

45-02638

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 29433/45-2638 Priority March 8, 1961 Amount 3.12 cfs
(late proof)

THIS IS TO CERTIFY, that W. WAYNE NEWCOMB
of Declo, Idaho, has complied with the terms and conditions of Permit
No. 29433/45-2638 issued pursuant to Application for Permit dated February 8, 1961,
and has submitted proof to the Department of Water Administration on March 15, 1966,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 3.12 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 3.12 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 3.12 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 5, Twp. 10 S, Rge. 25 E, B.M.

in the county of Cassia; 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 * 640 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 $\frac{1}{4}$	
10 S	25 E	5									40	32	32	40	37	39	39	27	286
		8	37	38	33	32													140

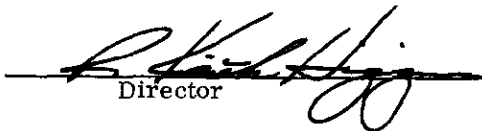
Total number of acres irrigated 426

* Number of acre feet of water equals the requirement for the irrigation of
160 acres as listed under the original permit.

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 2 day of

OCTOBER, 1973.


Director

45 2638

Receipt # 11547

RECEIVED

113 20 1973

Department of Water Administration

Permit No. 29433/45-2638

2638

Total number of acres to be irrigated

APPLICATION FOR PERMIT ^{Boise, Idaho} 45

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37431
Permit No. G- 29433
District No.

1. Name of Applicant: W. Wayne Newcomb

Postoffice address: Declo

County: Cassia

State: Idaho

2. Quantity of water claimed: 160 Miner's inches

(a) Rate of withdrawal in cubic feet per second 3.2 or Idaho
Miners' inches or gallons per minute

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Drilled wells

4. Location of point of diversion or well is in the NW ¼ of the SE ¼ of Section 8
Twp. 10 S , Rge. 25 E , B.M., County of Cassia

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 $\frac{1}{4}$ of the $\frac{1}{4}$ of Section _____, Twp. _____, Rge. _____, B. M. _____

(b) Waste water or sewage effluent is to be returned to

at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B. M.

7. Kind of works: Drilled well, to be cased and equipped with turbine type pump & motor

8. Estimated cost of works: \$ 15,000

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:

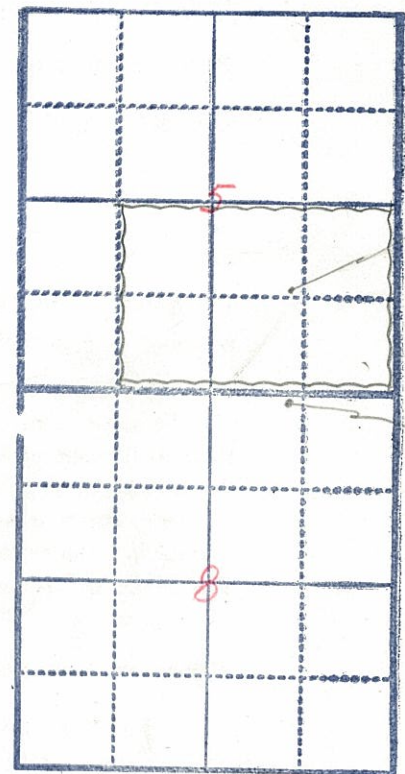
12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

License 22007

(a) 3.2 (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) (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/ Harley M. McDowell Agent.
B

Corrected application received:

Answer: _____

The number of this permit is G—29433

s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

STATE OF IDAHO

By s/ ROBERT E. SMYLLIE
Governor

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	
10 S	25 E	5													27	27	27	27	160
Application for Amendment ✓ LAND LIST Permit No. G -29433 Comes now W. Wayne Newcomb and represents to the State Reclamation Engineer of the State of Idaho: is the owner and holder of permit to appropriate the Public Waters of the State of Idaho No. G-29433, and that the list of lands to be irrigated; as described in said permit, be changed to read as follows: S¹/₂, S¹/₄ and NE¹/₄ of Section 8, T 10 S., R 25 E., B.M., making a total of 480 acres. That an additional amount of water be asked for, and that the rights of others will not be adversely affected by such change. Signed at Boise, Idaho this 24th day of January, 1966. /s/ W. WAYNE NEWCOMB Date of receipt at office of Department of Reclamation January 24, 1966. APPROVAL OF STATE RECLAMATION ENGINEER I, R. Keith Higginson, Assistant State Reclamation Engineer of the State of Idaho, hereby approve the application for amendment to Permit to appropriate the Public Waters of the State of Idaho No. G-29433. This constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby. /s/ R. KEITH HIGGINSON Assistant State Reclamation Engineer																			

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

October 18, 1973

Re: Permit No. 29433/45-2638

W. Wayne Newcomb
Route 1
Declo, Idaho 83323

Dear Mr. Newcomb:

Enclosed herewith is a copy of the Water License issued on the above referenced permit.

We are also enclosing a copy of the approved amendment along with Receipt # 11547 in the amount of \$39.00.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

Enclosures

45 2638

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2065

RECEIVED
AUG 20 1973



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

August 6, 1973

Mr. Wayne Newcomb
Route #1
Declo, Idaho 83323

Dear Mr. Newcomb:

A representative of this Department has made an examination of the works covered by your Permit No. 29433/45-2638 and has found the following:

Quantity of water diverted: 4.40 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 3.20 cfs

The maximum quantity diverted shall not exceed 640 acre feet per year.

Beneficial use: Irrigation of 426 acres within the S1/2 (286), Sec. 5; NE1/4 (140), Sec. 8; Twp. 10 S, Rge. 25 E, B.M.

SE1/4NE1/4 Sec. 8 &

Point of diversion: SW1/4SE1/4 Sec. 5, Twp. 10S, Rge. 25 E, B.M.

Priority date established: March 8, 1961 (late proof)

The point of diversion found by our field examiner differs from that listed under your permit, therefore, it will be necessary to amend the permit before a Water License can be issued. We are enclosing a partially completed application for amendment for your use. Please sign and return the application along with a \$10.00 filing fee.

Please be advised that there is also a \$29.00 licensing fee due. Therefore, we must receive the completed amendment application and a fee totaling \$39.00 within 30 days of the date of this letter in order to be able to issue your water license as set forth above.

If you do not concur with these findings or have any questions, please contact this office within the 30 day period.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

Enclosure

I still believe the well in Section 8 was drilled on a separate permit

Can we file an additional permit for the additional water we have used since well was put in 20 yrs ago in section 5 - Drilling is open this territory?

2638

35750 =
18710 64
59079 39

700
220 5 55
400 -
6000 =
13987 77
9109 70
1818 -
2986 45

1503 59
7935 08
2121 84

4712 88
5623, 18

45 : 6000

8/8/73

Mr Newcomb Called and says the well in Sec. 8 is covered under a new permit.

He will check his records for the permit no and call us again

BDF

August 6, 1973

Mr. Wayne Newcomb
Route #1
Declo, Idaho 83323

Dear Mr. Newcomb:

A representative of this Department has made an examination of the works covered by your Permit No. 29433/45-2638 and has found the following:

Quantity of water diverted: 4.40 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 3.20 cfs

The maximum quantity diverted shall not exceed 640 acre feet per year.

Beneficial use: Irrigation of 426 acres within the S1/2 (286), Sec. 5; NE1/4 (140), Sec. 8; Twp. 10 S, Rge. 25 E, B.M.

Point of diversion: SW1/4SE1/4 Sec. 5 & SE1/4NE1/4 Sec. 8, Twp. 10S, Rge. 25 E, B.M.

Priority date established: March 8, 1961 (late proof)

The point of diversion found by our field examiner differs from that listed under your permit, therefore, it will be necessary to amend the permit before a Water License can be issued. We are enclosing a partially completed application for amendment for your use. Please sign and return the application along with a \$10.00 filing fee.

Please be advised that there is also a \$29.00 licensing fee due. Therefore, we must receive the completed amendment application and a fee totaling \$39.00 within 30 days of the date of this letter in order to be able to issue your water license as set forth above.

If you do not concur with these findings or have any questions, please contact this office within the 30 day period.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

Enclosure

44-2638

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-29433 / 45-2638

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant W. Wayne Newcomb

2. Source of water supply: 2 wells

3. Location of point of diversion: Is in the NW 1/4 Sec. 5 of Section 5
T. 10 S R. 25 E., B.M. County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same: see 5 Chapter 10

#4 motor 125 HP ser no BEAR LRT 80-HJT 100 LAYNE PUMP
ser no. D10346 model. 10F44 1350 GPM @ 3390' and 171'pm
6" discharge to 6" portable aluminum main

#9 SEC. 8: U.S. MOTORS 75 HP, 220-440 VOLT, 1800 RPM, SER # D13296
LAYNE PUMP #29513 8" DISCHARGE, ALUM MAIN

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):

S 1/2, Sec. 5; NE 1/4, Sec. 8, T. 10 S., R. 25 E., B.M.

Note
N 1/2 of Sec. 8 also covered by License
45-2508 + 45-2499

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

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

Remarks: TALKED TO MR. NEWCOMB, CO-MINDED WITH
OTHER PUMPS IN, #4 { 10E, 25E, SEC. 5 SW 1/4 SW 1/4
{ 10S, 25E, SEC. 6 SW 1/4 NW 1/4
#9 { 10E, 25E SEC. 8 SE 1/4 NW 1/4
{ 10E, 25E SEC. 7 SE 1/4 NE 1/4

This examination was made on the 4th day of AUGUST, 1971.

(Signed) Brent A. Clifton Examiner.

45 2638

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

45 2638

Rt 1 300 - 3/16"
Declo, Idaho 35#
Permit No. G-29433/45-2638

Examination for Completion of Works & Beneficial Use

County Cassia

Quantity: 3.2 c.f.s. 8 ^{Sec. 5 T. 10 S. 25 E}
10 S 25 E

Source: Subterranean

P.D.: NW¹/₄SE¹/₄, Sec. 5; NW¹/₄NE¹/₄, Sec. 8, T. 10 S., R. 25 E., B.M.

Use: Irrigation

Filed: 2/8/61

Due: 2/15/66

Extension:

Protest:

Completion of Works:

Other Rights: Lic. 22007

Made: March 13, 1966

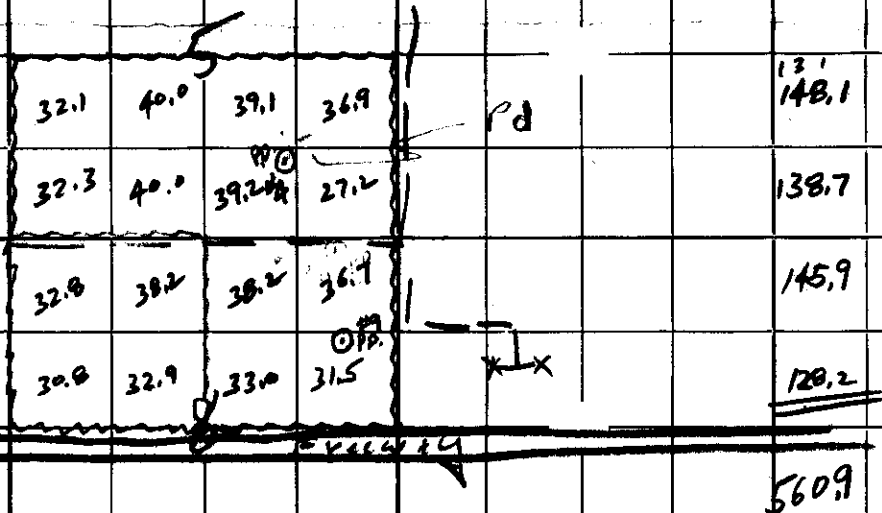
see 5 didn't put out enough
water alone to
operate sprinklers
tied to several other
pumps.

7/22/70

Rq 25 E.B.M.

To Declo

Typ 10s.



Pump #9 $Q = 579 \text{ GPM} = 1.28 \text{ cfs}$

Pump #4 $Q = 1409 \text{ GPM} = 3.12 \text{ cfs}$

TOTAL $Q = 4.40 \text{ cfs}$

$(4.4)(2)(244) = 2147 \text{ AF/ANN}$

$(560.9)(4) = 2243 \text{ AF/ANN}$

Q measured 4.40 cfs

Q recommended 4.40 cfs

Volume 2147 AF/ANN

Acreage =
Found 560.9

recommended 560.9

Subdv. _____

Amendments
☐ None
☒ P.D. #4 SEC. B. PUMP: 10S, 25E, SEC. B SE 1/4 NE 1/4
☒ Place of use ALSO 10S, 25E, SEC. B NW 1/4
☐ _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-29433 45-2638

~~REPORT ON PROOF OF Completion of Works & Beneficial Use~~

BE HERE AT 8:00 A.M.
CHECK ON OTHER EXAMS.

45 2638

32

8892 91

32

5

5

C307

32.1

✓ 40.8

91.0

39.1 ✓

7

67.9

36.9 ✓

32.3

C

43.7 ✓

D

✓ 31.9

39.2 ✓

53.9

27.2

2.8

9.0

5

8

7 8

8

A 387

Q260

105 B

17 16

17 8

8 9

8

III B

112.7

A

C308
1-2

C307
513

33.0

32.9
128.7

30.8

67

CLINIS

80.1
R
2.92

2.92

38.2
66.3
S

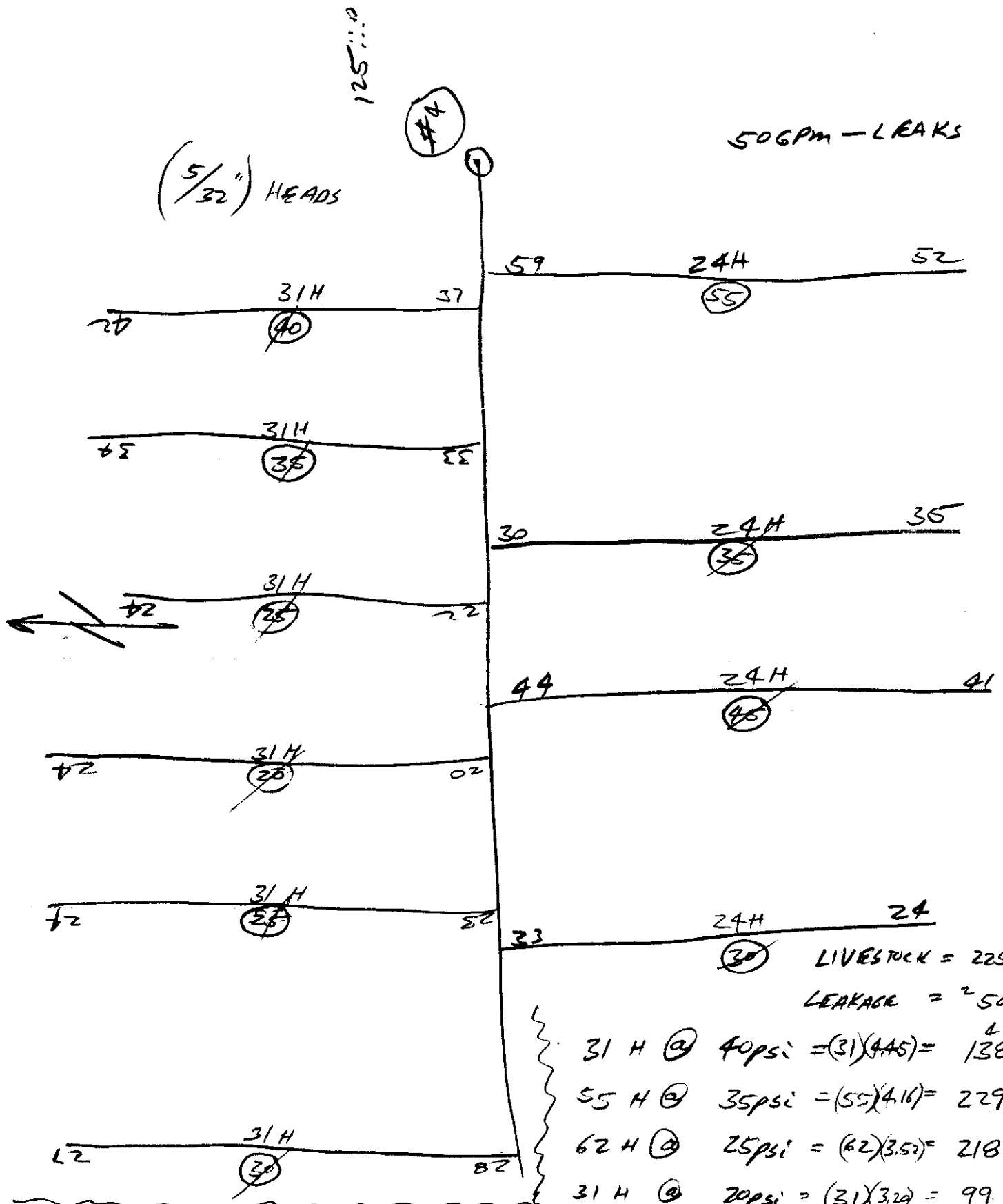
32.8

8 9

8

5 4

45 258



1184
225
1409

45 2628

LIVESTOCK = 225
LEAKAGE = 506 PM

31 H @ 40 psi = (31)(4.45) = 138
55 H @ 35 psi = (55)(4.16) = 229
62 H @ 25 psi = (62)(3.57) = 218
31 H @ 20 psi = (31)(3.24) = 99
55 H @ 30 psi = (55)(3.85) = 212
24 H @ 45 psi = (24)(4.72) = 113
24 H @ 55 psi = (24)(5.22) = 125

1409 PM

$$\begin{array}{r} .634 \\ .08 \\ \hline .05072 \end{array}$$

45-2638

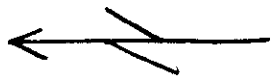
NEWcomb

PUMP #9 (75+112)

BYPASS AT PUMP:

D	W	R	I	V	A	Q
0.1	0.8	40	65	.634	.08	<u>.05072</u>

(5/32")



$$LEAKAGE = 225$$

$$BYPASS = \frac{12}{23}$$

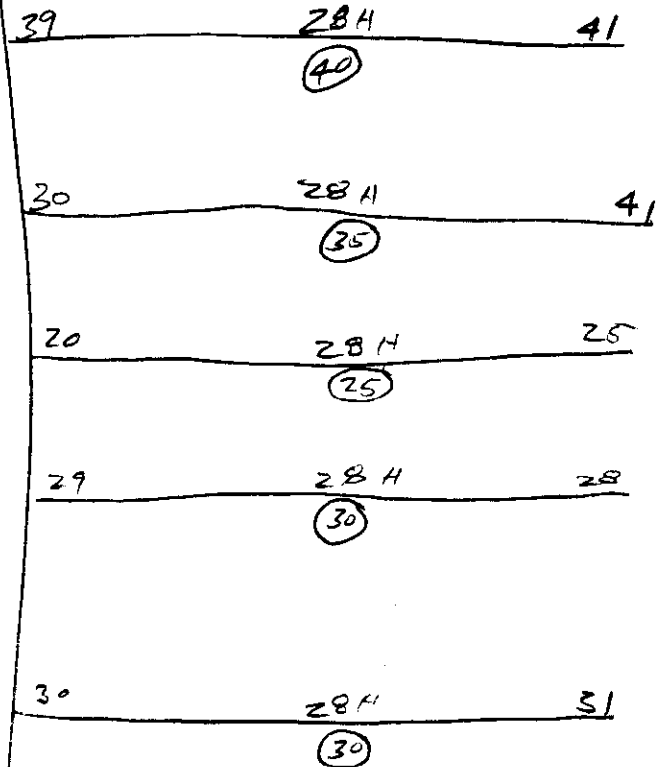
$$28 H @ 40 psi = (28)(4.45) = 125$$

$$28 H @ 35 psi = (28)(4.16) = 117$$

$$56 H @ 30 psi = (56)(3.85) = 216$$

$$28 H @ 25 psi = (28)(3.52) = 99$$

$$\underline{\underline{579 GPM}}$$



45 2638

December 15, 1970

Re: Permit No: 45-2637 NW1/4, W1/2NE1/4, Sec. 6; Twp. 10S, Rge. 25E, B.M.
E1/2NE1/4, Sec. 1; Twp. 10S, Rge. 24E, B.M.

Permit No: 45-2638 S1/2, Sec. 5; NE1/4, Sec. 8; Twp. 10S, Rge. 25E, B.M.

Permit No: 45-2714 S1/2, Sec. 9; W1/2SW1/4, Sec. 10; Twp. 10S, Rge. 25E, B.M.

Mr. Wayne Newcomb
Route 1
Declo, Idaho 83323

Dear Mr. Newcomb:

Thank you for answering my December 2 letter relative to the installation of water measuring devices on your irrigation system. The Badger meter, which you suggested, has been approved by this department and is completely satisfactory for installation as a measuring device. Several of these instruments have been installed throughout the state and are available in most areas.

I will notify my examiners to complete an examination of your system during the last part of May or the first part of June 1971. Prior to our making an inspection, we will contact you and establish a confirmed date.

Thank you.

Sincerely,

A. KENNETH DUNN
Assistant Director

AKD:mjl

45 2638

December 2, 1970

Re: Permit Nos. 45-2637,
45-2638, and 45-2714

Mr. Wayne Newcomb
Route 1
Declo, Idaho 83323

Dear Mr. Newcomb:

In regard to your November 18, 1970 telephone conversation with Mr. Keith Higginson. During the conversation, you stated that an examination had been made for your water rights. Our files indicate that on July 22, 1970, our examiner attempted to make an examination of your three permits; however, he was unsuccessful because of the method of operation of your system. His report indicates that you were unable to isolate each well so that a measurement could be made; and, in addition, there was considerable leakage which would not have been measured at the sprinkler head.

I hope that in your decision to install measuring devices as required by our October 9, 1970 letter, that you will consider permanent devices which would enable you to determine the actual amount of water pumped by your system. The benefit of the measuring device is really for the water user, in that he is able to determine accurately the amount of water pumped and the amount of power necessary to pump each acre-foot required during the season. I am positive you would find that these measuring devices would more than pay for themselves in a very short period of time, if they are used for the purpose in which they are designed. Please notify me as to the type of devices you finally select so that I can determine if it is the approved measuring device, and also notify me when they are installed for examination. I would suggest that you install them early in the season so that we can complete our examinations at the earliest possible time. The reason for this is that the groundwater would be highest earlier in the season; therefore, your production would be at a maximum and our measurements would provide you with the greatest amount of water at that time.

I will attempt to make the examinations as soon as I hear from you that your system is in operation.

Sincerely,

4 2638

A. KENNETH DUNN
Assistant Director
AKD:m11

November 17, 1970

Re: Permits No. 45-2637, 45-2638, and 45-2714

Mr. Wayne Newcomb
Route #1
Declo, Idaho 83323

Dear Mr. Newcomb:

Reference is made to my letter of October 9 relative to your three above-numbered permits. That letter required that you install and maintain measuring devices on each of the wells drilled under the permits for the purpose of providing a means for this office to determine the rate of diversion and seasonal amount of water diverted under the permits. Since we have not heard from you since the order was issued, we are unable to determine whether or not you intend to comply with that order. I would, therefore, appreciate a letter from you by return mail indicating your plans in this regard.

As you are well aware, we cannot issue a water license confirming your rights unless we can determine the amount of water diverted. Your failure to comply with the order and install the necessary measuring devices may result in cancellation of your permits.

Please let us hear from you concerning this matter.

Very truly yours,

R. KEITH HIGGINSON
Director

RKII:cc

45 2637

October 9, 1970

Re: Permits No. 45-2637, 45-2638, and 45-2714

Mr. Wayne Newcomb
Route #1
Declo, Idaho 83323

Dear Mr. Newcomb:

During the 1970 irrigation season representatives of this office attempted to examine the wells which you have constructed under the above-numbered permits. As you are aware, we are required by law to determine the quantity of water diverted and applied to beneficial use. Due to the type of system you are operating, it is impossible for this quantity to be measured without accurate measuring devices.

You are, therefore, notified that you are required under provision of Sections 42-237a and 42-701, Idaho Code, to install and permanently maintain measuring devices of a type which can be approved by this office that will measure all of the water diverted during each irrigation season. Such devices must be installed on each of the wells covered by the above permits. Your plans for the type of devices you intend to install should be submitted to this office for approval prior to commencement of the installation. Until such installations are completed, it will not be possible for this office to determine the quantity of water diverted and license confirming the water rights cannot be issued. As you are aware, failure to complete construction of necessary works, including the above mentioned measuring devices, may be grounds for cancellation of permits by this office.

I would appreciate hearing from you by return mail concerning your plans for such installations.

Very truly yours,

R. KEITH HIGGINSON
Director

RKH:cc

45 2638

The well in sec 5 is tied into a system and when the other wells were shut down it wouldn't produce enough water to operate the sprinkler and Mr. Newcomb wouldn't shut down any of the lines.

The well in sec 8 was shut down to partial volume and what water was being pumped was for the most part it was leaking very badly.

The well in sec 6 was shut off completely to install valley sprinkler system.

The well in sec 9 was shut down to about half. The lines were leaking very badly and in instance the bird itself was off and shooting water into the air.

Mr. Newcomb told me that in no circumstances did he think we could get an accurate measurement by any means except by figuring the lift from the pump banks.

I think that a meter should be required!

Bird alone
7/22/77

45 2038

45 2038

April 11, 1966

Re: Permit No. G-29433

W. Wayne Newcomb
Rt 1
Declo, Idaho

Dear Mr. Newcomb:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Burley Herald-Bulletin, all submitted in proof of completion of works and beneficial use on Permit No. G-29433.

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,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
xxxxxx Chief Clerk
xxxxxx

M. Russell Bosch
Office Manager

XXXX
EPR:

MRB:mr

29433

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

RECEIVED
APR 11 1966
8:50 A.M.
Department of Reclamation

Permit No. G-29433

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

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:

Gene Phillips 46 Rt. #1, Rupert, Idaho -- Farmer

Ques. 2 Are you acquainted with W. Wayne Newcomb, the holder of Permit No. G-29433 ? How long have you known him and where does he reside?

Over 10 yrs. Declo, Idaho

Ques. 3. Have you read or heard said Permit No. G-29433 read, and are you familiar with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: 2 wells

Give location of place of diversion, showing subdivision, section, township and range
1 well in NW¼ of the SW¼ Sec. 5 and 1 in the NW¼ of the NE¼ of Sec. 8 Tws 10S

Range 25EBM
Describe works for conveying water to place of use: 8" pipe main line running East and West from each pump

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: Over 3.2 cu.ft. per sec. How much water have you seen being so conveyed? Over 3.2 cu.ft. per sec.

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

S½ of Sec. 5 and N½ of Sec. 8 Tsp 10S Range 25 EBM

State nature of all improvements which have been made as a direct result of said use:

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled
the well: C. L. Hiddleston, 1202 F St. Rupert, Idaho Sec. 5 Sec. 8 Commons Drilling, Rupert, Ida

Ques. 7. If for other than irrigation purposes, show full legal description of place
of use and state purpose for which water is used:

Ques. 8: 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:

Quest. 9: State when and in what amount the water diverted under above mentioned permit
has been first used: 1954 - Time used since first use:

The increased use of this water covered by the additional permit was used from
May 1965 to end of season October 1965

Ques. 10. Describe all other water rights appurtenant to same place of use: _____

(sign) W. Wayne Rencom

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 him-
self to be, and that said testimony was subscribed and sworn to before me, at my office in

Burley, County of Cassia

State of Idaho, on this 15th day of March, A. D. 19 66.

My commission expires: Dec. 9th 1969

D. Jensen

29433

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29433

RECEIVED
APR 11 1966
8:00 A.M.
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

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:

Bruce C. Newcomb age 26 Rt. #1, Declo, Idaho -- Farmer

Ques. 2 Are you acquainted with W. Wayne Newcomb, the holder of Permit No. G-29433 ? How long have you known him and where does he reside?

Over 10 yrs. Declo, Idaho

Ques. 3. Have you read or heard said Permit No. G-29433 read, and are you familiar with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: 2 wells

Give location of place of diversion, showing subdivision, section, township and range
1 well in NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 5 and 1 well in NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 8 Tws 10S
Range 25 EBM

Describe works for conveying water to place of use: 8" pipe main line running East
and West from each pump

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: Over 3.2 cu.ft. per sec. How much water have you seen being so conveyed? Over 3.2 cu.ft. per sec.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:
S $\frac{1}{2}$ of Sec. 5 and N $\frac{1}{2}$ of Sec. 8 Tsp 10S Range 25 EBM

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is 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.
Sandy loam and will take more than 3.2 cu. ft. per sec.

Ques. 9. Have you any ownership 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? Over 10 yrs ago but increased water and pump was installed at Sec. 5 in accordance with G-29433 in May 1965
Other times you have seen such use: Many times during summer of 1965

(Signed):
Gene Phillips

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 _____

Burley, County of Cassia, State of Idaho, on
this 15th day of March, A. D. 1966

D Jensen
Notary Public for the State of Idaho
Residing Burley, Idaho

My commission expires Dec. 9, 1969

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G-29433

RECEIVED
APR 11 1966
8:00 A.M.
DEPT. OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

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:

Bruce C. Newcomb age 26 Rt. #1, Declo, Idaho -- Farmer

Ques. 2 Are you acquainted with W. Wayne Newcomb, the holder of Permit No. G-29433 ? How long have you known him and where does he reside?

Over 10 yrs. Declo, Idaho

Ques. 3. Have you read or heard said Permit No. G-29433 read, and are you familiar with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: 2 wells

Give location of place of diversion, showing subdivision, section, township and range
1 well in NW¹/₄ of the SW¹/₄ of Sec. 5 and 1 well in NW¹/₄ of NE¹/₄, Sec. 8 Twp 10S
Range 25 EBM

Describe works for conveying water to place of use: 8" pipe main line running East
and West from each pump

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: Over 3.2 cu.ft. per sec. How much water have you seen being so conveyed? Over 3.2 cu.ft. per sec.

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

S¹/₂ of Sec. 5 and N¹/₂ of Sec. 8 Tsp 10S Range 25 EBM

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is 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.

Sandy loam and will take more than 3.2 cu.ft. per sec.

Ques. 9. Have you any ownership 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? Over 10 yrs ago but increased water and pump was installed at Sec. 5 in accordance with G-29433 in May 1965
Other times you have seen such use: Many times during summer of 1965

(Signed):

Bruce C. Penrose

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

Burley, County of Cassia, State of Idaho, on this 15th day of March, A. D. 19 66

L. Jensen

Notary Public for the State of Idaho

Residing Burley, Idaho

My commission expires Dec. 9, 1969

8:00 A.M.
Department of Reclamation

The Burley Herald-Bulletin

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)

) ss:

STATE OF IDAHO)

Walter W. Schramm, being first

duly sworn, deposes and says that he is the

Editor of Burley Herald-Bulletin, a weekly 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 weekly editions of Burley Herald-Bulletin for

four (4) consecutive weeks, commencing

with the issue dated January 31, 1966, and

ending with the issue dated February 21, 66

Walter W. Schramm

Subscribed and sworn to before me this

23rd day of February, 19 66

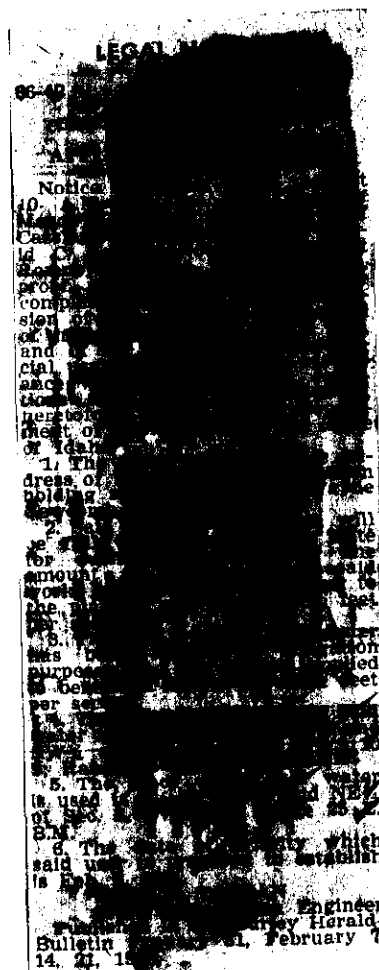
Ruth L. Hamblen Notary Public

My Commission Expires Feb. 18, 1969

Cost of Publication _____

Notary fee _____

Total Cost _____



OK

The Burley Herald-Bulletin

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)

) ss:

STATE OF IDAHO)

Walter W. Schramm, being first

duly sworn, deposes and says that he is the

Editor of Burley Herald-Bulletin, a weekly 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 weekly editions of Burley Herald-Bulletin for

four (4) consecutive weeks, commencing with the issue dated January 31, 1966, and ending with the issue dated February 21, 66.

Subscribed and sworn to before me this

23rd day of February, 19 66

Notary Public

Cost of Publication

Notary fee

Total Cost

LEGAL NOTICES

66-42

NOTICE OF PROOF OF COMPLETION OF WORKS and

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 A.M. on the 14th day of March 1966 at Burley, County of Cassia, State of Idaho before David C. Jensen, Notary Public, of Romney Apts., Burley, Idaho, proof will be submitted of the completion of works for the diversion of 3.2 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-29433, 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 W. Wayne Newcomb, Declo, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 3.2 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 3.2 cubic feet per second.

4. The point of diversion of said water is NW¹/₄ of SE¹/₄ Sec. 5 and NW¹/₄ of NE¹/₄ of Sec. 8, TWS 10 S, Range 25 E.

5. The place where said water is used is SE¹/₄ of Sec. 5 and NE¹/₄ of Sec. 8, TWP 10S Range 25 E, 3.M.

6. The date of priority which said user is prepared to establish is Feb. 8, 1961.

CARL E. TAPPAN

State Reclamation Engineer
Published in the Burley Herald-Bulletin January 31, February 7, 14, 21, 1966.

27433

10/1/63

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G- 29433 March 23, 19 66

To W. Wayne Newcomb
Decie, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G- 29433 to Appropriate the Public Waters of the State of Idaho, have not been complied with as to Proofs which were to have been made March 10, 1966 were not received in this office

YOU ARE HEREBY notified in compliance with Sec. 42-234, Idaho Code that said Permit No. G- 29433 is hereby held for cancellation.

YOU ARE HEREBY required to show cause before the State Reclamation Engineer on or before sixty days from date of this notice why said Permit should not be cancelled.

SAID PERMIT NO. G- 29433 claims the use of 3.2 cubic feet per second of the Subterranean Waters well with point⁸ of diversion located: NW 1/4 Sec. 5., NW 1/4 Sec. 6., Twp. 10 S., Rge. 25 E.B.M.

CASSIA COUNTY and was approved February 15, 1961.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office, at Boise, Idaho, the 23rd day of March, 19 66.

Carl E. Tappan

State Reclamation Engineer

cc: Harley M. McDowell
P. O. Box 2161
Boise, Idaho

29433

January 25, 1966

Re: Permit No. **R-29433**

MR. W. WAYNE NEWCOMB,
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. **R-29433**. The proofs are to be made at **10:00** o'clock **A.M.** on the **10th** day of **March**, 19**66**, before **David G. Jensen, Romney Apts., Burley, Idaho**, Notary Public.

As of this date, we have mailed the Notice to the **Burley Herald Bulletin** **Burley, 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

29433

January 25, 1966

RE: Permit No. G-29430
G-29432
G-29433 ✓

Wayne Newcomb
Delco, Idaho

Dear Mr. Newcomb:

Enclosed are your amendments to the Land List and the amendment to Point of Diversion on the above numbered permits, which have been recorded in this office.

Departmental receipt No. G-10102 in the amount of \$3.00 was given to you at the time you were in our office.

Very truly yours,

(Mrs.) EDNA P. RULE
Chief Clerk

EP:rfw
Encl: Amendments 3

29433

ROBERT E. SMYLIE
Governor



CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

Re: Permit No. G-29433
W. Wayne Newcomb

Date: Jan. 25, 1966

Burley Herald Bulletin,
Burley, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week
for four consecutive weeks prior to March 10, 1966
the date set for proof; the expense of the publication is to be paid
by the applicant W. Wayne Newcomb,
of 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

29433

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

Notice is hereby given that at 10 A M., on the 10 day of March
1966, at Burley, County of Cassia, State of Idaho
before David C Jensen, Notary Public, at (address) _____
Homey Apts. Burley Ida, proof will be submitted of the completion
of works for the diversion of 3.2 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-29433, 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 W Wayne Jensen Declo Idaho

2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of
use is 3.2 cubic feet per second. (~~1.5 cubic feet per second~~)

3. The use to which said water has been applied is irrigation
~~growing crops~~ purposes and the amount applied to beneficial use is
3.2 cubic feet per second.

4. The point of diversion of said water is NW 1/4 Sec 5
and NW 1/4 NE 1/4 Sect 8 - T10S - Range 25E

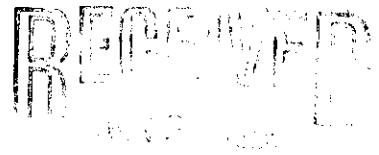
5. The place where said water is used is S 1/2 of Sec. 5 and
NE 1/4 of Sec 8
Twp 10S - Range 25E BM

6. The date of priority which said user is prepared to establish is 2-28-61

Carl E. Tappan

State Reclamation Engineer

29433



NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

Jan 31 1966

(P. O.)

Declo 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 Burley Herald Bulletin of
Burley Ida Published in
the county in which the works are situated.

W Wayne Henson

(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

29433

Application for Amendment

LAND LIST

Permit No. G-29433

Date of Issue

Department of Reclamation

Comes now W Wayne Henson, and represents to the STATE RECLAMATION ENGINEER of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-29433, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

South 1/2 of Sect. 5
and NE 1/4 of Sect. 7

TW 10S - 25E. B.M.

, making a total of 400 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise Idaho this 24 day of Jan, 1966

W Wayne Henson

Date of receipt at office of Department of Reclamation January 24, 1966

APPROVAL OF STATE RECLAMATION ENGINEER

R. Keith Higginson, Assistant

~~XXXXXXXXXXXX~~, State Reclamation Engineer of the State of Idaho, hereby approve

the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-29433. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

R. Keith Higginson
Assistant
State Reclamation Engineer 29433

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G - 29431; G-29432; G-29433
G-29434; G-29435 - W. Wayne Newcomb

Dec. 1, 1965

Idaho Land & Appraisal Service
P. O. Box 2161
Boise, Idaho

Gentlemen:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G-see above are due not later than **Feb. 15, 1966**

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated - - all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with two Forms 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named, and before the notary public, as advertised in the publication notice.

Very truly yours,

Carl E. Tappan
STATE RECLAMATION ENGINEER

Enc. Form 36 and 11 9 5 sets

cc:

29433

February 28, 1961

Re: Permit Numbers

G-29422 - W. Wayne Newcomb	G-29429 - W. Wayne Newcomb
G-29423 - Owen E. Randall	G-29430 - " " "
G-29424 - Hannah H. Soule	G-29431 - " " "
G-29425 - Hannah H. Soule	G-29432 - " " "
G-29426 - W. Wayne Newcomb	✓G-29433 - " " "
G-29427 - " " "	G-29434 - " " "
G-29428 - " " "	G-29435 - " " "

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

Dear Mr. McDowell:

We enclose the above captioned permits in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Departmental Receipt No. G-5650, which was issued covering payment in the amount of \$86.25 for the filing fee of the above mentioned permits, was given to you while you were in our office.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

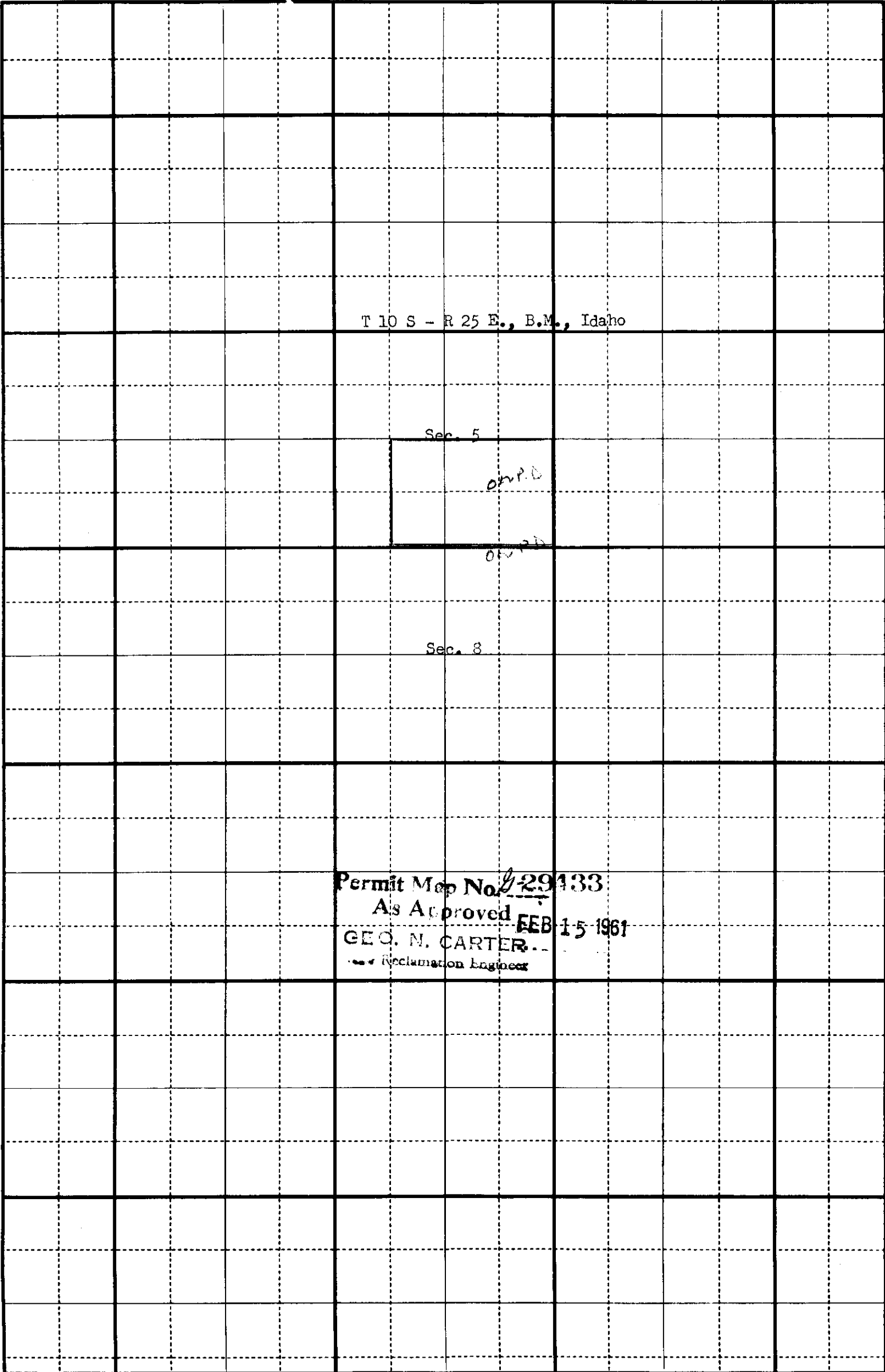
(Mrs.) Edna P. Rule
Chief Clerk

Encl.

EPR:pmk

cc: W. Wayne Newcomb
Owen E. Randall
Hannah H. Soule

29433



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

Notice is hereby given that at 10 A.M. on the 15th day of March 1966, at Burley, County of Cassia, State of Idaho before David C. Jensen, Notary Public, at Romney Apts., Burley, Idaho, proof will be submitted of the completion of works for the diversion of 3.2 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-29433, 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 W. Wayne Newcomb, Declo, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 3.2 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 3.2 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 5 and NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 8, TWS 10 S, Range 25 E.

5. The place where said water is used is S $\frac{1}{4}$ of Sec. 5 and NE $\frac{1}{4}$ of Sec. 8, TWP 10S Range 25 E. B.M.

6. The date of priority which said user is prepared to establish is Feb. 8, 1961.

CARL E. TAPPAN
State Reclamation Engineer
Published in the Burley Herald-Bulletin January 31 February 7, 14, 21, 1966. 29433