45-02370,
A45-02508, A45-02754, A45-07252

Dear Claimant:

Thank you for notifying us of your change in address on the water right claim(s) referenced above. Our records have been updated accordingly.

If you have any questions, please feel free to contact this office.

Sincerely,

Cheryl E. Timm
SRBA Records Clerk



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

June 8, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARK T NEWCOMB
250 E 200 S
RUPERT ID 83350

RE: Snake River Basin Adjudication (SRBA) Change of Address
Water Right No. A45-12440, A45-02636, A45-07268B, A45-02329A, A45-02370,
A45-02508, A45-02754, A45-07252

Dear Mr. Newcomb:

IDWR has been notified the address presently on our records is incorrect. Although we have reached you at the address above we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your claim(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office at your earliest convenience. Make corrections to your name and address at the top of this letter if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership in any of the properties connected with the water right(s) referenced above, please call this office to obtain a form to make this required change to the water right records.

Sincerely,

Cheryl E. Timm
SRBA Records Clerk

The address is correct as shown above or as otherwise changed.

Signature of water right claimant

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: A45-02329A
Date Received: 5/08/1989
Receipt No: 5007055
Received By: ADN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARK T. NEWCOMB 208-436-5679
Address: RT. 1 BOX 421
RUPERT, ID 83350

2. Date of Priority: SEP 30, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	25E	6	NW	SW	SE		CASSIA

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.600		

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

8. Total consumptive use is 324.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	25E	6	NE	SW		IRR	26.0
			NW	SW	3	IRR	1.0
			SW	SW	4	IRR	1.0

A45-02329A

Page 1

Date: 05/08/89

MICROFILMED

MAR 08 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	25E	6	SE	SW		IRR	19.0
			NE	SE		IRR	1.0
			NW	SE		IRR	30.0
			SW	SE		IRR	29.0
			SE	SE		IRR	1.0

Section Acres 108.0

Total Acres 108.0

11. Place of use in counties: CASSIA

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

Number of attachments: 1 Map

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): [Signature] Date: May 8, 1989
Date: _____

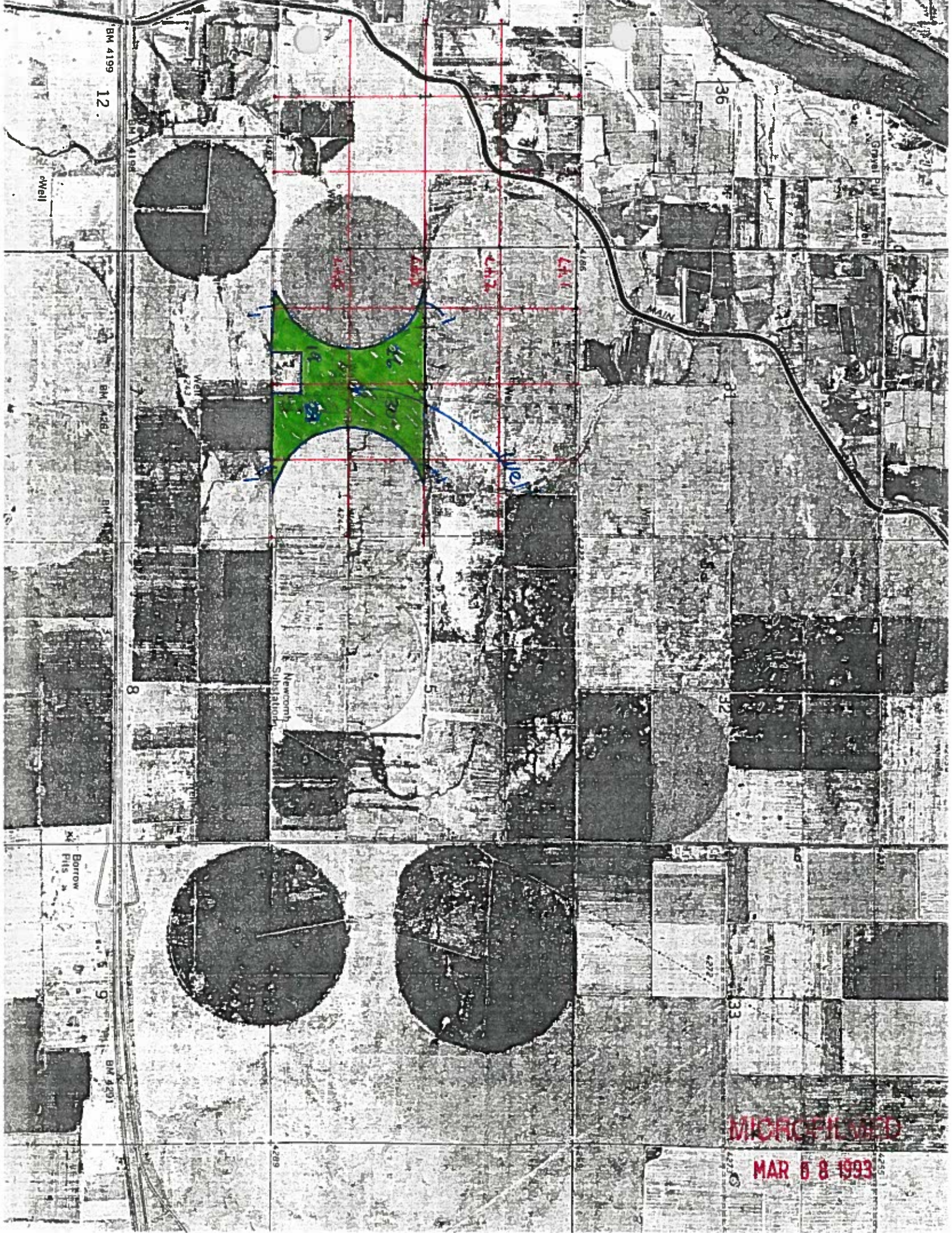
State of Idaho)
County of Thur Falls) ss.

Subscribed and sworn (or affirmed) before me this 8th day
of May 19 89

[Signature]
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/92



MICROFILMED

MAR 5 8 1993

01/09/2004

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: See cover letter

Water right number: 45-2329A

MARK T NEWCOMB

251 E 200 S

RUPERT ID 83350

Telephone Number: (208)436-5679

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:

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

DATE:

4/22/2004

SIGNATURE:

Mark T. Newcomb

Please print your name:

Mark T. Newcomb

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

(valid
45-12441) is a combined right originally made up of
45-2328, 45-2332, 45,2330. The three rights
are no longer valid on the dept records

(valid.
45-12440) is a combined right originally made up of
45-2714 & 45-7268A they are no longer
valid on the dept records.

Combined system 45-2329A Mark Newcomb
2370 10S, 24E Sec 1, 6 256ac

Combined system 45-2331 } Bruce Newcomb
2369 } 10S, 25E Sec 5, 6 477ac
2638 }
13630 }

Combined System 45-2389B } Mark Newcomb
2508 } 10S, 24E Sec 12
13629 } 10S, 25E Sec 7, 8 546ac
12441 }

Combined System 45-2636 } Mark Newcomb
2754 } 10S, 25E Sec 8, 17
7252 } 842ac
7268B }

45-7318 Mark Newcomb 9S-25E Sec 9 (200 Ac)

45-12440 Mark Newcomb 9S, 25E Sec 9 (237ac)

45-13393 } Mark Newcomb 10S, 25E Sec 16 (278ac)
13395 }

IDAHO DEPARTMENT OF WATER RESOURCES 01/22/2002
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

Water Right 45-2329A

NAME AND ADDRESS: MARK T NEWCOMB
251 E 200 S
RUPERT ID 83350

VERIFIED BY KKC

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.76 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.18 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1024 AF. COMBINED RIGHT NOS.: 45-2329A and 45-2370.

PRIORITY DATE: 09/30/1950

POINT OF DIVERSION:

T10S R24E S1 NWSESE Within CASSIA County

T10S R25E S6 NWSWSE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.760 CFS 288.00 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T10S R24E S01	NESE	40.0	T10S R24E S01	NWSE	40.0
T10S R24E S01	SESE	40.0	T10S R25E S06	NESW	40.0
T10S R25E S06 Lot 6	NWSW	32.0	T10S R25E S06 Lot 7	SWSW	32.0
T10S R25E S06	SESW	32.0			

256 ACRES TOTAL

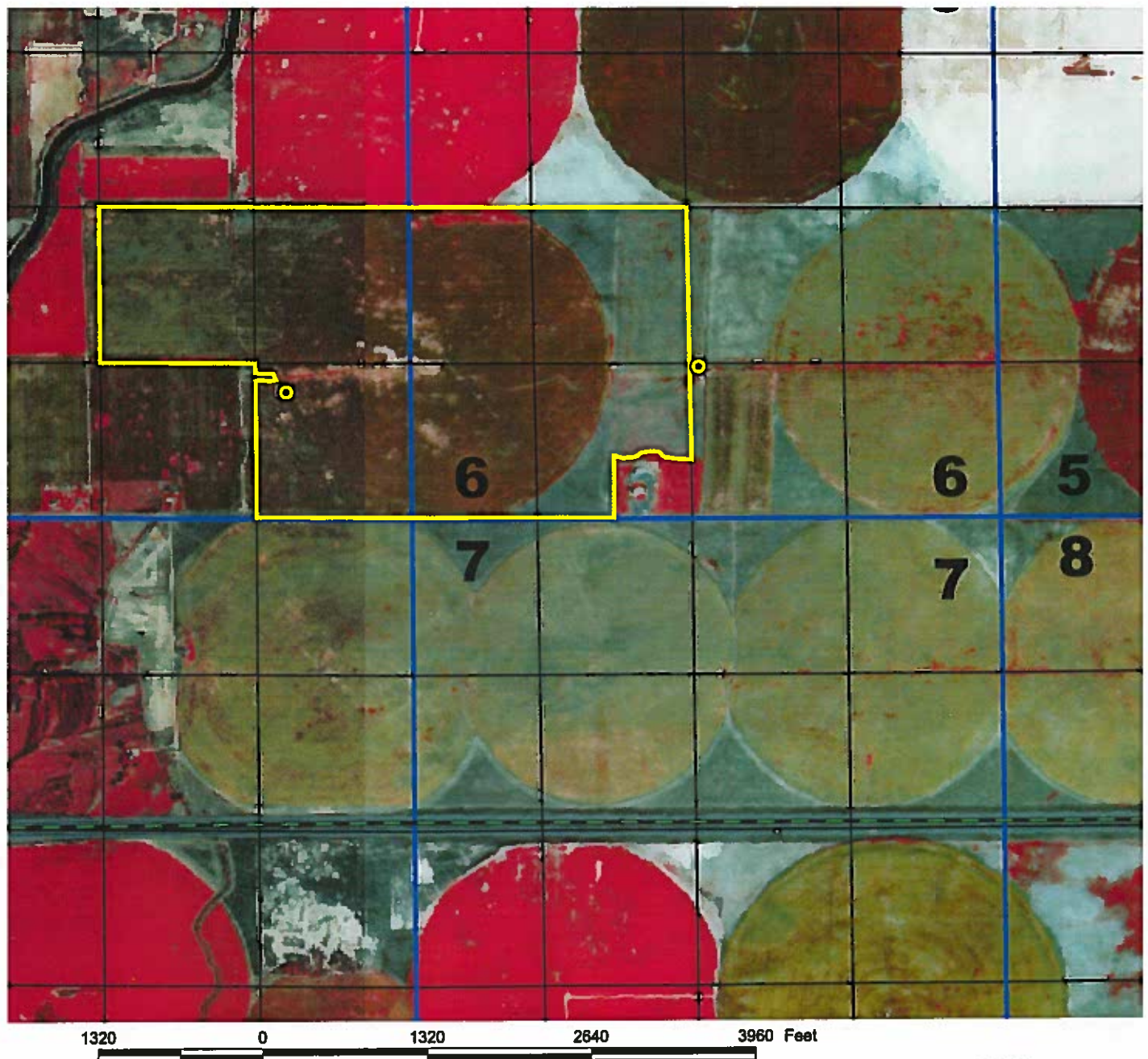
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 72 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.

EXPLANATORY MATERIAL: License

RECOMMENDED PLACE OF USE FOR 45-2329A & 45-2370



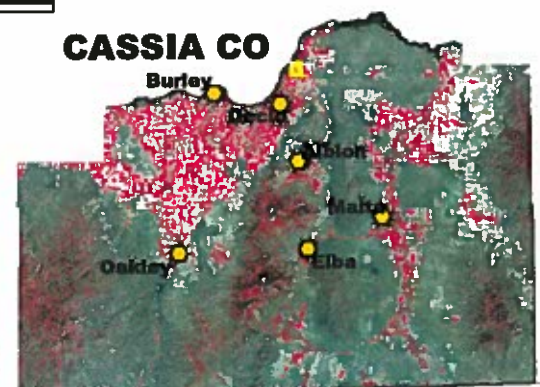
PLACE OF USE

TWP 10S, RNG 24E, SEC 1

TWP 10S, RNG 25E, SEC 6

Data entry on January 18, 2002

CASSIA CO



● RECOMMENDED POINT OF DIVERSION

RECOMMENDED PLACE OF USE

SECTION LINES

QUARTER/QUARTER LINES

GIS PLACE OF USE PRESENTATION
1987/1988 NAFF AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN



Utah Dept of Water Resources
Claims review notes and narrative

Date: 12-10-2001

File: 45-2329A and 45-2370 M Newcomb

Prepared by Kelly K Christensen

MARK NEWCOMB
45-2329A and 45-2370 pending transfer T-69448

The claims filed by Mark Newcomb do not entirely match the licensed place of use.

45-2370 includes acres licensed under 45-2329A.

45-2329A is claimed on ground owned by both Mark and Bruce Newcomb. It would appear that there should be a split right through an ownership change, or Mark's right recognized for approximately 73 acres and Bruce to file a claim against a portion of 45-2329B. See table 1 for acre analysis for the system(s).

OPTION 1 SPLIT
45-2329A

There are 26 acres licensed under 45-2329A within the claimed place of use for this system. No diversion rate has been claimed for those acres.

45-2329A is licensed for 1.60 cfs and 152 acres or 0.0105 cfs/acre.

A proportionate share for the 26 acres at 0.0105 is ≈ 0.17 cfs.

T-2911 split water right 45-2329 into parts A and B. The B portion represented 8 acres purchased by Ardel Wickel to be irrigated from a well within the 8 acre parcel. The transfer identified the 8 acres as being in the SWSE of sec 6. All currently available evidence indicates that approximately 1 acre is within the SWSE and the rest is actually in the SESW of sec 6. As the transfer was approved in 1984, I am recognizing the correction of both 45-2329A and 45-2329B as unrecorded transfers.

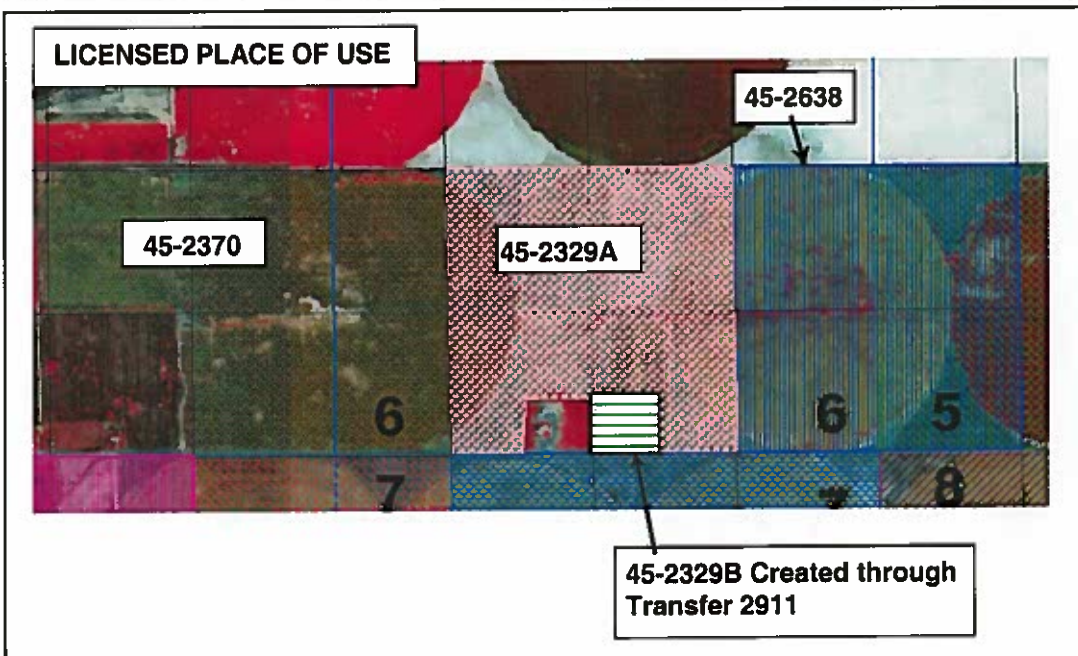
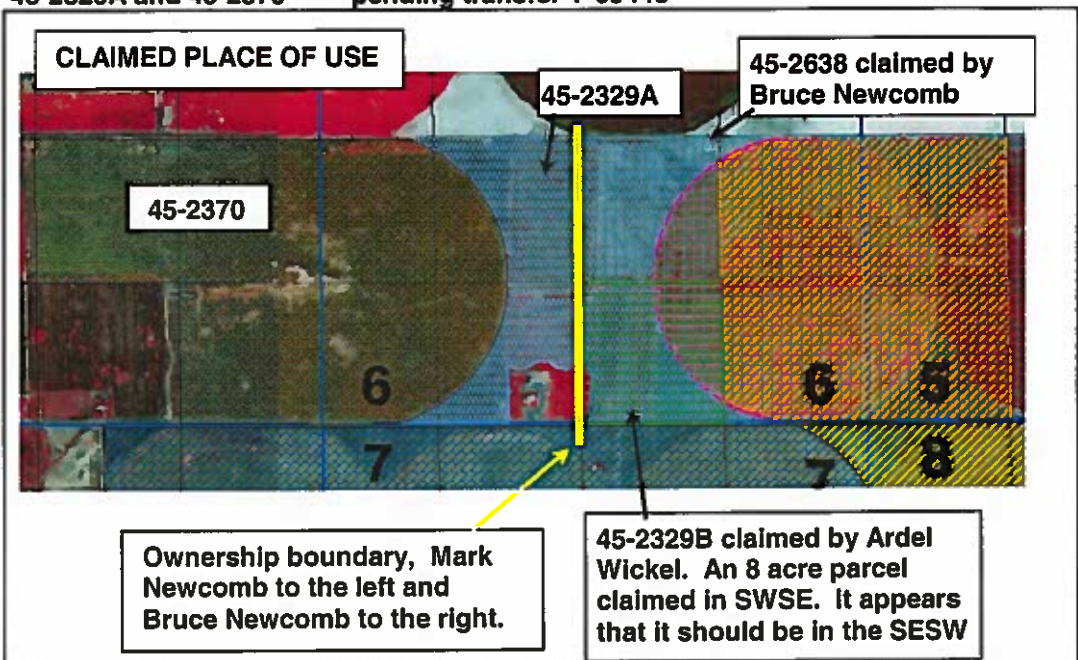


Table 1							
Claim	Licensed acres	Claimed acres	Difference	Owned by Mark within claimed pu	Owned by Mark outside claimed pu	Owned by Bruce	Owned by Ardel Wickel
45-2370	184	212	26 ac over claimed	182			
45-2329A	152	108		16	57	79	8
Diversion rate	1.60 cfs			.17 cfs	.60 cfs	.83 cfs	
The 182 acres represent the claimed acres within the licensed place of use boundary. This does not consider an unrecorded transfer.				Claimed under 45-2329B. It appears that the majority of the Wickel property is in Sec 6 SESW rather than the claimed SWSE.			

OPTION 2 RECOGNIZE UNRECORDED TRANSFER FOR A PORTION OF BOTH RIGHTS

Based upon the way the claims were filed I can recognize 45-2370 for 184 acres within the claimed 210 acre ppu. Assuming that transfer 69448 is approved, then no reduction in irrigated acres would be required. The transfer proposes to bring in 1.22 cfs additional water and 61 additional acres. Therefore, all acres under this system would be covered by one or the other right; at 2.72 cfs (from 45-2370) and 1.22 transferred in or 3.94 cfs. At one inch per acre the ground would require $210 \text{ ac} \times .02 = 4.20 \text{ cfs}$.

License 45-2329A is recognized for 1.60 cfs and 152 acres or $\approx 0.0105 \text{ cfs/acre}$. Consolidating the claimed place of use for 45-2329A does not create a place of use that exceeds an inch per acre.

- When rights 45-2370 are combined with this right 45-##### they shall not exceed (2.42 + 1.22) 3.64 cfs and 840 afa for irrigation of no more than 210 acres.

- Conditions

Log for claim A45-02329A

Spatial Dynamics MWY

4/26/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s25e	6	NESW	26	27	
10s25e	6	NWSW	1	0.2	
10s25e	6	SWSW	1	0.6	
10s25e	6	SESW	19	20	
10s25e	6	NESE	1	1.2	
10s25e	6	NWSE	30	29	
10s25e	6	SWSE	29	27	
10s25e	6	SESE	1	0.8	
Totals:			108	105.8	

I am recommending a portion of this right for Mark and the balance to Bruce Newcomb. (assuming he claims it). See following contractor map with my notes on it dated 1-22-02

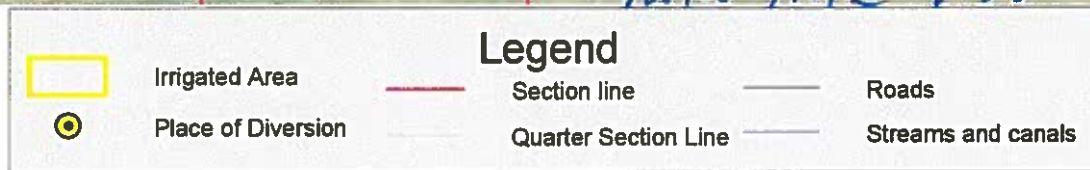
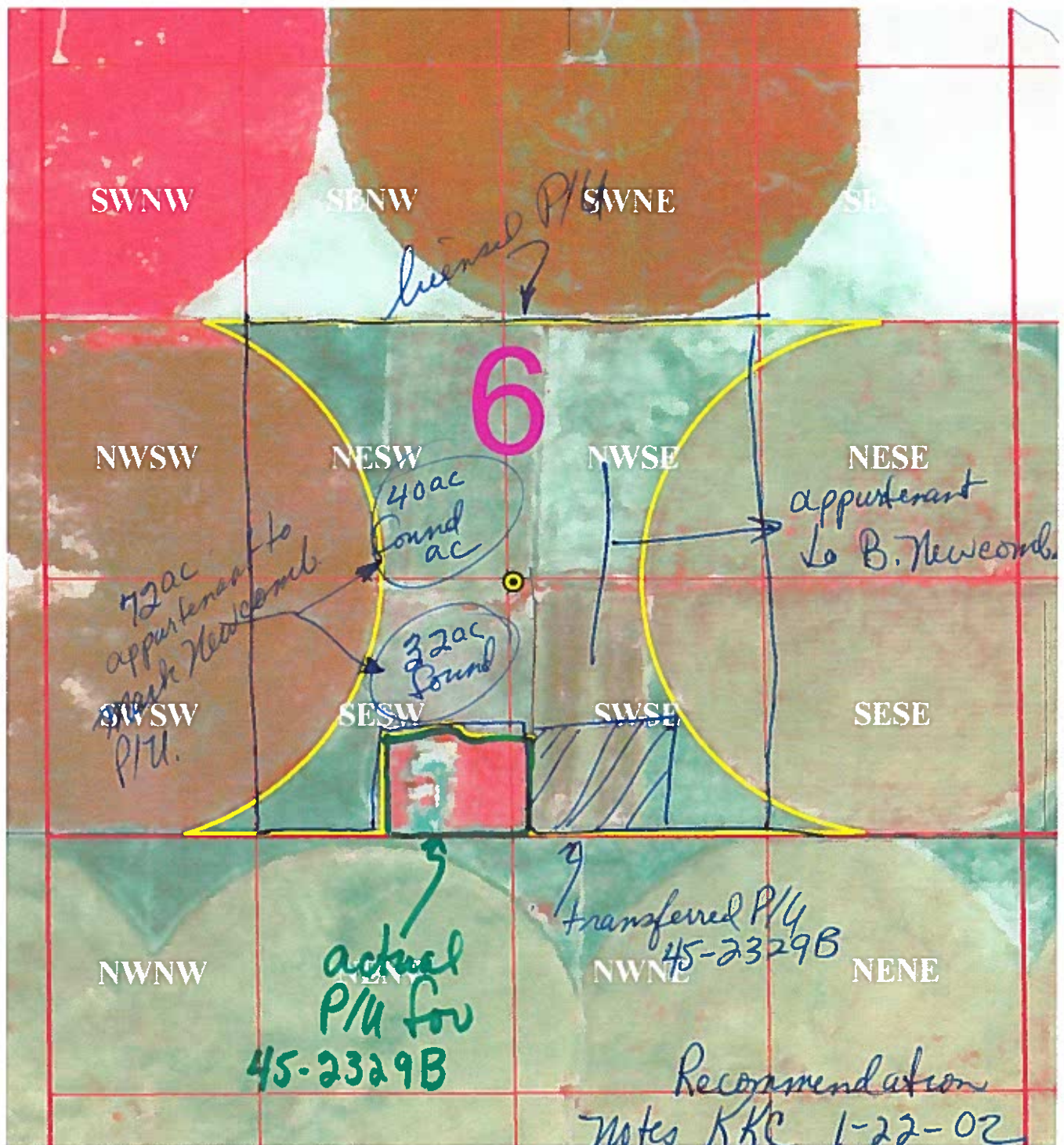
MARK P/U Found 72ac

$$\frac{72}{152} \times \frac{176 \text{ CFS}}{1,60} = \text{proportionate diversion rate.}$$

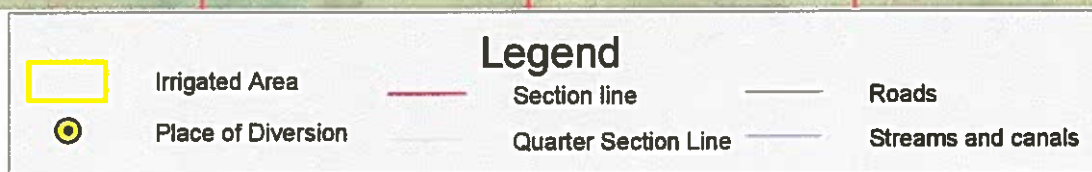
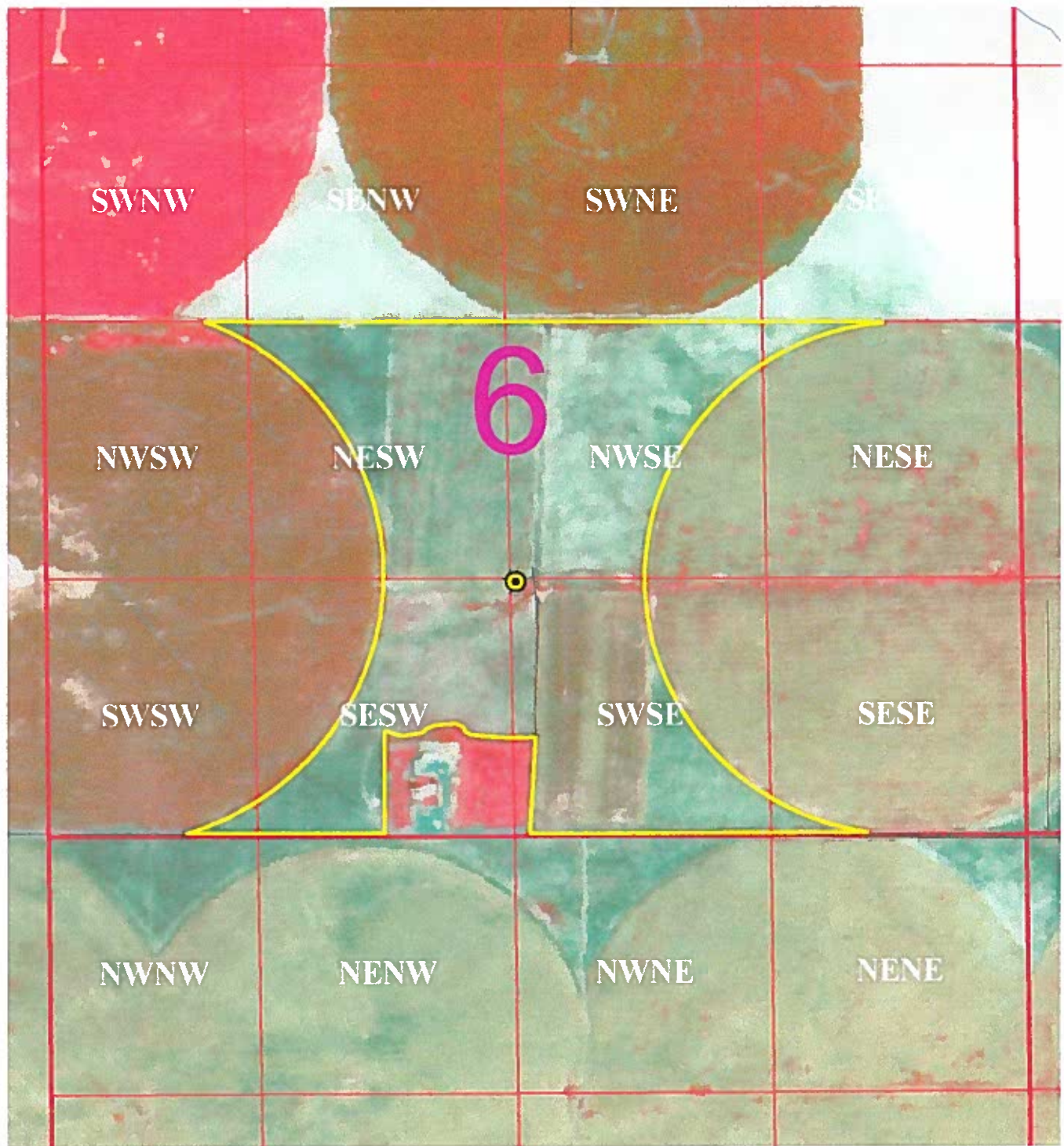
PPU Recommendation based upon the 1-11-02 meeting with Mark Newcomb.

KKC
1-22-02

Township, 10S25E



Township , 10S25E



State of Idaho License and Certificate of Water Right

Water License No. 21499

Amount 1.68 second feet

Water District No. _____

Priority September 30, 1950.

THIS IS TO CERTIFY that MARJORIE NEWCOMB & RUSSELL NEWCOMB
of Boise, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 28, 1950; that Permit No. 21499
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.68 second feet, was issued thereunder on May 16, 1956, showing that said works
were completed on the 22nd day of October, 1955; and that on the 22nd
day of October, 1955,

MARJORIE NEWCOMB & RUSSELL NEWCOMB

of Boise, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
~~spring~~ (subterranean flow), for the purpose of irrigation
under Use Permit No. 21499 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
9 of Licenses at page 5718, on the 16th day of May, 1956;

The right hereby confirmed dates from September 30, 1950;

The Point of Diversion is located

in the NW 1/4 SE 1/4, Sec. 6, Tp. 10 S., R. 25 E., B. M. Cassia County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.68 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 S.	25 E.	6	NW 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	40	40
			NE 1/4 SW 1/4	40	40
			SE 1/4 SW 1/4	40	40
			NW 1/4 SW 1/4	40	--
			SW 1/4 SW 1/4	40	--
			SE 1/4 SE 1/4	40	--
			NE 1/4 SE 1/4	40	--
Total Number of Acres Actually Irrigated-					--160

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
16th day of May, 1956.

MARK R. KULP

State Reclamation Engineer

(SEAL)

45-
2329

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	Newcomb, Russell & Marjorie	1.68		45-2329
2911	Wickel, W. Ardel	0.08		45-2329B
	Newcomb, Russell & Marjorie	1.60		45-2329A

T
 R
 A
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 F
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 R

Transfer No. 2911Water Right No. 45-2329

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant Ardel W. Wickel Phone 654-2341
Post Office address Rt 1 Declo, ID 83323

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)

b. License No. 45-2329 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

Purchase of Part of the land

3. Source of water Groundwater tributary to _____

4. Date of priority Sept 30, 1950 *Not stated in license

5. Water is used for the following purposes:

amount 1.68 for irrigation purposes from *(3/15) to *(4/15)
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 1.68 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 6

Township 10S Range 25E, B.M., in Cassia County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>10S</u>	<u>25E</u>	<u>6</u>									<u>40</u>			<u>40</u>		<u>40</u>	<u>40</u>		<u>160</u>
																	<u>8</u>		

Total number of acres to be irrigated 160

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years

of nonuse? NO If yes, describe in item D, REMARKS

160
- 8
152 Part A
1.60

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a 0.08 cubic feet per second
b. _____ &/or _____ acre feet per annum
- ✓ Point of diversion NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6 Township 105
Range 25E, B.M., Cassia County
- Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
105	25E	6															8		8

Total number of acres to be irrigated 8

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 0.08 c.f.s. &/or _____ acre feet
- b. Description of diverting works Well & Pump
- c. Describe the reasons for the proposed changes 8 Acres was Purchased
From the original Place & a new well drilled
to irrigate it.

2. Change in point of diversion

Point of diversion SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6 Township 105
Range 25E, B.M., Cassia County

Additional points _____

3. Change in place of use No Change

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No _____. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

c. Describe the lands & place of use to which the right will be transferred

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. _____
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

TWP 10S

R 25E

Well & Place of use

SCALE: 2 inches equal 1 mile. Draw plan in ink.

D. REMARKS

2

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Arvid Skickel
(Signature of Applicant)

Subscribed and sworn to before me this 27 day of June, 19 83

Loren O'Halloran
(Notary Public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 45-23298
and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 31st day of January, 19 84

J. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>LH</u>	Date <u>6/27/83</u>	Protest filed by <u>None</u>
Prelim. check by <u>LH</u>	Fee <u>\$ 3000</u>	
Receipted by <u>LH</u>	Date <u>6/27/83 290X</u>	
Published in <u>Swah. is. press</u>		Copies of protest forwarded by _____
Pub. dates <u>7/21 & 7/26/83</u>		Hearing held by _____ Date _____
Watermaster recommendation requested on <u>N/A</u>		Recommended for <u>approval</u> denial
_____ rec'd.		by <u>ADM</u>

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

..... Mary Summers being first

duly sworn, deposes and says that..she is the

.....Clerk..... of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for Two
consecutive weeks, commencing with the issue dated July 21st 83, and ending with the issue dated July 28th 19 83

Mary Summers

Subscribed and sworn to before me

this 3rd..... day of August.....
19..... 83

Kevin Moore Notary Public

Cost of Publication\$..23.40.....

Notary Fee

Total Cost \$..23.40.....

83-180

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 45-2329

Notice is hereby given that Ardel W. Wickel of Declo, Idaho has applied to the Department of Water Resources for a change of point of diversion of a portion of a right from a groundwater source. The right sought to be changed is evidenced by License No. 45-2329 and is recorded as follows:

Amount: 1.68 cfs

Priority: September 30, 1950

Point of Diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, T10S, R25E, B.M., Cassia County

The water is used for irrigation of 160 acres within the E $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, T10S, R25E

PORTION OF RIGHT TO BE CHANGED:

Amount: 0.08 cfs

Point of Diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, T10S, R25E, B.M., Cassia County

Place of Use: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, T10S, R25E for irrigation of 8 acres

PORTION TO BE CHANGED AS FOLLOWS:

Amount: 0.08 cfs

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, T10S, R25E, B.M., Cassia County

Place of Use: No change

Any protest against the approval of the above proposed change of the portion of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before August 8, 1983.

A. KEN DUNN, Director

Published in the South Idaho Press on July 21 and July 28, 1983.

Ok Julie 7/4/83
RECEIVED

AUG 4 1983

Department of Water Resources
Southern District Office

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 21499

This proof is for Completion of works & Beneficial use In Water District No. _____

1. Name of applicant Marjorie & Russell Newcomb, Declo, Idaho
2. Source of water supply: Subterranean from a well
3. Location of point of diversion: Is in the NW 1/4 SE 1/4 of Section 6
T. 10 S. R. 25 E. County of Cassia
4. Describe works as they exist, giving dimensions and capacities of same: U. S. Motor 50 hp. No. 850668. Layne Pump 8" discharge to the South into a common system supported by four wells. Concrete base 5' by 5'. No protection, no well house.

5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

W 1/2 SE 1/4 & E 1/2 SW 1/4 Section 6;

Twp. 10 South, Range 25 East, B. M.

See the map

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: _____

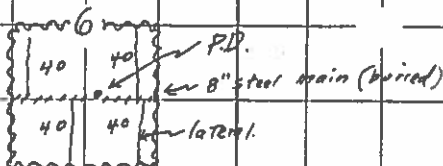
This examination was made on the 13th day of April, 1956.

(Signed) E. H. Humphrey Examiner.

21499

R-25E

T.
10
S.



Subdivisions = Four

Area = 160 acres

Q = 1.68 cfs.

84"

L = 82'

P = 60' = 137'

50 hp x 120 x .7 = 42 hp actual

$$X = \frac{42 \times 530}{62.5 \times 219} = \frac{237}{157} = 1.68 \text{ cfs}$$

or 84"

This allows motor to operate at 120% full load

.526" per acre