

State of Idaho
License and Certificate of Water Right

Water License No. 21501

Amount 1.62 second feet

Water District No. _____

Priority September 30, 1950

THIS IS TO CERTIFY that **MARJORIE NEWCOMB & RUSSELL NEWCOMB**
of Declo, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 28, 1950; that Permit No. 21501
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.62 second feet, was issued thereunder on May 16, 1956, 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 a well
~~existing~~ (subterranean flow) for the purpose of irrigation
under Use Permit No. 21501 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

9 of Licenses at page 5721, on the 16th day of May, 1956;

The right hereby confirmed dates from September 30, 1950;

The Point of Diversion is located

in the NE 1/4 SE 1/4, Sec. 6, Tp. 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 1.62 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.	6	NE SE	--	40
			SE SE	--	40
		5	NW SW	--	40
			SW SW	--	40
		6	NE NE	40	--
			NW NE	40	--
			SW NE	40	--
			SE NE	40	--
			NE NW	40	--
			NW NW	40	--
			SW NW	40	--
			SE NW	40	--
		Total Number of Acres Actually Irrigated			160

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
16th day of May, 1956.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

45-2331

APPLICATION No. 29178
 PERMIT No. 21501
 DISTRICT No.

Lawrence H. Duffin
 Attorney at Law
 Box 61, Rupert, 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 \$15,000.00
 Real property- \$25,000.00

2. Quantity of water claimed: 6.4 cubic feet per second.

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

on line 3,000 feet North of the South boundary line

4. Location of point of diversion: Three wells, 1,000 feet apart/feet distant from the

~~corner of Section 6, T.10 S., R.25 E., B.M., and in the S. 1/2 of said section.~~

of Section 6, T.10 S., R.25 E., B.M., County of Cassia, and in the S. 1/2 N. 1/2 of said section.

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: \$ 25,000.00

8. Kind of works: Wells, as indicated on attached map, with sprinkler 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.

9 and 10 above not applicable, as sprinkler system to deliver water from well to land irrigated.

12. The time required for the completion of such work is Five (5) 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? 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 and Applicant.
RUSSELL NEWCOMB
By Lawrence H. Duffin, Agent.
 Their Attorney

Date of first receipt at Department of Reclamation: 9:00 A. M. April 28, 1950

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21501
Recorded in Book 77 Page 20501 Approved May 20, 1950
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 July 20, 1950 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 November 20, 1952
The whole of said work to be completed on or before May 20, 1955
Beneficial use of water appropriated in accordance herewith, to be made on or before May 20, 1959

WITNESS My hand this 20th day of May, 1950

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, C. A. ROBINS, Governor of the State of Idaho, and J. D. "CY" PRICE, 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 20th day of May, 1950.

Countersigned: STATE OF IDAHO
(SEAL) By J. D. "CY" PRICE By C. A. ROBINS
 Secretary of State. Governor.

REMARKS:

14.

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
10 S.	25 E,	6	40	40	40	40	40	40	40	40								3 20	
APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. 21501																			
Comes now Marjorie Newcomb and Russell 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. 21501. That the point of diversion is described in said permit as being located three wells, 1,000 ft. apart on line 3,000 ft. north of the south boundary line of Sec. 6, T. 10 S., R. 25 E., and is in S1/2NE1/4, Sec. 6, T. 10 S., R. 25 E., B. M., That he now requests that the point of diversion be changed to a point located NE1/4SE1/4 Sec. 6, T. 10 S., R. 25 East, B. m. That his reasons for desiring to make such change are as follows: An error was made in surveying on the original location 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.																			MARJORIE NEWCOMB & RUSSELL NEWCOMB By MARJORIE NEWCOMB RUSSELL NEWCOMB
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. 21501. 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

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 21501.

Comes now Marjorie Newcomb & Russell 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. 21501, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

$E\frac{1}{2}SE\frac{1}{4}$, Sec. 6; $W\frac{1}{2}SW\frac{1}{4}$ Sec. 5, T. 10 S., R. 25 E., B. M., making a total of 160 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 & Russell 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. 21501. 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. 21501
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. 21501, issued upon Application No. 29178 bearing date of priority of September 30, 1950, authorizing the diversion of 6.4 second feet of the waters of three wells (subterranean flow) County of Cassia, State of Idaho, for irrigation purposes, have 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 1.62 second feet of the waters of one well; that the point of diversion of said waters is in the $NE\frac{1}{4}SE\frac{1}{4}$ Section 6, 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: $E\frac{1}{2}SE\frac{1}{4}$ Section 6; $W\frac{1}{2}SW\frac{1}{4}$ Section 5, 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.

APPROVED FOR 1.62 SEC. FT.
Page 5721

May 21, 1956

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

Mr. W. Wayne Newcomb
Declo
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-1861 for \$13.00 fees.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.

21501

May 7, 1956

RE: Permit No. 21501

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. 21501 which shows that you have irrigated 160 acres of land in the E¹SE¹ Sec. 6, and W¹SW¹ Section 5, Township 10 South, Range 25 East, B.M. with the waters of a well located in the NE¹SE¹ Section 6.

A Certificate of Completion of Works and License can, therefore be issued for 1.62 second feet of water upon receipt of the statutory fees amounting to \$5.00 for completion of works and \$8.00 license fee, or a total of \$13.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll

21501

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

Permit No. 21501

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 a well
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6
T. 10 S. R. 25 E. County of Cassia
4. Describe works as they exist, giving dimensions and capacities of same: 50 hp U. S. Motor
Serial No. 860625. No well house, no protection, concrete base 5' by 6'. Layne
pump part of a system of four wells all on a common line, on sprinkler system

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):

E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 6;

W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 5;

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, 19 56

(Signed) E. M. Humphrey Examiner.

21501

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 1956
Department of Reclamation

Marjorie & Russell Newcomb # 5
Declo, Idaho

Permit No. 21501

Examination for Completion of works
and Beneficial use
County Cassia

6-10S.-2SE.

Q₂ 6.4 c.f.s

S₂ Well

P.D. = NE. SE, Sec. 6, T. 10S. - R. 2SE.

100' = 4 U.S.G.S.

Me = Irrigation

Priority - April 28, 1950
Due - May 20, 1959

5. well.

21' to N. of main line.

50 hp - U.S. motor
860625

270V. 122A. 4 1800 rpm
cone. block. 5' x 6'

7" pump - Layne
25' more lift
than # 4

all connected on same main

Water controls

" Meter

440V. # 2 - 259 761

on side to east.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21501

~~REPORT ON PROOF OF~~ Completion of works & Beneficial use

MARJORIE NEWCOMB & RUSSELL NEWCOMB, Declo, Idaho

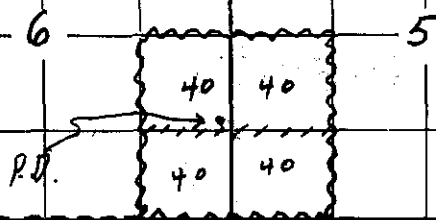
*1/62 eks
smex*

*app - 6.4 cfs
Sub. - 4 well
acres - 160*

See Permit # 21499-22001-22008

R-25E.

T.
10
S.



Sub-divisions = four
Area = 160 acres
 $Q = 1.62$ cfs.

$$L = 100'$$

$$P = 60'' = 137'$$

$$50 \text{ hp} \times 120 \times .7 = 42 \text{ hp. Actual}$$

$$X = \frac{42 \times 535}{62.5 \times 237} = \frac{231}{142} = 1.62 \text{ cfs}$$

or 81 inches

This allows motor to operate at 120% full load
.574 inches per acre

RE. PERMIT NO. 21911

See acknowledgment in File 21498, dated November 9, 1955

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
NOV 4 1955
Department of Reclamation

Permit No. 21501

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.

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 my permit is 21501; date, 5/20/50; date of priority, 4/28/50.

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

Ans. Source of water, subterranean; location of pt. of diversion, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, 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. Works consist of 14" well drilled to a depth of 150' cased 6' with 14" casing. Water level is 145 ft. A 50 h.p. pump is installed which discharges 160 miner's inches. This was measured by an engineer from the State Dept. of Reclamation. A sprinkler system is used with 8" mainline and laterals with 32 heads. Operating pressure is 60 lbs. Works are capable of conveying 160 miner's inches from pt. of diversion to place of use.

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. Water is used for irrigation on E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 6 and W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 5, T 10 S - R 25 E., B.M. All of the 160 acres has been irrigated. There is no natural meadow land and all improvements listed above have been made as a direct result of said use. Cost approximately \$25,000.

21501

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

Ans. Irrigation only.

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

Ans. 160 Miner's inches is the minimum amount of water required.

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 was drilled in 1950. The full amount of 160 Miner's inches was used that season and continuously since.

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, 22007, 21500, 21503 and 21498. None of these other permits have water rights appurtenant to this land.

Russell Newcomb, a minor

by W. Wayne Newcomb

(Sign)

Marjorie 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 L. Edmond
Notary Public for the State of Idaho

My commission expires 10/11/59

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21501.....

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 39, residence 6 miles West of Boise, Idaho, occupation is real estate, and P. O. Address is Rt. 2, Franklin Road, Boise, Idaho.

Ques. 2. Are you acquainted with Narjorie Newcomb and Russell Newcomb, the holder of Permit No. 21501? How long have you known him and where does he reside?

Ans. I have known her for 20 years and know that she resides 1 mile east and 4 miles North of Declo, Idaho, and W. Wayne Newcomb, I have known for 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. 21501, 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 is NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, T. 10 S. R. 25 E. B. M. Works consist of 14" well drilled to 150' cased 6' with 14" casing. Water level is 145' a 50 h.p. pump is installed which discharges 160 miner's inches. A sprinkler system is used with 8" mainline and laterals with 32 heads, operating 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 works will safely conduct 160 miner's inches and I have seen 160 miner's inches 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 160 miner's inches delivered from this pump and I handle real estate and have had occasions to see water measured.

21501

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 E¹/₄SE¹/₄ Sec. 6 and W¹/₄SW¹/₄ Sec. 5, T. 10 S. R. 25 E. B. M. all of the 160 acres has been irrigated and there is no natural meadow land. 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 to 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. None.

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 wife's family formerly lived in Rupert and I had occasion to see this once a month and I have seen the beneficial use of the water often during the years since 1949.

(Signed)

Ralph 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 M. C. Howell

Notary Public.

My commission expires 10-11-59.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21501.....

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 Maurietta Newcomb, age is 38, residence is 6 miles West of Boise. Occupation is schoolteacher, P.O. address is Rt. 2 Franklin Road, Boise, Idaho.

Ques. 2. Are you acquainted with Marjorie Newcomb and Russell Newcomb, the holder of Permit No. 21501? 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. 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. 21501, 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, point of diversion, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, T. 10 S. R. 25 E. B. M. Works consist of 14" well drilled to 150' cased 6' with 14" casing. Water level is 145'. A 50 h.p. pump is installed which discharges 160 miner's inches. A sprinkler system is used with 8" mainline and laterals with 32 heads, operating 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. Works will safely conduct 160 miner's inches and I have seen it so 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 160 miner's inches delivered from this pump and I lived on a farm and have occasions to see water measured.

21501

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 E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 6 & W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 5, T. 10 S. R. 25 E. B. M. all of the 160 acres has been irrigated and there is no natural meadow land. 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 to be 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. None.

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 have seen the Beneficial use of the water often during the years since 1949.

(Signed)

Thurston 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 C. C. S. Donnell

Notary Public.

My commission expires 10-11-59

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 1955.

Charles Brown.

Subscribed and sworn to before me this 8th day of Oct. 1955.

Wallace A. Hale

Notary Public.

Notary Public residing at Oakley, Idaho
My commission expires May 20, 1958

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M., on the 22nd day of October, 1955, at Boise, County of Ada, State of Idaho, before Harley M. McDowell, of will be submitted of the completion of works for the diversion of 160 miner's inches of the water from a subterranean source from pt. of diversion in NE 1/4 SE 1/4, Sec. 6, 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. 21501 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 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 160 Miner's inches.

3. The use to which said water has been applied is Irrigation purposes, and the amount applied to beneficial use is 160 miner's inches.

4. The place where said water is used is E 1/4 SE 1/4, Sec. 6; W 1/4 SW 1/4, Sec. 5, T 10 S - R 25 E., B.M.

5. The date of priority which said user is prepared to establish is April 28, 1950.

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

21501

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 Sept, 19 55.

Wallace A. Hale

Notary Public.

NOTICE OF PROOF OF COMPLETION OF WORKS and

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11 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 160 miner's inches of the waters of a subterranean source from pt. of diversion in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, 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. 21501 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 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 160 Miner's inches.

3. The use to which said water has been applied is Irrigation purposes, and the amount applied to beneficial use is 160 miner's inches.

4. The place where said water is used is E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 6; W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 5, T 10 S - R 25 E., B.M.

5. The date of priority which said user is prepared to establish is April 28, 1950.

MARK R. KULP

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

21501

Refer to letter of transmittal in file No. 21498.

September 13, 1955

RE: Permit 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:hl1
Enc.

21501

September 8, 1955

RE: Permit No. 21501

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. 21501 in the name of Marjorie Newcomb and Russell 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:GU
Enc.

21501

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

Russell Newcomb
Marjorie 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.

21501

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

Notice is hereby given that at 11 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 160 miner's inches ~~subterranean source~~ of the waters of subterranean source from pt. of diversion in NE 1/4, Sec. 6, 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. 21501 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 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 160 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 160 miner's inches. ~~subterranean source~~

4. The place where said water is used is NE 1/4, Sec. 6; NW 1/4, Sec. 5 T 10 S - R 25 E., B.M.

5. The date of priority which said user is prepared to establish is April 28, 1950.

Mark R. Kulp
State Reclamation Engineer

21501

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE
March 1, 1955

RE: Permit No. 21501

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Marjorie & Russell Newcomb
Declo
Idaho

Boise, Idaho

Dear Sir:-

Under the terms of your permit No. 21501 you are required to complete your diversion works on or before May 20, 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

21501

February 15, 1951

Re: Permits Nos. 21498, 21499, 21500, 21501 and 21502.

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

Dear Mr. Nielsen:

We acknowledge receipt of your letter of February 7, 1951, which reached us this morning, enclosing three applications for Permit in the names of Marjorie and Russell Newcomb, also forms in connection with the statutory proofs on the above numbered Permits, and your check for \$42.25.

We regret that it is necessary to return the forms tendered in proof on these several Permits for the following reasons:

First, the Affidavits in Proof of Completion of Works in each case only describe one well; Question 3 should give the point or points of diversion (location of the wells) in legal subdivisions, Sections, Townships and Ranges; Question 7 should state the total amount of water the well or wells are capable of producing; under "Remarks" give the size and depth of the well and casing, and also describe the pump or pumps.

Only one Affidavit should be made in Proof of Completion of Works and this Affidavit should cover all of the wells included in the Permit.

Proof of Beneficial Use should also include all the wells described in each Permit and not a separate proof for each well.

Since this will require making new notices on each of these five Permits, and as these notices are to be made in duplicate for each, we are enclosing ten other copies of Form 10 for your use in making the corrected notices. We also enclose five other form 6 in case you may wish to make new affidavits in Proof of Completion of Works instead of correcting the ones previously submitted.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A:hh
Enc.

Chief Clerk

21501

Form No. 11

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date).....
Boole, Cassia County, Idaho
(P.O.).....

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at
my expense in the.....*Boyle-Herald*..... of*Boyle, Idaho*..... published in
the county in which the works are situated.

W.D. Hancock.....

(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

215-01

MARJORIE & RUSSELL REYNOLDS

SEE ALSO PERMITS NOS.:

21498

21499

21500

~~21501~~

21502

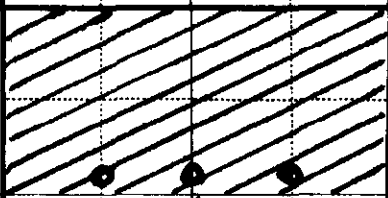
21503

22007

22008

22009

Area to be irrigated indicated by cross-hatched portion below, all of which is located in the North-one-half (N½) of Section Six (6), Township Ten (10) South, Range Twenty five (25), East of the Boise Meridian



Wells ——— 0
(Located on line 3,000 feet North of South Boundary line of Section 6, Township 10 South, Range 25, E. B. M.)

21501

21501

Permit Map No. 21501

As Approved

MAY 20 1950

MARK R. KULP

State Declaration Engineer

Form No. 11

NOTES TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date).....
Desle, Cassia County, Idaho
(P.O.).....

TO THE STATE RECLAMATION ENGINEER:

Desle, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at
Desle-Desle of Desle, Idaho
my expense in the..... of published in
the county in which the works are situated.

L. D. Quinlan.....

(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

215-01

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

Notice is hereby given that at 11 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 160 miner's inches of the waters of subterranean source from pt. of diversion in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, 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. 21501 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 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 160 Miner's inches.

3. The use to which said water has been applied is Irrigation purposes, and the amount applied to beneficial use is 160 miner's inches.

4. The place where said water is used is E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 6; W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 5, T 10 S - R 25 E., B.M.

5. The date of priority which said user is prepared to establish is April 28, 1950.

MARK R. KULP

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