

45-02369

State of Idaho
License and Certificate of Water Right

Water License No. 22007 Amount 3.53 c.f.s.
Water District No. Priority September 1, 1951

THIS IS TO CERTIFY that MARJORIE & RUSSELL NEWCOMB
of Declo, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 15, 1951; that Permit No. 22007
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.53 second feet, was issued thereunder on January 5, 1965, showing that said works
were completed on the 22nd day of October, 1955; and that on the 22nd
day of October, 1955,

MARJORIE NEWCOMB & RUSSELL NEWCOMB
of Declo, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of two wells
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. 22007 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
13 of Licenses at page 8070, on the 5th day of January, 1965;

The right hereby confirmed dates from September 1, 1951;

The Point of Diversion is located on the line between NW $\frac{1}{4}$ SE $\frac{1}{4}$ & SW $\frac{1}{4}$ SE $\frac{1}{4}$, 130 feet west of center
of SE $\frac{1}{4}$, Sec. 5; and in the center between E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 8, T. 10 S., R. 25 E., P. M.
in the $\frac{1}{4}$ $\frac{1}{4}$, Sec. , Tp. , R. , 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 3.53 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 S.	25 E.	8	SW $\frac{1}{4}$	160	160
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	80	80
			W $\frac{1}{2}$ NW $\frac{1}{4}$	80	80
			E $\frac{1}{2}$ NW $\frac{1}{4}$	80	80
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			Total number of acres to be irrigated:		440

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

5th day of January, 1965.

RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

45 2369

N^o 22007
1176: James H. Hanson
45-2369

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 29652
PERMIT No. 22007
DISTRICT No.

Norman H. Nielson
Attorney at Law
Burley, Idaho

1. Name of Applicant: MARJORIE NEWCOMB and RUSSELL NEWCOMB, joint tenants with right of survivorship

Postoffice address: Declo

County: Cassia

State: Idaho

I. If applicant is a corporation, give:

- (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: \$10,000.00

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources: Personal property other than cash \$15,000. Real property \$25,000.00

2. Quantity of water claimed: Four (4) cubic feet per second.

3. Source of water supply: Subterranean from two wells which is a tributary of

4. Location of point of diversion: Two wells feet distant from the
corner of Section , T. , R. , B. M., and is in the center of the NW $\frac{1}{4}$ NW $\frac{1}{4}$
" " " NW $\frac{1}{4}$ NE $\frac{1}{4}$
of Section 5 , T. 10 S., R. 25 E., B.M., County of Cassia

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 15,000.00

8. Kind of works: Two wells, sprinkling system

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

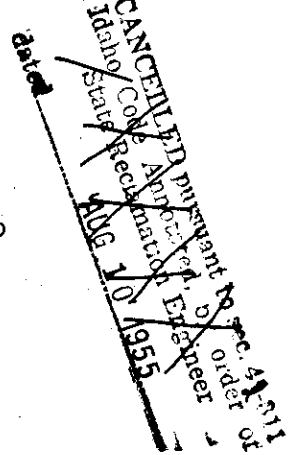
Average grade per mile feet.

12. The time required for the completion of such work is Four (4) years.

13. The time required for the complete application of the water to the proposed use is Four (4) additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None



16. (a) Is reservoir to be used? No If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

MARJORIE NEWCOMB

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. February 15, 1951

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 22007

Recorded in Book 79 Page 22007 Approved April 7, 1951

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

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

Work to begin on or before June 7, 1951 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before April 7, 1953

The whole of said work to be completed on or before April 7, 1955

Beneficial use of water appropriated in accordance herewith, to be made on or before April 7, 1959

WITNESS My hand this 7th day of April, 1951

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, LEN JORDAN, Governor of the State of Idaho,

and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 7th.....

day of April, 19 51.

STATE OF IDAHO

Countersigned:

(SEAL)

By LEN JORDAN

Governor.

By IRA H. MASTERS

Secretary of State.

REMARKS:

14.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
10 S.	25 E.	5	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640	
APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. 22007.																			
Comes now Marjorie Newcomb & Russel 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. 22007. That the point of diversion is described in said permit as being located 2 wells; one located in center of NW¹/₄ the other in center of NW¹/₄NE¹/₂, Sec. 5, Twp. 10 S., Rge. 25 East, B. M. That he now requests that the point of diversion be changed to a point located line between NW¹/₄SE¹/₂ and SW¹/₄SE¹/₂, West of center of SE¹/₄; Sec. 5; center between E¹/₂NW¹/₄ and W¹/₂NE¹/₄, Sec. 8, T. 10 S., R. 25 E., B. M. That his reasons for desiring to make such change are as follows: an error was made in surveying on the original and these wells have been used and located in this position for some time. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk. Signed at Declo, Idaho, this 29 day of July, 1955.																			
Date of receipt at Department of Reclamation August 1, 1955. APPROVAL OF STATE RECLAMATION ENGINEER MARK R. KULP State Reclamation Engineer MARJORIE NEWCOMB & RUSSELL By RUSSELL NEWCOMB MARJORIE NEWCOMB																			
I, Mark R. Kulp, 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. 22007. This approval constitutes permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and application is approved only insofar as the rights of others will not be adversely affected thereby.																			

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 22007.

Comes now Marjorie Newcomb & Russel 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. 22007., and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 5; W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T. 10 S., R. 25 East., B. M., making a total of 440 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 Declo, Idaho, this 29 day of July, 1955.

MARJORIE NEWCOMB & RUSSEL NEWCOMB
By MARJORIE NEWCOMB RUSSELL NEWCOMB

Date of receipt at Office of Department of Reclamation August 1, 1955.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, 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. 22007. 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.

MARK R. KULP
State Reclamation Engineer

Permit No. 22007
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that MARJORIE NEWCOMB & RUSSELL NEWCOMB of Declo, County of Cassia, and State of Idaho, the holders of Permit No. 22007, issued upon Application No. 29652 bearing date of priority of September 1, 1951, authorizing the diversion of 4 second feet of the waters of two wells, 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 1.51 second feet of the waters of two wells; that the points of diversion of said waters are on the line between NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, 130 feet West of the center of SE $\frac{1}{4}$ Section 5; and in the center between E $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 8, Township 10 South, Range 25 East, B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 5; W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, Township 10 South, Range 25 East, B. M.

Witness my hand this 16th day of May, A. D. 1956.

MARK R. KULP
State Reclamation Engineer

Proof of Completion of Works made October 22, 1955.
Certificate of Completion of Works issued May 16, 1956.

See letter March 12, 1962

RECEIVED MAY 15, 1956
Page 4 of 2

ORDER

S T A T E O F I D A H O
D E P A R T M E N T O F R E C L A M A T I O N

IN THE CASE OF WATER LICENSE

No. 22007

O R D E R

CERTIFICATE OF COMPLETION OF WORKS AND LICENSE AND CERTIFICATE OF WATER RIGHT No. 22007 were issued May 16, 1956, showing 1.51 second feet of the waters of two wells; that the points of diversion of said waters are on the line between NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, 130 feet west of the center of SE $\frac{1}{4}$, Sec. 5; and in the center between E $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 8 T. 10 S., R. 25 E., B. M. and,

WHEREAS, The amount of water shown was the amount of water from only one well.

IT IS THEREFORE, hereby ordered that the Certificate of Completion of Works and License and Certificate of Water Right No. 22007, issued May 16, 1956, are hereby cancelled and new certificates shall be issued showing proper amount of water.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Reclamation, at Boise, Idaho, this 30th day of December, 1964

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Permit No. 22007
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that MARJORIE NEWCOMB and RUSSELL NEWCOMB of Declo, County of Cassia, and State of Idaho, the holder of Permit No. 22007, issued upon Application No. 29652, bearing date of priority of September 1, 1951, authorizing the diversion of 4 second feet of waters of two wells, 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 3.53 second feet of the waters of two wells from subterranean flow; that the point of diversion of said waters are on the line between NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, 130 feet west of the center of SE $\frac{1}{4}$, Sec. 5; and in the center between E $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 8, T. 10 S., R. 25 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 5; W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T. 10 S., R. 25 E., B. M.

Witness my hand this 5th day of January, A. D. 1965.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Proof of Completion of Works Made: October 22, 1955

PERMIT ISSUED FOR 3.53 SEC. FT.
LICENSE PAGE NO. 8070

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

IN THE CASE OF WATER LICENSE)

No. 22007)

ORDER

Certificate of Completion of Works and License and Certificate of Water Right No. 22007 were issued May 16, 1956, showing 1.51 second feet of the waters of two wells; that the points of diversion of said waters are on the line between NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, 130 feet west of the center of SE $\frac{1}{4}$, Sec. 5; and in the center between E $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 8, T. 10 S., R. 25 E., B. M. and,

WHEREAS, The amount of water shown was the amount of water from only one well.

IT IS THEREFORE, hereby ordered that the Certificate of Completion of Works and License and Certificate of Water Right No. 22007, issued May 16, 1956, are hereby cancelled and new certificates shall be issued showing proper amount of water.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Reclamation, at Boise, Idaho, this 30th day of December, 1964



Deputy State Reclamation Engineer

22007

January 5, 1965

Re: Permit No. 22007

Wayne Newcomb
Declo, Idaho

Dear Sir:

Enclosed is the order cancelling certificate of completion
of works and License and Certificate of Water issued May 15, 1956.

Also enclosed are the new Certificates issued as of
January 5, 1965, showing the proper amount of water.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. order
certificates

22007

August 8, 1963

RE: License No. 22007
Permit No. G-26071

W. Wayne Newcomb
Declo, Idaho

Dear Mr. Newcomb:

I wrote to you March 22, 1962 in regard to the above noted license and permit. We have no record of a reply.

You can remit the fee of \$19.00 for the certificates of water right for 2.02 cubic feet per second from a well in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8 to irrigate the W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 8; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7, T. 10 S., R. 25 E., B. 1.

The letter mentioned above suggested cancellation of certificates under 22007 and new certificates to be issued to cover the land in Sec. 8. That might not be quite right as the report on Permit 22007 does not include the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8 and the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7 as being irrigated and that land would not be covered unless we allowed 1.44 c.f.s. for 5 subdivisions under 22007, and 0.58 c.f.s. for 2 subdivisions under G-26071. The fees would be an extra \$10.00 under 22007 and \$9.00 under G-26071, same total as noted above.

Kindly remit the fees and show how you want to conclude this matter. Return the original Certificate of Completion of Works and License and Certificate of Water Right under Permit No. 22007 for cancellation if you wish to change those certificates.

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:mr

22007
~~22007~~

March 12, 1962

Re: Water License No. 22007

W. Wayne Newcomb
Declo, Idaho

Dear Mr. Newcomb:

This office sent to you Certificates of Completion of Works and Licenses and Certificates of water right under six permits May 21, 1956.

Among those were the certificates under Permit No. 22007, in the name of Marjorie and Russell Newcomb. The license showed 1.51 cubic feet per second from a well near the center of the SE $\frac{1}{4}$, Section 5, to irrigate E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 5, T. 10 S., R. 25 E. The engineer's report shows that there was also a well in the center of the N $\frac{1}{2}$, Section 8, which irrigated the W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 8, T. 10 S., R. 25 E. We find no record where the well in the center of the N $\frac{1}{2}$, Section 8, has been shown on a license.

Kindly check your records. In case you find no record of that well being licensed, kindly return the Certificate of Completion of Works and the License and Certificate of Water Right No. 22007. Those certificates will be cancelled by order and new certificates issued, to include the second well which we show as your No. 6 well.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew



22007

March 20, 1962

RE: Permits No. G-23071, G-22350
License No. 22007

W. Wayne Newcomb
Declo, Idaho

Dear Mr. Newcomb:

The engineer's report dated April 13, 1956 on Permit No. 22007 shows the well in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, 130 feet west of the center of the SE $\frac{1}{4}$ of Section 5 produced 1.51 c.f.s. to irrigate 240 acres in the SE $\frac{1}{4}$, EAS $\frac{1}{4}$ of Section 5, and the well in the center between the E $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 8 produced 2.02 c.f.s. to irrigate 200 acres in the W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8. The Water License issued shows only the land and well in Section 5.

Permit No. G-26071 shows the well in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8 to irrigate the NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 8; E $\frac{1}{2}$ NE $\frac{1}{4}$, Section 7. The engineer's report, dated May 15, 1961, shows the well near the center of the N $\frac{1}{2}$ of Section 8 as shown on the enclosed plat, and that it irrigated the land shown above. He could not make a report on the amount of water as there is a continuous main line with several other wells. He estimated that the seven laterals in use on the land were delivering about 1.3 c.f.s. or 65 inches of water. Your map indicates that this well is actually farther west than shown on the engineer's report.

Permit No. G-26071 was originally issued for a well near the center of the SW $\frac{1}{4}$ of Section 8 to irrigate the SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ of Section 8, and was amended in March 1961 to a well in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8 to irrigate the lands described above.

I believe that the omission of the well near the center of the N $\frac{1}{2}$ of Section 8 from showing in any of your licenses was discovered, and Permit No. G-26071 was amended to correct that omission.

22007

You may choose one of two actions. We can cancel the certificates sent to you under Permit No. 22007 and include the well near the center of the N $\frac{1}{2}$ of Section 8 to irrigate the W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ W $\frac{1}{2}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, and relinquish Permit No. G-26071 for a fee of \$10.00. Or we will leave the certificates of water right as written under Permit No. 22007 and issue certificates under Permit No. G-26071 for a well in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8 to irrigate the W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ of Section 8; SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7 for a fee of \$19.00. The amount of water from the well in Section 8 would be 2.02 c.f.s. in either case.

You have License No. 21503 to irrigate the N $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 7. That includes the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7.

Permit No. G-22350, Minidoka Farms Inc., c/o Vanness Anderson, is ready to license upon payment of fees to irrigate the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ of Section 7, from a well in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7. That includes the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7. Our information is that the applicant had sold this land and was not interested in paying the fees. Possibly you own this land. Do you know whether there is a well in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7? Sometimes a field engineer gets lost if the permit holder is not available during inspection as happened in this case. This license can be issued to the present owner of the land if he sent this office an assignment from the Minidoka Farms, Inc. and paid the fees, a total of \$17.50 which includes the \$0.50 fee for recording the assignment, and if the land list included the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, or \$15.50 with that 40-acre subdivision omitted.

This is rather confusing, however I hope that the sketch enclosed will make it clear. The red in Section 8 shows the portion missing under the Water License No. 22007. The black cross hatch in Section 8 and the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 7 shows lands under G-26701. The blue in Section 7 shows lands licensed and the red shows lands under the Minidoka Farms Inc. Permit No. G-22350. The blue in Section 8 shows the original Permit G-26071.

We will cooperate in any possible way to get this matter cleared and closed.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Deputy State Reclamation Engineer

RWT:mr

42007

May 21, 1956

Re: Permits Nos. 21498, 21499, 21501
21503, 22007, G-25855

Mr. W. Wayne Newcomb
Daclo
Idaho

Dear Mr. Newcomb:

We are enclosing, herewith, Certificates of Completion of Works also Licenses and Certificate of Water Right issued on the following Permits, together with departmental receipts for the completion of works and license fees:

Permit No. 21498 of Marjorie and Russell Newcomb, for 1.3 c.f.s.
Departmental receipt No. 27970 for \$11.00 fees.

Permit No. 21499 of Marjorie and Russell Newcomb, for 1.68 c.f.s.
Departmental receipt No. 27969 for \$13.00 fees.

Permit No. 21501 of Marjorie and Russell Newcomb, for, for 1.62 c.f.s.
Departmental receipt No. 27967 for \$13.00 fees.

Permit No. 21503 of Marjorie and Russell Newcomb, for 1.53 c.f.s.
Departmental receipt No. 27971 for \$13.00 fees.

Permit No. 22007 of Marjorie and Russell Newcomb, for 1.51 c.f.s.
Departmental receipt No. 27968 for \$27.00 fees.

Permit No. G-25855 of yourself, for 1.88 c.f.s.
Departmental receipt No. G-1061 for \$13.00 fees.

Very truly yours,

WILLIAM R. KELP
State Reclamation Engineer
By

Chief Clerk

22007
Encl
Enc.

May 8, 1956

RE: Permit No. 22007

Mr. & Mrs. Russell Newcomb
Declo
Idaho

Dear Mr. & Mrs. Newcomb:

We now have on file the report of our field engineer on examination for completion of works and beneficial use on your Permit No. 22007 which shows that you have irrigated 240 acres of land in the SE $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 5; W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 8, Township 10 South, Range 25 East, B.M. with the waters of two wells, one located 130 feet west of the center of the SE $\frac{1}{4}$ Section 5; and one on the line between the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and in the center between E $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 8.

A Certificate of Completion of Works and License can, therefore, be issued for 1.51 second feet of water upon receipt of the statutory fees amounting to \$5.00 for completion of works and \$22.00 license fee, or a total of \$27.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll

22007
~~22007~~

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

Permit No. 22007

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

1. Name of applicant Marjorie & Russell Newcomb, Declo, Idaho
2. Source of water supply: Subterranean from two wells
SW $\frac{1}{4}$ SE $\frac{1}{4}$, 190 ft. West of the center of SE $\frac{1}{4}$ Section 5; and in the center
3. Location of point of diversion: Is ~~in~~ on line between NW $\frac{1}{4}$ SE $\frac{1}{4}$ and ~~of Section~~
between E $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 8;
T. 10 S. R. 25 E. County of Cassia
- #7 4. Describe works as they exist, giving dimensions and capacities of same: 50 hp U. S. Motor,
Serial No. 856412. Layne Pump with an 8" discharge into a common main line that is
common to five wells and a sprinkler system. 10' by 5' concrete base, no well house,
no protection.
- #8 75 hp. A.O. Smith Motor #63457. Layne Pump 26187. Other Features similar
to other wells.
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):

SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 5;

W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8;

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

See the map

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

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

Remarks:

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

(Signed) E. H. Humphrey

Examiner.

22007

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
APR 26 1955

Department of Reclamation

Marjorie & Russell Newcomb # 7
Declo, Idaho # 8

Permit No. 22007

Examination for Completion of works
and Beneficial use

County Cassia

588-105.-25E.

Q. 4.0 c.f.s.

S. 2 Wells.

On line between NW. 1/4 SE. 1/4 & SW. 1/4 SE. 1/4, 130'
West of center of SE. 1/4, Sec. 5; and
P.D. = Center between E. 1/4 NW. 1/4 & W. 1/4 NE. 1/4, Sec. 8;
all in T. 10S. - R. 25E.
7.

4 = 117 U.S.G.S.

Use = Irrigation

7

6 yds N. of main line

7 pump also.

Priority = Feb. 15, 1951

Due = April 7, 1959

lift same as # 5
10' x 5' cone. base.

50 hp. U.S. motor

856 412 1800 rpm.

270V. 122 amp.

Laguer Pump

8" valve 8" dish. to
South into main

Whse controls &
meter on poles to S.
set in cone line E. 1/2
of well.

See Permits # 21499 - 2208 - 21501

See Permits # 6-25855-21503-21498-21500

8

lft = 140'
P = 60° - 133'

Subdivisions = five

Area = 200 acres

Q = 2.02 cfs

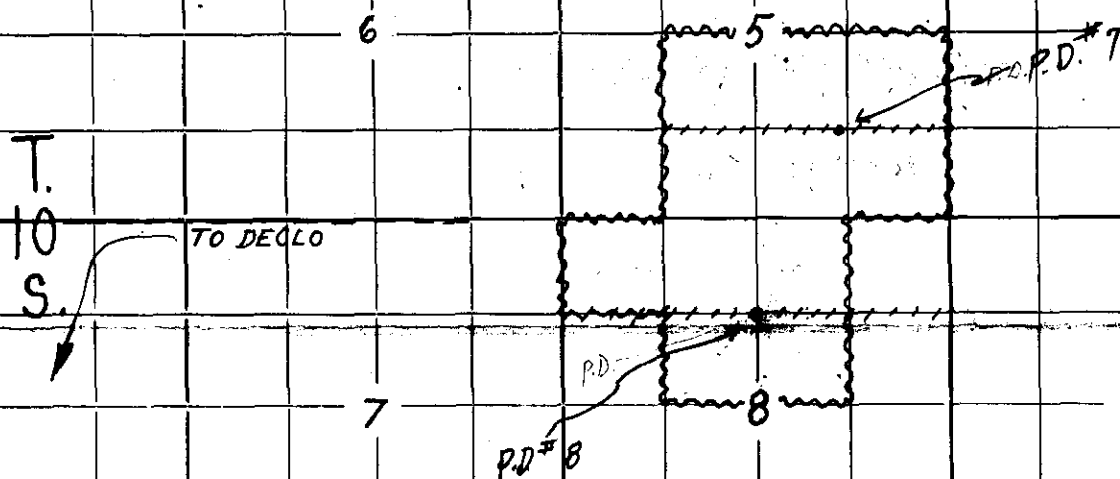
75 hp x 120 x .7 = 63 hp actual

$$X = \frac{63 \times 530}{277 \times 62.5} = \frac{347}{172} = 2.02 \text{ cfs}$$

notes at 120% full load

.505" pressure

R-25E.



$$Q = \frac{202}{151} = 3.53 \text{ cfs}$$

7 Subdivisions = six

Area = 240 acres

Q = 1.57 cfs

notes at 120% full load

.63 inches pressure

l = 117'
P = 60° - 137'

50 hp x 120 x .7 = 42 hp actual

$$X = \frac{42 \times 530}{62.5 \times 254} = \frac{231}{152} = 1.57 \text{ cfs}$$

Subs - 11

Area - 440 Ac

Q = 3.53

All fees Paid

21503-5720 = 1.53 cfs P.S. Survey

in N.E. & N.W. 7

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 22007

REPORT ON PROOF OF Completion of Works & Beneficial Use

MARJORIE NEWCOMB & RUSSELL NEWCOMB, Declo, Idaho

1.51 cfs
max

appt - 4.0 cfs. wells.
Sub. - 11
acres - 440

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
NOV 4 1955
Department of Reclamation

Permit No. 22007

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.

Ans. My name is Marjorie Newcomb; residence, 1 mile east and 4 miles north of Declo, Idaho; occupation, housewife; postoffice address, Declo, Idaho. and W. Wayne Newcomb father of Russell Newcomb a minor have the same address

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.

Ans. We are acting as individuals and our place of business is same as residence, out of Declo, Idaho. I, W. Wayne Newcomb, father and guardian of Russell Newcomb, a minor, am appearing in his behalf.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. The number of the permit is 22007; date of permit, 4/7/51; date of priority, 2/15/51.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Source of water is subterranean; pt. of diversion, #7 on a line between NW $\frac{1}{4}$ SE $\frac{1}{4}$ & SW $\frac{1}{4}$ SE $\frac{1}{4}$, 130 ft. west of center of SE $\frac{1}{4}$, Sec. 5; #8 in the center between E $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 8, T 10 S - R 25 E., B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. There are 2 wells designated on the map as #7 and #8. Well #7 is as follows: 12" hole drilled to a depth of 155', cased 6' with 12" casing. Water level is 150'. This has a 60 h.p. pump which discharges 200 Miner's inches. The sprinkler system has 4 8" lines with portable laterals with 32 heads and an operating pressure of 60 lb. This was measured by G. T. Newcomb & Co. Well #8, 14" hole, 160' deep with 6' casing 14" in diameter. The water level is 155' and a 75 h.p. pump is installed. Discharge is 240 Miner's inches which was measured by the G. T. Newcomb & Co. Sprinkler system has 5 8" lines with portable aluminum laterals and 32 heads. Pressure is 60 lb.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. This water is used for irrigation on SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 5; W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T 10 S - R 25 E., B.M. All of this area has been irrigated. There is no natural meadow and all improvements listed above have been as a direct result of said use. Costs on Well #7 approx. \$20,000; Well #8, \$25,000.

22007

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. Irrigation purposes.

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

Ans. 440 Miner's inches is the minimum amount of water required for above purpose.

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.

Ans. Original permittee.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. Well #7 was drilled in the spring of 1952, was used that year to the full amount and has been since that time continuously. Well #8 was drilled in the spring of 1953 and has been used to the full extent since that time.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. There are no other appropriations claimed thereunder except that I use this in connection with my other permits #22008, G-25855, 21499, 21500, 21503, 21498. None of these other permits have water rights appurtenant to this land.

Russell Newcomb, a minor

(Sign)

Marjorie Newcomb

by 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 Boise, County of Ada,

State of Idaho, on this 22 day of October, A. D. 1955.

Harley M. McDaniel

Notary Public for the State of Idaho

My commission expires 10/11/59

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 22007

Proof of Application of Water to Beneficial Use
Deposition of Witness and Completion of Works

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.

Ans. My name is Ray Williams, age is 39, residence 6 miles West of Boise. Occupation is real estate and P. O. Address is Rt. 2 Franklin Road, Boise, Idaho.

Ques. 2. Are you acquainted with Marjorie Newcomb Russell Newcomb, the holder of Permit No. 22007? How long have you known him and where does he reside?

Ans. I have known her 20 years and know that she resides 1 mile East and 4 miles North of Declo, Idaho. I have known W. Wayne Newcomb the same length of time and he resides at the same address and is the father of Russell Newcomb a minor

Ques. 3. Have you read or heard read said Permit No. 22007, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Subterranean; place of diversion #7 in a line between NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, 130' west of center of SE $\frac{1}{4}$, Sec. 5; #8 in the center between E $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 8 T. 10 S. R. 25 E.B.M. Two wells designated as #7 & #8. Well #7 is 12" hole drilled to a depth of 155', cased 6' with 12" casing. Water level is 150'. This has 60 h.p. pump which discharges 200 miner's inches. The sprinkler system has 4 8" lines with portable laterals with 32 heads and pressure of 60 lb. Well #8, 14" hole, 160' deep with 6' casing 14" in diameter. Water level is 155' and a 75 h.p. pump is installed. Discharge is 240 miner's inches. Sprinkler system has 5 8" lines with portable laterals and 32 heads. Pressure 60 lbs.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. I estimate said works will safely conduct 400 miner's inches and I have seen this much conveyed.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. I have seen 440 miner's inches delivered and I have handled realestate and had occassion to see water measured.

22007

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation on SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 5; W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8, T. 10 S. R. 25 E. B.M. All of this area has been irrigated. There is no natural meadow and all improvements listed have been as a direct result of said use.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Irrigation.

Ques. 9. (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.

Ans. Sandy loam, volcanic ash soil. I estimate the minimum amount of water required for profitable cultivation is that which is now used.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have seen this development frequently as my wife's family formerly lived in Rupert. I have seen the beneficial use of this water often during the years since 1949.

(Signed)

Ray D. Dillman

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 Boise, County of Ada, State of Idaho, on this 22 day of October, A. D. 1955.

Harley M. D. Dillman

Notary Public.

My commission expires 10-11-59

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 22007.....

**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.

Ans. My name is Mauretta Williams, age is 38, residence 6 miles West of Boise,
Occupation schoolteacher, P. O. Address is Rt. 2 Franklin Road, Boise, Idaho.

Ques. 2. Are you acquainted with Marjorie Newcomb Russell Newcomb, the holder of Permit No. 22007? How long have you known him and where does he reside?

Ans. I have known her 10 years and know that she resides 1 mile east and 4 miles North of Declo, Idaho and I have known W. Wayne Newcomb the same length of time and he resides at the same address and is the father of Russell Newcomb a minor.

Ques. 3. Have you read or heard read said Permit No. 22007, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Subterranean; place of diversion, #7 in a line between NW $\frac{1}{4}$ SE $\frac{1}{4}$ & SW $\frac{1}{4}$ SE $\frac{1}{4}$, 130' west of center of SE $\frac{1}{4}$, Sec. 5; #8 in the center between E $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 8, T. 10 S-R 25 E. B. M. Two wells designated as #7 & #8, Well #7 is 12" hole drilled to a depth of 155', cased 6' with 12" casing. Water level is 150'. This has 60 h.p. pump which discharges 200 miner's inches. The sprinkler system has 4 8" lines with portable laterals with 32 heads and pressure of 60 lb. Well #8, 14" hole, 160' deep with 6' casing 14" in diameter. Water level is 155' and a 75 h.p. pump is installed. Discharge is 240 miner's inches. Sprinkler system has 5 8" lines with portable aluminum laterals and 32 heads. Pressure is 60 lbs.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. I estimate said works will safely conduct 440 miner's inches and I have seen this much being conveyed.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. I have seen 440 miner's inches delivered and I have lived on a farm and I have seen water irrigating land

22007

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation on SE¹/₄, E¹/₂SW¹/₄, SEC. 5; W¹/₂NE¹/₄, E¹/₂NW¹/₄, NW¹/₄, NW¹/₄, Sec. 8, T. 10 S. R. 25 E. B. M. All of this area has been irrigated. There is no natural meadow and all improvements listed have been as a direct result of said use.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. ---Irrigation---

Ques. 9. (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.

Ans. Sandy loam. Volcanic ash soil. I estimate the minimum amount of water required for profitable cultivation is that which is now used.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have seen this development at frequent intervals as my family formerly lived in Rupert and I had occasion to see this often. I have seen the Beneficial use of this water often during the years since 1949.

(Signed).....

Thuritta Williams

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 Boise,
County of Ada, State of Idaho, on this 22 day of October,
A. D. 1955.

Harley G. C. Donnell

Notary Public.

My commission expires 10-11-59

22007

Affidavit of Publication

I, Charles Brown, being first duly sworn on oath, say:

That I am the publisher and printer of THE OAKLEY HERALD, which is a newspaper of general circulation in Cassia County, Idaho, and which has been continuously and uninterruptedly published at said place during a period of more than 78 consecutive weeks prior to the final publication of the Notice

herein mentioned; that a Notice

of which the attached clipping is a copy, was published in the regular issue of said newspaper for 4 consecutive weeks, to-wit, on Sept. 15, 22, 29, Oct. 6, 19 55.

Charles Brown.

Subscribed and sworn to before me this 8th

day of, Oct., 19 55

Wallace A. Hale

Notary Public.

Notary Public residing at Oakley, Idaho.
My commission expires May 20, 1956

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 5 A. M., on the 22nd day of September, 1955, at Boise, County of Ada, State of Idaho, before Harley J. Howell proof will be submitted for completion of works for diversion of 440 miner's inches of water from a source of subterranean source of diversion, on a line between NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, 130th west of center of SE $\frac{1}{4}$, Sec. 5; also in the center between E $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 8, T 10 S - R 25 E, B.M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 22007 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 are Marjorie Newcomb and Russell Newcomb, 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, in accordance with the plans accompanying the application for such permit, is 440 miner's inches.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 440 miner's inches.

4. The place where said water is used is SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 5; W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T 10 S & R 25 E, B.M.

5. The date of priority which said user is prepared to establish is February 14, 1951.

MARK R. KULP
State Reclamation Engineer
First publication, Sept. 15, 1955.
Fourth publication, October 6, 1955

22007

Affidavit of Publication

I, Charles Brown, being first duly sworn on oath, say:
That I am the publisher and printer of THE OAKLEY HERALD, which
is a newspaper of general circulation in Cassia County, Idaho, and which has
been continuously and uninterruptedly published at said place during a period
of more than 78 consecutive weeks prior to the final publication of
the Notice

herein mentioned; that a Notice

of which the attached clipping is a copy, was published in the regular issue
of said newspaper for 4 consecutive weeks, to-wit, on
Sept. 15, 22, 29, Oct. 6,
19 55.

Charles Brown,

Subscribed and sworn to before me this 8th
day of Oct., 19 55.

Wallace A Hale

Notary Public.

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

" Notice is hereby given that at
11:45 A. M., on the 22nd day of Oc-
tober, 1955, at Boise, County of Ada,
State of Idaho, before Harley M.
McDowell proof will be submitted of
the completion of works for the
diversion of 440 miner's inches of the
waters of subterranean source: 2
Pts. of diversion, on a line between
NW 1/4 SE 1/4 and SW 1/4 SE 1/4, 130 feet
west of center of SE 1/4, Sec. 5; also
in the center between E 1/2 NW 1/4 and
W 1/2 NE 1/4, Sec. 8, T 10 S - R 25 E.,
B.M. and of the application to bene-
ficial use of said water, in accord-
ance with the terms and conditions
of Permit No. 22007 heretofore is-
sued by the Department of Recla-
mation of the State of Idaho.

1. The name and postoffice ad-
dress of the person or corporation
holding said permit are Marjorie
Newcomb and Russell Newcomb,
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 capa-
ble of conveying to the place of use,
in accordance with the plans ac-
companying the application for such
permit, is 440 miner's inches.
3. The use to which said water
has been applied is irrigation pur-
poses, and the amount applied to
beneficial use is 440 miner's inches.
4. The place where said water
is used is SE 1/4, E 1/2 SW 1/4, Sec. 5;
W 1/2 NE 1/4, E 1/2 NW 1/4, NW 1/4 NW 1/4,
Sec. 8, T 10 S - R 25 E., B.M.
5. The date of priority which said
user is prepared to establish is Feb-
ruary 15, 1951.

MARK R. KULP
State Reclamation Engineer
First publication Sept. 15, 1955,
Fourth publication October 6, 1955

September 13, 1955

RE: Permits Nos. 21498, 21499, 21500, 21501
21503, 22007 and 22008

Oakley Herald
Oakley
Idaho

Gentlemen:

We enclose, herewith, seven notices for publication, which please publish once a week for four weeks prior to October 22, 1955, beginning with your next issue.

The cost of publication to be paid by the Permit Holders Marjorie and Russell Newcomb of Declo, Idaho, to whom please furnish affidavits of publication when completed together with statement of costs.

Please acknowledge receipt of these notices and send this department a copy of your first issue containing same in order that we may check.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

22007

September 8, 1956

✓
RE: Permit No. 22007

Mr. Harley M. McDowell
519 Idaho Building
Boise, Idaho

Dear Mr. McDowell:

We return the Applications for Amendment to the Point of
Diversion and Land List in Permit No. 22007 in the name of Marjorie
Newcomb and Russel Newcomb which have been approved by the State
Reclamation Engineer and recorded in this Department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu
Enc.

22007

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 29, 1955

(P. O.) Declo, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

The Oakley Herald of Oakley, Idaho published in

the county in which the works are situated.

Marjorie Newcomb & Russell Newcomb

By x

Marjorie Newcomb

Russel Newcomb

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

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

Engineer.

22007

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

22 me

Notice is hereby given that at 11:45 M., on the 23rd day of October, 1955, at Boise, County of Ada State of Idaho, before Harley M. McDonnell proof will be submitted of the completion of works for the diversion of 440 ~~miner's inches~~ ² of the waters of subterranean source 1 Pts of diversion, on a line between NW $\frac{1}{4}$ and SW $\frac{1}{4}$, 130' west of center of SE $\frac{1}{4}$, Sec. 5; also in the center between and of the application to beneficial use of said water, in accordance with the E $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 8, T 10S-R25E., B.M. terms and conditions of Permit No. 22007 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 are Marjorie Newcomb & Russel Newcomb, 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, in accordance with the plans accompanying the application for such permit, is 440 miner's inches ~~subterranean source~~.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 440 miner's inches ~~subterranean source~~.

4. The place where said water is used is SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 5; W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 8, T 10 S - R 25 E., B.M.

5. The date of priority which said user is prepared to establish is February 15, 1951.

Mark R. Kuehl
State Reclamation Engineer

22007

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

June 17, 1955

Re: Permit No. 22007

To Marjorie & Russell Newcomb
C/o Marjorie Newcomb
Declo, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. 22007
to Appropriate the Public Waters of the State of Idaho, have not been complied with as to
Completion of works April 7, 1955

you are hereby notified in compliance with Sec. 42-311, Idaho code that said Permit No. 22007
is hereby held for cancellation.

You are hereby required to show cause before the State Reclamation Engineer on or before forty days from
date of this notice why said Permit should not be cancelled.

Said Permit No. 22007 claims the use of four cubic feet per second of the
waters of two wells with point of diversion located
in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 5, Twp. 10 South, Range 25 East, B. M., and
was approved April 7, 1951

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the
17th day of June, 1955

Mark R. Kulp.

State Reclamation Engineer.

By Assistant.

22007

Cancellation issued by
mistake.

E. N. Humphrey
Aug 22-55-

22007

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

February 1, 1955

RE: Permit No. 22007

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Marjorie & Russell Newcomb
Dedalo
Idaho

Boise, Idaho

Dear Sir:-

Under the terms of your permit No. 22007 you are required to complete your diversion works on or before April 7, 1955. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

MARK R. KULP

State Reclamation Engineer

22007
22005

22007

May 15, 1951

Mr. Norman H. Nielson
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

We enclose Departmental Receipt No. 23357
for \$17.25, covering the filing fees on Applications
Nos. 29642, 29653 and 29654 (Permits Nos. 22007, 22008
and 22009).

We are sorry to learn that you have been ill
and trust that you will soon be entirely recovered.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

22007

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW

BURLEY, IDAHO
May 10th 1951

A. H. NIELSON
N. H. NIELSON

RECEIVED
MAY 14 1951
Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

Attention: Jeanne L. Anderson
Chief Clerk

Dear Miss Anderson:

I am sorry that I have not replied to your letter of April 19th before this time, but I have been out of the office for approximately three weeks and have been ill during all of that time.

Enclosed you will find my check for \$17.25 in payment of the filing fees on the three applications in the names of Marjorie and Russell Newcomb.

Very truly yours,

NIELSON & NIELSON

By

Norman H. Nielson
Norman H. Nielson

NHN:ew
Enclosure

22007

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

April 27, 1951

RECEIVED
APR 28 1951
Department of Reclamation

A. H. NIELSON
N. H. NIELSON

Department of Reclamation
State of Idaho
Boise, Idaho

Re: Permits Nos. 22007, 22008 and 22009

Gentlemen:

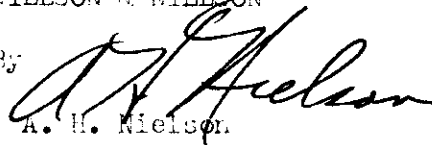
In regard to the above matter, Norman H. Nielson, of our office, has been handling this matter. He has had a serious affair with the mumps for over two weeks and is not back to the office yet.

Just as soon as he comes I will see that he takes care of the matter mentioned in your letter of April 19, 1951.

Very truly yours,

NIELSON & NIELSON

By


A. H. Nielson

AHN:ws

22007

April 19, 1951

Re: Permits Nos. 22007, 22008 and 22009

Messrs. Nielson & Nielson
Attorneys at Law
Burley, Idaho

ATT: Mr. Norman H. Nielson

Dear Mr. Nielson:

We have received no reply to office letter addressed you on April 9, 1951, returning your check for \$42.25 and requesting that you substitute for it, a check for \$17.25 to pay the filing fees on three applications in the names of Marjorie and Russell Newcomb.

No doubt you have overlooked this matter and since the applications have been approved and Permits issued, we are enclosing same herewith and will ask that you take care of the filing fee at your earliest convenience.

We direct attention of the Permit Holders to the limitations and conditions of these Permits as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

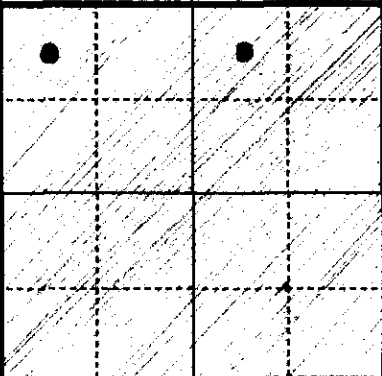
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

22007

Form No. 0

Section Five, Township Ten South, Range Twenty-five, E.B.L.											
Well.....									Well		
22007 Permit Map No. ~~22007~~ As Approved APR 7 1951 MARK R. KULP State Reclamation Engineer											

Permit Map No. _____
As Approved
APR 7 1951
MARK R. KULP
-----sole Reclamation Engineer

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW

BURLEY, IDAHO
March 30th 1951

A. H. NIELSON
N. H. NIELSON

State of Idaho
Department of Reclamation
Boise, Idaho

Attention: Mark R. Kulp
State Reclamation Engineer
By: Jeanne L. Anderson

Gentlemen:

In accordance with your request of February 15th, we are enclosing three complete sets, each in duplicate, of sketch maps to accompany the applications of Marjorie and Russell Newcomb.

We regret our error and trust we have not caused too much inconvenience to you.

Very truly yours,

NIELSON & NIELSON

By

Norman H. Nielson

NHN:ew
Enclosures

22007

RECEIVED
MAR 31 1951
Department of Reclamation

March 16, 1951

Mr. Norman H. Nielson
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

On February 15, 1951, we acknowledged receipt of three applications of Marjorie and Russel Newcomb, and requested that you furnish us with duplicate sketch maps to accompany same.

To date we have received no reply to this letter. No doubt you have overlooked this and we remind you that we are holding up the applications, awaiting receipt of these sketch maps.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

22007

✓
February 15, 1951

Mr. Norman H. Nielson
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

In checking the applications of Marjorie and Russel Newcomb, we note that each of them only contain one sketch map, instead of the two required.

Two of "Form O" were enclosed with each application form sent you, but in case you have misplaced them, we enclose three others on which please furnish duplicate of the enclosed sketch maps which accompanied said applications.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

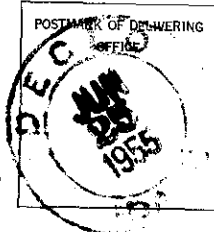
Chief Clerk

A:bh
Enc.

22007

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300
(GPO)



Return to Department of Reclamation

Street and Number		Post Office	
107 State House			
State		22007	
INSURED		RETURN RECD. REQUESTED	
12421			

CERTIFIED MAIL

REGISTERED ARTICLE

No. 19042

RETURN RECD. REQUESTED

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the number of which appears on the face of this Card.

1

Russell Newcomb
(Signature or name of addressee)

2

(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery 6-24, 1953

22007

**NOTICE OF PROOF OF
COMPLETION OF WORKS**

**APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 11:45 A. M., on the 22nd day of October, 1955, at Boise, County of Ada, State of Idaho, before Harley M. McDowell proof will be submitted of the completion of works for the diversion of 440 miner's inches of the waters of subterranean source: 2 Pts. of diversion, on a line between NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, 130 feet west of center of SE $\frac{1}{4}$, Sec. 5; also in the center between E $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 8, T 10 S - R 25 E., B.M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 22007 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 are Marjorie Newcomb and Russell Newcomb, 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, in accordance with the plans accompanying the application for such permit, is 440 miner's inches.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 440 miner's inches.

4. The place where said water is used is SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 5; W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T 10 S - R 25 E., B.M.

5. The date of priority which said user is prepared to establish is February 15, 1951.

7-22-55 - MARK R. KULP

State Reclamation Engineer

First publication Sept. 15, 1955.

Fourth publication October 6, 1955