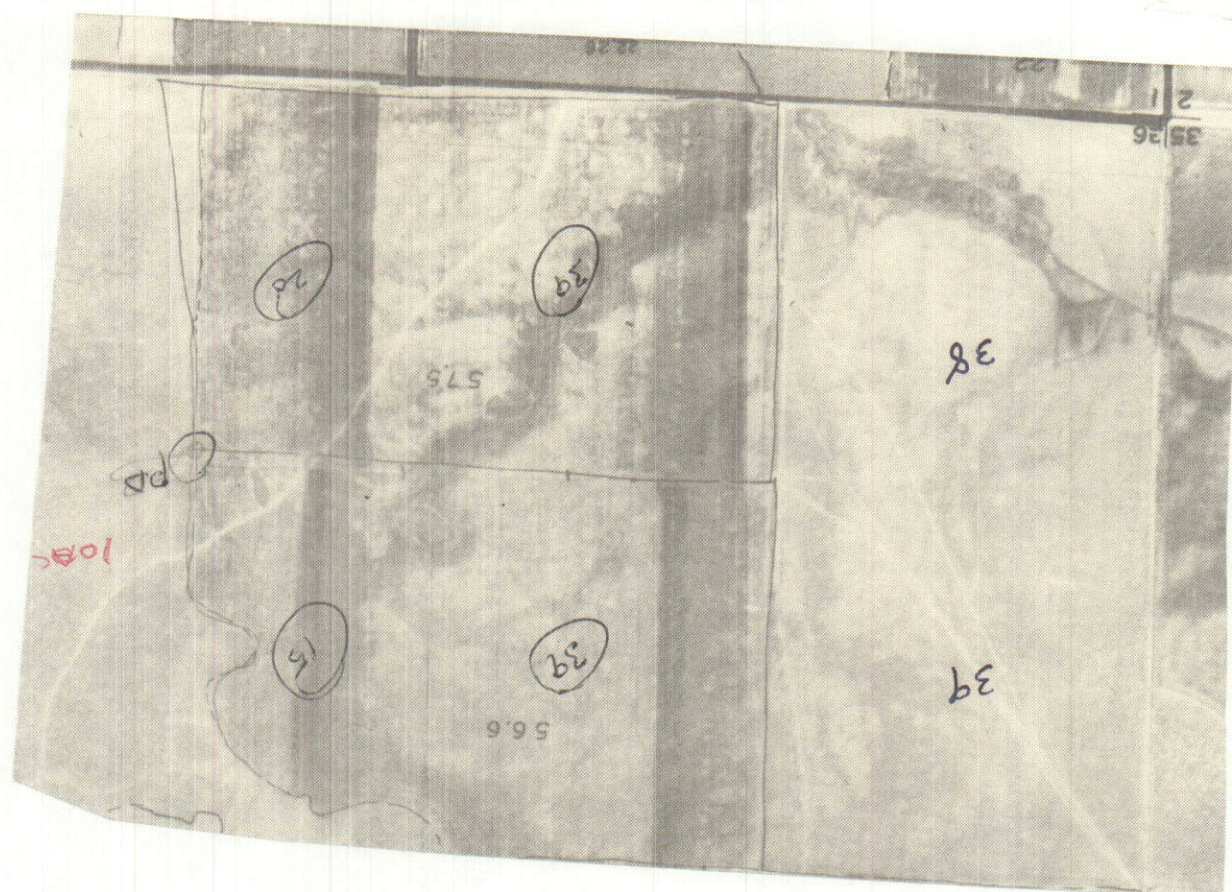


R-25-E.

NAME OF APPLICANT W. W. NELSON B

Form No. 0

Section 36

R
Ewell

T7S R25E

Permit Map No. *8* 28883

As Approved

JUL 26 1960
GEO. N. CARTER

State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. C-28883

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address: _____

H. W. Newcomb - RFD #1 Declo

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf: _____

Ques. 3. State number, approval date of permit, and date of priority you propose to establish under the permit; C-28883 July 22, 1960 - SAME

Ques. 4. State source of water supply: Well and Pump - ground water
Give location of point of diversion, showing subdivision, section, township and range:

NW 1/4 of SE 1/4 of Section 36, Twp 7 S Rge 25 EBM

Ques. 5. Describe your works of diversion: well - pump and
SPRINKLER system; state amount of water they are capable of conveying from point of diversion to place of use 6.4; Give name of canal or ditch or other works by which water is conducted to such place of use: _____

_____ ; if a well, state depth of well 240; depth and size of casing: 8 in 200 ft; depth to water 160; if pump is used, state discharge of pump: 12 in; tell how it was measured or determined: _____

well; if sprinkler irrigation, give number and size of nozzles and operating pressure: 8 lines 1/4 mile, 30 nozzles 7/32 - 60 max 40 lbs min

Ques. 6. State for what purpose water is used: irrigation
If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water: _____

One piece - 260 acres - in SW 1/4 and
West side of SE 1/4 - Section 36

Twp 7 S Rge 25 EBM
State nature of all improvements which have been made as a direct result of said use:

Hamline and sprinkler system for 260 acres

Log in

H. W. Newcomb

28883

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 28883/36-2446 Priority July 22, 1960 Amount 3.69 cfs

THIS IS TO CERTIFY, that WARREN HEINS & ELISE HEINS
of Rupert, Idaho, have, ~~xxx~~ complied with the terms and conditions of Permit
No. 28883/36-2446 issued pursuant to Application for Permit dated July 22, 1960,
and has submitted proof to the Department of Water Administration on March 1, 1965,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 3.69 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source

tributary of _____, is hereby confirmed in the following amounts:

Amount 3.69 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 3.69 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 36, Twp. 7 S, Rge. 25 E, B.M.

in the county of Minidoka; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 760 acre feet per year or _____
4.0 acre feet per acre.

Description and location of place of use:

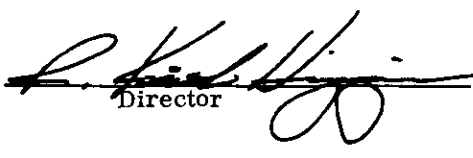
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7 S	25 E	36									39	39	38	39		15	20		190

Total number of acres irrigated 190

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 4 day of

December, 19 73.


Director

36 2446

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

ASSIGNMENT OF PERMIT

I, W. W. NEWCOMB, hereby assign to Warren Heins and Elise Heins, husband and wife
of Route #3, Rupert, Idaho 83350 Name
Address

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. 28884 and 28883
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and
to Permit No. _____ to appropriate the public waters of the State
of Idaho. (Give that portion of the permit being assigned by describing
the land list and the point of diversion - describe by acreage within
each 40-acre subdivision.)

Made this 30th day of November, 19 71.

W. W. Newcomb
Permit Holder
Elise Heins
Wife of Permit Holder

State of Idaho)
County of Cassia) ss.

On this 30th day of November, 19 71, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

Thomas D. Church
Notary Public residing at _____
Burley, Idaho

My commission expires 6-12-72

36 2446

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Ted Haynes Sullinger, Rupert Idaho

Ques. 7. If for other than irrigation purposes, state purpose and how used:

Ques. 8. What is the minimum amount of water required for the purpose specified above:

6.4

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Transfer from Kerbs
Bot land from Miller & Kerbs unimproved but with permit.

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: Summer 1962 Time used since first use:

& Summer 1963 and Summer 1964

Ques. 11. Describe all other water rights appurtenant to same place of use:

(sign)

W W Newcomb

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

RUPT

County of

IDAHO

State of Idaho, on this 1st day of MARCH, A.D. 1965.

Thayne S. Taylor

My Commission expires:

Sept 19, 1968

276' John H. H. H.

36-2446

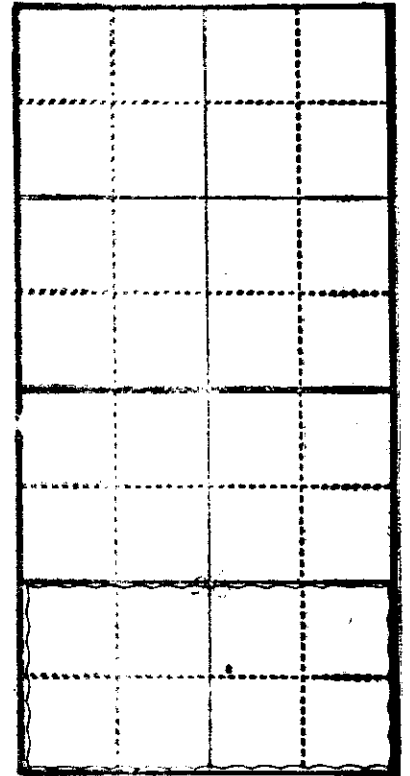
APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

ASSIGNED TO:

Warren & Elise Heins
Route #3
Rupert, Idaho 83350

Application No. G- 36869
Permit No. G- 28883
District No.

1. Name of Applicant: W. W. Newcomb
Postoffice address: Declo County: Cassia State: Idaho
2. Quantity of water claimed: 320 miners inches
(a) Rate of withdrawal in cubic feet per second 6.4 or Idaho
Miners' inches 320 or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: A drilled well to raise subterranean water
4. Location of point of diversion or well is in the NW 1/4 of the SE 1/4 of Section 36
Twp. 7 S , Rge. 25 E , B.M., County of Minidoka
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the of the 1/4 of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: A well to be drilled to raise subterranean water by means of a centrifugal pump and to be distributed through a sprinkler system
8. Estimated cost of works: \$ 20,000
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: I understand there is another permit here #G-27349 in the name of Lauren H. Roundy that is only for W1/2SW1/4. I didn't file this permit.
(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) 6.4 (cubic feet per second, inches or gallons per minute) is for new lands.



BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

By s/ W. W. Newcomb *Applicant.*
s/ Harley M. McDowell *Agent.*

Date of first receipt at Department of Reclamation: 8:00 A.M. July 22, 1960

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 28883

Recorded in Book 101 Page 28883 Approved July 26, 1960

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before _____ and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before **January 26, 1963**

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before July 26, 1965

Witness my hand this 26th day of July, 1960 s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, W. E. DREVLLOW, Acting, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 26th
day of July, 19 60

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

By s/ W. E. DREVLON
Acting Governor

Secretary of State.

12.

Twp.	Range	Sec.	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	Totals
			NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	
7 S	25 E	36			40 40 40 40	40 40 40 40	320

LICENSE ISSUED FOR 3.60 SEC. FT.
 LICENSE PAGE NO.

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

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

_____ being first
duly sworn, deposes and says that he is the

_____ of The Minidoka County
News, a weekly newspaper published at Rupert,
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
weekly editions of The Minidoka County News

for _____ consecutive weeks, commencing
with the issue dated _____, 19____, and
ending with the issue dated _____, 19____.

Vern A. Miller

Subscribed and sworn to before me this

11th day of *Feb*, 19____

Carl E. Tappan Notary Public

Cost of Publication _____

Notary Fee _____

Total Cost _____

COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that
at 3:30 P. M., on the 1st day of
March, 1965, at Rupert, Idaho,
County of Minidoka, State of
Idaho, before Wayne Taylor,
Notary Public, at Rupert, Ida-
ho, proof will be submitted of
the completion of works for
the diversion of 6.4 cubic feet
per second of underground wa-
ter from a well, and of the ap-
plication to beneficial use of
said water, in accordance with
the terms and conditions of
Permit No. G-28883, heretofore
issued by the Department of
Reclamation of the State of
Idaho.

1. The name and postoffice
address of the person or cor-
poration on holding said per-
mit is W. W. Newcomb, RFD
No. 1, Daclo, Idaho.

2. Said works of diversion
will be fully completed on the
date set for such completion,
and the amount of water which
said works are capable of con-
veying to the place of use is 6.4
cubic feet per second.

3. The use to which said
water has been applied is irri-
gation purposes, and the
amount applied to beneficial
use is 6.4 cubic feet per second.

4. The point of diversion of
said water is NW ¼ of SE ¼ of
Section 36, Twp. 7 S., Rge. 25
E.B.M.

5. The place where said
water is used is SW ¼ and
SE ¼ of Section 36, Twp.
7 S., Rge. 25 E.B.M.

6. The date of priority
which said user is prepared to
establish is July 22, 1960.

CARL E. TAPPAN
State Reclamation
Engineer

No. 28883 - Feb. 11, 1965

28883

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

614 State Street
Statehouse — Annex 2
Boise, Idaho 83720
(208) 384-2190



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

December 5, 1973

Re: Permit Nos. 28884/36-2446
28884/36-2447

Warren & Elise Heins
Route 3
Rupert, Idaho 83350

Dear Mr. & Mrs. Heins:

Enclosed herewith are copies of the Water Licenses issued on the above referenced permits.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

Enclosures

100-2446

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83720
(208) 384-2190

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

November 19, 1973

Re: Permit Nos. 28883/36-2446
28884/36-2447

Warren & Elise Heins
Route 3
Rupert, Idaho 83350

Dear Mr. & Mrs. Heins:

A representative of this Department has made an examination of the works covered by your Permit Nos. 28883/36-2446 and 28884/36-2447 and has found the following:

Permit No. 28883/36-2446

Quantity of water diverted: 3.69 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 3.69 cfs

The maximum quantity diverted shall not exceed 760 acre feet per year.

Beneficial use: irrigation of 190 acres within the SW $\frac{1}{4}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 36, Twp. 7 S, Rge. 25 E

Point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 36, Twp. 7 S, Rge. 25 E, B.M.

Priority date established: July 22, 1960

Permit No. 28884/36-2447

Quantity of water diverted: 3.21 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 3.21 cfs

The maximum quantity diverted shall not exceed 1,516 acre feet per year.

Beneficial use: for irrigation of 379 acres within the NE $\frac{1}{4}$ Sec. 35; W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36, Twp. 7 S, Rge. 25 E

Point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36, Twp. 7 S, Rge. 25 E, B.M.

Priority date established: July 22, 1960

36 2446

Page 2

Warren & Elise Heins

Re: 36-2446, 36-2447

November 19, 1973

If you do not concur with these findings, please advise us within 10 days; otherwise a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

cc: Richard K. Smith

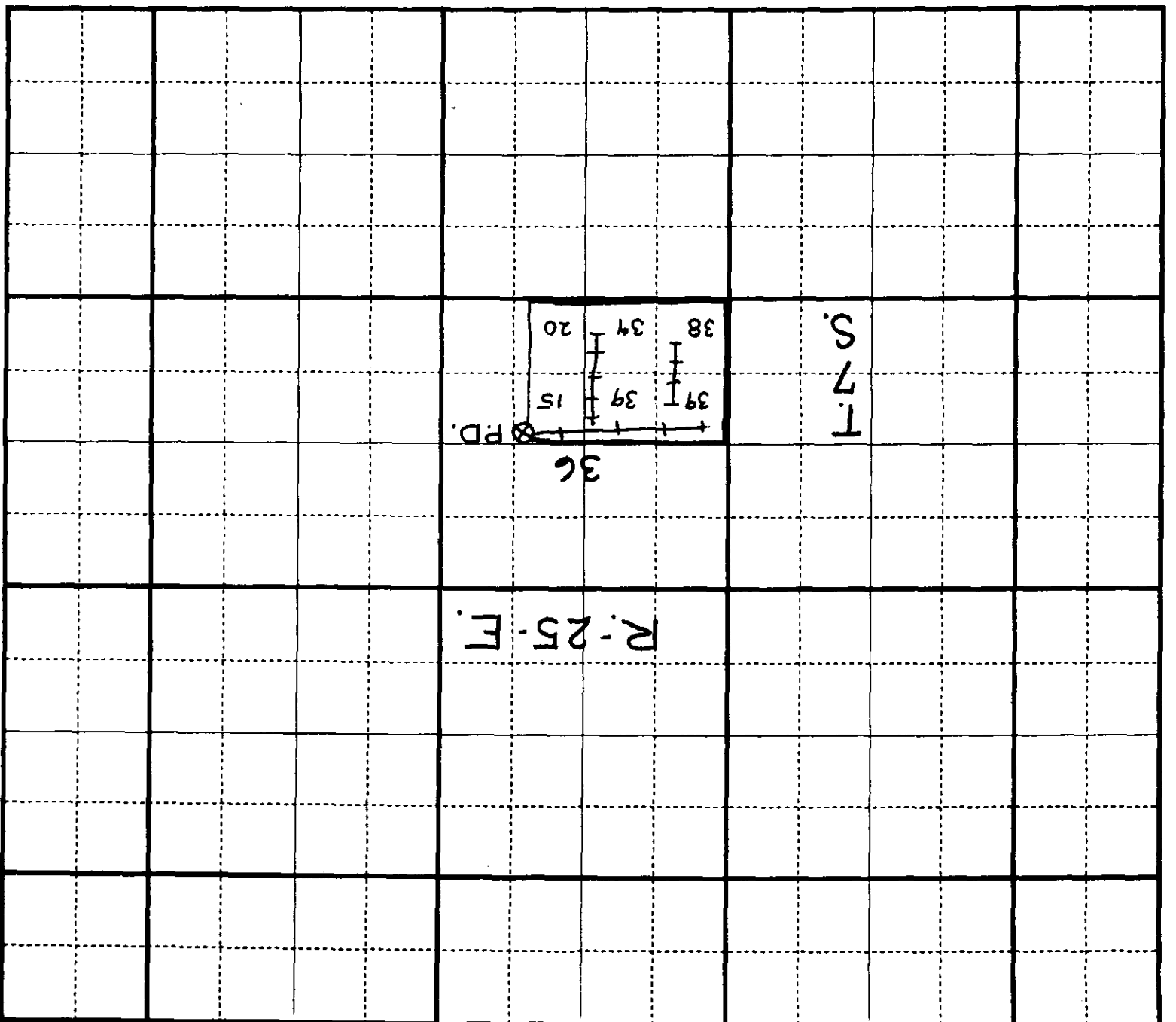
36 2446

FIELD REPORT

- TOTAL ACREAGE**



Diagram of System



13.	36	7/64	30 WS	2.42	31	106.02	.24
14.	32	7/64	30 WS	3.26	32	104.32	.23
15.	34	7/64	30 WS	3.55	32	107.2	.24
16.	38	7/64	30 WS	3.54	32	113.28	.25
17.	36	7/64	30 WS	3.42	32	109.44	.24
18.	32	7/64	30 WS	3.26	32	104.32	.23
19.	40	7/64	30 WS	3.63	32	116.16	.26
20.	38	7/64	30 WS	3.54	32	113.28	.25

36 2446

P.S.I.

Size

Series

G.P.M.

No. of

gal/min

c.f.s

Nozzle

Heads

1.	33	9/64	30 WS	3.28	32	104.96	.23
2.	37	9/64	30 WS	3.48	32	111.36	.25
3.	46	9/64	30 WS	3.88	32	124.16	.28
4.	34	9/64	30 WS	3.35	32	107.2	.24
5.	38	9/64	30 WS	3.54	32	113.28	.25
6.	40	9/64	30 WS	3.63	32	116.16	.26
7.	36	9/64	30 WS	3.42	32	109.44	.24
8.							

36 2446

(3.69)

DATE OF EXAM 7-18-73

ACREAGE

Found 190
Recommended 190

Irrigation Requirement 4.0 Ac Ft/Ac

USE

Irrigation Q = 3.69 c.f.s. V = 760 AF/Ann. from MARCH 15 to Nov-15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 3.69 c.f.s. Method of measurement Pitot Gauge

Total Q recommended 3.69 c.f.s. Meter No. ☒ Type ☒ Condition ☒

Total V recommended 760 AF/ANN

Recommended Amendments:

P.D. NO
Place of Use NO
Other NO
None NO

MEASUREMENT CALCULATION:

Q = 3.69 c.f.s. See MEASUREMENT NOTES
V = (Irr Req 4.0) x (190 Acres) = 760 AF/ANN

SYSTEM DESCRIPTION:

U.S. Motor 200 Hp. #920932 w/Booster GE. #75HP #5K365AX222
Sprinkler System has 15 Laterals each approximately 32 Heads.

REMARKS:

Examiner's Signature Sam J. Jundberg Date 8-1-73

Checked by K. J. F. Lawrence Date 8/16/73

Approved by _____ Date _____

INTER-DEPARTMENT MEMO — 1

DATE **July 17, 1973**

FROM

Darlene

TO

Southern District

SUBJECT

Permits 36-2446 & 36-2447

Our files indicate that a re-examination has been pending since 1969. Would you please check and see if you have these exam reports. If at all possible, we would appreciate these being made "priority" exams.

If you cannot find field reports, please advise by return mail.

NOTE: These permits have been assigned to Warren & Elsie Heins of Rupert, Idaho.

SIGNATURE

36 2446

STATE OF IDAHO

Department of Reclamation

No 3948

Boise, Idaho, Dec 9, 1969

RECEIVED
FROM

Wayne Newcomb of Nebo \$ 13.00
Thirteen & no/100 DOLLARS

FOR

<u>Lic fee</u>	\$	<u>13.00</u>
<u># 36-2446</u>	\$	
	\$	
	\$	
TOTAL . . .	\$	<u>13.00</u>

36 2446

E. J. Woods
STATE RECLAMATION DEPARTMENT

November 10, 1969

Re: Permit No. 28883/36-2446

W. Wayne Newcomb
Route #1
Delbo, Idaho 83323

Dear Mr. Newcomb:

A representative of this department has made an examination of the works covered by your Permit 36-2446 and has found the following:

Quantity of water diverted: 1.22 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 1.22 c.f.s.

The maximum quantity diverted shall not exceed 452 acre feet per season.

Beneficial Use: for irrigation of 113 acres in SE1/4, NE1/4, Sec.
36, Twp. 7N, Rng. 23E, S.M.

The priority date established is: July 22, 1960

A fee totaling \$ 13.00 must be received within 30 days from the date of this letter in order that we can issue you the Water License as described above.

Very truly yours,

Dennis J. Timoshovich
Water Rights Administrator

36 2446

DJT:MM

March 8, 1972

Parsons & Smith
137 West 13th Street
Burley, Idaho 83318

ATTN: Richard K. Smith

Dear Mr. Smith:

As of 1967, our Department changed all permit numbers to a new numbering system.

The two permit numbers you listed have been changed as follows:

28884/36-2447
28883/36-2446

If you have any questions in regard to this matter, please contact us.

Very truly yours,

Fred Eisenbarth
Appropriation Examiner

FE:cr

Enc: None

36 2446

WILLIAM A. PARSONS
RICHARD K. SMITH

PARSONS & SMITH
ATTORNEYS AND COUNSELLORS AT LAW
137 WEST 13TH STREET
BURLEY, IDAHO 83318

AREA CODE 208
678-8382

P. O. BOX 910

March 6, 1972

Mr. Donald W. McEldowney
Appropriation Supervisor
Dept. of Water Administration
State of Idaho
Annex 2 - Statehouse
Boise, Idaho 83707

Re: Permit Nos. 36-2446 and 36-2447 Warren and Elise Heins

Dear Mr. McEldowney:

Do the numbered permits mentioned in your letter of March 3, 1972, reflect a new numbering system. They are not the same numbers indicated on the photo copies of our assignment.

Very truly yours,

PARSONS & SMITH

Richard K. Smith
Richard K. Smith

RKS/dmj

36 2446

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor
R. Keith Higginson
Director

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

March 3, 1972

Re: Permit Nos. 36-2446 & 36-2447 - Warren & Elise Heins

Warren & Elise Heins
Route #3
Rupert, Idaho 83350

Dear Mr. & Mrs. Heins:

Enclosed are copies of the recorded assignments conveying Permit Nos. 36-2446 & 36-2447. We are also enclosing copies of the permits.

Permit Nos. 36-2446 & 36-2447 are presently in good standing, awaiting a re-examination as Mr. Newcomb did not agree with our field representative's findings. Hopefully, we will be able to complete this re-examination during the 1972 irrigation season.

If we can assist you further, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/BL
Enclosures

36 2446

cc: Richard K. Smith
Attorney at Law
Burley, Idaho
Enc: Copy of Assignment

PARSONS & SMITH

ATTORNEYS AND COUNSELLORS AT LAW

137 WEST 13TH STREET

BURLEY, IDAHO 83318

AREA CODE 208

678-8382

P. O. BOX 910

WILLIAM A. PARSONS
RICHARD K. SMITH

March 1, 1972

State of Idaho
Department of Reclamation
State House
Boise, Idaho

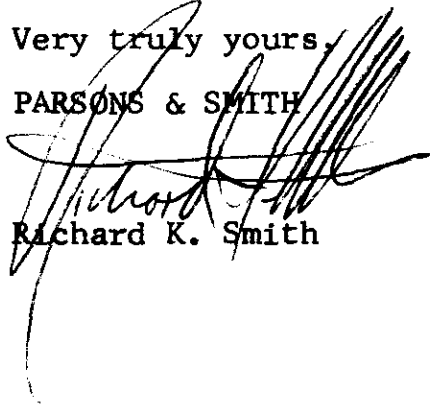
Re: Assignment of Permits

Gentlemen:

Please find enclosed the execution Assignment
of Permit of W. W. Newcomb to Warren and Elise Heins.

Very truly yours,

PARSONS & SMITH


Richard K. Smith

RKS/dmj
Encl.

36 2446

February 25, 1972

Re: License No. 36-2109
Permit Nos. 36-2446
36-2445

Mr. Richard K. Smith
Post Office Box #910
Burley, Idaho 83318

Dear Mr. Smith:

Pursuant to our telephone conversation of February 24, 1972, we are enclosing the requested copies.

Permit Nos. 36-2446 and 36-2447 are presently in good standing, awaiting a re-examination of the field representatives findings. Hopefully, we will be able to complete this re-examination during the up-coming irrigation season.

The examiner found that Permit No. 36-2446 was diverting 1.22 cubic feet per second for irrigation of land in the S $\frac{1}{2}$ of Section 36, Township 7 South, Range 25 East, Boise Meridian. Permit No. 36-2447 was found to be diverting 2.48 cubic feet per second for the irrigation of the NE $\frac{1}{4}$ of Section 35 and the N $\frac{1}{2}$ of Section 36, in Township 7 South, Range 25 East, Boise Meridian.

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

Very truly yours,

James Booker
Appropriation Examiner

JB:cs

Enc: referenced copies

36 2446

December 29, 1969

Re: Permit Nos. 28883/36-2446 and 28884/36-2447

Mr. Wayne Necomb
Route 1
Declo, Idaho 83323

Dear Mr. Newcomb:

Pursuant to your letter, of December 12, 1969, this department will tentatively schedule the re-examination of your diversion works for the first week of July, 1970. You will be notified prior to this examination in order that you will be available to show our examiner your diversion works.

If you have any further questions, please feel free to call on us.

Very truly yours,

DORIAN CLAY
Field Examiner

DC:kh

28883
36-2446

36-2446

36-2447

Department of Reclamation

Leeds Idaho

12-20-69

State Bureau of Reclamation
State House, Boise Idaho

Mr. Higgins - Reference your
letter guess we better do it
again as we should have it
dear right.

Please arrange
for them to come in July
as crop will be all grain
~~next year and~~ ~~perhaps will be~~
cut back later -

Will try get
meters installed

Yours
W. Wayne Pencomb

December 15, 1969

Re: Permits Nos. 36-2446 and 36-2447.

Mr. W. Wayne Newcomb
Box # 1
Basco, Idaho 83323

Dear Mr. Newcomb:

Following your recent telephone call, we have again checked the files of this office concerning your permits for wells north of Minidoka. I find that we sent notices to you in November indicating that inspections had been made on these two permits and we were prepared to issue licenses upon the receipt of the fees totaling \$42.00. You submitted the required fee on December 9th. However, due to your telephone call I am now wondering what you wish for us to do.

On permit G-28883/36-2446, our inspection showed that you were pumping 1.22 c.f.s. from a well in the NW1/4, Section 36, for irrigation of 113 acres of land in the NW1/4 and E1/4, Section 36. Inspection on permit G-28884/36-2447 showed that you were diverting 2.48 c.f.s. of water from a well in the SW1/4, Section 36, T 7N., R 25E., for irrigation of 456 acres of land in the NW1/4, Sec. 35, and NE1/4, Sec. 35.

If you have information showing that the wells are capable of producing more water than we have been able to measure while in operation through the sprinkler systems, we will, of course, be happy to consider it. We cannot, however, accept theoretical calculations based upon pump manufacturers' specifications or rating curves. If you would like us to remeasure the wells in the spring of 1970, we will be happy to do so.

In any event, I would appreciate receiving from you in writing a request to withhold the issuance of license if this is what you desire. Otherwise the licenses will be issued as outlined in our letter of November 10, 1969.

Very truly yours,

R. KEITH HEDGECOCK
State Reclamation Engineer

NRH/jlb

28883

36-2446

November 10, 1969

Re: Permit No. 28883/36-2446

W. Wayne Newcomb
Route #1
Dallo, Idaho 83323

Dear Mr. Newcomb:

A representative of this department has made an examination of the works covered by your Permit 36-2446 and has found the following:

Quantity of water diverted: 1.22 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 1.22 c.f.s.

The maximum quantity diverted shall not exceed 452 acre feet per season.

Beneficial Use: for irrigation of 113 acres in E₂SW₄, W₂SE₄, Sec.
36, Twp. 7S, Rgn. 25E, B.M.

The priority date established is: July 22, 1960

A fee totaling \$ 13.00 must be received within 30 days from the date of this letter in order that we can issue you the Water License as described above.

Very truly yours,

Dennis J. Timoskevich
Water Rights Administrator

DJT:MH

Fee Paid

28883

36-2446

January 17, 1969

C
O
P
Y
John E. Gray, Land Bank Appraiser
Federal Land Bank Assoc. of Burley
P. O. Box 548
Burley, Idaho 83318

Dear Mr. Gray:

Listed below is the information requested in your letter
of January 15, 1969.

Name	Permit or License #	Amount	Priority
Dorothy Matlock	per.45-2428 (G-23439)	1.3 cfs	12-15-52
Frank Somsen	lic.45-2485 (G-25261)	2.68 "	11-08-54
George L. Dean	lic.36-2066	2.0 "	3-01-48
W. W. Newcomb	per. G-28883	6.4 "	7-22-60

The permit of Dorothy Matlock and W. W. Newcomb have proofs
made, however, no licenses have been issued. The amount of water
is what was requested and until licensed it would be all we have
since no measurement has been made.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

28883

28883

1M April 1962

March 4, 1965

Re: Permit NO-28883
G-28884

W. W. Newcomb
Route #1
Deslo, Idaho

Dear Mr. Newcomb:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the The Minidoka County News Rupert, Idaho, all submitted in proof of completion of works and beneficial use on Permit NO-28883; G-28884.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

28883

**NOTICE OF PROOF OF
COMPLETION OF WORKS
and
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 3:30 P. M., on the 1st day of March 1965, at Rupert, Idaho, County of Minidoka, State of Idaho, before Wayne Taylor, Notary Public, at Rupert, Idaho, proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-28883, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation on holding said permit is W. W. Newcomb, RFD No. 1, Declo, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 6.4 cubic feet per second.

3. The use to which said water has been applied is irrigation, purposes, and the amount applied to beneficial use is 6.4 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 36, Twp. 7 S., Rge. 25 E.B.M.

5. The place where said water is used is SW $\frac{1}{4}$ and SE $\frac{1}{4}$ of Section 36, Twp. 7 S., Rge., 25 E.B.M.

6. The date of priority which said user is prepared to establish is July 22, 1960.

CARL E. TAPPAN
State Reclamation
Engineer
No. 251 Jan. 21 - Feb. 11

NOTICE OF TRUSTEE'S

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-28883

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case

Ques. 1. State your name, age, residence, occupation and postoffice address:

W. H. Stillington, 52 yrs, Farmer
Box 201, Rupert, Idaho

Ques. 2. Are you acquainted with W. H. Newcomb, the holder of
Permit No. G-28883? How long have you known him and where does he reside:

30 years, 170 #1 Sec 6

Ques. 3. Have you read or heard said Permit No. _____ read, and are you familiar
with its provisions and conditions: Yes: / No: _____

Ques. 4. State source of water supply: GROUND WATER-WELL AND PUMP

State place of diversion: NW 1/4 OF SE 1/4 OF SEC. 36 TWP. 7S RGE. 25EBM

Describe works for conveying water to place of use: WELL PUMP AND
SPRINKLER SYSTEM

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 6.4 How much water have you seen being so
conveyed: 8 LINES 1 1/4 MILE 30 NOZZLES 1 1/4 in dia

Ques. 6. If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

260 ACRES ONE PIECE
SW 1/4 SECTION 36 TWP 7S RANGE 25 EBM
W 1/2 SE 1/4

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation:

LAVA SILT - 200000 cu ft

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: NO

Ques. 10. When did you first see this water used: 1962 SUMMER

Other times you have seen such use: 1963-1964 BOTH SUMMERS

(Signed)

[Signature]

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in RUPERT

 , County of MINIDOKA, State of Idaho, on this 1ST day of MARCH,

A. D., ~~1965~~ 1965

Notary Public for State of Idaho

Residing: RUPERT, IDAHO

My commission expires: SEPT 19, 1968

28883

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 28883

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case

Ques. 1. State your name, age, residence, occupation and postoffice address:

Harold G. Lewis - 22. Rt 2 Rupert Idaho
Farm worker

Ques. 2. Are you acquainted with W. W. Newcomb, the holder of

Permit No. 28883 How long have you known him and where does he reside:

4 yrs - Rt #1 Lacle Idaho

Ques. 3. Have you read or heard said Permit No. 28883 read, and are you familiar with its provisions and conditions: Yes: _____ No: _____

Ques. 4. State source of water supply: Ground Water - Well and Pump

State place of diversion: NW 1/4 of SE 1/4 of Sec. 36 Twp - 7S - Rge 25 EBM

Describe works for conveying water to place of use: Well pump and
Sprinkler system

Ques. 5. How many second feet of water do you estimate said works will safely conduct

to place of use: 6.4 How much water have you seen being so

conveyed: 8 lines 1 1/4 mile to nozzles

Ques. 6. If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

260 acres one piece
SW 1/4 - Section 36 W 1/2 SE 1/4
Twp 7S Range 25 EBM

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation:

Lava silt

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: No

Ques. 10. When did you first see this water used: 1962 Summer

Other times you have seen such use: 1963 - 1964 both summers

(Signed)

Harold B. Lewis

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in RUPERT,

 , County of MINIDOKA, State of Idaho, on this 1st day of MARCH,

A. D., ~~1962~~ 1965

Stacy E. Taylor

Notary Public for State of Idaho

Residing: RUPERT

My commission expires: SEPT 19, 1968

RECEIVED
FEB 11 1965
BUREAU OF RECLAMATION

Department of Agriculture

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Jan 8, 1965
(P. O.) Seeds Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Minidoka County News of
Rupert Idaho published in the
county in which the works are situated.

W W Newcomb

(In case of canals or other works designed to divert and
carry more than 50 cubic feet of water per second, the following certificate
must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the
attached notice are true.

Engineer

28883

JAN 11 1965

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Jan 8, 1965

(P. O.) Leida Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Mandana County News of
Leida Idaho published in the
county in which the works are situated.

W. W. Hucomb

(In case of canals or other works designed to divert and
carry more than 50 cubic feet of water per second, the following certificate
must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the
attached notice are true.

Engineer

28883

DECEMBER

10/1/63

NOTICE OF PROOF OF COMPLETION OF WORKS

and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 330 M., on the 15th day of MARCH
 19 65, at Rupert, Idaho, County of Minidoka, State of Idaho,
 before Wayne Taylor, Notary Public, at (address) _____
Rupert Idaho, proof will be submitted of the completion of works for
 the diversion of 6.4 cubic feet per second of underground water from a well, and of the
 application to beneficial use of said water, in accordance with the terms and conditions
 of Permit No. G28883, heretofore issued by the Department of Reclamation of the
 State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
 is N.W. Newcomb, RED #1, DECELO, IDAHO

2. Said works of diversion will be fully completed on the date set for such comple-
 tion, and the amount of water which said works are capable of conveying to the place of
 use is 6.4 cubic feet per second.

3. The use to which said water has been applied is IRRIGATION
grain - potato
~~and but crops~~, purposes, and the amount applied to beneficial use is
6.4 cubic feet per second.

4. The point of diversion of said water is NW 1/4 of SE 1/4 of
Section 36 Twp 7 S - R 25 E

5. The place where said water is used is SW 1/4 and SE 1/4 of
Section 36 Twp 7 S - R 25 E B.M.

6. The date of priority which said user is prepared to establish is July 22, 1960

CARL E. TAPPAN

State Reclamation Engineer

28883

Re: Permit No. G-28883
W. W. Newcomb

Date: Jan. 11, 1965

Minidoka County News,
Rupert, Idaho

Gentlemen:

Enclosed you will find Notice for Publication, once a week
for four consecutive weeks prior to March 1, 1965
the date set for proof; the expense of the publication is to be paid
by the applicant W. W. Newcomb
of RFD #1, Declo, Idaho to whom you should
furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this
office with a copy or tear sheet of the first publication. **

Very truly yours,

Carl E. Tappan

CARL E. TAPPAN
State Reclamation Engineer

** If the first copy is not received in this office for checking
purposes and errors appear in subsequent issues, it is possible
that re-publication of corrected copy will be at your own expense

28883

Re: Permit No. **G-28883**

January 11, 1965

**W. W. Newcomb,
RFD #1,
Declo, Idaho.**

Dear Mr. Newcomb:

This acknowledges the Notice of Proof of Completion of Works and Application of water to Beneficial Use under Permit No. **G-28883**. The proofs are to be made at **3:30 o'clock P.M.** on the **1st** day of **March**, 19**65**, before **Wayne Taylor, Rupert, Idaho**, Notary Public.

As of this date, we have mailed the Notice to the **Minidoka County News** **Rupert, Idaho**, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the affidavit of publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) **EDNA P. RULE**
Chief Clerk

Encl.
EPR:pmk
cc: Notary

28883

July 29, 1960

Re: Permit No. G-20003
Permit No. G-20004
W. W. Newcomb

Mr. Harley M. McDowell,
Idaho Land & Map Service,
Box 2161,
Boise, Idaho.

Dear Mr. McDowell:

We enclose Permit Nos. G-20003 and G-20004, in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-9069 which was issued covering payment in the amount of \$13.00 for the filing fee of the above mentioned permits.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Bule
Chief Clerk

Encl.
EPR:smk
cc: W. W. Newcomb
Boise, Idaho

28883

Section 36

2
well

T. S. K. E.

Permit Map No. 28883
As Approved
JUL 26 1961
GEO. N. CARTER
State Registration Engineer