

45-02636

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 3870
WATER RIGHT NO(S). ~~45-02636~~/45-02754/45-07252/45-07268B

This is to certify that: **MARK T NEWCOMB**
250 E 200 S
RUPERT ID 83350

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 45-02636 :			
IRRIGATION	04/01 to 10/31	2.79 CFS	840.0 AF
Priority: 02/08/1961			
Right No. 45-07268B :			
IRRIGATION	04/01 to 10/31	0.61 CFS	136.0 AF
Priority: 05/14/1976			
	SUBTOTAL:	3.40 CFS	* 840.0 AF
Right No. 45-02754 :			
IRRIGATION	04/01 to 10/31	4.06 CFS	960.0 AF
Priority: 08/28/1952			
Right No. 45-07252 :			
IRRIGATION	04/01 to 10/31	4.56 CFS	1448.0 AF
Priority: 07/02/1976			
	SUBTOTAL:	** 6.50 CFS	2408.0 AF
	TOTAL:	*** 9.90 CFS	*** 3248.0 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 8, Township 10S, Range 25E
NWSW , Sec. 9, Township 10S, Range 25E
NWNE , Sec. 17, Township 10S, Range 25E
SESW , Sec. 17, Township 10S, Range 25E
CASSIA County

RECORDED
MAR 25 1987

TRANSFER NO. 3870
WATER RIGHT NO(S). 45-02636/45-02754/45-07252/45-07268B

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10S 25E 8	NESW 37	SESW 39	NESE 27	
	NWSE 37	SWSE 39	SESE 38	217
17	NENE 38	NWNE 40	SWNE 40	
	SENE 39	NENW 40	NWNW 40	
	SWNW 40	SENW 40	NESW 40	
	NWSW 40	SWSW 40	SESW 39	
	NESE 39	NWSE 39	SWSE 32	
	SESE 39			625

Total number of acres irrigated: **** 842

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
2. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- *** 7. The total instantaneous diversion of water from all points of
**** diversion under Transfer No. 3870 shall not exceed 9.90 cfs, nor total combined annual volume of 3248.0 af for the total combined irrigation of 812.0 acres in a single irrigation season.
- ** 8. Right Nos. 45-02754 and 45-07252 shall not exceed a total combined diversion rate of 6.50 cfs.
- **** 9. Right No. 45-02754 is limited to the irrigation of 240.0 acres in the place of use described above in a single irrigation season.
- **** 10. Right No. 45-07252 is limited to the irrigation of 362.0 acres in the place of use described above in a single irrigation season.
- * 11. Right Nos. 45-02636 and 45-07268B shall not exceed the total
**** combined annual diversion volume of 840.0 af, nor the total combined irrigation of 210.0 acres in a single irrigation season.

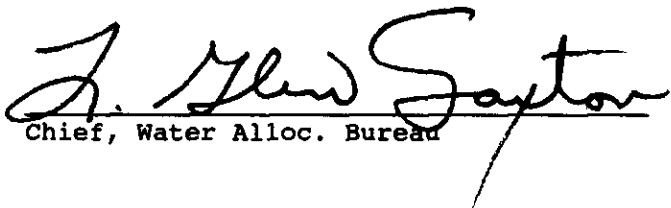
RECORDED
MAR 25 1972

TRANSFER NO. 3870
WATER RIGHT NO(S). 45-02636/45-02754/45-07252/45-07268B

CONDITIONS OF APPROVAL AND REMARKS

12. The right holder will cease irrigation of 71.0 acres previously authorized under Right No. 45-02636, and consolidate use of water on the remaining 210.0 acres.
- **** 13. Right No. 45-02636 is limited to the irrigation of 210.0 acres in the place of use described above in a single irrigation season.
- **** 14. Right No. 45-07268B is limited to the irrigation of 34.0 acres in the place of use described above in a single irrigation season.

Dated this 17th day of March, 1997.


Chief, Water Alloc. Bureau

RECEIVED
MAR 25 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3870**AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT****PART 1**

Name of applicant Mark T. Newcomb Phone 436-5699
Post Office address 250 E 200 S, Rupert, ID 83350

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Create PPU
2. Describe the reason for the proposed changes Replace a deeper well with a shallower one to reduce power costs. Also to show the present P/U of these rights. Amended application corrects PID errors on original app. to include lands in Sec. 8 (T. 3660) in this PPU.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|------------------|------------------|--------------------|---------------|----------------------------|
| <u>45-02754</u> | <u>8-28-1952</u> | <u>4.06 cfs</u> | <u>Irrig.</u> | <u>4-1</u> to <u>10-31</u> |
| <u>45-07252</u> | <u>7-2-1976</u> | <u>4.56 cfs</u> | <u>"</u> | <u>"</u> to <u>"</u> |
| <u>45-02636</u> | <u>2-8-1961</u> | <u>2.79 cfs</u> | <u>"</u> | <u>"</u> to <u>"</u> |
| <u>45-072688</u> | <u>5-14-1976</u> | <u>0.61 cfs</u> | <u>"</u> | <u>"</u> to <u>"</u> |
2. Total amount of water being transferred 9.90 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NW	SW	9	10S	25E	Cassia	
	SE	NW	NE	17	"	"	"	
	NW	SE	SW	"	"	"	"	
	NE	SE	SE	8	"	"	"	

5. Lands irrigated or place of use: Permissible place of use

Twp.	Rge.	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	
<u>10S</u>	<u>25E</u>	<u>8</u>									<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	
		<u>17</u>	<u>33</u>	<u>33</u>	<u>40</u>	<u>39</u>	<u>33</u>	<u>33</u>	<u>33</u>	<u>33</u>	<u>40</u>	<u>40</u>	<u>33</u>	<u>40</u>	<u>39</u>	<u>40</u>	<u>30</u>	<u>38</u>	<u>597</u>
<u>10S</u>	<u>25E</u>	<u>8</u>									<u>37</u>			<u>37</u>	<u>27</u>	<u>37</u>	<u>40</u>	<u>38</u>	<u>219</u>
		<u>17</u>	<u>38</u>	<u>40</u>	<u>40</u>	<u>39</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>39</u>	<u>39</u>	<u>39</u>	<u>32</u>	<u>39</u>	<u>625</u>

Department of Water Resources

Total acres 848 842

PART 1

6. General Information:

a. Description of diversion system Four connected wells & pumps, mainlines, sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land in W 1/2 SW 1/4 Sec. 8 has not been irrigated with these rights for a long time. Permit 45-07103 now covers that land. No change in the present place of use is requested under this amended application.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

MICROFILMED
MAR 25 1937

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 45-02636

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	2.79 CFS

SOURCE

GROUNDWATER

Priority: 02/08/1961

LOCATION OF POINT(S) OF DIVERSION:SESE , Sec. 8, Township 10S, Range 25E
CASSIA CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
10S	25E	8	NESW	35		NWSW	35	SWSW	40
			SESW	40		NESE	27	NWSE	35
			SWSE	40		SESE	29		281
Total number of acres irrigated:									281

CONDITIONS/REMARKS:MICROFILMED
MAR 25 1997

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 45-02754

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	4.06 CFS

SOURCE

GROUNDWATER

Priority: 08/28/1952

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 17, Township 10S, Range 25E
NESE , Sec. 17, Township 10S, Range 25E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10S 25E 17	NENE 40	NWNE 40	SWNE 40	
	SENE 40	SESW 40	SWSE 40	240
		Total number of acres irrigated:		240

CONDITIONS/REMARKS:

1. P/D IN CENTER NE 1/4 & SE 1/4, S17, T10S, R25E.

RECORDED
MAR 25 1997

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 45-07252

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	4.56 CFS	1448.0 AF

SOURCE

GROUNDWATER

Priority: 07/02/1976

LOCATION OF POINT(S) OF DIVERSION:NWNE , Sec. 17, Township 10S, Range 25E
SWSW , Sec. 17, Township 10S, Range 25E
CASSIA CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10S 25E 17	NENW 33	NWNW 33	SWNW 33	
	SENW 33	NESW 40	NWSW 40	
	SWSW 33	NESE 39	NWSE 40	
	SESE 38			362
		Total number of acres irrigated:		362

CONDITIONS/REMARKS:MICROFILMED
MAR 25 1987

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 45-07268B

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/15 to 11/15	0.61 CFS

SOURCE

GROUNDWATER

Priority: 05/14/1976

LOCATION OF POINT(S) OF DIVERSION:SESE , Sec. 8, Township 10S, Range 25E
CASSIA CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10S	25E	8	NESW 5	NESE 13	NWSE 5	34
			SESE 11			34
Total number of acres irrigated:						34

CONDITIONS/REMARKS:

1. THIS RT. WHEN COMBINED WITH RT. 45-2636 SHALL NOT EXCEED 840.0 AFA OR .02 CFS/AC.

RECORDED
MAR 25 1987

pg 7 of 9

T # 3870

PD #2

PD #1

4 62.3

3 2.7

27 7.5

26 110.8

25 9.2

29 5.8

28 5.7

33 71.8

32 6.8

31 123.0

30 5.4

HEL/NW

⑦ 588

7 1.8

HEL/NW

⑥ 157.1

T1380

18 1.7

2 3.9

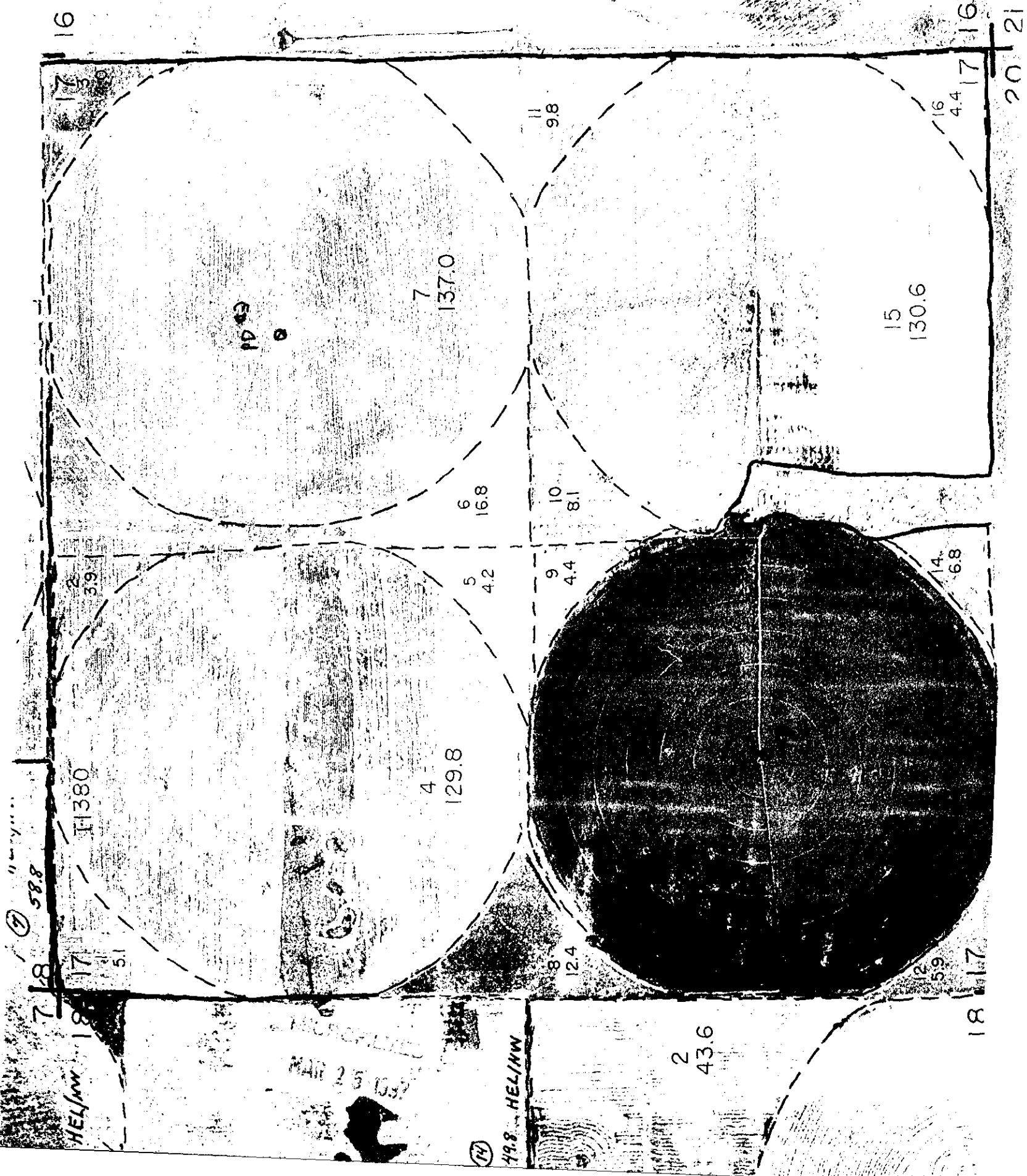
17 3.4

16

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MAR 25 1957

pg 8 of 9

T # 3870



PART 3

B. CHANGES IN NATURE OF USE

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

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

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

Mark S. Swanson
(Signature of Applicant)

Subscribed and sworn to before me this 28th day of June, 19 96.

J. F. Stanton
(Notary Public)

My commission expires 10-25-2000

FOR DEPARTMENT USE ONLY

Transfer contains 9 pages and 0 attachments

Received by J. F. Stanton Date 6-28-96 Protest filed by None

Prelim. check by CS Fee \$50.00 5019299

Receipted by J. F. Stanton Date 6-28-96

Published in So. ID. Press Copies of protest forwarded by _____

Pub. dates 8/19 + 8/26/96 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by AD

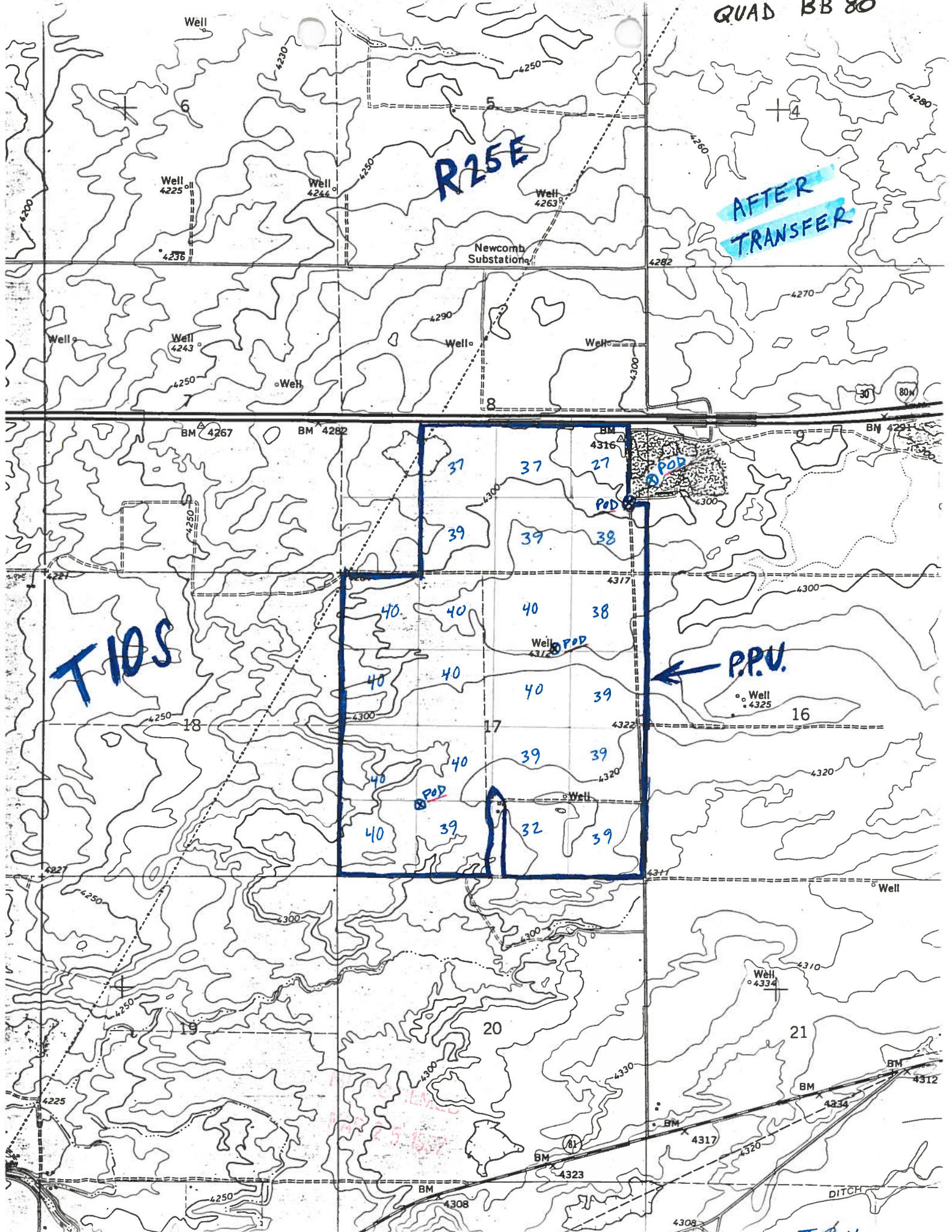
Copy of transfer sent to lien holder _____

RECEIVED

JUL 03 1996

Department of Water Resources
Southern Region

RECORDED
MAR 25 1997



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3870

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

APR 10 1996

PART 1

JAN - 4 1991

Department of Water Resources
Name of applicant Mark T. Newcomb

Department of Water Resources
Phone 426-5629
Southern Region Office

Post Office address At. 1 Box 421, Rupert, ID 83350

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use *To show present irrigation practices*
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Water is shallower at the new well site, thus saving power costs. Also to correct legal description of the old wells in Sec. 12. *FIXED*

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|--|---|-----------------------|------------------|-----------------------------|
| <u>45-02754</u> | <u>~~4-06~~ 8-28-52</u> | <u>4.06</u> | <u>Irrig.</u> | <u>3-15</u> to <u>11-15</u> |
| <u>45-07252</u> | <u>~~11-24-1975~~</u> | <u>4.56</u> | <u>"</u> | <u>"</u> to <u>"</u> |
| | <u>7-2-1976 * Per order, dated 16 August 1989</u> | | | |
| | | | | to |
| | | | | to |
| 2. Total amount of water being transferred <u>6.50</u> cubic feet per second and/or _____ acre-feet per annum. | | | | |
| 3. Source of water <u>Groundwater</u> tributary to _____ | | | | |
| 4. Point(s) of Diversion: _____ | | | | |

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	SE	8	10S	25E	Cass	
	S ^E	NW	NE	17	"	"	"	
	NW	SE	SW	"	"	"	"	
	.	*						

5. Lands irrigated or place of use: ~~No change~~

[illegible]

Total acres 589 577

PART 1

6. General Information:

a. Description of diversion system I connected wells & pumps, sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

N/A

d. Remarks:

New well was drilled earlier this year under Transfer #3660.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

MICROFILMED

MAR 25 1997

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

PART 2

(Attach one copy for each right)

RECEIVED

JAN - 4 1991

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

Department of Water Resources
Southern Region Officea. Decree No. _____ Decreed to _____
in case of _____ vs. _____

dated _____ in _____ county of _____

b. License No. 45-02754 issued by the Idaho Department of Water Resources.

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

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water Groundwater tributary to _____4. Date or priority 8-28-1952

5. Water is used for the following purpose:

amount 4.06 cfs for Irrig. purposes from _____ to _____

(cfs/ac-ft) _____ for _____ purposes from _____ to _____

(cfs/ac-ft) _____ for _____ purposes from _____ to _____

(cfs/ac-ft) _____ for _____ purposes from _____ to _____

6. Total amount of water under right 4.06 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	17	10S	25E	Cassia	
		NE	SE	"	"	"	"	

8. Lands irrigated or place of use:

Twp.	Rge.	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	
10S	25E	17	40	40	40	40							40				40		240

Total acres 240

9. Describe any other water rights used for the same purpose as described above

450252 on adjacent lands

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
Yes If yes, describe About 10 acres, mostly in E 1/2 SW & W 1/2 SE, are no longer irrigated

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

RECORDED
MAR 25 1937

Total acres _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

RECEIVED

JAN - 4 1991

Department of Water Resources
Southern Region Office

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
in case of _____ vs. _____

dated _____ in _____ county of _____

b. License No. 45-07252 issued by the Idaho Department of Water Resources.

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

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 7-2-1976

5. Water is used for the following purpose:

amount 4.56 cfs for Irrig. purposes from 3-15" to 11-15"
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 4.56 cubic feet per second and/or 1448 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	17	10S	25E	Cassia	
		SW	SW	"	"	"	"	

8. Lands irrigated or place of use:

Twp.	Rge.	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	
10S	25E	17					33	33	33	33	40	40	33		39	40		38	362

Total acres 362

9. Describe any other water rights used for the same purpose as described above _____

45-2754 on adjacent lands

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
Yes If yes, describe About 10 ac, mostly in E 1/2 SW & W 1/2 SE are no longer irrigated

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____

in case of _____ vs. _____

dated _____ in _____ county of _____

b. License No. _____ issued by the Idaho Department of Water Resources.

c. Claim No. A45-02754 on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 8-28-1952

5. Water is used for the following purpose:

amount 4.06 cfs for Irrig. purposes from 3-15 to 11-15

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

6. Total amount of water under right 4.06 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NE	NE	17	10S	25E	Cassia	
	NW	SE	SW	"	"	"	"	
	SE	NW	SE	"	"	"	"	

8. Lands irrigated or place of use:

Twp.	Rge.	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	
10S	25E	17	40	40	40	40							40				40		240

Total acres 240

9. Describe any other water rights used for the same purpose as described above

A45-07252 on adjacent lands

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
Yes If yes, describe About 10 acres, mostly in E 1/2 SW 1/4 & W 1/4 SE, are no longer irrigated

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A45-07252 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 11-24-1975

5. Water is used for the following purpose:

amount 8.0 cfs for Irrig. purposes from 3-15 to 11-15
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____

6. Total amount of water under right 8.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NE	NE	17	10S	25E	Cassia	
	NW	SE	SW	"	"	"	"	
	SE	NW	SE	"	"	"	"	

8. Lands irrigated or place of use:

Twp.	Rge.	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	
10S	25E	17					40	40	40	40	40	40	40		40	40		40	400

Total acres 400

9. Describe any other water rights used for the same purpose as described above _____

A45-02754 on adjacent lands

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

No Yes If yes, describe About 10 acres, mostly in E 1/4 SW & W 1/4 SE, are no longer irrigated

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

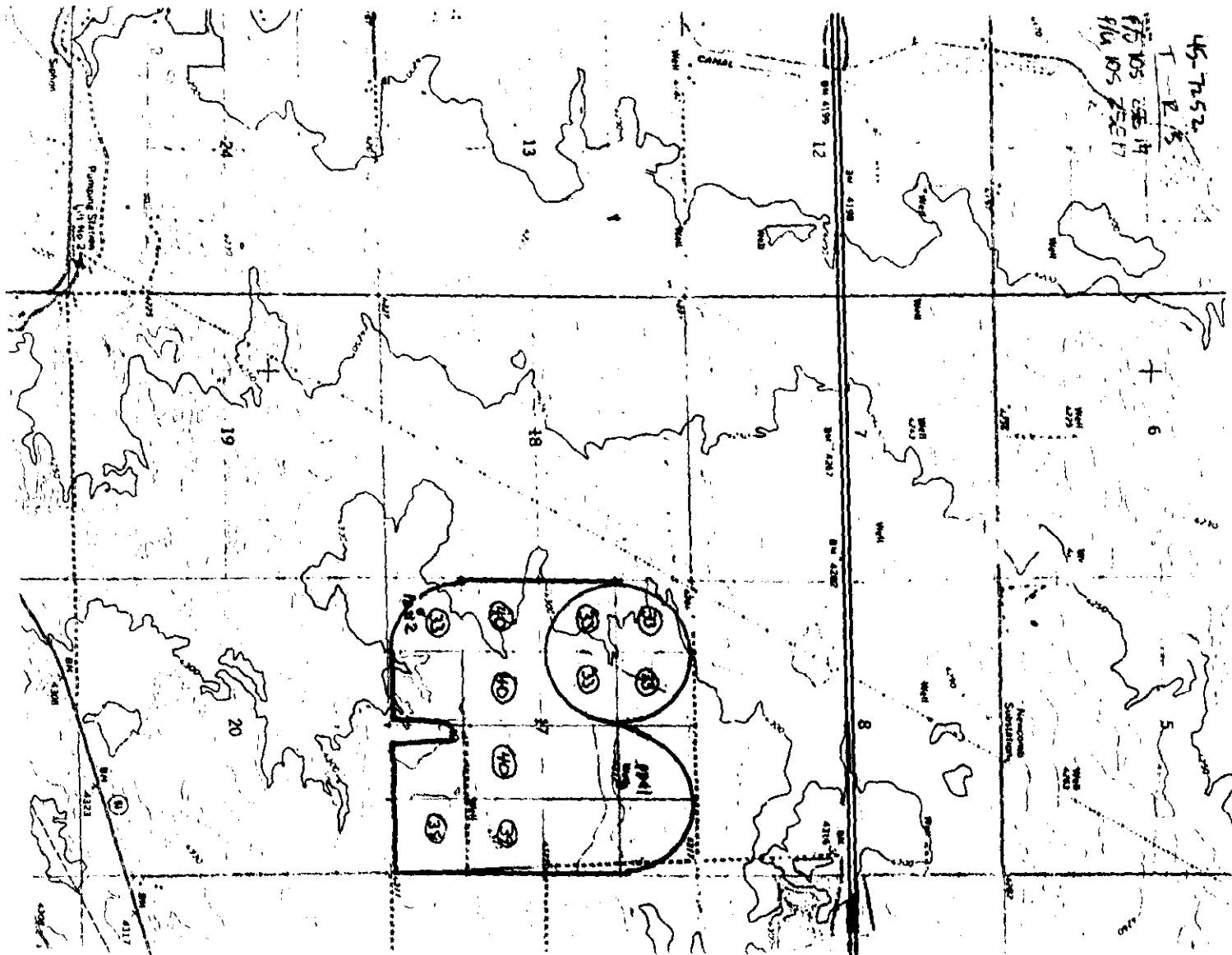
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

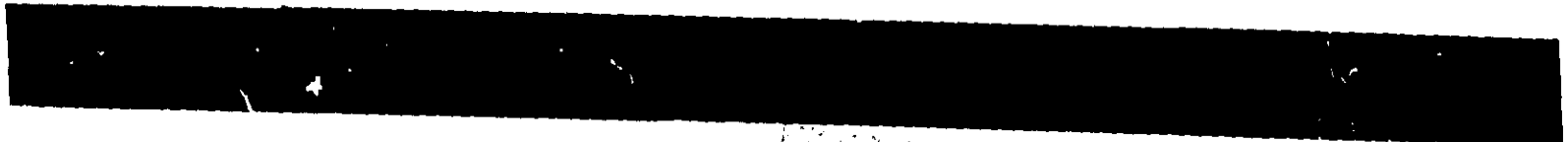
3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

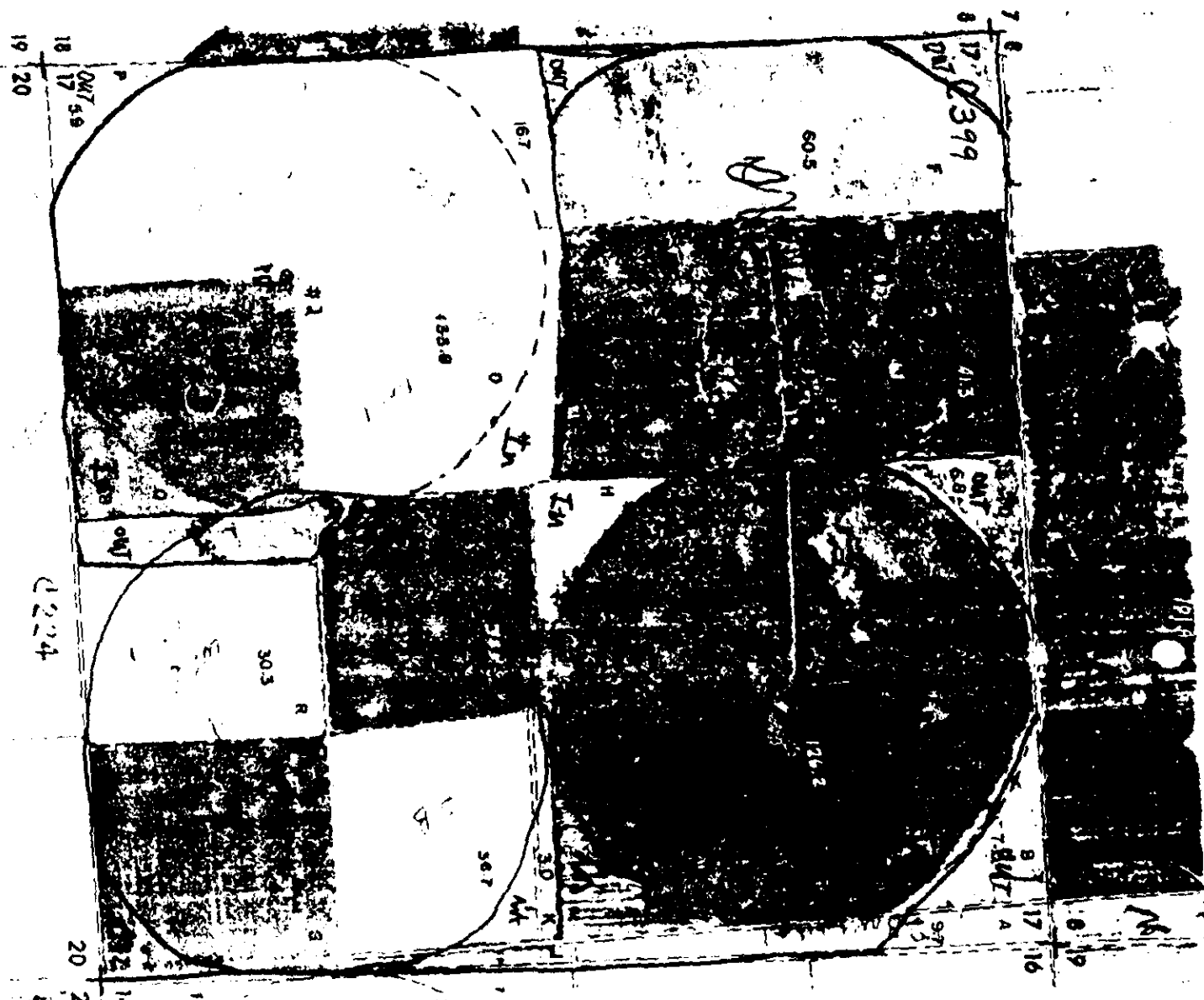


45-7252
T-2-15
75005 25.14
914.05 25.17



100-100-100
100-100-100

T#3870
45-02754
45-07252



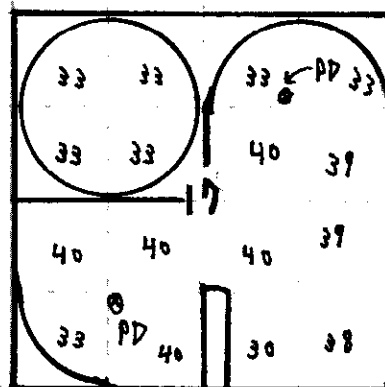
CONFIDENTIAL

25 1957

T# 3870
45-02754
45-07252

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3**

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



MICROFILMED
MAR 25 1987

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

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

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

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

Mark J. Fearcomb
(Signature of Applicant)

Subscribed and sworn to before me this 14th day of December, 1990.

Guday Givens
(Notary Public)

My commission expires Twain Falls, Idaho

July 18, 1994

FOR DEPARTMENT USE ONLY

Transfer contains 12 pages and 3 attachments

Received by J. F. Stanton Date 12-14-90 Protest filed by None

Prelim. check by [Signature] Fee \$50. 5012902

Receipted by [Signature] Date 12-14-90

Published in So. Id. Press Copies of protest forwarded by _____

Pub. dates 12/6 & 12/13/91 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by APM

Copy of transfer sent to lien holder _____

MICROFILMED
MAR 25 1997

Page 1 of 8STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3660APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

APPROVED

Name of applicant Mark Newcomb Phone 436-5679
Post Office address Rt 1, Box 421 Rupert, ID 83350

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ ~~Change place of use~~ ^{4/15-5-9-90} _(Reduce acreage) ^{No change in place of use TJD 8-7-90}
☐ Change nature of use ☐ Change period of use ☐ Other
2. Describe the reason for the proposed changes Old well pumps a lot of sand.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-----------------|------------------|--------------------|---------------|-----------------------------|
| <u>45-2636</u> | <u>2/8/1961</u> | <u>2.79</u> | <u>Irr</u> | <u>3/15</u> to <u>11/15</u> |
| <u>45-7268B</u> | <u>5/14/1976</u> | <u>0.61</u> | <u>Irr</u> | <u>3/15</u> to <u>11/15</u> |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred 3.40 cubic feet per second and/or 840 acre-feet per annum.
3. Source of water Groundwater tributary to
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	8	10S	25E	Cassia	

5. Lands irrigated or place of use: No Change

Twp.	Rge.	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	
10S	25E	8									40	35*	40	40	40	40	40	40	240 315*

MICROFILMED

SEP 12 1990

* Added per conversation w/ Bane
Newcomb 8-7-90
TJDTotal acres 240 315*

PART 1

6. General Information:

- a. Description of diversion system well with mainline to pivot and to hand lines.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
No change. Previous land sale withheld water rights for current land, this transfer records previous unrecorded transfer. License 45-7268 B is conditioned to limit volume diverted to
- d. Remarks:
840 AFA on 240 acres ^{3.5} (AF/acre)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCESThis is to certify that I have examined Application for Transfer of Water Rights No. 45-2636/7268BAnd said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this

16th day ofAugust, 19 90J. Glen Saxton

Chief, Water Allocation

MICROFILMED

SEP 12 1990

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. Decreed to

in case of vs.

dated in county of

b. License No. 45-7268B issued by the Idaho Department of Water Resources.

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

d. Transfer No. which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other

3. Source of water Groundwater tributary to

4. Date or priority 5/14/1976

5. Water is used for the following purpose:

amount 0.61 for Irrig purposes from 3/15 to 11/15

(cfs/ac-ft) for purposes from to

(cfs/ac-ft) for purposes from to

(cfs/ac-ft) for purposes from to

6. Total amount of water under right 0.61 cubic feet per second and/or acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	8	10S	25E	Cassia	

8. Lands irrigated or place of use:

Twp.	Rge.	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	
10S	25E	8									5				13	5		11	34

MICROFILMED

SEP 12 1990

Total acres 34

9. Describe any other water rights used for the same purpose as described above 45-2636

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

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 45-2636 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 2/8/1961

5. Water is used for the following purpose:

amount 2.79 for Irrig purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.79 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	8	10S	2SE	Cassa	

8. Lands irrigated or place of use:

Twp.	Rge.	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	
10S	2SE	8									35	35	40	40	27	35	40	29	281

Total acres 281

9. Describe any other water rights used for the same purpose as described above 45-7268B

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

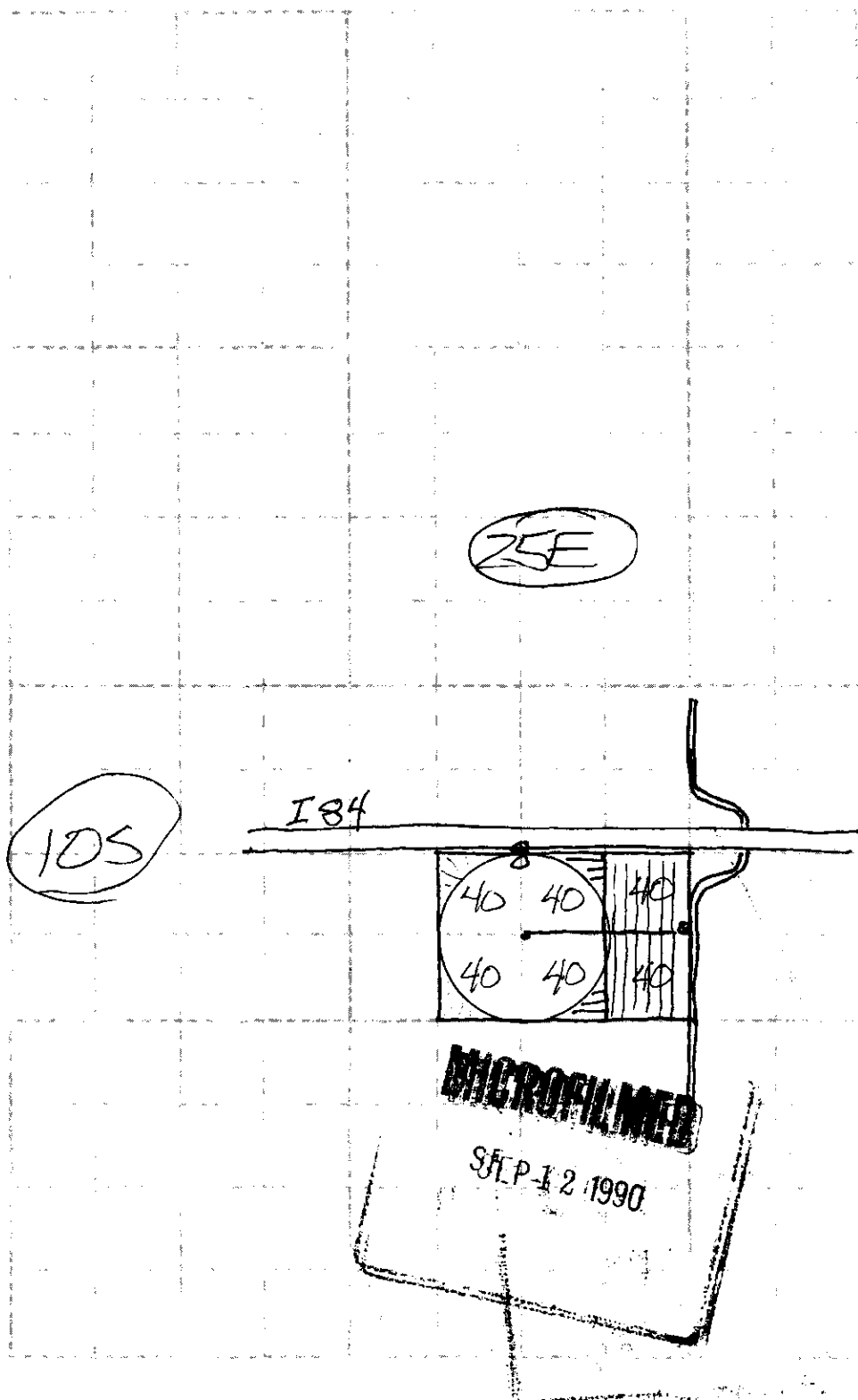
3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	_____	_____	_____	_____ to _____
	_____	_____	_____	_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

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

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

[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 24th day of January, 1990.

Twin Falls, Idaho
[Signature]
(Notary Public)

My commission expires July 18, 1995

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 0 attachments

Received by DRJ Date 1/24/1990 Protest filed by _____

Prelim. check by JF Ehlertson Fee \$50 5011052

Receipted by DRJ Date 1/24/1990

Published in South Idaho Press Copies of protest forwarded by _____

Pub. dates 3/8 + 3/15/90 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by [Signature]

Copy of transfer sent to lien holder _____

MICROFILMED

SEP 1 1990

RECEIVED

APR 4 1990

Department of Water Resources
Southern Region Office

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia, }
STATE OF IDAHO } SS.

Gedy Johnson being first
duly sworn, deposes and says that she
is the clerk of the South
Idaho Press, a daily newspaper published
at Burley, Idaho, in the county aforesaid
and that the paper is of general circulation
therein. Deponent further states that the
printed notice attached hereto was duly
published according to law in the regular
editions of The South Idaho Press for two
consecutive weeks, commencing with the
issue dated March 8 1990, and
ending with the issue dated March 15,
1990. Gedy Johnson

STATE OF IDAHO }
COUNTY OF Cassia }

On this 24 day of March in the year of 1990, before me,
a Notary Public, personally appeared Gedy Johnson,
known or identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared that the
statements therein are true, and acknowledged to me that he executed
the same.

Dolores Mabe
Notary Public for Idaho

Residing at Burley ID

My commission expires: 7/1/93

Cost of Publication: 50.76
Notary Fee: .50
Total Cost: 51.26

NO. 45-2636, 45-7268B
Notice is hereby given that Mark Newcomb of Burley, ID has applied to the Department of Water Resources to change the following described water rights pursuant to section 42-232 of the IDAHO CODE.

WATER RIGHT AS RECORDED
Right No. 45-2636
Right: License
Source: groundwater
Date: 2/8/1981
Amount: 2.79 cfs
Use: Irrigation
Point of diversion: SE1/4SE1/4, S8, T10S, R25E, Cassia County.
Place of use: 240 acres within SW1/4, SE1/4, R25E.

WATER RIGHT AS RECORDED
Right No. 45-7268B
Right: License
Source: groundwater
Date: 5/14/1976
Amount: 0.61 cfs
Use: Irrigation
Point of diversion: SE1/4SE1/4, S8, T10S, R25E, Cassia County.
Place of use: 34 acres within NE1/4SW1/4, NW1/4SE1/4, SE1/4SE1/4, S8, T10S, R25E.

CHANGED AS FOLLOWS:
Water right No.: 45-2636
Amount: 2.79 cfs
Water right No.: 45-7268B
Amount: 0.61 cfs
Total amount being transferred: 3.40 cfs
Source: groundwater
Point of diversion: NE1/4SE1/4, S8, T10S, R25E, Cassia County.
Place of use: 240 acres within E1/2SW1/4, SE1/4, S8, T10S, R25E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave. East, Twin Falls, ID 83301 on or before March 28, 1990.

S. D. [Signature] Director
[Signature] on
[Signature] on

MICROFILMED

SEP 12 1990

SOUTH IDAHO PRESS
BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia, }
STATE OF IDAHO } ss.

Gerdy Johnson being first
duly sworn, deposes and says that she
is the owner of the South
Idaho Press, a daily newspaper published
at Burley, Idaho, in the county aforesaid
and that the paper is of general circulation
therein. Deponent further states that the
printed notice attached hereto was duly
published according to law in the regular
editions of The South Idaho Press for two
consecutive weeks, commencing with the
issue dated March 8 1990, and
ending with the issue dated March 15,
1990. Gerdy Johnson

STATE OF IDAHO }
COUNTY OF Cassia }

On this 24 day of March in the year of 1990, before me,
a Notary Public, personally appeared Gerdy Johnson,
known or identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared that the
statements therein are true, and acknowledged to me that he executed
the same.

Dolores Mabey
Notary Public for Idaho

Residing at Burley ID

My commission expires: 7/4/93

Cost of Publication: 50.76

Notary Fee: 50

Total Cost: 51.26

90-77

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT**
NO. 45-2636, 45-7268B

Notice is hereby given that Mark Newcomb of Rupert, ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to section 42-222 of the IDAHO CODE.
WATER RIGHT AS RECORDED

Water right No. 45-2636

Basis of right: License

Source: groundwater

Priority Date: 2/8/1981

Amount of water: 2.79 cfs

Water use: irrigation

Point(s) of diversion: SE1/4SE1/4, S8, T10S,

R25E; Cassia County.

Place of use: 281 acres within SW1/4, SE1/4,

S8, T10S, R25E.

WATER RIGHT AS RECORDED

Water right No. 45-7268B

Basis of right: License

Source: groundwater

Priority Date: 5/14/1976

Amount of water: 0.61 cfs

Water use: irrigation

Point(s) of diversion: SE1/4SE1/4, S8, T10S,

R25E; Cassia County.

Place of use: 34 acres within NE1/4SW1/4,

N1/2SE1/4, SE1/4SE1/4, S8, T10S, R25E.

CHANGED AS FOLLOWS:

Water right No.: 45-2636

Amount: 2.79 cfs

Water right No.: 45-7268B

Amount: 0.61 cfs

Total amount being transferred: 3.40 cfs

Source: groundwater

Point of diversion: NE1/4SE1/4, S8, T10S,

R25E; Cassia County.

Place of use: 240 acres within E1/2SW1/4,

SE1/4, S8, T10S, R25E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave. East, Twin Falls, ID 83301 on or before March 26, 1990.

R. Keith Higginson, Director
Published in the South Idaho Press on
March 8 and 15, 1990.

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SEP 12 1990

69-8

58.8 HEL

510
30

1350 HEL

32
68

35
71.8

89
173
16

36
1108 HEL
75 DEL

39
8.8

RECEIVED

1960

IS

30

35 36 35 27
40 40 40 24

PD

132
135
138

PD

Subdivisions = 8

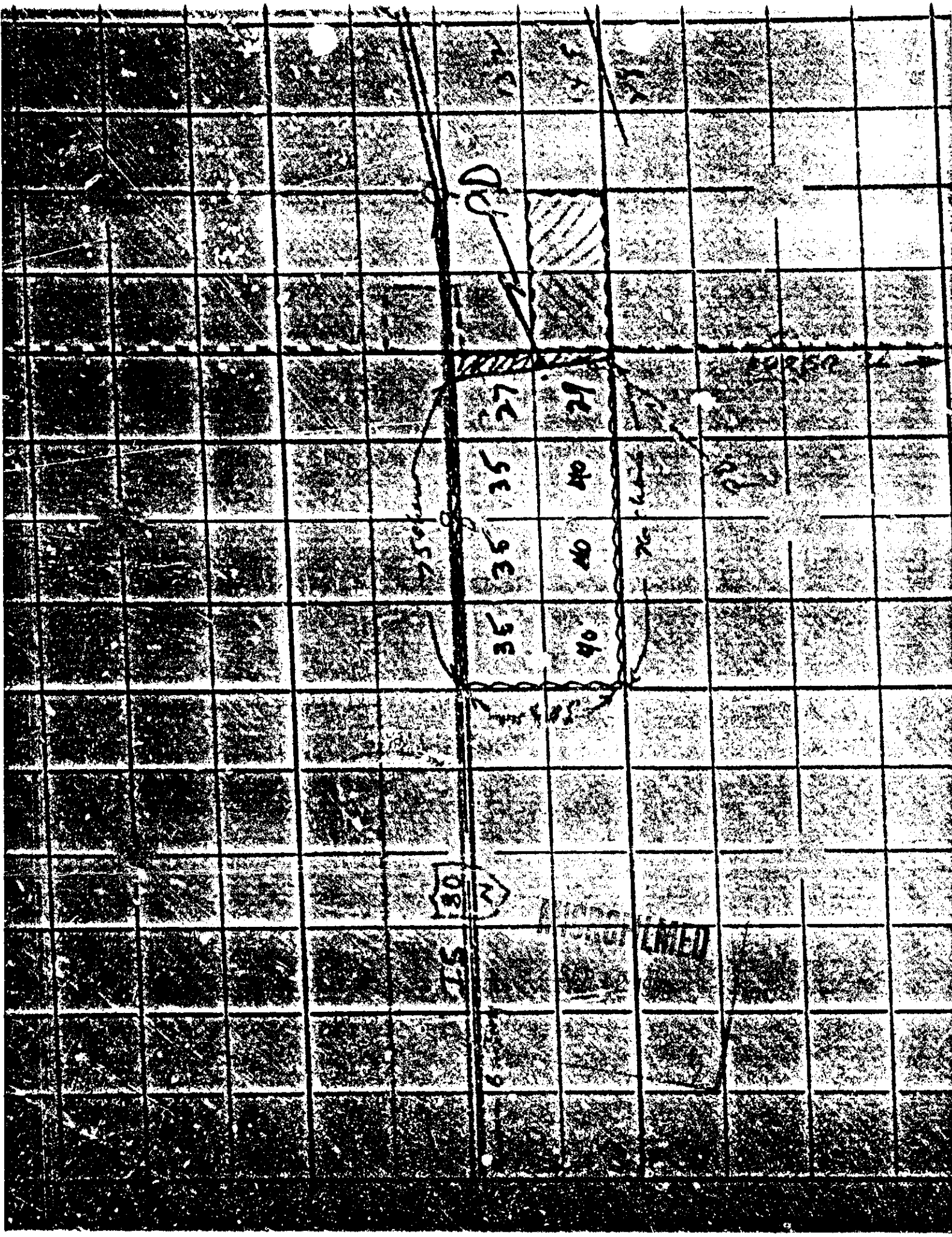
Area = 281 acres

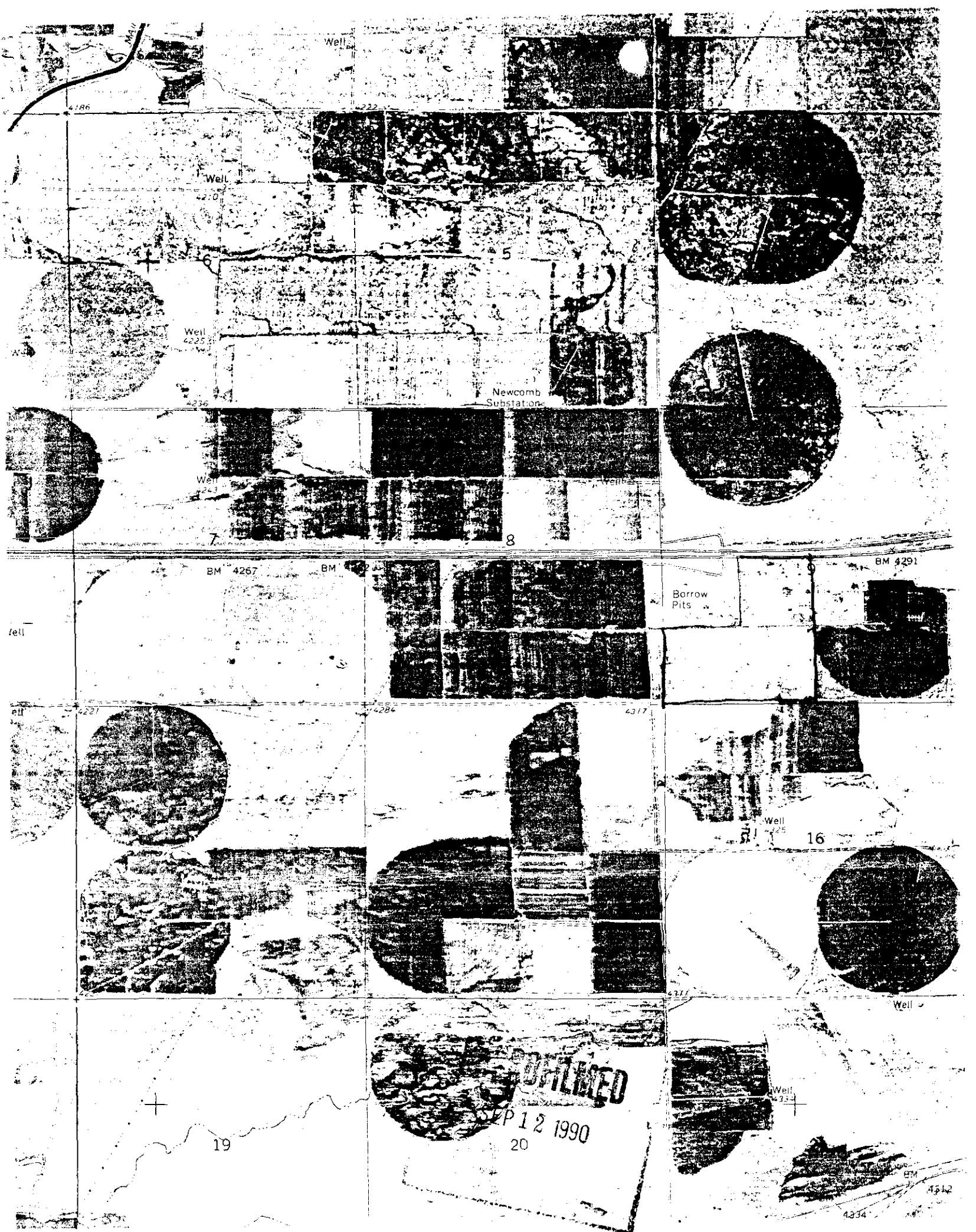
$\phi = 2.79 \text{ cfs at } 140 \text{ inches}$

37 37 37 24
40 40 40 32

FILMED

SEP 2 1990





CONSOLIDATED TAX NOTICE AND RECEIPT

CASSIA COUNTY TAX COLLECTOR

1989

SHIRLEY POVLSEN, COURTHOUSE

BURLEY, ID 83318

REAL PROPERTY

MARKET VALUE

TAXPAYER AREA

PARCEL NUMBER

LOT NUMBER

102830

7-00

RP10S25E084800A

7144

E1/2SW, PT SE1/4 8-10-25

L 102830

226.000

TOT ACRES

DELINQUENT CERT

NEWCOMB, BRUCE

% NEWCOMB, MARK

RT 1 BOX 421

RUPERT, ID 83350

TAXING DISTRICT

RATE

AMOUNT

COUNTY

.003151

324.02

SCH DIST 151

.003402

863.98

NO CASSIA FIRE

.000568

58.42

BURLEY HIGHWAY

.001718

176.66

DELINQUENT

FIRE DISTRICT

1,423.08

DELINQUENT

DELINQUENT

DELINQUENT

DELINQUENT

DELINQUENT

711.54

DELINQUENT

DELINQUENT

DELINQUENT

DELINQUENT

DELINQUENT

DELINQUENT

711.54

DELINQUENT

DELINQUENT

DELINQUENT

DELINQUENT

TOTAL .013839 1,423.08

RECEIVED

FEB 27 1990

Department of Water Resources
Southern Region Office

YOUR CANCELLED CHECK IS YOUR RECEIPT

HM=HOMEOWNER HD=HARDSHIP L=LAND I=IMPROVEMENTS P=PERSONAL A=ACRES WAC=WASTE L=LOTS

RECORDED

SEP 12 1990

MICROFILMED

SEP 12 1990

OLIDATED TAX NOTICE AND RECEIPT

CASSIA COUNTY TAX COLLECTOR

1989

HIRLEY POVLSON, COURTHOUSE

BURLEY, ID 83318

REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
3409	7-00	RP105255087200A	6152

T 3683

S A T 10 R 25

L 3409

14.000

NEWCOMB, MARK T

TOT ACRES

RT 1 BOX 421

DELINQUENT CERT.

POPERT, ID 83350

TAXING DISTRICT	RATE	AMOUNT	RECEIPT
COUNTY	.002491	8.40	FULL PAYMENT
SCH DIST 151	.005213	28.00	TAX 42.7
NO CASSIA FIRE	.000162	.55	PEN.
BURLEY HIGHWAY	.001697	5.76	SUB TOT
			INT.
			TOT.
			1ST INSTALLMENT
			TAX 21.3
			PEN.
			SUB TOT.
			INT.
			TOT.
			2ND INSTALLMENT
			TAX 21.3
			PEN.
			SUB TOT.
			INT.
			TOT.
TOTAL	.012543	42.78	

YOUR CANCELLED CHECK IS YOUR RECEIPT

HM=HOMEOWNER HD=HARDSHIP L=LAND I=IMPROVEMENTS P=PERSONAL AC=ACRES WAC=WASTE LT=LOTS

CONSOLIDATED TAX NOTICE AND RECEIPT
 CASSIA COUNTY TAX COLLECTOR 1989
 BURLEY POVLSEN, COURTHOUSE
 BURLEY, ID 83318 REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
102830	7-00	RP10S25E084800A	7144

E1/2SW, PT SE1/4 8-10-25

L 102830

226.000 NEWCOMB, BRUCE
 TOT ACRES % NEWCOMB, MARK
 DELINQUENT CERT. RT 1 BOX 421
 RUPERT, ID 83350

TAXING DISTRICT	RATE	AMOUNT	RECEIPT
COUNTY	.003151	324.02	FULL PAYMENT
SCH DIST 151	.008402	863.98	TAX 1,423.08
NO CASSIA FIRE	.000568	58.42	PEN.
BURLEY HIGHWAY	.001718	176.66	SUB TOT.
			INT.
			TOT.
			1ST INSTALLMENT
			TAX 711.54
			PEN.
			SUB TOT.
			INT.
			TOT.
			2ND INSTALLMENT
			TAX 711.54
			PEN.
			SUB TOT.
			INT.
			TOT.
TOTAL	.013839	1,423.08	

RECEIVED
 FEB 27 1990
 Department of Water Resources
 Southern Region Office

MICROFILMED

SEP 12 1990

YOUR CANCELLED CHECK IS YOUR RECEIPT...

HM=HOMEOwner HD=HARDSHIP L=LAND I=IMPROVEMENTS P=PERSONAL A=ACRES WAC=WASTE L=LOTS

SOLIDATED TAX NOTICE AND RECEIPT

CASSIA COUNTY TAX COLLECTOR

1998

MURLEY POVLSEN, COURTHOUSE

MURLEY, ID 83318

REAL PROPERTY

MARK T VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
3409	7-00	RP10S25E087200A	6152

T 3583

S A T 10 R 25

L 3409

14.000

NEWCOMP, MARK T

TOT ACRES

RT 1 BOX 421

DELINQUENT CERT.

RUPEPT, ID 83350

TAXING DISTRICT	RATE	AMOUNT	RECEIPT
COUNTY	.002491	8.46	FULL PAYMENT
SCH DIST 151	.008213	28.00	TAX 42.78
NO CASSIA FIRE	.000162	.56	PEN.
MURLEY HIGHWAY	.001687	5.76	SUB TOT.
			INT.
			TOT.
			1ST INSTALLMENT
			TAX 21.39
			PEN.
			SUB TOT.
			INT.
			TOT.
			2ND INSTALLMENT
			TAX 21.39
			PEN.
			SUB TOT.
			INT.
			TOT.
TOTAL	.012543	42.78	

RECEIVED

SEP 12 1990

YOUR CANCELLED CHECK IS YOUR RECEIPT

HM=HOMEDOWNER HD=HARDSHIP L=LAND I=IMPROVEMENTS P=PERSONAL AC=ACRES WAC=WASTE LT=LOTS

Dept. of Water Resources

2148 4th Avenue East Twin Falls.

Hiang,

We found the tax
notice - (enclosed) -
the acres are
irrigated -

If you need
anything else, let me
know. I'll get our
original tax notice on Sec 8
from you later.

MICROFILMED

SEP 12 1990

Thanks!
John

State of Idaho

License and Certificate of Water Right

Water License No. G-29426 Priority February 8, 1961 Amount 2.79 c. f. s.

THIS IS TO CERTIFY that W. WAYNE NEWCOMB

of Declo, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 8, 1961; that Permit No. G-29426 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 2.79 second feet, was issued thereunder on June 28, 1968, showing that said works were completed on the 1st day of March, 1965; and that on the 1st day of March, 1965 W. Wayne Newcomb

of Declo, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of Irrigation, under Use Permit No. G-29426 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume xx of Licenses, at Page xx, on the 28 day of June, 1968.

The right hereby confirmed dates from February 8, 1961.

The Point of Diversion is located

in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, Twp. 10 S, R. 25 E, B.M. Cassia County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.79 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated	
10 S	25 E	8	NE $\frac{1}{4}$	SW $\frac{1}{4}$	40	35
			NW $\frac{1}{4}$	SW $\frac{1}{4}$	40	35
			SW $\frac{1}{4}$	SW $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$	SW $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$	SE $\frac{1}{4}$	40	27
			NW $\frac{1}{4}$	SE $\frac{1}{4}$	40	35
			SW $\frac{1}{4}$	SE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$	SE $\frac{1}{4}$	40	29
			Total number of acres irrigated:			

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

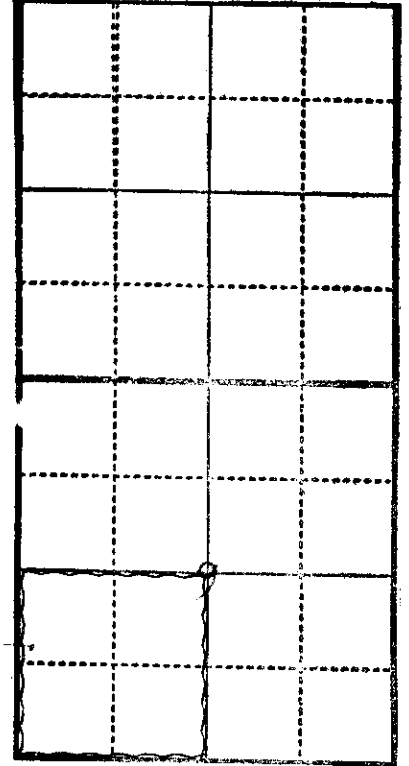
WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 28 day of June, 1968.

R. Keith Higgins
State Reclamation Engineer.

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

Application No. G37424
Permit No. G- 29426
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: Subterranean
4. Location of point of diversion or well is in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 9
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: \$ 25,000
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: G-26069 which is being relinquished
(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) 3.2 (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

DESERT ENTRY - Idaho Ser. No. _____

Allowed: _____

12.

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	9			40	40	160
Application for Amendment POINT OF DIVERSION Permit No. G-29426 Comes now W. WAYNE NEWCOMB 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-29426. That the point of diversion is described in said Permit as being located: NW$\frac{1}{4}$SW$\frac{1}{4}$, Sec. 9, T. 10 S., R. 25 E. B. M. That he now requests that the point of diversion be changed to a point located: SE$\frac{1}{4}$SE$\frac{1}{4}$, Sec. 8, T. 10 S., R. 25 E., B. M. That the reason for desiring to make such change is as follows: That the first point taken by State for road materials source. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk. Signed at Boise, Idaho, this 31 day of December, 1963. s/ W.WAYNE NEWCOMB Date of Receipt at Department of Reclamation: December 31, 1963. APPROVAL OF STATE RECLAMATION ENGINEER I, CARL E. TAPPAN, 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-29426. 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. s/ CARL E. TAPPAN State Reclamation Engineer Recorded: January 6, 1964							

APPLICATION FOR AMENDMENT ✓
LAND LIST
Permit No. G-29426

Comes now W. WAYNE NEWCOMB 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-29426, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

South $\frac{1}{2}$ of Section 8, TW 10 S., Range 25 E., B. M. and S $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sect. 9, TW 10 S., R. 25 E. B. M., making a total of 380 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 31 day of December, 1963.

s/ W. WAYNE NEWCOMB

Date of Receipt at office of Department of Reclamation: December 31, 1963.

APPROVAL OF STATE RECLAMATION ENGINEER

I, CARL E. TAPPAN, 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-29426. 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.

s/ CARL E. TAPPAN

State Reclamation Engineer

Recorded: January 6, 1964

PERMIT NO. G-29426 ✓

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that W. WAYNE NEWCOMB of Declo, County of Cassia, and State of Idaho, the holder of Permit No. G-29426, issued upon Application No. G-37424 bearing date of priority of February 8, 1961, authorizing the diversion of 3.2 second feet of waters of a well County of Cassia, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 2.79 second feet of the waters of a well from subterranean flow that the point of diversion of said waters is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8, Township 10 South, Range 25 East, Boise Meridian; and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit:

S $\frac{1}{2}$ Section 8, Township 10 South, Range 25 East, Boise Meridian

Proof of completion of works made: March 1, 1965

Witness my hand this 28th day of June, A. D. 1968

/S/ R. KEITH HIGGINSON
State Reclamation Engineer

LICENSE ISSUED FOR 2.79 SEC. FT.
LICENSE PAGE NO. 29426



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 17, 1997

MARK T NEWCOMB
250 E 200 S
RUPERT ID 83350

RE: WATER RIGHT NOS. 45-02636/45-02754/45-07252/45-07268B
TRANSFER NO. 3870

Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water rights (Transfer No. 3870). Please be sure to thoroughly review the "Conditions/Remarks:" as listed on the transfer.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR to July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:vrr

Enclosure

RECEIVED
MAR 25 1997

MEMORANDUM

TO: FILE NOS. 45-02636, 45-02754, 45-07252 & 45-07268B

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER NO. 3870

DATE: March 6, 1997

ok 

=====

Transfer No. 3870 adds and changes the points of diversion, and place of use under Right Nos. 45-02636, 45-02754, 45-07252 & 45-07268B, combining these rights into a single system serving a 842.0 acre permissible place of use.

Review of the rights as licensed found two significant overlapping factors.

(1) Right Nos. 45-02754 and 45-07252 share a common well limiting the maximum combined diversion rate of these two rights to 6.50 cfs.

(2) Right Nos. 45-02636 and 45-07268B were developed from the same well & system with overlapping places of use. When the second right was licensed, the combined rights were limited to 840.0 af for the 210 irrigated acres found. This would imply a reduction of the first right of 71.0 acres as further evidenced by the SRBA Claim for this right, 240.0 acres claimed, and this transfer identifying 217 acres as the actual place of use within Section 8.

281 licensed acres - 210 total irrigated acres found = 71.0

The reduction under this combined system probably occurred when two quarter-quarters changed ownership. The W1/2 SW, S08, T10S, R25E has apparently been under separate ownership since at least 1972 when Permit No. 45-07103 was filed. This permit was the only right claimed on these acres while A45-02636 claimed all of the other licensed QQs except the W1/2SW. The current land owner did not claim a portion of Right No. 45-02636 in the SRBA and has not protested this or a previous transfer.

The result of these two overlapping factors limits the total combined diversion rate under this transfer to 9.90 cfs and the total number of irrigated acres to 812.0.

(See attached Overlap Review of Transferred Rights.)

MICROFILMED

MAR 25 1997

Transfer No. 3780

Overlap Review of the Transferred Water Rights

45-02754	4.06 cfs	240 Acres	(960.0 af)
45-07252	<u>4.56 "</u>	<u>362 "</u>	<u>1448.0 "</u>
Combined Limits	6.50 cfs	602	2408.0
45-02636 Reduced	2.79 cfs	~~281 Acres~~ 210 "	(~~1124.0 af~~) (840.0 ")
45-07268B Combined Limits	0.61 cfs	<u>34 "</u> 210 Acres	(<u>136.0 "</u>) 840.0 af
Total Transfer Limits	9.90 cfs	812 Acres ,lc	3248.0 af ,lc

~8

MICROFILMED
MAR 25 1997

FILE PROGRESS SUMMARY

APPLICANT Mark Newcomb

WATER RIGHT NO. 45-02754

INIT.	DATE	COMMENT
alb	8/3/96	Stopped to Carey
CS	LATE JULY	ASKED JIM ABOUT CORRECT WELL LOCATION IN SW 1/4 OF SECTION 17. JIM SAID HE WOULD DOUBLE CHECK WELL LOCATION.
CS	08/2/96	JIM CONFIRMED WELL LOCATED IN NWSE SW 1/4 OF SECTION 17 AS STATED ON AMENDED TRANSFER APPLICATION
MB	8/8/96	Sch. 1/51P/8/14 & 8/26/96 to be further east.

RECORDED

MAR 25 1997

**SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION**

RECEIVED

SEP 25 1996

County of Cassia)
) ss
STATE OF IDAHO)

Department of Water Resources
Southern Region

Kary D. Miller, being first duly sworn, deposes and says that she is the General Manager of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of the South Idaho Press for 2 consecutive week(s), commencing with the issue dated August 19 1996, and ending with the issue dated August 26 1996.

Kary D. Miller

STATE OF IDAHO)
COUNTY OF)
MINIDOKA)

On this 23rd day of September in the year of 1996 before me, a Notary Public, personally appeared Kary D. Miller, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Sandra Burns

Notary Public for Idaho

Residing at: Rupert, Idaho

My commission expires: 6-28-2000

Cost of Publication \$36.72
Notary Fee 50
Total Cost \$ 37.22

*errors noted
MB
9/25/96*

MICROFILMED

MAR 25 1997

400
NOTICE OF AMENDED APPLICATION
FOR TRANSFER OF WATER RIGHT

Notice is hereby given that application
for Transfer No. 8870 filed by MARK T.
NEWCOMB, 250 E 200 S; RUPERT, ID
83350 and published on 12/6 & 12/13/91 has
been AMENDED to change point of division
and show present permissible place of use.

Water Right No.	Priority	Amount
45-02754	8/28/1952	4.06 cfs
45-07252	7/02/1976	4.56 cfs
45-02636	2/08/1981	2.79 cfs
45-07268B	5/14/1976	0.61 cfs

Total amount of water being transferred:
9.90 cfs.

source & points of diversion: Four(4) existing
connected wells within SE1/4SE1/4, S8;
NW1/4SW1/4, S9; NW1/4NE1/4,
SE1/4SW1/4M S17 all T10S R25E Cassia
County.

Permissible place of use for 842 acres within
E1/2SW1/4 SE1/4, S8 and all quarter tracts
of S17, all T10S, R25E. Any protest against
approval of the Amended Transfer must be
filed with the Idaho Department of Water
Resources, 222 Shoshone Street East, Twin
Falls, ID 83301 together with a protest fee of
\$25.00 on or before September 6, 1996. The
protestant must also send a copy of the
protest to the applicant.

Karl J. Dreher, Director
Published in the South Idaho Press on
August 19 and August 26, 1996.

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

Cassia)
IDAHO) ss

RECEIVED

SEP 25 1996

Department of Water Resources
Southern Region

ler, being first duly sworn, deposes and says that
General Manager of the South Idaho Press, a daily
published at Burley, Idaho, in the county aforesaid
paper is of general circulation therein. Deponent
es that the printed notice attached hereto was duly
ording to law in the regular editions of the South
for consecutive week(s), commencing with the
August 19 1996, and ending with the issue dated
19 96.

Kary D. Miller

STATE OF IDAHO)
COUNTY OF)
MINIDOKA)

On this 23rd day of September in the year of 1996 before
me, a Notary Public, personally appeared Kary D. Miller, known or
identified to me to be the person whose name is subscribed to the
within instrument, and being by me first duly sworn, declared that
the statements therein are true, and acknowledged to me that she
executed the same.

Notary Public for Idaho
Residing at: Rupert, Idaho
My commission expires: 6-28-2000

Cost of Publication \$36.72
Notary Fee 50
Total Cost \$37.22

errors noted
MB
9/25/96

**NOTICE OF AMENDED
APPLICATION FOR TRANSFER OF
WATER RIGHT**

Notice is hereby given that Application for Transfer No. 3870 filed by MARK T. NEWCOMB, 250 E 200 S; RUPERT ID 83350 and published on 12/6 & 12/13/91 has been AMENDED to change point of diversion and show present permissible place of use.

Water Right No.	Priority	Amount
45-02754	8/28/1952	4.06 cfs
45-07252	7/02/1976	4.56 cfs
45-02636	2/08/1961	2.79 cfs
45-07268B	5/14/1976	0.61 cfs

Total amount of water being transferred: 9.90 cfs

Source & points of diversion: Four (4) existing connected wells within SE1/4SE1/4, S8; NW1/4SW1/4, S9; NW1/4NE1/4, SE1/4SW1/4, S17; all T10S, R25E Cassia County.

Permissible place of use for 842 acres within E1/2SW1/4, SE1/4, S8 and all quarter tracts of S17, all T10S, R25E.

Any protest against approval of the Amended Transfer must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before September 6, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on 8/19 & 8/26/96.

FILED-RECEIVED

MAR 25 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

August 9, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin

Mary Baldwin
Sr. Secretary

Enclosure

100-100000

MAR 25 1997

NOTICE OF AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT

Notice is hereby given that Application for Transfer No. 3870 filed by MARK T. NEWCOMB, 250 E 200 S; RUPERT ID 83350 and published on 12/6 & 12/13/91 has been AMENDED to change point of diversion and show present permissible place of use.

Water Right No.	Priority	Amount
45-02754	8/28/1952	4.06 cfs
45-07252	7/02/1976	4.56 cfs
45-02636	2/08/1961	2.79 cfs
45-07268B	5/14/1976	0.61 cfs

Total amount of water being transferred: 9.90 cfs

Source & points of diversion: Four (4) existing connected wells within SE1/4SE1/4, S8; NW1/4SW1/4, S9; NW1/4NE1/4, SE1/4SW1/4, S17; all T10S, R25E Cassia County.

Permissible place of use for 842 acres within E1/2SW1/4, SE1/4, S8 and all quarter tracts of S17, all T10S, R25E.

Any protest against approval of the Amended Transfer must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before September 6, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on 8/19 & 8/26/96.

1000-000000

MAR 25 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

August 8, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

MARK T NEWCOMB
250 E 200 S
RUPERT ID 83350

Re: Amended Application for Transfer No. 3870 (45-02754, 45-07252,
45-02636, 45-07268B)

Dear Mr. Newcomb:

The Department of Water Resources acknowledges receipt of your Amended Application for Transfer.

This office has scheduled advertising the application in The South Idaho Press for 8/19 and 8/26/96.

The advertisement(s) will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If an application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely yours,

Corey Skinner, E.I.T.
Safety of Dams Engineer

cs:mb

RECEIVED
AUG 25 1996

MEMORANDUM

TO: Mark Newcomb Amended Transfer Application (#3870) File
FROM: Corey Skinner /s
DATE: August 6, 1996
SUBJECT: Staff Review

The enclosed amended transfer application, #3870 filed by Mark Newcomb, proposes to create a permissible place of use and record the actual point of diversion locations as they exist in the field. The amended transfer application involves four licensed rights that are presently recorded as follows:

45-02754 licensed at 4.06 cfs for the irrigation of 240 acres
45-07252 licensed at 4.56 cfs for the irrigation of 362 acres
45-02636 licensed at 2.79 cfs for the irrigation of 281 acres
45-07268B licensed at 0.61 cfs for the irrigation of 34 acres

Per Allen Merritt's 04/08/96 memorandum in the transfer #3870 application file, licenses 45-02754 and 45-07252 are limited to 6.50 cfs due to their common system capacity. This would bring the total amount of water available to be transferred to 9.90 cfs (6.5 + 2.79 + 0.61) as stated on the amended transfer application. The available acres for transfer would be 917 acres since the places of use for the four rights involved with this amended transfer do not overlap with each other.

The amended transfer application proposes to tie the four licenses together into a common permissible place of use of 842 acres. Since the permissible place of use is for 842 acres, and the four rights were originally licensed for a total of 917 acres, there appears to be no expansion problems.

The amended transfer application also proposes to accurately describe the well locations that serve as the points of diversion for these four rights. The points of diversion locations are as follows:

SWNWSW $\frac{1}{4}$ of Section 9

This well was drilled as a result of approved transfer #3660. However, the well driller drilled the well on the wrong side of the road so its actual location is in Section 9 instead of Section 8 as stated on transfer #3660. This was verified by Jim Stanton on a site visit on June 26th of this year (see well #2 photo and 06/27/96 Stanton memo in transfer #3870 file). The actual location is in the SWNWSW $\frac{1}{4}$ of Section 9 as stated on the amended transfer application.

RECORDED

MAR 25 1997

TR # 3870

SEWNNE $\frac{1}{4}$ of Section 17

This well location is located on the quad map (BB 80) and was licensed correctly on 45-07252, but apparently licensed incorrectly on 45-02754. The Engineer's Report from the 1950's, which served as a field exam for 45-02754, had the well located in the center of the NE $\frac{1}{4}$ of Section 17. However, the field exam for 45-07252, done in 1987, revealed that the well location is actually in the SEWNNE $\frac{1}{4}$ of Section 17 as correctly located on the quad map and amended transfer application.

NWSESW $\frac{1}{4}$ of Section 17

This well location is very near the center of the SW $\frac{1}{4}$ of Section 17. A 133 acre pivot sprinkler is located in the SW $\frac{1}{4}$ of Section 17. This particular well is located southeast of the pivot center and would therefore be in the NWSESW $\frac{1}{4}$ of Section 17. The photo and one of the maps in the 45-07252 field exam support this location. However, another map in the 45-07252 field exam had the well location incorrectly placed in the center of the SWSW $\frac{1}{4}$ of Section 17. Unfortunately, this incorrect location carried over to the field exam report and into the licensing of this water right. This well location was reverified by Jim Stanton and is located in the NWSESW $\frac{1}{4}$ of Section 17 as stated on the amended transfer application.

NESESE $\frac{1}{4}$ of Section 8

This well location was verified by Jim Stanton during a site visit on June 26th of this year (see well #1 photo in original transfer #3870 file). In addition, the Engineer's Report (field exam) for 45-02636 lists the well location in the SESE $\frac{1}{4}$ of Section 8 and the map in this report shows the well location in the NESESE $\frac{1}{4}$ of Section 8 as correctly stated on the amended transfer application.

It should also be noted that the well located near the center of the SE $\frac{1}{4}$ of Section 17 has been abandoned (see Mark Newcomb's 06/25/96 letter in transfer #3870 file). The amended transfer application will remove this well from the 45-02754 water right record.

The amended transfer application seems pretty straightforward and will change the records to reflect current water use practice. Since the application is an amended transfer and Jim Stanton has visited the involved site a month and a half ago, I did not personally visit the site.

10/20/96



PHOTO OF NEWCOMB WELL
TAKEN BY JIM STANTON IN
LATE JULY OF 1996. PHOTO
TAKEN FROM NORTH SIDE OF
PIVOT CENTER LOOKING SOUTH.
WELL VISIBLE BEYOND PIVOT
CENTER. THIS WELL IS
WELL # 4 LOCATED IN
NWSE SW $\frac{1}{4}$ OF SECTION 17.

MAR 25 1997

MICROFILMED

MAR 25 1997

TR # 3870



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

July 1, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

MARK T NEWCOMB
250 E 200 S
RUPERT ID 83350

RE: Fee for Amended Transfer No. 3870

Dear Mr. Newcomb:

We are returning your Check No. 6101 in the amount of \$50.00 that was received in this office today.

As you recall when you visited our office on 6/28/96 to Amend your transfer application you gave us check No. 6107 for \$50.00 and received Receipt No. S019299 for the filing fee. However, at that time, you speculated that the payment had been sent to the Boise office by your secretary on 6/25/96.

For your information, your Amended Transfer Application has been routed to an agent for staffing. We are unable to give you the specific dates the legal notice will be published until the preliminary review by the staffing agent is finished but you will be notified at that time.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Sincerely,

Mary A. Baldwin
Senior Secretary

MB

Enclosure

RECEIVED
MAR 23 1997

RECEIVED

JUL 01 1996

Department of Water Resources
Southern Region

June 25, 1996

Department of Water Resources
222 Shoshone St., E.
Twin Falls, Idaho 83301

Fax to: Dept. of Water Resources
Attention: Pamela Skaggs
208-327-7866

RE: Application for Transfer No. 3870

Dear Water Resources,

In reference to your letter dated June 17, 1996, I will try to answer your questions.

This is not a new well. The original legal is incorrect because the well driller was 30 feet east of the described location in Section 8 and that actually put him in Section 9. So, to be accurate, the description of the legal has been changed.

The point of diversion located in S.E.1/4 of Section 17 has been abandoned.

Thank you.

Sincerely,

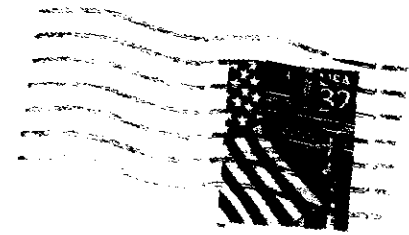


Mark T. Newcomb

MICROFILMED

MAR 25 1997

MARK OR LONNA NEWCOMB
RT. 1 BOX 421
RUPERT, IDAHO 83350



RECEIVED

JUL 01 1996

Department of Water Resources
Southern Region

*Dept. of Water Resources
222 Spokane St., E.
Twin Falls, Id. 83301*

MICROFILMED
MAR 25 1997



MARK NEWCOMB
ROUTE 1
RUPERT, ID 83350

92-8/1241

6101

PAY TO THE
ORDER OF

St. Dept. of Water Res. \$ *50*⁰⁰
Fifty & 1/10

DOLLARS  SECURITY WATERMARK
Details on back

**First
Security
Bank.**

First Security Bank of Idaho
130 East Main Street
Burley, Idaho 83318
800-574-4200

FOR

giving fee

[Signature] AP

⑆ 124 100064 ⑆ 02 10459 66 ⑆ 6101

100064100
MAR 25 1997

TO: Gary

DATE: June 27, 1996

FROM: Jim Stanton

SUBJECT: Drilling Permit 45-90-S-0005-000

There are some problems with this permit. Whoever entered it into the computer did a very poor job, as the printed copy I got from the computer shows very little data. This obviously needs to be corrected, as the database does not even show that this permit was approved.

The other problem is that the legal description is wrong. Harry was supposed to drill on the west side of the road, but drilled on the east side before Mr. Newcomb could stop him. Anyway, the well is in the NW/SW Sec. 9 T. 10S R. 25E. I know this to be true, as I visited the site yesterday. I am working on an amended transfer for Mark Newcomb that will correct the water-right records on this well.

RECEIVED

JUL 3 1996

9/89

Drilling Permit No. 45-90-S-005Water Right Permit No. 45-2636 - 7268B

Injection Permit No. _____

RECEIVED

JAN 24 1990

State of Idaho
 Department of Water Resources
 Southern Region Office

DRILLING PERMIT

1. Applicant Mark Newcomb2. Mailing Address Rt 1, Box 421 Rupert, ID 83350Telephone 436-5679☒ Well Owner () Well Operator () Other, specify _____3. Proposed well location NE 1/4 SE 1/4, or Gov't lot No. _____,Sec. 8, Twp. 10S, Rge. 25E, County Cassia,Street Address of Well Site on Hwy 81 From Dolo 4 mi E + 2 1/4 N,

Lot, block and subdivision _____

4. Proposed use of well:

() Single family or stockwater use (less than 13,000 gallons per day)

☒ Irrigation (more than 1/2 acre)() Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____

() Other (describe fully) _____

5. Well construction information:

A. () New well () Deepen ☒ Replace - See Condition 9.B. Proposed surface diameter 20" Maximum depth 250

C. Anticipated bottom hole temperature:

- ☒ 85°F or less (Cold water well)
 () 85°F to 212°F (Low temp. geothermal well)
 () 212°F or more (Geothermal well)

6. Construction Start Date 1/25/907. Anticipated Well Driller Harry King
NOTE: The actual well driller must be identified prior to drilling.8. Applicant's signature Mark Newcomb Date Jan. 25, 1990Title _____
(Owner, Firm Representative, Other)

MAR 25 1990

45-90-S-005

This Permit is

Approved

Date

1/24/90

If approved, this permit authorizes the construction of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

By accepting this permit and commencing construction, Applicant acknowledges that he accepts all risk that the well may not ultimately be approved for use.

Signature of Authorized Department Representative

FOR LOREN HOLMES

SOUTHERN REGION MANAGER

Title

Receipt No.

5011052

Received by

DRS

Fee

\$100

Date

1/24/90EXTENSION OF DRILLING PERMIT

Extension approved by

Approval Date

This extension is good for 60 days beyond the above extension approval date.

MAR 25 1997



Well #1 Sec. 8



Well #2 Sec. 9

MICROFILMED
MAR 25 1987

Amended
T. 3870 JES
6-26-96

JUN-25-96 T

Post-it* Fa	7671	Date	# of pages
To	Jim Stanton / Skaggs	From	Pam Skaggs / SO
Co/Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

5679

P.01

June 25, 1996

Department of Water Resources
222 Shoshone St., E.
Twin Falls, Idaho 83301

Fax to: Dept. of Water Resources
Attention: Pamela Skaggs
208-327-7868

RE: Application for Transfer No. 3870

Dear Water Resources,

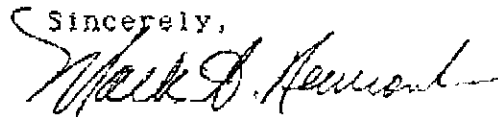
In reference to your letter dated June 17, 1996, I will try to answer your questions.

This is not a new well. The original legal is incorrect because the well driller was 30 feet east of the described location in Section 8 and that actually put him in Section 9. So, to be accurate, the description of the legal has been changed.

The point of diversion located in S.E.1/4 of Section 17 has been abandoned.

Thank you.

Sincerely,



Mark T. Newcomb

MICROFILMED

MAR 25 1997

RECEIVED

JUN 25 1996

Department of Water Resources
Southern Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 17, 1996

Mark T. Newcomb
Rt. 1 Box 421
Rupert, ID 83350

RE: Application for Transfer No. 3870

Dear Mr. Newcomb:

Thank you for your prompt response to my letter. I received your fax that describes the change in points of diversion. This change will require the application to be amended and since the new point of diversion is in a separate quarter-quarter, the application will need to be readvertised.

I am returning the file to our Southern Region office in Twin Falls to complete this process. Please send your \$50.00 amendment fee to that office located at 222 Shoshone St. E., Twin Falls, ID 83301. They will prepare the advertisement for the local paper and if no protests are received will forward the completed file back to me for final processing.

Region staff may have other questions regarding the change in point of diversion. I was unable to locate any drilling permit information for Section 9 only Section 8, and was wondering if the amended point of diversion will be a new well or a correction to the well log is needed? Your SRBA claims show the use of 3 wells in Section 17. Will one of the wells be abandoned or continue use under other rights? Please address these questions when you file the amendment fee.

I will attempt to expedite final review when the file is returned to me since I am already familiar with the application. If you have questions regarding the amendment process or the status of the application in the process, please call our Southern Region office at 736-3033 and they will be happy to assist you.

Sincerely,

PAMELA SKAGGS
Sr. Water Resource Agent

PAKING OF LABEL

MAR 25 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

Attention : AM

PHILIP E. BATT
GOVERNORKARL J. DREHER
DIRECTOR

June 4, 1996

Mark T Newcomb
Rt. 1 Box 421
Rupert, ID 83350

RE: Transfer No. 3870

Dear Mr. Newcomb:

I have recently received Transfer No. 3870 from our region office for final processing. This transfer application was filed 12-14-90 to change the point of diversion and place of use under Right Nos. 45-02754 and 45-07252 to reflect your current practices. A review of the SRBA Claims you filed on 05-08-89 on these rights shows different points of diversion and places of use.

Since some time has passed since this application was proposed, I wanted to give you the opportunity to review the application and confirm that it is the correct representation of your current system. The transfer approval will also update your claims and accuracy is important.

I have enclosed a copy of the transfer application and reports reflecting the licenses and claims as currently recorded. Please review and confirm that the proposed transfer is correct. Return the front page of the transfer application with your initials and the date to me and I will prepare the approval. If you think there is some problem, please write or phone me to discuss the matter.

I hope I have answered all your questions regarding this matter. If you require any further assistance, please contact me directly at 327-7943 and I will be happy to help you.

Sincerely,

*Pamela Skaggs*PAMELA SKAGGS
Sr. Water Resource Agent

Enclosures

Correction
The Point of Diversion
described as SE 1/4 NE 1/4 SE 1/4 of Sect 8
Should be SW 1/4 NW 1/4 SW 1/4 of Sect 9
with other dimensions are correct.

MAR 25 1997

Thanks!
6



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 4, 1996

Mark T Newcomb
Rt. 1 Box 421
Rupert, ID 83350

RE: Transfer No. 3870

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I hope I have answered all your questions regarding this matter. If you require any further assistance, please contact me directly at 327-7943 and I will be happy to help you.

Sincerely,

PAMELA SKAGGS
Sr. Water Resource Agent

Enclosures

ENCLOSURE

MAR 25 1997

FROM: Allen Merritt

DATE: April 8, 1996

TO: TRANSFER FILE #3870

SUBJECT: Review and Recommendation

This transfer was pulled recently from the pending file. It is not clear to me why it was filed there originally and processing not completed in 1992. The transfer proposes to add a point of diversion (SE $\frac{1}{4}$, Section 8, Twp.10S, Rge.25E, B.M. drilled under transfer #3660.), remove one diversion point (SE $\frac{1}{4}$, Section 17, Twp., Rge., B.M.) and to shuffle acres to reflect actual irrigation.

The lands irrigated were licensed under two licenses. In analyzing the diversion capacities of the wells supplying these licenses it appears that the licenses when combined should be limited to 6.50 cfs as the transfer proposes.

I recommend that the transfer be approved with the following conditions:

- Subject to SRBA review.
- Measuring devices be maintained at all points of diversion and use is subject to be reported annually as directed in future orders.
- When combined with all rights out of this system the capacity of the three wells is limited to (3.4 cfs under transfer 3660 plus 6.50 cfs under this transfer) 9.90 cfs or that which was developed when new well constructed; which ever is less.

MICROFILMED
MAR 25 1997

MEMORANDUM

TO: FILE

FROM: TIM LUKE

DATE: August 7, 1990

RE: TRANSFER APP. NO. 3660/LICENSE 45-2636 & 45-7268B

=====
This application changes the point of diversion for the two licenses above. The application was initially filed in a manner that would have also reduced the acreage under license 45-2636, and use the water appurtenant to the reduced acreage for the remaining acreage under the license.

Information in the file revealed that the applicant did not own the land where the acreage was to be removed. On May 21, 1990, I sent notice to the applicant requesting that the other land owner provide consent to the transfer. On August 6 and 7, 1990, Bruce Newcomb contacted me and informed me that the change represented by the transfer application was accomplished in 1971. Ownership of the 75 acres has changed several times and Newcomb did not feel he could get the consent from the present owner.

I reviewed the adjudication claim for 45-2636 and noticed that the same 75 acres were also omitted, without a reduction in rate of diversion. It appears the applicant was changing the licensed right to reflect the adjudication claim and to record changes made prior to the commencement of the adjudication.

I advised Newcomb that the Department could not change the place of use record in this particular case without proper consent from the appropriate landowner, and that it would be better to merely leave the place of use as originally licensed, and keep the transfer to request the change in point of diversion only. I further notified him that his adjudication claim would ultimately correct the place of use description. Newcomb agreed to let me amend the transfer by adding the 75 acres to part 1, item B.5. of the application. The application should not be readvertised since there is no change in place of use.

I recommend the application be approved without conditions. Database changes are limited to the point of diversion only.

RECORDED
MAR 25 1991

MEMORANDUM

TO: FILE

FROM: TIM LUKE

DATE: May 9, 1990

RE: TRANSFER APPLICATION NO. 3660/LICENSE NO.S 45-2636 & 45-7268B

This application seeks to change the point of diversion by replacing an existing well with a new well. The POD change will be made for license no.s 45-2636 and 45-7268B.

The transfer application also reduces the number of acres irrigated under license 45-2636. A portion of the acreage originally licensed under 45-2636 (the W1/2SW1/4 of section 8) is not included on this transfer and is apparently no longer irrigated by this right. Department records show that a permit with a different name and point of diversion covers the same land. The applicant commented on the transfer application that this portion of land was sold and that he withheld that portion of 45-2636 appurtenant to the same land at the time the land was sold so that all of 45-2636 could be used on the remaining land which is identified under item B5 of the transfer.

I recommend approval of this transfer subject to the following conditions:

<<T05>> The use of water on the lands to which the above referenced water right(s) were appurtenant is hereby abandoned and failure to put the water to beneficial use within five (5) years of the date of the approval of this transfer on the new land identified under item B.5 shall constitute loss or forfeiture of the water right(s).

The combined annual volume of water under Right No.s 45-2636 and 45-7268B shall not exceed 840 afa respectively.

The maximum rate of diversion under Right No.s 45-2636 and 45-7268B shall not exceed 3.40 cfs.

LD
WR

(12)

Mark No
Rt. 11
Rupert,

Re: Tra
45-7268

Dear Mr

Your tr
state o
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applica
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In the a
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Before t
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and may
reserved
owner's

If you ha
to contac

Sincerely

Tim Luke
Sr. Water

Transfer No. 3660

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant Mark Newcomb Phone 436-5679
Post Office address Rt 1, Box 421 Rupert, ID 83350

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion. ☐ Add diversion point(s) ☒ ~~Change place of use~~ ^{add water} _(salinity change) ☐ Change nature of use ☐ Change period of use ☐ Other ^{no change in place} _{of use UTL 9-7-90}
2. Describe the reason for the proposed changes Old well pumps a lot of sand.

6. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-----------------|-----------|-----------------------|------------------|---------------|
| 45-2636 | 2/8/1961 | 2.79 | Err | 3/15 to 11/15 |
| 45-7268B | 5/14/1976 | 0.61 | Err | 3/15 to 11/15 |
| | | | | to |
| | | | | to |

2. Total amount of water being transferred 3.40 cubic feet per second and/or 840 acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion: _____

[illegible]

5. Lands irrigated or place of use: No Change

[illegible]

Total acres 240

PART 1

6 General Information:

a. Description of diversion system well with mainline to pivot and to hand lines.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer.
No change. Previous land sale withheld water rights for current land, this transfer records previous unrecorded transfer. License 45-7268 B is conditioned to limit volume diverted to

d. Remarks: 25
840 AFA on 240 acres (3.5 AFA/acre)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 45-2636/72688
And said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this

16th day of

August

19 90

J. Yew Sactor
Chief, Water Alloc. Bureau

FILED
MAR 25 1990

STATION AND EXAMINATION CALL 796-9907 ext. 2000
We are anxious to meet with you.
Send response to line 410
100, Burley, ID 83801

SOUTH IDAHO PRESS
BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia, }
STATE OF IDAHO } ss.

RECEIVED

DEC 27 1991

Department of Water Resources
Southern Region Office

Monique Jones being first
duly sworn, deposes and says that She
is the Clerk of the South
Idaho Press, a daily newspaper published
at Burley, Idaho, in the county aforesaid
and that the paper is of general circulation
therein. Deponent further states that the
printed notice attached hereto was duly
published according to law in the regular
editions of The South Idaho Press for two
consecutive weeks, commencing with the
issue dated Dec 6 19 91, and
ending with the issue dated Dec 13,
19 91. Monique Jones

STATE OF IDAHO }
COUNTY OF CASSIA }

On this 24 day of December in the year of 1991, before me,
a Notary Public, personally appeared Monique Jones,
known or identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared that the
statements therein are true, and acknowledged to me that he executed
the same.

Kelly Plomon
Notary Public for Idaho

Residing at Burley, Idaho

My commission expires: May 23, 1997

Cost of Publication: 65.88

Notary Fee: .50

Total Cost: 66.38

MB
12-27-91
Errors Noted

INDEXED

MAR 25 1997

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NOS. 45-02754, A45-02754, 45-07252, A45-07252

Notice is hereby given that MARK T. NEWCOMB of Rupert, ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

WATER RIGHT AS RECORDED

Water right no. 45-02754
Basis of right: License
Source: groundwater
Priority Date: 8/28/1952
Amount of water: 4.06 cfs
Use: irrigation
Point(s) of diversion: NE1/4NE1/4, NE1/4SE1/4, S17, T10S, R25E;
Cassia County.
Place of use: 240 acres within NE1/4, SE1/4SW1/4, SW1/4SE1/4, S17, T10S, R25E; Cassia County.

WATER RIGHT AS RECORDED

Water right no. 45-07252
Basis of right: License
Source: groundwater
Priority Date: 7/2/1976
Amount of water: 4.56 cfs
Use: irrigation
Point(s) of diversion: NW1/4NE1/4, SW1/4SW1/4, S17, T10S, R25E;
Cassia County.
Place of use: 362 acres within NW1/4, NE1/4SW1/4, NW1/4SW1/4, NE1/4SW1/4, NW1/4SE1/4, SE1/4SE1/4, S17, T10S, R25E;
Cassia County.

WATER RIGHT NO. 45-02754 & ADJUDICATION CLAIM NO. A45-02754 TO BE CHANGED AS FOLLOWS:

Water right No.: 45-02754
Amount: 4.06 cfs
WATER RIGHT NO. 45-07252 & ADJUDICATION CLAIM NO. A45-07252 TO BE CHANGED AS FOLLOWS:
Water right No.: 45-07252
Amount: 4.56 cfs

Total amount being transferred: 6.50 cfs
Source: groundwater
Point of diversion: SW1/4NW1/4SW1/4, S8, T10S, R25E; SE1/4NW1/4NE1/4, NW1/4SE1/4SW1/4, S17, T10S, R25E; Cassia County.
Place of use: 577 acres within all quarter section tracts of S17, T10S, R25E; Cassia County.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before December 23, 1991.

R. Keith Higginson, Director
Published in the South Idaho Press on December 6, & 13, 1991

SOUTH IDAHO PRESS
BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia, }
STATE OF IDAHO } ss.

Monique Jones being first
duly sworn, deposes and says that she
is the owner of the South
Idaho Press, a daily newspaper published
at Burley, Idaho, in the county aforesaid
and that the paper is of general circulation
therein. Deponent further states that the
printed notice attached hereto was duly
published according to law in the regular
editions of The South Idaho Press for two
consecutive weeks, commencing with the
issue dated Dec 6 19 91, and
ending with the issue dated Dec 13,
19 91. Monique Jones

IDAHO }
OF CASSIA }

4 day of December in the year of 1991, before me,
public, personally appeared Monique Jones,
identified to me to be the person whose name subscribed to the
instrument, and being by me first duly sworn, declared that the
contents therein are true, and acknowledged to me that he executed

Kelly Ploman
Notary Public for Idaho
Residing at Burley, Idaho
My commission expires: May 23, 1997

Cost of Publication: 65.88
Notary Fee: .50
Total Cost: 66.38

MB
12-27-91
Cassia - Noted

RECEIVED

DEC 27 1991

Department of Water Resources
Southern Region Office

Dec 26 1991

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

SOL

91-550

NOTICE OF CORRECTION

Notice is hereby given that Application for Transfer Nos. 45-02754, A45-02754, 45-07252, A45-07252 in the name of Mark T. Newcomb was advertised incorrectly on 12/6 & 12/13/91.

WHEREAS, the actual place of use as recorded for Water Right No. 45-07252 for irrigation of 362 acres is located within NW1/4, NE1/4SW1/4, NW1/4SW1/4, SW1/4SW1/4, NE1/4SE1/4, NW1/4SE1/4, SE1/4SE1/4, S17, T10S, R25E; Cassia County.

WHEREAS, the actual point of diversion of Water Right No. 45-02754, Adjudication Claim No. A45-02754, Water Right No. 45-07252 & Adjudication Claim No. 45-07252 as proposed to be changed is located within SE1/4NE1/4, SE1/4, S8, T10S, R25E; SE1/4NW1/4NE1/4, NW1/4SE1/4SW1/4, S17, T10S, R25E; Cassia County.

Any protest to the above correction must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, Id 83350 on or before January 27, 1992.

R. KEITH HIGGINSON, DIRECTOR
Published in the South Idaho Press January 10, 17, 1992

County of Cassia, } ss.
STATE OF IDAHO }

Monique Jones being first
duly sworn, deposes and says that she
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COUNTY OF CASSIA }

On this 24 day of January in the year of 1992 before me,
a Notary Public, personally appeared Monique Jones,
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within instrument, and being by me first duly sworn, declared that the
statements therein are true, and acknowledged to me that he executed
the same.

Willy Morton
Notary Public for Idaho

Residing at Burley, Idaho

My commission expires: May 23, 1992

Cost of Publication: 25.92

Notary Fee: 50

Total Cost: 26.42

*Should be
N/C
MB*

*2-5-92
T/C*

*Monique Jones, S/P
2-5-92. She will
Credit our next
billing*

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R. KEITH HIGGINSON, DIRECTOR

Published in South Idaho Press on 1/10 & 1/17/92

MONROVIA

MAR 25 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

27-Dec-1991

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill.

It is our understanding that this publication of the correction notice will be at no charge to the Department. Enclosed please find copies of the legal notice originally submitted for publication and a copy of the actual publication with the errors circled in red.

Please send the affidavit of publication and publication billing to this office before January 27, 1992.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosures (3)
Original legal notice
copy of first publication affidavit
Notice of Correction legal

MICROFILMED

MAR 25 1997

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '**' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
4507252	T10S R25E S17																	
	:																	
	:																	
	:																	
4502754	GROUNDWATER :	40	40	40	40									40			40	240
A4502754	GROUNDWATER :	40	40	40	40									40			40	240
T4502754	GROUNDWATER :	33	33	40	39									40			40	240
A4507252	GROUNDWATER :													40			40	400
T4507252	GROUNDWATER :	33	33	40	39									40			40	577
--86 MAP--	C31Q-BB 80 :	39	39	38	42									40			39	625

602 (license)
Net decrease
in acres
577 (transfer)
unreliable

- Well in NE 1/4 S17 licensed under both rights.
- Well in SW 1/4 S17 measured under most recent license (45-7252)
- Well in SE 1/4 S17 only ~~licensed~~ ^{measured} under old license (45-7254)
- Total of water (Item B.2) is total of diversion rate under 45-7252 + SE 1/4 div. rate measured under 45-7254: 6.50

RECORDED
APR 2 1997



— Tilled within year ±
watered year of
photo 7/24/87
(391 acres)

BB80 SW
Newcomb Transfer
45-2754, -7252
D Jones

MAR 25 1937

0 0 1

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NOS.45-02754, A45-02754, 45-07252, A45-07252

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Cassia County.
Place of use: 240 acres within NE1/4, SE1/4SW1/4, SW1/4SE1/4, S17, T10S, R25E; Cassia County.

WATER RIGHT AS RECORDED

Water right no. 45-07252
Basis of right: License
Source: groundwater
Priority Date: 7/2/1976
Amount of water: 4.56 cfs Use: irrigation
Point(s) of diversion: NW1/4NE1/4, SW1/4SW1/4, S17, T10S, R25E;
Cassia County.
Place of use: 362 acres within NW1/4, NE1/4SW1/4, NW1/4SW1/4, SW1/4SW1/4, NE1/4SE1/4, NW1/4SE1/4, SE1/4SE1/4, S17, T10S, R25E; Cassia County.

WATER RIGHT NO. 45-02754 & ADJUDICATION CLAIM NO. A45-02754 TO BE CHANGED AS FOLLOWS:

Water right No.: 45-02754 Amount: 4.06 cfs

WATER RIGHT NO. 45-07252 & ADJUDICATION CLAIM NO. A45-07252 TO BE CHANGED AS FOLLOWS:

Water right No.: 45-07252 Amount: 4.56 cfs

Total amount being transferred: 6.50 cfs

Source: groundwater

ENCLOSURE

MAR 25 1987

NEWCOMB 1

Point of diversion: SE1/4NE1/4SE1/4, S8, T10S, R25E;
SE1/4NW1/4NE1/4, NW1/4SE1/4SW1/4, S17, T10S, R25E; Cassia County.
Place of use: 577 acres within all quarter section tracts of S17,
T10S, R25E; Cassia County.

Any protest against approval of the application for transfer must
be filed with the Department of Water Resources, 222 Shoshone
Street East, Twin Falls, ID 83301 on or before December 23, 1991.

R. Keith Higginson, Director

Published in South Idaho Press on 12/6 & 12/13/91.

RECEIVED

MAR 25 1997

NEWCOMB 2

20-Nov-1991

SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECEIVED
MAR 25 1997

20-Nov-1991

MARK T NEWCOMB
RT 1 BOX 421
RUPERT ID 83350

Re: Application for Transfer No. 45-02754, 45-07252

Dear Mr. Newcomb:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office will be advertising the application in the South Idaho Press on 12/6 & 12/13/91. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

Before we can forward your application to our state office for approval we must include in the file evidence of ownership of the land to which the water is appurtenant such as copies of deeds, tax records, etc. and/or a notarized statement from any lien holder on the property.

The department's review process may have to include field investigation and verification of the claims which is required as part of the Snake River Basin Adjudication.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Douglas Jones, E. I. T.
Water Resources Engineering Specialist

[Handwritten signature]

NOV 25 1991

August 16, 1990

RE: Transfer of Water Rights Nos. 45-2636/7268B

Mark Newcomb
Rt. 1 Box 421
Rupert, ID 83350

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water rights (Trans. No. 3660). Be sure to note any conditions of approval as listed on the second page.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

MICROFILMED

SEP 12 1990

MEMORANDUM

TO: FILE

FROM: TIM LUKE

DATE: August 7, 1990

RE: TRANSFER APP. NO. 3660/LICENSE 45-2636 & 45-7268B

=====

This application changes the point of diversion for the two licenses above. The application was initially filed in a manner that would have also reduced the acreage under license 45-2636, and use the water appurtenant to the reduced acreage for the remaining acreage under the license.

Information in the file revealed that the applicant did not own the land where the acreage was to be removed. On May 21, 1990, I sent notice to the applicant requesting that the other land owner provide consent to the transfer. On August 6 and 7, 1990, Bruce Newcomb contacted me and informed me that the change represented by the transfer application was accomplished in 1971. Ownership of the 75 acres has changed several times and Newcomb did not feel he could get the consent from the present owner.

I reviewed the adjudication claim for 45-2636 and noticed that the same 75 acres were also omitted, without a reduction in rate of diversion. It appears the applicant was changing the licensed right to reflect the adjudication claim and to record changes made prior to the commencement of the adjudication.

I advised Newcomb that the Department could not change the place of use record in this particular case without proper consent from the appropriate landowner, and that it would be better to merely leave the place of use as originally licensed, and keep the transfer to request the change in point of diversion only. I further notified him that his adjudication claim would ultimately correct the place of use description. Newcomb agreed to let me amend the transfer by adding the 75 acres to part 1, item B.5. of the application. The application should not be readvertised since there is no change in place of use.

I recommend the application be approved without conditions. Database changes are limited to the point of diversion only.

RECORDED

SEP 12 1990

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, ^{T-620} 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.

MICROFILMED

SEP 12 1990

Yours truly,

Mark T. Newcomb
Mark T. Newcomb



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

July 16, 1990

Mark Newcomb
Rt. 1, Box 421
Rupert, ID 83350

Re: Application for Permit No. 45-7623
Transfer Application No. 3660

Dear Mr. Newcomb:

I have received the completed trust water questionnaire for the above referenced application. I appreciate your cooperation and prompt response. Upon reviewing your comments, I could not determine whether you understood what the application represents and whether you wanted the application processed.

Based on your comments, I have confirmed that several of your water right licenses were combined under one adjudication claim. The three licenses combined under the one claim provide a total diversion rate of 4.39 cfs from two wells for use on 386 acres of land in the north half of section 7, T10S R25E, and the north-east quarter of section 12, T10S R24E.

The wells and acreage under application 45-7623 are covered by the existing licenses and adjudication claim. It appears that application 45-7623 was filed only to record an increased rate of diversion from several existing wells (i.e.; to raise diversion from one-half inch per acre to an inch per acre). The Department can approve this application if you feel it is necessary to have the additional diversion rate recorded. If approved, the permit will be conditioned so that the annual volume will not exceed the volume licensed under the existing rights and represented by the one adjudication claim. In short, you will not be appropriating any additional water with the application because you already have sufficient volume for the same acreage under the existing rights. However, if your two wells have a combined diversion rate greater than 4.39 cfs, and you wish to record the additional rate of flow, the Department will proceed with processing the application.

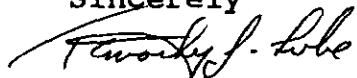
On a separate and unrelated matter, I wish to remind you that I have still not received any response to my letter of May 21, 1990 concerning transfer application no. 3660 and license no.s 45-2636 and 45-7268B. A copy of this letter has been enclosed. The transfer can not be approved by the Department until the information requested by the May 21 letter is submitted.

MICROFILMED

SEP 12 1990

If you have questions concerning either of these two matters,
please feel free to contact me directly at 327-7864.

Sincerely

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

Tim Luke
Sr. Water Resource Agent

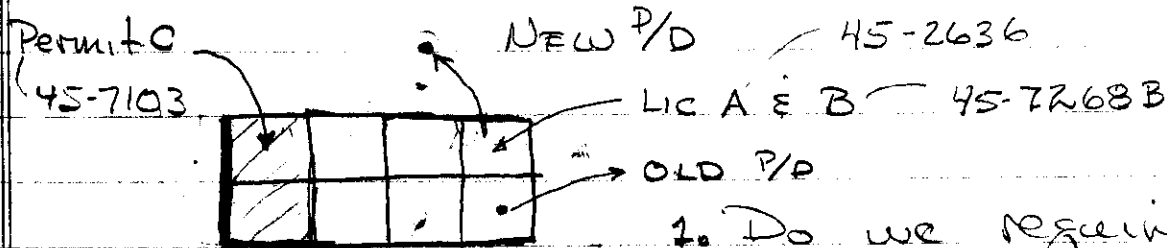
MICROFILMED

SEP 12 1990

TRANSFER PROCESSING

ADDING A POINT OF DIVERSION

EXAMPLE:



1. Do we require amending the point of diversion on the permit.

TRANSFER REMOVES WATER FROM W 1/2 SW 1/4 section 8. - NO EVIDENCE OF OWNERSHIP SUBMITTED BY APPLICANT.

MICROFILMED

SEP 12 1990

PLACE OF USE 1/4 1/4 OVERLAP REPORT

05/21/90

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE				NW				SW				SE				SUM			
							NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
4507268B																										
4502369	NEWCOMB	L	GROUNDWATER	10S	25E	8	40	40	:	40	40	40	:								200					
4502499	NEWCOMB	L	GROUNDWATER	10S	25E	8	40	40	40	40	:										160					
4502508	NEWCOMB	L	GROUNDWATER	10S	25E	8	39	33	:	39	39	33	33	:							216					
4502636	NEWCOMB	L	GROUNDWATER	10S	25E	8			:					:	35	35	40	40	:	27	35	40	29	281		
4502638	NEWCOMB	L	GROUNDWATER	10S	25E	8	37	38	33	32	:			:					:				140			
4507103	COMMONS	P	GROUNDWATER	10S	25E	8			:					:	40	40			:				80			
4507268B	NEWCOMB	L	GROUNDWATER	10S	25E	8			:					:	5				:	13	5	11	34			
4507646	MITCHELL	P	GROUNDWATER	10S	25E	8	40	38	35	35	:			:					:				148			
	1986 MAPPING DATA	---	COUNTY 31 QUAD BB 80	10S	25E	8	43	38	32	35	:	40	41	34	33	:	37	40	38	40	:	39	40	42	39	611

MICROFILMED
 SEP 12 1990

PAGE: 1

PLACE OF USE LOTS OVERLAP REPORT

05/21/90

WR-NUMBER	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	LOT	+	SUM
-----------	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----	---	-----

4507268B T10S R25E S 8

MICROFILMED
SEP 12 1990



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

May 21, 1990

Mark Newcomb
Rt. 1 Box 421
Rupert, ID 83350

Re: Transfer Application No.s 3660/License No.s 45-2636 &
45-7268B

Dear Mr. Newcomb:

Your transfer application is presently being reviewed here at the state office. This application essentially proposes a change in the point of diversion for the above referenced licenses. The application though also represents a change in the place of use for license no. 45-2636. This change results from removing 75 acres located in the W1/2SW1/4 of section 8 T10S R25E.

In the application, you state that the portion of license 45-2636 appurtenant to the 75 acres was 'withheld' (i.e.; reserved) from a previous land sale. Several notes in the transfer file indicate that our regional office contacted you to obtain copies of this land sale, but apparently you were unable to produce these copies.

Before the Department can proceed with authorizing this transfer application, I must ask that you contact the owner of those 75 acres in the W1/2SW1/4 of section 8 and have that individual or party submit some type of statement consenting to the proposed transfer. This is a standard procedure for this type of transfer and may be accepted in lieu of the land sale document which reserved certain water rights. Please submit the other property owner's statement at your earliest convenience.

If you have questions concerning this matter, please feel free to contact me directly at 327-7864.

Sincerely

Tim Luke
Sr. Water Resource Agent

MICROFILMED

SEP 12 1990

MEMORANDUM

TO: FILE

FROM: TIM LUKE

DATE: May 9, 1990

RE: TRANSFER APPLICATION NO. 3660/LICENSE NO.S 45-2636 & 45-7268B

=====

This application seeks to change the point of diversion by replacing an existing well with a new well. The POD change will be made for license no.s 45-2636 and 45-7268B.

The transfer application also reduces the number of acres irrigated under license 45-2636. A portion of the acreage originally licensed under 45-2636 (the W1/2SW1/4 of section 8) is not included on this transfer and is apparently no longer irrigated by this right. Department records show that a permit with a different name and point of diversion covers the same land. The applicant commented on the transfer application that this portion of land was sold and that he withheld that portion of 45-2636 appurtenant to the same land at the time the land was sold so that all of 45-2636 could be used on the remaining land which is identified under item B5 of the transfer.

I recommend approval of this transfer subject to the following conditions:

<<T05>> The use of water on the lands to which the above referenced water right(s) were appurtenant is hereby abandoned and failure to put the water to beneficial use within five (5) years of the date of the approval of this transfer on the new land identified under item B.5 shall constitute loss or forfeiture of the water right(s).

The combined annual volume of water under Right No.s 45-2636 and 45-7268B shall not exceed 840 afa respectively.

The maximum rate of diversion under Right No.s 45-2636 and 45-7268B shall not exceed 3.40 cfs.

MICROFILMED

SEP 12 1990

PLACE OF USE 1/4 1/4 OVERLAP REPORT

05/09/90

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE				NW				SW				SE				SUM					
							NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE						
4502636																												
4502369	NEWCOMB	L	GROUNDWATER	10S	25E	8	40	40	:	40	40	40	:								200							
4502499	NEWCOMB	L	GROUNDWATER	10S	25E	8	40	40	40	40	:										160							
4502508	NEWCOMB	L	GROUNDWATER	10S	25E	8	39	33	:	39	39	33	33	:							216							
4502636	NEWCOMB	L	GROUNDWATER	10S	25E	8			:					:	35	35	40	40	:	27	35	40	29	281				
4502638	NEWCOMB	L	GROUNDWATER	10S	25E	8	37	38	33	32	:			:					:				140					
4507103	COMMONS	P	GROUNDWATER	10S	25E	8			:					:	40	40			:				80					
4507268B	NEWCOMB	L	GROUNDWATER	10S	25E	8			:					:	5				:	13	5	11	34					
4507646	MITCHELL	P	GROUNDWATER	10S	25E	8	40	38	35	35	:			:					:				148					
	1986 MAPPING DATA	—	—	COUNTY 31	QUAD BB 80	10S	25E	8	43	38	32	35	:	40	41	34	33	:	37	40	38	40	:	39	40	42	39	611

ok ok ok

SEP 12 1990

MICROFILMED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO.45-2636, 45-7268B

Notice is hereby given that Mark Newcomb of Rupert, ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

WATER RIGHT AS RECORDED

Water right No. 45-2636
Basis of right: License
Source: groundwater
Priority Date: 2/8/1961
Amount of water: 2.79 cfs Water use: irrigation
Point(s) of diversion: SE1/4SE1/4, S8, T10S, R25E; Cassia County.
Place of use: 281 acres within SW1/4, SE1/4, S8, T10S, R25E.

WATER RIGHT AS RECORDED

Water right No. 45-7268B
Basis of right: License
Source: groundwater
Priority Date: 5/14/1976
Amount of water: 0.61 cfs Water use: irrigation
Point(s) of diversion: SE1/4SE1/4, S8, T10S, R25E; Cassia County.
Place of use: 34 acres within NE1/4SW1/4, N1/2SE1/4, SE1/4SE1/4, S8, T10S, R25E.

CHANGED AS FOLLOWS

Water right No.:	45-2636	Amount:	2.79 cfs
Water right No.:	45-7268B	Amount:	0.61 cfs

Total amount being transferred: 3.40 cfs

Source: groundwater
Point of diversion: NE1/4SE1/4, S8, T10S, R25E; Cassia County.
Place of use: 240 acres within E1/2SW1/4, SE1/4, S8, T10S, R25E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave East, Twin Falls, ID 83301 on or before March 26, 1990.

R. Keith Higginson, Director

Published in South Idaho Press on 3/8 & 3/15/90

MICROFILMED

SEP 12 1990

23-Feb-1990

South Idaho Press
Box 190
Burley, ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED
SEP 12 1990

23-Feb-1990

Mark Newcomb
Rt. 1 Box 421
RUPERT ID 83350

Re: Application for Transfer No. 45-2636, 45-7268B

Dear Mr. Newcomb:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office will be advertising the application in the South Idaho Press on 3/8 and 3/15/90. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

Before we can forward your application to our state office for approval we must include in the file evidence of ownership of the land from which the water is being removed such as copies of deeds, tax records, etc. and/or a notarized statement from any lien holder on the property.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

MICROFILMED

SEP 12 1990



Farm Credit Services
Burley

RECEIVED

FEB 5 - 1990

1305 Albion Avenue
P.O. Box 1168
Burley, Idaho 83318
208/678-3516

Department of Water Resources
Southern Region Office

To: State of Idaho
Department of Water Resources

Farm Credit Bank of Spokane has been notified and does hereby agree to Mark Newcomb's request for the change of the point of diversion regarding water rights #45-2636 and #45-7268B. It is our understanding the point of diversion is to be changed from the SE1/4SE1/4 of Section 8, Township 10 South, Range 25 East Boise Meridian to the NE1/4SE1/4 of said Section 8, Township 10 South, Range 25 East Boise Meridian. The new point of diversion remains on property covered by our mortgage.

Dated this 25 day of January, 1990.

FARM CREDIT BANK OF SPOKANE

By: Scott Atkins
Scott Atkins Authorized Agent

STATE OF IDAHO)
 : ss.
County of Cassia)

On this 25 day of January, 1990, before me personally appeared Scott Atkins, to be know to be an authorized agent of the corporation that executed the within instrument and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

MICROFILMED

SEP 12 1990

Annat Kristine Peterson
Notary Public for the State of Idaho
Residing at Heyburn
My commission expires 12-07-94

9/89

Drilling Permit No. 45-90.5-005Water Right Permit No. 45-2636, - 22683

Injection Permit No. _____

RECEIVED

JAN 24 1990

Department of Water Resources
Southern Region OfficeState of Idaho
Department of Water Resources

DRILLING PERMIT

1. Applicant Mark Newcomb2. Mailing Address Rt 1, Box 421 Rupert, ID 83350Telephone 436-5679☒ Well Owner () Well Operator () Other, specify _____3. Proposed well location NE 1/4 SE 1/4, or Gov't lot No. _____,Sec. 8, Twp. 10S, Rge. 25E, County Cassia,Street Address of Well Site on Hwy 81 From Idaho 4 mi E + 2 1/4 N,

Lot, block and subdivision _____

4. Proposed use of well:

() Single family or stockwater use (less than 13,000 gallons per day)

☒ Irrigation (more than 1/2 acre)() Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____

() Other (describe fully) _____

5. Well construction information:

A. () New well () Deepen ☒ Replace - See Condition 9.B. Proposed surface diameter 20" Maximum depth 250

C. Anticipated bottom hole temperature:

- ☒
- 85°F or less (Cold water well)
-
- () 85°F to 212°F (Low temp. geothermal well)
-
- () 212°F or more (Geothermal well)

MICROFILMED

SEP 12 1990

6. Construction Start Date 1/25/907. Anticipated Well Driller Harry King
NOTE: The actual well driller must be identified prior to drilling.8. Applicant's signature Mark Newcomb Date Jan. 25, 1990

Title _____

(Owner, Firm Representative, Other)

Drilling permit No. _____

Water right No. 45-2636, - 7268B

REQUEST FOR EXPEDITED ISSUANCE OF A DRILLING PERMIT

Mark Newcomb, Applicant, requests issuance of a drilling permit prior to approval of a water right to withdraw water from the well.

The request is made for the following reason(s):

Current well pumps sand and needs to
be replaced. I have well drilled
on site and obviously need authoriza-
tion to drill.

Applicant understands that the drilling permit does not constitute a water right and does not authorize diversion or use of water from the well.

Applicant acknowledges that by accepting a drilling permit and commencing construction he accepts all risk that the well may not ultimately be approved for use.

Date

1/24/90

MICROFILMED

SEP 12 1990

Signature

Mark Newcomb

Applicant

CONVERSATION MEMORANDUM

NAME OF PARTY Mark Newcomb
EMPLOYEE DOUGLAS JONES

DATE 1/25/90
FILE Transfer of 45-2636, -726813

RE: Proof of Ownership

Talked with wife: will bring contract of sale if it specifies with held water right a term of sale. Appt @ 2 PM 1/26/90

1/26 Talked with wife: They are attempting to find the contract and are canceling today's appt. Will contact Dept on Tuesday, 1/30.

Ady database check indicated that no claims have been filed on these rights on ground originally licensed for ~~W¹/₂ SW¹/₄ Sec 8~~ T10S R25E

2/1 Cannot provide deed showing with held water right in transaction of ~~80~~ acres. I need to get back with him on suitable proof type after checking w/ others

2/20 Mark Newcomb came to office to inquire about proof needed. Because previously unrecorded transfer ^(of 45-2636) was conditioned into the approval of 45-726813 ~~other~~ proof other than deed is currently irrigated and is not needed. ~~Applicant~~ Applicant states that proof with holding water right in transfer (sale) of 25 ac in W¹/₂ SW¹/₄ Sec 8 is not possible - no deed, contract, etc specifying this.

MICROFILMED

SEP 12 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

May 21, 1990

R. KEITH HIGGINSON
DIRECTOR

Mark Newcomb
Rt. 1 Box 421
Rupert, ID 83350

Re: Transfer Application No.s 3660/License No.s 45-2636 &
45-7268B

Dear Mr. Newcomb:

Your transfer application is presently being reviewed here at the state office. This application essentially proposes a change in the point of diversion for the above referenced licenses. The application though also represents a change in the place of use for license no. 45-2636. This change results from removing 75 acres located in the W1/2SW1/4 of section 8 T10S R25E.

In the application, you state that the portion of license 45-2636 appurtenant to the 75 acres was 'withheld' (i.e.; reserved) from a previous land sale. Several notes in the transfer file indicate that our regional office contacted you to obtain copies of this land sale, but apparently you were unable to produce these copies.

Before the Department can proceed with authorizing this transfer application, I must ask that you contact the owner of those 75 acres in the W1/2SW1/4 of section 8 and have that individual or party submit some type of statement consenting to the proposed transfer. This is a standard procedure for this type of transfer and may be accepted in lieu of the land sale document which reserved certain water rights. Please submit the other property owner's statement at your earliest convenience.

If you have questions concerning this matter, please feel free to contact me directly at 327-7864.

Sincerely

Tim Luke

Sr. Water Resource Agent

MICROFILMED

SEP 12 1990

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that W. WAYNE NEWCOMB
 of Declo, County of Cassia, and State of
Idaho, the holder of Permit No. G-29426, issued upon
 Application No. G-37424 bearing date of priority of February 8, 1961, authorizing the
 diversion of 3.2 second feet of waters of a well

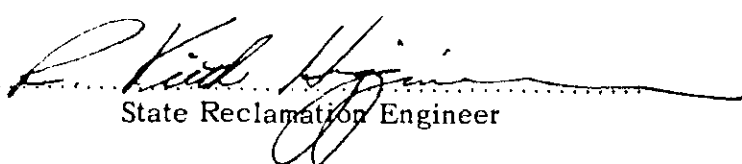
County of Cassia, State of Idaho, for irrigation
 purposes, has fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 2.79 second feet of the waters of a well from subterranean flow

that the point of diversion of said waters is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8, Township 10
South, Range 25 East, Boise Meridian;

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: S $\frac{1}{2}$ Section 8, Township 10 South, Range 25 East, Boise
Meridian.

Proof of completion of works made: March 1, 1965

Witness my hand this 28 day of June, A. D. 19 68


 State Reclamation Engineer

June 28, 1968

Re: Permit No. G-29426

C
O
P
Y

W. Wayne Newcomb
Declo,
Idaho 83323

Dear Mr. Newcomb:

Enclosed are your Certificate of Completion of Work and License and Certificate of Water Right on the above numbered permit.

Also enclosed is departmental receipt No. 476 in the amount of \$21.00 covering the fees.

Very truly yours,

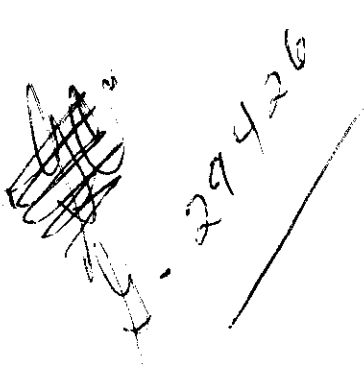
C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures: Certificates
Receipt

cc. Idaho Land & Appraisal Service
Box 1603
Boise, Idaho 83701

29426


February 16, 1968

C
O
P
Y

John E. Gray
Land Bank Appraiser
P.O. Box 548
Burley, Idaho 83318

Dear Mr. Gray:

The following is the information on the wells requested in your letter of February 14, 1968.

Permit G-29426 - W. Wayne Newcomb owns the well with the priority date as February 8, 1961. The amount authorized by the permit is 3.2 c.f.s. Our field examination shows only 2.79 c.f.s. This amount has been protested by Mr. Newcomb and will be measured again before June 3, 1968.

Permit G-20484 covers the 2 wells in Section 13, Mr. A. D. Nyl owns this permit. It could be licensed for .88 c.f.s. upon receipt of the fees of \$16.00 as requested July 24, 1954. We can find no permit on a well in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 1, Township 13 South, Range 26 East, B.M. There are two other wells in Section 1, but they are both on the West half.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

29426

FEDERAL LAND BANK ASSOCIATION OF BURLEY

P. O. BOX 548 1245 OVERLAND AVENUE BURLEY, IDAHO 83318



GLEN R. KUNAU, MANAGER

February 14, 1968

RECEIVED
FEB 15 1968
Department of Reclamation

State Dept. of Reclamation
State House
Boise, Idaho 83700

Gentlemen:

Would you please advise the date of priority and amount of water permitted on a well in the SE $\frac{1}{4}$ Section 8, Township 10 South, Range 25 EBM. We believe the permit # on this well is G29426.

Would you please also indicate the date of priority, license or permit # and amount of water on the following wells:

Sec. 13, Twp. 13S., Rge. 26 EBM:

#1 NE $\frac{1}{4}$ SW $\frac{1}{4}$

#2 SW $\frac{1}{4}$ SE $\frac{1}{4}$

Sec. 1, Twp. 13S., Rge. 26 EBM:

#3 SE $\frac{1}{4}$ SE $\frac{1}{4}$

Thank you.

Very truly yours,

John E. Gray

John E. Gray,
Land Bank Appraiser

JEG/bl



"OWNED BY FARMERS : FOR FARMERS"

29426

February 7, 1968

Re: Permit No. G-29246 and G-25843

W. Wayne Newcomb
Declo,
Idaho

Dear Mr. Newcomb:

We are in receipt of your letter of February 1, 1968 on the above referenced permit. Also received and processed, your check of \$21.00 which covers the licensing fee for Permit No. G-29246.

As you indicated, you disagree with the measurement made by a representative of the Department of Reclamation on the well under G-29246. The department will withhold licensing of this permit until June 3, 1968. We are allowing this time for you to obtain satisfactory measurement of the production of the well in beneficial use.

The department will insist that the measurement be made by a registered professional engineer, and that the engineer obtain the specifics that the department will insist upon in order that the measurement be acceptable.

Proof of completion of works and beneficial use is due under Permit No. G-25843 on or before September 24, 1969.

Please contact us if you have any questions on this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

29426

Acco Ida
Feb 1, 67

State House
Dept of Reclamation
Boise, Idaho

Permit
G-29426

Rec # 476

Enclosed \$21.00 is fee you
said you wanted on Permit
G-29426. However all
evidence seems to point up
fact you way off amt. water
used maybe better hold up
license until truth established

RECEIVED
FEB 2 1968

Department of Reclamation

Yours

Williamson

What is the status of
G-25843

29426

500 - July 8, 1964

August 4, 1965

RE: Permit No. G-29426

W. Wayne Newcomb
Rt 1
Declo, Idaho

Dear Mr. Newcomb:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. **G-29426** shows the well is ~~(are)~~ capable of conveying **140** miner's inches, or **2.79** c.f.s. of water for the irrigation of **281** acres.

Upon receipt of the statutory fees, totaling \$ **21.00**, we will issue the Certificate of Completion of Works and the License and Certificate of Water Right confirming the right, with priority of **February 8, 1961**, to the use of **2.79** second feet of subterranean water with the point of diversion in **the SE $\frac{1}{4}$ Sec. 8 for irrigation of 281 acres in the S $\frac{1}{2}$, Sec. 8, T. 10 S., R. 25 E., B.M.**

Very truly yours,

CARL E. TAPPAN
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

29426

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-29426

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

1. Name of applicant W. Wayne Newcomb, Declo, Idaho

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the SE¹SE¹ of Section 8

T. 10 S R. 25 E County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same: C.S. Motor 200 HP - ?

No Plate

Layne Turbine pump # 7739 Discharge to Booster pump Barkley
model BG-J CW - 6 U Belt drive No motor attached

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):

S¹/₂, Sec. 8; S¹/₂SW¹/₄, Sec. 9, T. 10 S., R. 25 E., B. M.

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

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

Remarks: Mr. Wayne Newcomb along ?

Pressure measurement to determine Q = 1184.34 GPM ÷ 9 =
131.55 + 8 (loss allowance) = 139.55 x 0.2 = 2.7910 cfs = 140 inches

This examination was made on the 29 day of July, 19 65

(Signed)

Donald W. Eldorne
Examiner
Ray Johnson

29426

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.

RECEIVED
AUG 8 1965

Department of Reclamation

S
200' - 190' x 10' csg
(flat back of pump 12")
8 1/4 mi. lateral
30' deep road 1/4" 60' to 40' W. Wayne Newcomb
A: 170
Route # 1
Delco, Idaho
Permit No. G-29426
Completion of Works
Examination for and Beneficial Use

County Cassia
Quantity: 3.2 Sec. 8 T. 10S R. 25E

Source: Well

P.D.: SESE-8-105-25E

Use: Irrigation

Filed: 8 Feb 61

Due: 15 Feb 66

made March 1, 1965

Extension: -

Protest: -

Completion of Works: -

Other Rights: D-26069

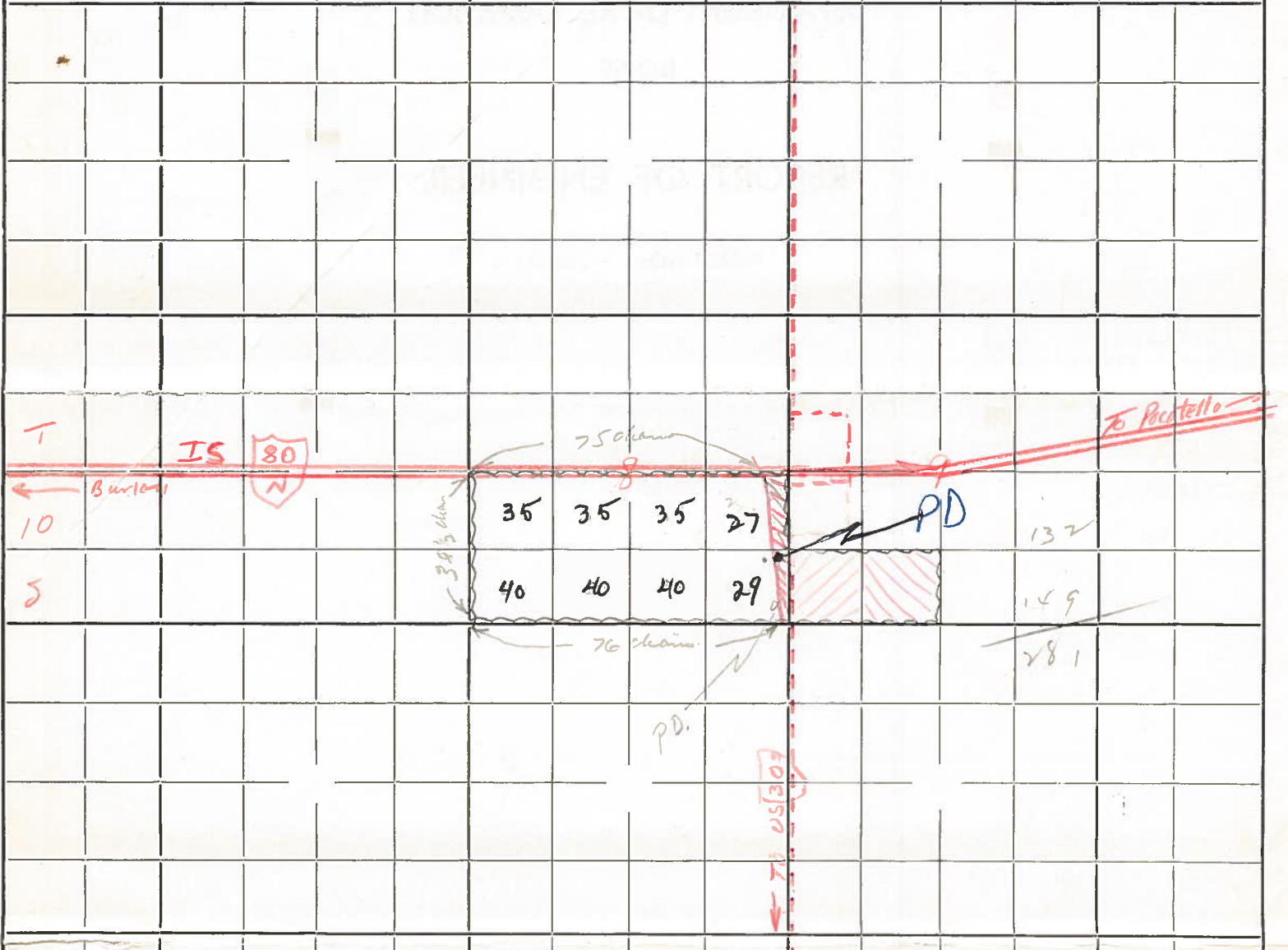
being relinquished

29426

$\begin{array}{r} 31 \\ 247 \\ \hline 62 \end{array}$
 247

$\begin{array}{r} 26.50 \\ 2480 \\ \hline 40 \end{array}$

R 25 E



Subdivisions = 8
 Area = 281 acres
 Q = 2.79 cfs or 140 inches

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-29426

REPORT ON PROOF OF Completion of Works & Beneficial Use

W. Wayne Newcomb
Route #1
Declo, Idaho

29426

231
64
974
1286
747.84

Wayne Newcomb
allow 8" for leaks.

160-0
148
308

5/31

29
36
36
399
33

385
18
403
31
403
1209
2693

23
33
31
387
29

383
379
31
379
1137
117.49

26
30
31
387
29

379
31
379
1137
117.49

25
23
30
378
21

352
31
359
31
359
1077
111.29

24
37
33
104
35

416
31
416
1248
128.96

333
124.93
117.49
117.49
111.29
128.96

600.16
584.18
1184.34
131.55
8
139.12

18x20" 200' deep

2.49 cfs.

29426

29424

GPM			GPM
124.93 =	$\begin{matrix} \times \times \times \times \times \\ 5/32 \# 30 RB \end{matrix}$	$\begin{matrix} 28 \# 1/4 \# 30 RB \\ \times \times \times \times \times \end{matrix}$	143.84
117.49	$\begin{matrix} \times \\ \times \times \times \times \times \times \\ 5/32 \# 30 RB \end{matrix}$	$\begin{matrix} 30 \# 1/4 \# 30 RB \\ \times \times \times \times \times \end{matrix}$	143.84
117.49	$\begin{matrix} \times \times \times \times \times \end{matrix}$	$\begin{matrix} 39 \# 5/32 \# 30 RB \\ \times \times \times \times \times \end{matrix}$	139.87
111.29	$\begin{matrix} \times \times \times \times \times \\ 31 \# 3/4 \# 30 RB \end{matrix}$		
128.96	$\begin{matrix} \times \times \times \times \times \end{matrix}$	$\begin{matrix} 20 \# 1/4 \times 5/32 \# 30 RB \\ 42 \# 5/32 \\ \times \times \times \times \times \end{matrix}$	156.63
600.16			584.18

9 1184.34 GPM

131.55
 + 8. loss allowance
 139.55
 x .02
 2.7910

2.79 cfs = 140 inches

1M April 1962

March 4, 1965

Re: Permit No. ~~29426~~
G-29428
W. Wayne Newcomb

W. Wayne Newcomb
Route #1
Declo, Idaho

Dear Mr. Newcomb:

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

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:

29426

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-29426

* * * *

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: _____

W. Wayne Newcomb - R 7 D #1 - Declo Idaho

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; G-29426 - Feb 8, 1961

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

Ques. 5. Describe your works of diversion: Well and Pump - and
sprinkler system; state amount of water they are capable of conveying from point of diversion to place of use 6.2; Give name of canal or ditch

3.2 or other works by which water is conducted to such place of use: _____

_____ ; if a well, state depth of well 200 ft; depth and size of casing: 190 ft - 10 inch; depth to water 170; if pump is used, state discharge of pump: 12 inch; tell how it was measured or determined: _____

11.5 c; if sprinkler irrigation, give number and size of nozzles and operating pressure: 8 lines 1/4 mile to nozzles, 16/64 in di. 60 lbs max, 45 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:

S 1/2 of Section 8, S 1/2 of S W 1/4 Sec. 9
Twp 10 S, Rge. 25 E B 7 N

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

1 1/8 mile of mainline and sprinkler system
for 380 acres

No log

W. Wayne Newcomb

29426

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: C.L. Hottleston Drilling Co - 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:

One inch per acre

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:

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: Summer 1963 Time used since first use:

All Summer 1964

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

(sign) W. Wayne 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

Burley, County of Cassia

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

My Commission expires: Dec. 9, 1965

L. Jensen
Burley, Idaho
Remedy Apts

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. G-29426

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:

Mildred G. Jensen, 56, 1501 Miller, Burley, Ida
Housewife; P.O. Box 617, Burley, Ida

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

Permit No. G-29426? How long have you known him and where does he reside:

Yes - 36 years - he resides - R. F. D. #1, Declo, Ida

Ques. 3. Have you read or heard said Permit No. G-29426 read, and are you familiar with its provisions and conditions: Yes: _____ No: _____

Ques. 4. State source of water supply: Deep well and pump - ground water

State place of diversion: SE 1/4, SE 1/4, Sec 8, Twp. 10 S, Rge. 25 E. B. M.

Describe works for conveying water to place of use: Shall sub pump - sprinkler system
SE 1/2 of Sec. 8, SE 1/2 of SW 1/4, Sec 9 Twp 10 S, Rge 25 E. B. M. Total 380 acres

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 6.2 cfs ft per sec. How much water have you seen being so

conveyed: Eight lines 18th mile, 30 nozzles 5/32 inch diameter

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

One piece - 380 Acres - SE 1/2 of Sec. 8, SE 1/2 of SW 1/4, Sec. 9,
Twp 10 S, Rge 25, E. B. M. 380 acres

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:

Land will require 1 inch of water

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: 2 years ago

Other times you have seen such use: Many, many times

(Signed)

Mildred G. Jensen

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 Barley

 , County of Cassia, State of Idaho, on this 1st day of March,

A. D., ~~1964~~. 1965

L. Jensen

Notary Public for State of Idaho

Residing: Barley, Idaho
Peacock Apts.

My commission expires: Dec 9, 1965

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO
Permit No. 29426

* * * * *

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 - Rte Rupert Idaho

Ques. 2. Are you acquainted with H. Hayne Newcomb, the holder of
Permit No. 29426? How long have you known him and where does he reside: 4 years.

RFD #1, Declo, Idaho

Ques. 3. Have you read or heard said Permit No. 29426 read, and are you familiar
with its provisions and conditions: Yes: yes No:

Ques. 4. State source of water supply: Deep well and pump - ground water

State place of diversion: SE 1/4 SE 1/4 Sec. 8, Twp. 10 S, Rge. 25 EBM

Describe works for conveying water to place of use: Deep well and pump-sprinkler
system. S 1/2 of Sec. 8, S 1/2 of SW 1/4, Sec. 9, Twp. 10 S, Rge. 25 EBM. 380 acres.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 6.2 cu. ft per second How much water have you seen being so
conveyed: eight lines 1/4 mile, 30 nozzles 3/32 in. diam.

Ques. 6. If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:
One piece 380 acres. S 1/2 of Sec. 8, S 1/2 of SW 1/4, Sec. 9, Twp 10 S,
Rge. 25 EBM. 380 acres.

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:

Sandy. Will require one inch in

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: Two years ago.

Other times you have seen such use: Many times

(Signed)

Harold G. 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 Barley

 , County of Cassia, State of Idaho, on this 1st day of March,

A. D., 1962. 1965

(Signature)

Notary Public for State of Idaho

Residing: Barley Idaho

Remedy Apt

My commission expires: Dec 9, 1965

The Burley Herald-Bulletin

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

Vern A. Miller, being first

duly sworn, deposes and says that he is the

General Manager 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 25, 1965 and

ending with the issue dated February 15, 1965.

Vern A. Miller

Subscribed and sworn to before me this

18th day of February, 19 65

Maureen A. Smith Notary Public

Cost of Publication MY COMMISSION EXPIRES 1 = 4 = 62

Notary Fee _____

Total Cost _____

LEGAL NOTICES

65-27

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

Notice is hereby given that at 1:30 P.M. on the 1st day of March 1965 at Burley County of Cassia, State of Idaho before Maureen A. Jensen, Notary Public at Ramsey 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. C-29426, 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, R.F.D. #1, 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 SE 1/4 Sec. 8; Twp. 10 S. Rge. 25 E.B.M.

5. The place where said water is used is South 1/4 Sec. 8; 8 1/4 of SW 1/4 Sec. 8; Twp. 10 S. Rge. 25 E.B.M. Total 80 Acres.

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 25, February 1, 8, 15, 1965.

29426

29426

P. O. Box 617
Burley, Idaho
Jan. 25, 1965

RECEIVED
JAN 26 1965

Department of Reclamation

Mr. Carl E. Tappan
State Reclamation Engineer
Boise, Idaho

Re: Permit No. G-29426 - W. Wayne Newcomb

Dear Mr. Tappan:

This is to inform you that I received a copy of the Form Letter written to Mr. Newcomb January 19, 1965 relative to the Notice of Proof of Completion of Works and Application of water to Beneficial Use, under Permit No. G-29426. I shall execute same, but would like to inform you that my Notary Seal bears the name D. C. JENSEN rather than David C. Jensen as shown in the Form Letter received. This is merely to prevent any confusion which might arise from the difference in names.

Sincerely yours,


D. C. Jensen

DCJ:mj

29426

Re: Permit No. G-29426

January 19, 1965

Mr. W. Wayne Newcomb,
R. F. D. #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-29426. The proofs are to be made at 1:30 o'clock P.M., on the 1st day of March, 1965, before David C. Jansen, 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

29426

Re: Permit No. G-29426
W. Wayne Newcomb

Date: Jan. 19, 1965

Burley Herald Bulletin,
Burley, 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. Wayne Newcomb,
of R.F.D. #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

29426

NOTICE OF PROOF OF COMPLETION OF WORKS

and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 1³⁰ P M., on the 1st day of March 1965, at Burley Idaho, County of CASSIA, State of Idaho, before DAVID C. Jensen, Notary Public, at (address) 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. 29426, 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 RFD #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 3.2 cubic feet per second.

3. The use to which said water has been applied is irrigation potato and corn beet 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 SE 1/4 of SE 1/4 Section 8 10 South, 25 E. B. M.

5. The place where said water is used is South 1/2 of Section 8 10 S, 25 E B M and S 1/2 of SW 1/4 of Section 9, Total 280 acres corn

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

State Reclamation Engineer

29426

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

Notice is hereby given that at 1:30 P.M., on the 1st day of March
1965, at Burley, County of Cassia, State of Idaho
before David C. Jensen, Notary Public, at (address) _____
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-29426, 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, R.F.D. #1, 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 SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, Twp. 10 S., Rge. 25
E.B.M.,

5. The place where said water is used is South $\frac{1}{2}$ of Sec. 8, S $\frac{1}{2}$ of SW $\frac{1}{4}$, Sec. 9,
Twp. 10 S., Rge. 25 E.B.M.

Total 380 acres

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

CARL E. TAPPAN

State Reclamation Engineer

29426

JAN 19 1965

NOTICE OF PROOF OF COMPLETION OF WORKS

Department of Reclamation

and

APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

Notice is hereby given that at 1:30 P. M., on the 1st day of March 1965, at Burley Idaho, County of CASSIA, State of Idaho, before DAVID C. JENSEN, Notary Public, at (address) Remney 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. 929426, 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 M. Wayne Newcomb RFD #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 3.2 cubic feet per second.

3. The use to which said water has been applied is IRRIGATION WORK ~~but 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 SE 1/4 of SE 1/4
Section 8, 10 South, 25 E. B. M.

5. The place where said water is used is South 1/2 of Section 8, 10 S, 25 E B. M.
S 1/2 of SW 1/4 of Section 9, Total 380 acres (own)

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

State Reclamation Engineer

29426

DEPARTMENT OF RECLAMATION

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Jan 8, 1965
(P. O.) Boise 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 Boise Herald Bulletin of
Boise Idaho published in the
county in which the works are situated.

W Wayne Pennington
Boise Idaho

(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

29426

Department of Reclamation

RECEIVED

JAN 11 1965

Department of Reclamation

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 Burley Herald Bulletin of
Burley Idaho published in the
county in which the works are situated.

W. Wayne Newcomb
R7D#1
Seeds Idaho

(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

29426

$$2C \quad \frac{11}{64} \times \frac{3}{12} \quad \frac{54}{\cancel{82}^{\cancel{43}}} \# = 48 / 56.6$$

$$\frac{5}{32} \text{ @ } \quad \frac{39}{\cancel{82}^{\cancel{43}}} \# = 41 / 39.87$$

$$\frac{11}{64} \text{ @ } \quad \frac{30}{\cancel{80}^{\cancel{50}}} \# = 50 / 43.84$$

$$\frac{11}{64} \text{ @ } \quad \frac{82}{\cancel{60}^{\cancel{30}}} \# = 30 / 43.84$$

$$\frac{584.18}{} \text{ CPM}$$

29426

$$\begin{array}{r} 4 \\ 79 \\ \hline 3150 \end{array}$$

$$\begin{array}{r} 72 \\ 50 \\ \hline 3600 \end{array}$$

$$\begin{array}{r} 100 \\ 35 \\ \hline 135 \end{array} \quad \begin{array}{r} 4 \\ 69 \\ 50 \\ \hline 3750 \end{array}$$

$$\begin{array}{r} 74 \\ 50 \\ \hline 3700 \end{array}$$

$$\begin{array}{r} 76 \\ 50 \\ \hline 3800 \end{array}$$



29124

January 12, 1965

RE: Permit Nos. G-29426, G-28884, G-29428

W. Wayne Newcomb
RFD No. 1
Declo, Idaho

Dear Mr. Newcomb:

Returned herewith are your publication notices for the above numbered permits. Several discrepancies exist between the notices and our records. Listed below is each permit and the discrepancies for each.

G-28884 - You list the point of diversion as being SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, T. 7 S., R. 25 E., B. . . Our records indicate it as being the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, T. 7 S., R. 25 E., B.M.

G-29426 - You have only the S $\frac{1}{2}$ of Section 8, T. 10 S., R. 25 E., B.M. on the land list. Our records indicate the S $\frac{1}{2}$, Sec. 8, and S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 9, T. 10 S., R. 25 E., B.M.

G-29428 - You list the point of diversion as being the NW $\frac{1}{4}$ NE $\frac{1}{4}$, and the land as the NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 6, T. 10 S., R. 25 E., B.M., and the E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 1, T. 10 S., R. 24 E., B.M. Our records indicate that the point of diversion is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6. The land list does not include the E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 1, T. 10 S., R. 24 E., B.M.

If your publication notices are correct all three of the permits will require amendments either to the points of diversion or the land lists. The proper forms are enclosed. The fee for each amendment is \$1.00.

Please make the necessary corrections and/or amendments and return promptly.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

M. Russell Bosch, Assistant
Water Rights & Records Section

MRB:mr

Enc. publication notices, amendment forms

29426

January 7, 1963

Re: Permit No. G-29426

W. Wayne Newcomb
Declo, Idaho

Dear Mr. Newcomb:

Enclosed are the Applications for Amendment to the point of diversion and to the land list which have been recorded in this office.

Departmental Receipt No. G-8476 was handed to you in this office covering the fee for \$2.00.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. amendments

29426

Application for Amendment

LAND PERMIT

Permit No. G-29426

I, W. Wayne Newcomb, and represent 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-29426, 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 Section 8 TW 10S Range 2S R3E
and S 1/2 of SW 1/4 of Sec 7 TW 10S Range 2S R3E

, making a total of 35 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 Idaho Falls this 31 day of Dec

W. Wayne Newcomb

Date of receipt at office of Department of Reclamation December 31, 1963

APPROVAL OF STATE RECLAMATION ENGINEER

I, Carl P. Tappan, 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-29426. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it hereby is approved only insofar as the rights of others are concerned.

Witness my hand and seal of office at Boise, Idaho, this 31 day of Dec, 1963.

Carl P. Tappan
State Reclamation Engineer

Application for Amendment

POINT OF DIVERSION

Permit No. 2 29426

Comes now W. Wayne Newcomb and
represent to the State Reclamation Engineer of the State of Idaho:

That he is (~~are~~) the owner X and holder of Permit to Appropriate the Public
Waters of the State of Idaho, No. G-29426.

That the point of diversion is described in said Permit as being located:

SW 1/4 SW 1/2 Sec 9 T4N 10S Range 25 E B3

That he now requests that the point of diversion be changed to a point
located: SE 1/4 SE 1/4 Sec 8 T4N 10S
Range 25 E B3

That the reason for desiring to make such change is as follows:

Just point taken by State for road
materials source.

That no one will be injured by such change, and that such change will be made
at Permit Holder's own risk.

Signed at Borco Idaho, this 31 day of Dec,
1963.

W. Wayne Newcomb

Date of Receipt at Department of Reclamation December 31, 1963

APPROVAL OF STATE RECLAMATION ENGINEER

Carl E. Tappan
I, ~~Carl E. Tappan~~, 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-29426. 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.

Recorded in Book 103 of
Permits, at Page 29426
January 6, 1964

Carl E. Tappan
State Reclamation Engineer

29426

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. W. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.

WTR:pmk

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

29426

NAME OF APPLICANT.....W. WAYNE NEWCOMB.....

Form No. 0

TLOS-R25E..B.M.. Idaho

Sec. 9

ok P.D.

Permit Map No. 29426

As Approved

GEO. N. CARTER

FEB 15 1961

NAME OF APPLICANT..... W. WAYNE NEWCOMB

Form No. 0

TLOS-R25E. B.M. Idaho

Sec. 9

OK P.D.

Permit Map No. 29126
As Approved FEB 15 1961
GEO. N. CARTER

SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

29426

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

Notice is hereby given that at 1:30 P.M., on the 1st day of March 1965 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-29426, 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, R.F.D. #1, 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 SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8; Twp. 10 S. Rge. 25 E.B.M.

5. The place where said water is used is South $\frac{1}{2}$ of Sec. 8, S $\frac{1}{2}$ of SW $\frac{1}{4}$, Sec. 9, Twp. 10 S. Rge. 25 E.B.M. Total 380 Acres.

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

CARL E. TAPPAN

State Reclamation Engineer

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29426