

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

6/29/2020

Water Permit 45-7623

**Owner Type**      **Name and Address**  
Current Owner      W WAYNE NEWCOMB  
RT 1  
DECLO, ID 83323

Current Owner      MARK T NEWCOMB  
251 E 200 S  
RUPERT, ID 83350  
(208) 431-0020

**Status:** Relinquished

**Source**      **Tributary**

**Beneficial Use**      **From**      **To**      **Diversion Rate**      **Volume**

**Source and Point(s) of Diversion**

**Place Of Use**

**Conditions of Approval:**

**Comments:**

**Dates and Other Information**

Water District Number: TBD  
Mitigation Plan: False

**Combined Use Limits**

N/A

**SubCase:**

N/A

**Water Supply Bank:**

N/A



State of Idaho  
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

August 20, 1990

RECEIVED

AUG 22 1990

Department of Water Resources  
Southern Region Office

RE: Application for Permit No. 45-7623

Mark &/or W. Wayne Newcomb  
Rt. 1, Box 421  
Rupert, ID 83350

Gentlemen:

We are in receipt of the withdrawal of the application for water right permit that you submitted on June 10, 1985, under Receipt No. 35387. The application will now be considered null and void and removed from the Department's records.

Since there was never any action taken on the application, you will be receiving a \$105.00 refund from the State Auditor's Office under separate cover.

Please feel free to contact this office or our Southern Regional Office in Twin Falls if you have any questions in regard to this matter.

Sincerely,

KAY WALKER  
Technical Records Specialist

KW:k

cc: Southern Region  
IDWR, Fiscal Section

45-7623

RECEIVED  
JUL 25 1990

Department of Water Resources

July 23, 1990

State of Idaho  
Department of Water Resources  
1301 North Orchard Street,  
Statehouse Mail  
Boise, Idaho 83720

Attention: Mr. Tim Luke, Sr. Water Resource Agent

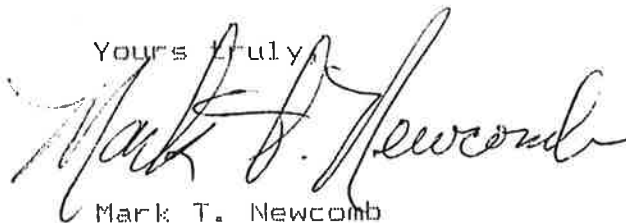
Dear Mr. Luke,

I have decided to cancel the application for permit No. 45-7623. The existing license does cover the amount being diverted.

On the second matter, I am in the process of trying to purchase the land and water rights in question. If we can come to an agreement, I will own the land and the water rights. If we do not come to an agreement, I will ask for the additional water under beneficial use which has been established since the sale by my brother initially.

Thank you for your help in these matters.

Yours Truly,

  
Mark T. Newcomb

- accept  
as withdrawal  
KW  
8/9/90



# State of Idaho

## DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

RECEIVED

JUL 11 1990

July 6, 1990

Department of Water Resources  
Southern Region Office

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

RE: APPLICATION FOR PERMIT NO. 45-7623

Dear APPLICANT:

Due to the Swan Falls litigation, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development if any, that has already occurred under the application. Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

1. If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

2. If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, then you must complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments &/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water. Approved trust water applications may be subject to additional conditions.

Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the Department to void the application.

Please be further advised that if any undeveloped portion of your proposed project is greater than 200 acres, the Department will issue a notice requesting additional information as required by Water Appropriation Rule 4.5. (in particular, Rules 4,5,3. thru 4,5,3,5, apply to your project if it is more than 200 acres).

45-7623

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If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources  
Statehouse Mail  
Boise, Idaho 83720  
Attn: Tim Luke

Please note that a copy of your application is enclosed. The application number is also shown on the enclosed questionnaire.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tim Luke".

TIM LUKE  
Sr. Water Resource Agent

Enclosures

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Mark &/or W. Wayne Newcomb Phone 436-5679

Post office address Route #1, Rupert, ID 83350

2. Source of water supply Groundwater which is a tributary of \_\_\_\_\_

3. Location of point of diversion is NW  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 12 Township 10S

Range 24E B.M. Cassia County, additional points of diversion if any: \_\_\_\_\_

NE  $\frac{1}{4}$ , NW  $\frac{1}{4}$  Sec. 7 T. 10S R. 25E

4. Water will be used for the following purposes:

Amount 3.83 cfs for Irrigation purposes from Mar 15 to Nov 15 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 3.83 cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Two existing wells, new replacement well to be drilled and and equipped; pivot sprinklers and handlines

b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet, materials used in storage dam: \_\_\_\_\_

Period of year when water will be diverted to storage \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Month/Day) (Month/Day)

c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_

Range \_\_\_\_\_ B.M.

(2) Amount of power to be generated: \_\_\_\_\_ horsepower under \_\_\_\_\_ feet of head.

(3) List number of each kind of livestock to be watered \_\_\_\_\_

(4) Name of municipality to be served \_\_\_\_\_, or number of families to be supplied with domestic water \_\_\_\_\_.

(5) If water is to be used for other purposes describe: \_\_\_\_\_

45-7623

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S	24E	12	40	20	20	40													120
	25E	7	40	40				Lt1 40	Lt2 33	33	40								226

Total number of acres to be irrigated 346

c. Describe any other water rights used for the same purposes as described above. \_\_\_\_\_

Lic. 45-2330, 45-2332

9. a. Who owns the property at the point of diversion Mark Newcomb

b. Who owns the land to be irrigated or place of use " "

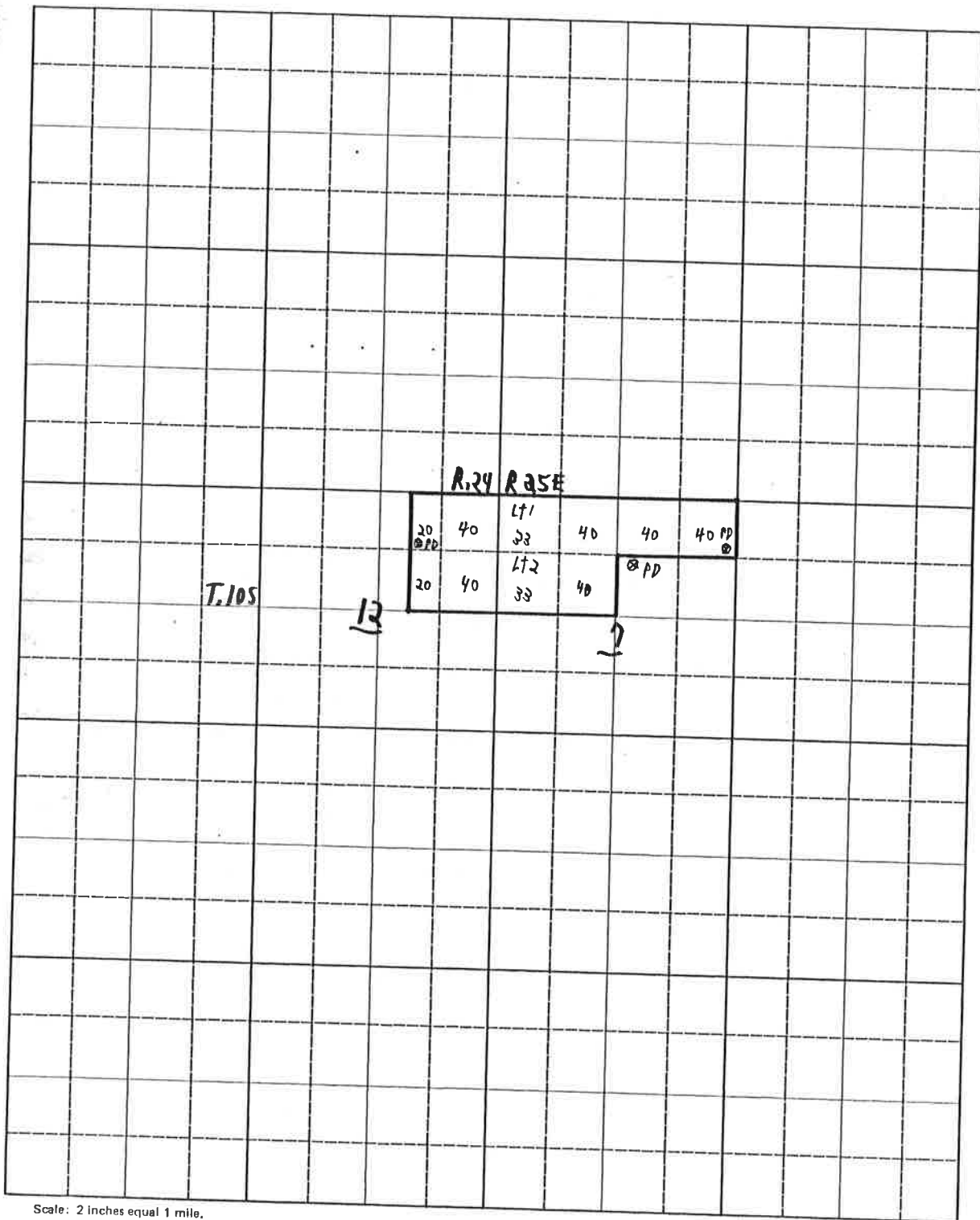
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing \_\_\_\_\_

10. Remarks The existing licensed rights were expanded prior to November of 1982.

Except for some corners in federal set-aside programs, all the land is irrigated. The well in Lot 2 Sec. 7 is being abandoned in favor of a larger well on higher ground. The well is drilled but not equipped; it should come on line in 1986.

The existing rights are for about 1/2" per acre water density. Due to the sandy nature of the soil, this is not sufficient. This filing brings the density up to 1"/acre.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

*W. Wayne Newcomb*  
(Applicant)



Received by JL Date 6-10-85 Time 10:45 am  
Preliminary check by TB Fee \$ 105.00  
Receipted by JL Date 6-10-85 # 35387  
Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_  
Published in \_\_\_\_\_  
Publication dates \_\_\_\_\_  
Publication approved \_\_\_\_\_ Date \_\_\_\_\_  
Protests filed by: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Copies of protests forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval denial by \_\_\_\_\_

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**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. \_\_\_\_\_, and said application is hereby \_\_\_\_\_.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before \_\_\_\_\_, 19 \_\_\_\_.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: