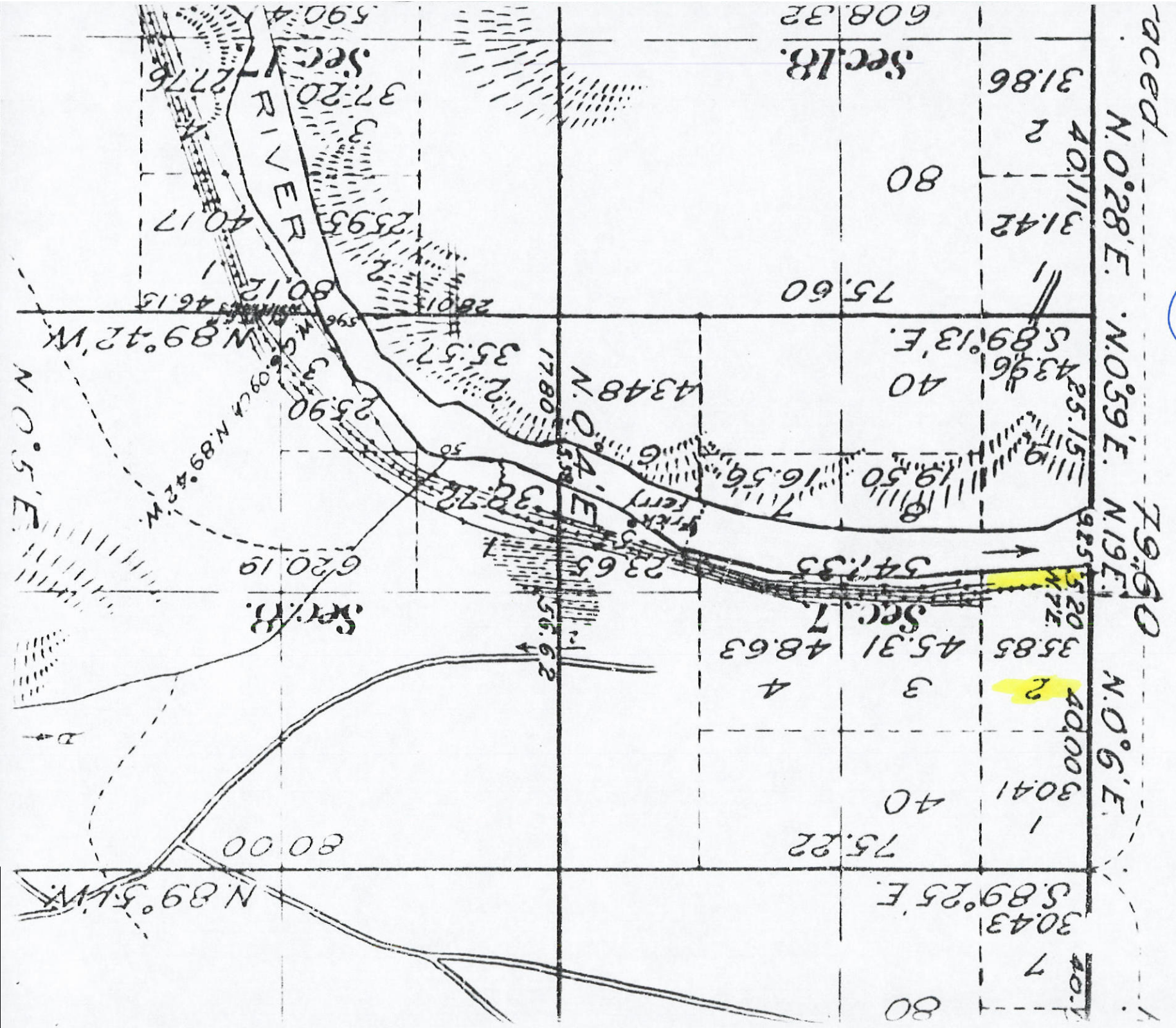


(Survey)
1908



PICTURE #1

61-04075: FX 09/21/94. Photo's by RDH. Pump house, well, storage tanks, gages. Located in, T05S, R11E, S07, NWNWSW, lot 7.



PICTURE #2

Outside view of pumphouse.



PICTURE #3

61-04075: FX 09/21/94. Photo's by RDH. Two domestic homes. Located in, T05S, R11E, S07, NWNWSW, lot 7.



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A61-04075
Date Received: 5/30/1989
Receipt No: C007120
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: UNION PACIFIC RAILROAD COMPANY 402-271-3728
Address: 1416 DODGE STREET
OMAHA, NE 68179

2. Date of Priority: SEP 01, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	11E	7	NW	SW			ELMORE

5. Description of diverting works:
6" X 308' DEEP WELL W/ 2 HP ELEC. PUMP & 525 GAL. PRESSURE TANK.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
INDUSTRIAL	01/01	12/31	0.080		

7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
SEE REMARKS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	11E	7	NW	SW		INDUST	

11. Place of use in counties: ELMORE

A61-04075

Page 1

Date: 07/21/89

MICROFILMED

AUG 11 1992

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
WATER IS USED IN COMPANY SECTION HOUSES, BY LOCAL MAINTENANCE
SECTION CREW AND BY TRAVELING OUTFIT CARS AND MAINTENANCE GANGS.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39356

Ident. Number 61-4075

Date Received 5-30-89

Receipt Number 6007120

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
MAY 30 1989

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Union Pacific Railroad Company Phone (402) 271-3728

Mailing Address 1416 Dodge Street, Omaha, Nebraska Zip 68179

2. Date of Priority (Only one (1) per claim) September 1, 1959

3. Source of water supply (a) groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 5 S. Range 11 E. Section 7,
NW 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Elmore

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

6"x308" deep well with 2 HP electric pump and a 525 gallon pressure tank.

MICROFILMED

AUG 11 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Industrial purposes from 1-1 to 12-31 amount 0.08 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.08 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				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	
5 S.	11 E.	7									I								

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Elmore

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks:

Water is used in company section houses, by local maintenance section crew and
by traveling outfit cars and maintenance gangs.

MICROFILMED

AUG 11 1982

Last Name Union Pacific Ident No. 61-4075

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

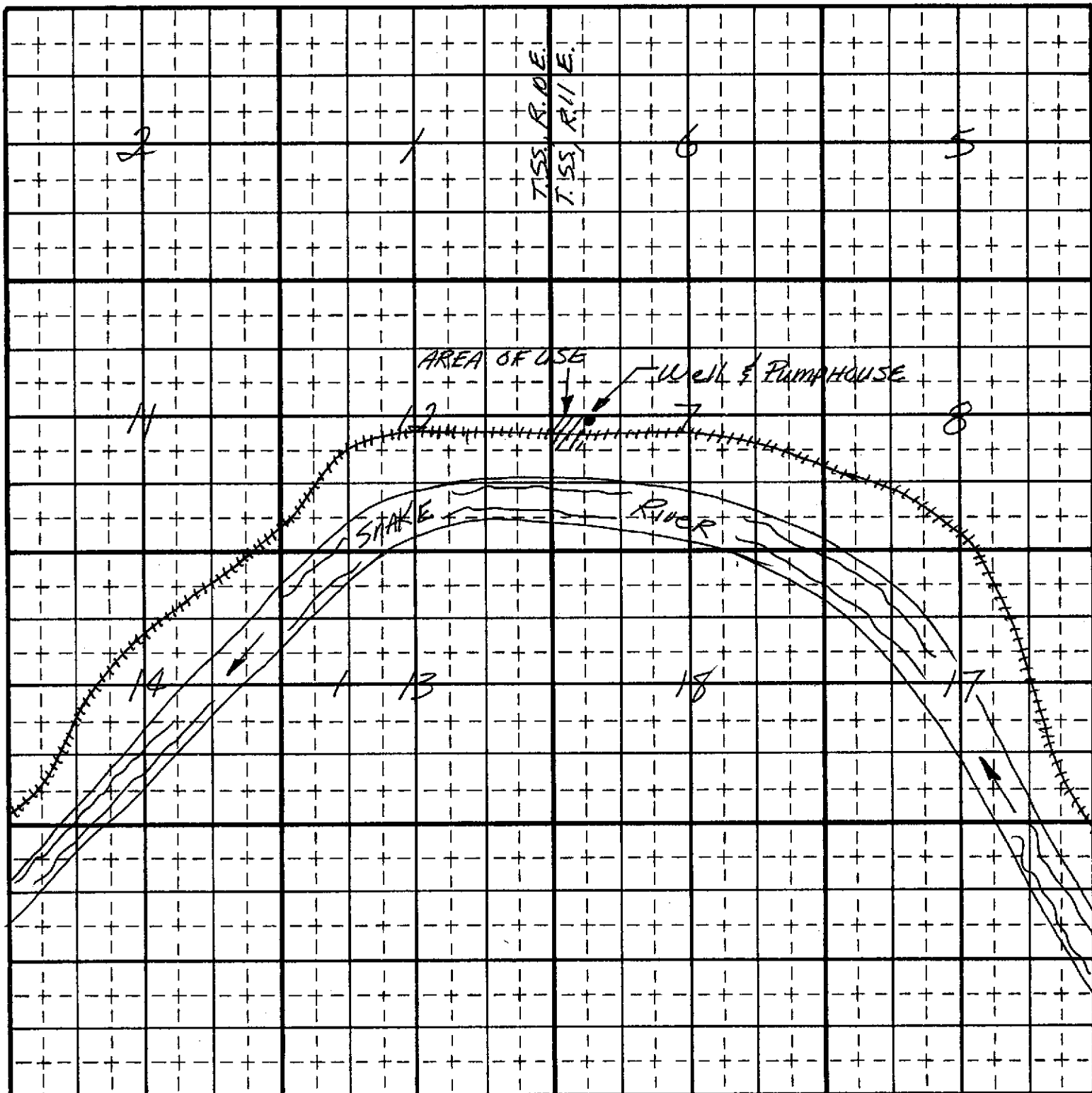
If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



MICROFILMED

AUG 11 1992

Last Name Union Pacific Ident No. 61-4075

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 61-4075
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

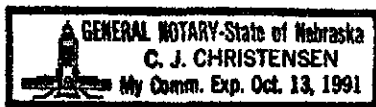
For Organizations: I do solemnly swear or affirm that I am Chief Engineer - Design
Title
of Union Pacific Railroad Company, that I have signed the foregoing
Organization
document in the space below as Chief Engineer - Design of UPRR Co.
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent J.R. Beier
Title and Organization Chief Engineer - Design/UPRR Co. Date 5/25/89

State of Idaho/or Nebraska)
County of Douglas) SS.

Subscribed and sworn (or affirmed) before me this 25th day of May 1989

SEAL



Notary Public C. J. Christensen
Residing at Omaha, Nebraska
My Commission Expires Oct. 13, 1991

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Union Pacific Ident. Number 61-4075

MICROFILMED
AUG 11 1992
Copies White-State, Yellow-Claimant

Water Right Number - 61-04075

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

OREGON SHORT LINE RAILROAD CO.

1 - P.O. BOX 1592

2 -

3 -

City- POCATELLO

State- ID Zip- 83204

Phone - 208-000-0000

*** S - LESSEE ***

UNION PACIFIC RAILROAD CO.

1 -

2 -

3 -

City-

State- ID Zip-

Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
09/01/1959 14 WESTERN S - STATUTORY CLAIM+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.
05S 11E 7 NW SW (39) ELMORE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.080+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.080+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
05S 11E 7 NW SW 43 DOMESTIC (39) ELMORE

+ - - Diversion Means - WELL, PUMP & TANK

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

Water right number - 61-04075

Prefix Translation: WATER RIGHT

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments- - - - - +
No Comments Found

+ - - Audit Fields - 01/13/86 05/01/88 CONVERT 06/12/91 SEIFERT

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date- 00/00/0000	Verified Date - 01/13/1986	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 00/00/0000	Name Connector -	POU Ownership Flag-
Presumption Flag -		

AJ0749NP
No. R61-04075

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 01/06/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNION PACIFIC RAILROAD CO REAL ESTATE DEPT ATTN JAMES ROTH 1800 FARNAM ST OMAHA NE 68102 (402) 997-3646	09/01/1959	DOMESTIC	01-01 12-31	0.08 CFS	
TOTAL DIVERSION:					0.08 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T05S R11E S07 Lot02(NWNWSW)

ELMORE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:			
05S	11E	7	:																	:			
												02-D											

POU County: ELMORE

Non-Irrigation Uses: 2 HOMES

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- C15 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 61:
 - WATER RIGHT NO. SOURCE
 - NONE NONE
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:
 - WATER RIGHT NO. SOURCE
 - NONE NONE
- ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

Dates: Exam Made Date: 09/21/1994 Verified Date: 01/06/1999 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

January 6, 1999

~~*****~~
DIRK KEMPTHORNE GOVERNOR

KARL J. DREHER
DIRECTOR

JAMES ROTH
UNION PACIFIC RAILROAD COMPANY
REAL ESTATE DEPARTMENT
1800 FARNAM ST
OMAHA, NE 68102

RE: NOTICE OF ERROR REPLY TO CLAIMS: 61-04074, 61-04075 & 61-04076

Dear Mr. Roth,

My field investigation of these above claim(s) was on 9/21/94. A Union Pacific Employee accompanied me. The only current use I found, was Domestic. Domestic uses are defined as shown by the attached copy from Idaho Code 42-111.

If the military uses the same well you have a right to, their use would need to be recorded under a separate right of their own, not under Union Pacific's right, 61-04074. It is also possible the Military's use may be an exempt use and they are not required to file anything. They could refer to the domestic use definition, 42-111.

The historical railroad uses, such as Industrial steam locomotive etc., have changed. We can only recommend the current use, domestic. Evidence would need to be submitted to show that the historical use is still a current use.

The dates of priority recommended for these claims were all recommended as claimed. Union Pacific also submitted evidence to support these recommended priority dates.

Additional evidence contrary to the already submitted priority date information would need to be re-submitted and evaluated again, in order for us to change recommendations.

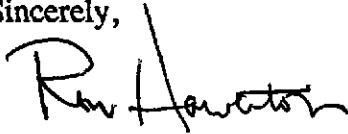
The rate of flow recommended of 0.15 CFS for claim 61-04074 required a measurement by our Department for the recommendation. We used theoretical calculations, which generally gives a higher rate of flow than an actual flow measurement for this type of well. If you have evidence of a greater flow, please submit that information with calculations supporting that amount.

I have changed the address as shown on your notices of error. Enclosed are copies showing the new address.

If you intend to submit any new evidence to IDWR, for us to re-evaluate, you will have until January 29, 1999. After that date a director's report is tentatively scheduled to be published

February 5, 1999. Then any further evidence will need to be submitted with an objection form to the Snake River Basin Court, not to our office. Our office can provide you with a copy these forms.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Howerton". The signature is written in a cursive style with a large initial "R" and a long horizontal stroke extending to the right.

RON HOWERTON
Senior Water Resource Agent
Adjudication Bureau
(208) 334-2190

Enclosures

November 20, 1998

RECEIVED

NOTICE OF ERROR
REPLY

DEC 22 1998

WATER RESOURCES
WESTERN REGION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 18, 1998

Water right number: 61-04075

UNION PACIFIC RAILROAD CO, *REAL ESTATE DEPT.*, *ATTN: JAMES ROTH*
1416 DODGE ST 1800 FARNAM ST.
OMAHA NE 68179 68102

Daytime Telephone Number: *402/997-3646*
Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

The priority date of September 1, 1959, is believed to be the date the most recent well was put in service; however, files indicate that original diversion and beneficial use dates to original railroad construction in 1886. Also, water is used for general Railroad purposes in addition to domestic.

2. Describe the changes you wish to make in the proposed recommendation:

- Change priority date to 1886*
- Add Railroad to purpose of use*

3. Give a brief explanation as to why you disagree with these portions:

historical records + original "Claim to a Water Right" filed with State.

____ I AGREE with this proposed recommendation; no changes need to be made.

DATE: _____ SIGNATURE: *G. L. Pinker*
Please print your name: GREG L. PINKER

IDWR Western Regional Office, 2735 Airport Way, Boise, ID 83705-5082, (208) 334-2190

RAILROAD LOCATION: KING HILL

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. 61-04075

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*	<u>Y</u>	<u>Rdh 21 Sep 94</u>	<u>5</u> <i>See priority - 1470</i>	<u>N</u>	<u>N</u>		
PT. OF DIV.			<u>5</u>	<u>1</u>			<u>DATA ENTRY COMPLETED</u> BY _____ DATE _____
SOURCE			<u>1</u>	<u>1</u>			
PL. OF USE			<u>1</u>	<u>1</u>			<u>FINAL RECOMMENDATION</u> BY _____ DATE _____
DIV. AMOUNT CFS/AF			<u>1</u>	<u>1</u>			
CONSUMPTIVE USE			<u>NA</u>	<u>1</u>			
NATURE OF USE			<u>5</u>	<u>Y</u>			
PERIOD OF USE			<u>1</u>	<u>N</u>			
BASIS OF CLAIM			<u>1</u>	<u>1</u>			
REMARKS							

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES X NO ____.

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

VERIFICATION CODES

TOPO MAP/ORTHOPHOTO = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER(SEE COMMENTS) = 6

COMMENTS: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

17:02:08
07/07/94

PAGE: 1
GENERAL INFORMATION

28
CLAIM NUMBER: A61-04075

LAST: UNION PACIFIC RAILROAD COMPANY
ADDRESS: 1416 DODGE STREET
CITY: OMAHA
PHONE NUMBER: 402-271-3728

FIRST:
STATE: NE ZIP: 68179

OWNER CODE: C

LAST: NELSON
ADDRESS: UNION PACIFIC RAILROAD
1416 DODGE STREET
CITY: OMAHA
PHONE NUMBER: 402-271-2347

FIRST: JACK L.
STATE: NE ZIP: 68179

OWNER CODE: R

LAST: OREGON SHORT LINE RAILROAD CO.
ADDRESS: P.O. BOX 1592
CITY: POCATELLO
PHONE NUMBER: 208-000-0000

FIRST:
STATE: ID ZIP: 83204

OWNER CODE: O

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
RJW

CLAIM REMARKS: WATER IS USED IN COMPANY SECTION HOUSES, BY LOCAL MAINTENANCE
SECTION CREW AND BY TRAVELING OUTFIT CARS AND MAINTENANCE GANGS.

CONTACT PERSON: R.W. SCOTT

PHONE NUMBER: () -

DATE OF FIELD EXAM: 9/21/94

APPOINTMENT MADE: Y(☒) N()

TIME: : A() P()

ACCOMPANIED BY: ABOVE

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: UNION PACIFIC REP

DIRECTIONS TO PROPERTY / NOTES:

SEE MAPS IN FILE

A. AJ CLAIM: # A61-04075 PRIORITY DATE: 09-01-1959 STAGE: S
B. WR RECORD: # 61-04075 PRIORITY DATE: 09-01-1959 STAGE: S

C. FIELD EXAM REQUIRED? DATABASE FIELD
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) N EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(☒)
IF YES EXPLAIN.

NOTES: SEE ATTACHED Document (7 PAGES)

RECOMMENDED PRIORITY DATE:
09-01-1959

REVIEWED BY Rdh DATE 10CT 98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A61-04075	05S	11E	7		NW	SW		ELMORE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
61-04075	05S	11E	7		NW	SW		ELMORE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER
Rob

NOTES:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
55	11E	07	NW	NW	SW	2	ELMORE	
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—

SOURCE: GROUNDWATER

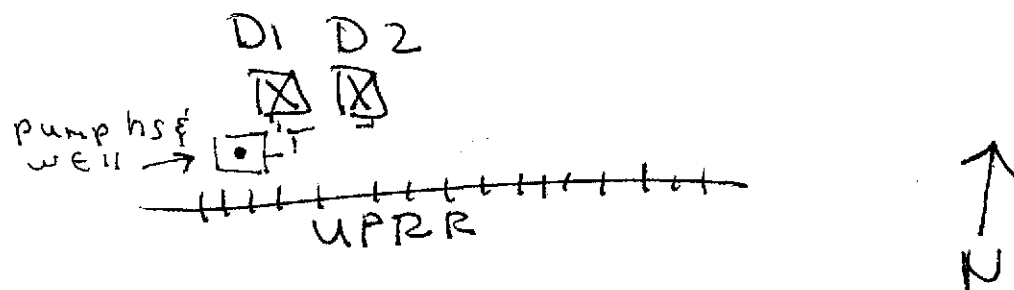
TRIB:

REVIEWED BY: Rdh DATE: 10 OCT 98

SYSTEM DESCRIPTION:

4 HP SUB, Gould Pump, Pump level at 62', TOTAL
DEPTH 134' PER R.W. Scott. (EVIDENCE SHOWS MUCH DEEPER)
20-40 PSI, small & LRG STORAGE TANKS IN WELL HOUSE.
SERVES 2-HOMES, WAS 5 AT ONE TIME.

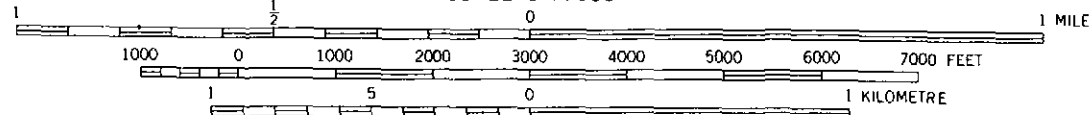
MP 367 RAIL ROAD INFO.



31447
30601
Spring
30601
2
25997
Snake River
640 000 FEET
652001

CLAIM 61-04075 INIT Rdb
T. R. S. Q/Q
P/D 5S 11E 07 NW NW SW
SCALE 7 1/2"
PHOTO ID. AA-15 DATE 1974

SCALE 1:24 000



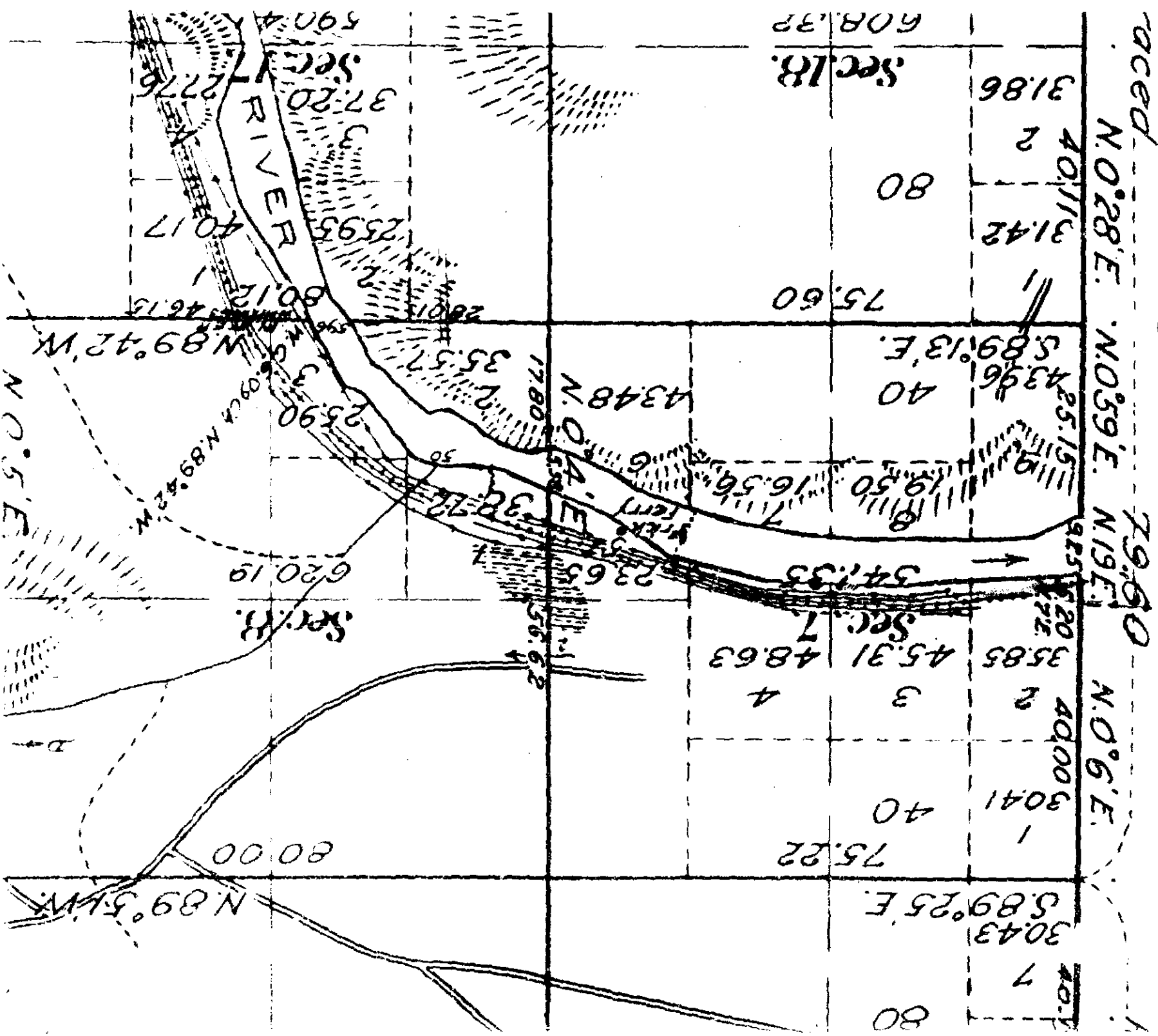
NORTH
↑

ical Survey

ed from 1:76,000-scale
on August 4, 1974

foot grid ticks: Idaho coordinate
(transverse Mercator)
transverse Mercator grid ticks,

(Survey 1908)



A. ROOT WATER RIGHT NUMBERS: A61-04075

B. POU LISTING

LOT 2

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
05S	11E	7	NW	SW	9	UNION PACIFIC RAILROAD COMPANY	A61-04075 /	61-04075 /			
			NW	SW	9	AYARRA, MARIE	A02-04005 / 9.0	02-04005 / 10.0			
			NW	SW	9	AYARRA, MARIE		02-07418 / 2.5			
TOTAL ACRES							A61-04075				

D/2 NA

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
Rch

POU COUNTY: ELMORE

PRESUMPTION FLAG:

NOTES:

RECOMMENDATIONS:

TOTAL ACRES: NA

REVIEWED BY: Rch

DATE: 1 Oct 98

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A61-04075 INDUSTRIAL	FROM 01-01 TO 12-31	.080 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.080 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
61-04075 DOMESTIC	FROM 01-01 TO 12-31	.080 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.080 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	Reh
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☐) N(☐) Explain in notes, below.

NOTES:

CHANGE-IN-USE FROM INDUSTRIAL TO DOMESTIC, SINCE
THIS IS A B/C CLAIM, WE DO NOT NEED TO SHOW THIS
AS AN ACCOMPLISHED CHANGE.

THEORETICAL HORSEPOWER EQUATION WORKSHEET (cjh 1/92)

Water Right No.: A61-04075
Examiner: RON HOWERTON
Date of Field Exam 9/21/1994

P/D No.:	OPTION 1	OPTION 2	OPTION 3
PUMP HORSEPOWER	4	4	4
BOOSTER HORSEPOWER	0	0	0
PUMPING LEVEL	62	62	62
DISCHARGE PRESSURE	20	40	30 AVE
RATE OF FLOW (cfs)	0.23	0.16	0.19

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 0.080 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.080 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in notes. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER

Y

Redh

B.

FLOW MEASUREMENT

MEASUREMENT METHOD THEORETICAL, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☐) N(☒) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A02-04005	SNAKE RIVER	AYARRA, MARIE	0.300	0.020	45.00	3.00

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES x ~~0.02 CFS/ACRE~~ = CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES x CONSUMPTIVE VOL. AF/A FOR AREA =

TOTAL CONSUMPTIVE USE AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(~~X~~) N()

NOTES: (Include limitations on CONSUMPTIVE USE for combined rights.)

NO Limits for GPD - Paid \$8.00

ADD N11

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
<u>DOMESTIC</u>	<u>04/01</u> <u>12/31</u>	<u>0.08</u>	<u>X</u>	<u>X</u>
TOTAL FOR THIS RIGHT				
REVIEWED BY: <u>Rch</u> DATE: <u>10ct 98</u>				

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 61-04075

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 0.080	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A61-04075	0.080	-		61-04075	0.080
TOTAL CFS		0.080				0.080

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE Y	FIELD EXAMINER _____ _____
---------------	-------------------------------------

NOTES:

AUTHENTICATION:

SIGNATURE: _____

NAME OF FIELD EXAMINER: _____

DATE: _____

TITLE: _____

Ron Howerton
RON HOWERTON
SR WA AGENT

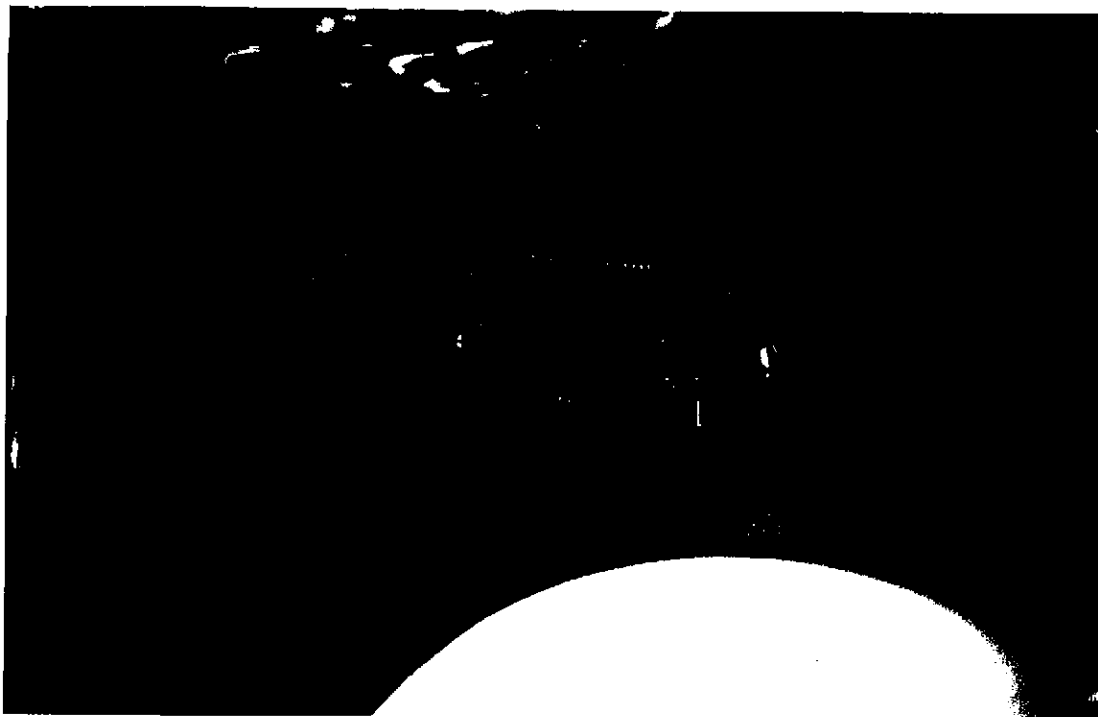
MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
☒ ORTHOPHOTOQUAD	DATE OF PHOTO <u>1974</u> IDWR ID NO. <u>AA-15</u>	Y(☒) N(☐)
☐ TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y(☐) N(☐)
☐ NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y(☐) N(☐)
☐ ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y(☐) N(☐)
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____	Y(☐) N(☐)
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y(☐) N(☐)
☒ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY <u>1900</u>	Y(☒) N(☐)
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____	Y(☐) N(☐)
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____	Y(☐) N(☐)
☐ OTHER _____	DATE _____	Y(☐) N(☐)
☐ OTHER _____	DATE _____	Y(☐) N(☐)
☐ OTHER _____	DATE _____	Y(☐) N(☐)

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
☒ SYSTEM DESCRIPTION	DATE DRAWN <u>1 Oct 90</u>	<u>1</u>	<u>pg 5 CUR</u>
☒ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN <u>21 Sep 94</u>	<u>2</u>	_____
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☒ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED <u>21 Sep 94</u>	<u>1</u>	_____
☒ OTHER <u>PRIORITY INFO</u>	DATE _____	<u>7</u>	<u>PAGES</u>
☐ OTHER _____	DATE _____	_____	_____

PICTURE #1

61-04075: FX 09/21/94. Photo's by RDH. Pump house, well, storage tanks, gages. Located in, T05S, R11E, S07, NWNWSW, lot 7.



PICTURE #2

Outside view of pumphouse.



PICTURE #3

61-04075: FX 09/21/94. Photo's by RDH. Two domestic homes. Located in, T05S, R11E, S07, NWNWSW, lot 7.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

17:02:08
07/07/94

PAGE: 12
QUICKLOOK INFORMATION

39
CLAIM NUMBER: A61-04075

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES	Y							
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

17:11:06
07/07/94
40

PAGE: 13
PROFILE REPORT

CLAIM NUMBER: A61-04075

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNION PACIFIC RAILROAD COMPANY 1416 DODGE STREET OMAHA NE 68179 (402) 271-3728	09/01/1959	INDUSTRIAL	01-01 12-31	0.08 CFS	
TOTAL DIVERSION:					0.08 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T05S R11E S07

NWSW

ELMORE County

Place of use Legal Description for: INDUSTRIAL

				NE				NW				SW				SE																	
				NENE	NWNE	SWNE	SENE					NENW	NWNW	SWNW	SENW					NESW	NWSW	SWSW	SESW					NESE	NWSE	SWSE	SESE		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:
05S	11E	7	:									:							:						:							:	
			:									:							:						:							:	

POU County: ELMORE

Non-Irrigation Uses: SEE REMARKS

Other Rights: NONE

Remarks: WATER IS USED IN COMPANY SECTION HOUSES, BY LOCAL MAINTENANCE
SECTION CREW AND BY TRAVELING OUTFIT CARS AND MAINTENANCE GANGS.

Dates: Exam Made Date: Verified Date: 01/13/1986

Misc: Water District Number: Field Inspection Flag: Y
Presumption Flag:



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

Date: July 5, 1994

CECIL D. ANDRUS
GOVERNOR

Union Pacific Railroad Company
1416 Dodge St
Omaha, NE 68179

R. KEITH HIGGINSON
DIRECTOR

RE: Field Exam Scheduling Letter for the following Adjudication Claims:

A61-04074 A61-04075 & A61-04076

Dear Claimant:

The Adjudication Staff of the Department of Water Resources will be conducting Snake River Basin Adjudication Claim Examinations for Elmore County from July through November 1994.

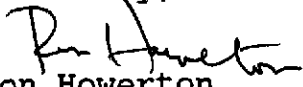
Information on your claim that may need to be verified includes, source(s) of water, uses and amounts, legal descriptions of point(s) of diversion, place of use and in some cases documentation verifying the date of priority as claimed in the Snake River Basin Adjudication.

Although it is not mandatory that you accompany me, should questions arise during the exam, it would be most helpful for yourself or a knowledgeable representative to be available during the field exam. This will help in the accuracy of collecting specific information about your water right and speed up our findings.

I would appreciate your call ASAP to set-up a field exam date. I may also be calling to help speed up the scheduling due to the short field season this year.

If you have other questions prior to scheduling a date or about the field examination, feel free to call me on that too. Please call today to set-up your exam!

Sincerely,


Ron Howerton
ADJUDICATION STAFF
Department of Water Resources
Western Region Office
(208) 334-2190



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

January 28, 1993

Re: Claim No(s). AG1-04076

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

SEE ALSO NOTE ON
PROFILE OF THIS CLAIM

REFERS TO
THIS CLAIM
NO. AG1-04075
(ATTACHED)

UNION PACIFIC RAILROAD COMPANY
1416 DODGE STREET
OMAHA NE 68179

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is under a legal requirement to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area should be conducted this summer by Department personnel. Prior to conducting the field exams, we will contact you to discuss details and schedule a time convenient for you.

Please submit the required evidence supporting the priority date(s) by March 15, 1993, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the toll-free number listed on the back page of the pamphlet or the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNION PACIFIC RAILROAD COMPANY 1416 DODGE STREET OMAHA NE 68179 (402) 271-3728	07/01/1924	INDUSTRIAL	01-01 12-31	0.05 CFS	
TOTAL DIVERSION:					0.05 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T05S R08E S35

NENE

ELMORE County

Place of use Legal Description for: INDUSTRIAL

				NE				NW				SW				SE														
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
05S	08E	35	:																											
			:																											

POU County: ELMORE

Non-Irrigation Uses: SEE REMARKS

Other Rights: NONE

Remarks: WATER IS USED AT SECTION FOREMAN'S HOUSE AND YARD, SIGNAL
MAINTAINERS'S HOUSE AND YARD AND BY MAINTENANCE GANGS.

Dates: Exam Made Date: Verified Date: 01/13/1986

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

NOTE: UNION PACIFIC HAS TWO ADDITIONAL CLAIMS FOR WHICH EVIDENCE OF PRIORITY HAS BEEN SUBMITTED IN THE PAST. THESE CLAIM NO'S ARE A61-04074 AND A61-04075. BOTH ARE FOR DOMESTIC USE IN COMPANY HOUSES AND THE EVIDENCE OF PRIORITY DATE SUBMITTED WAS A COPY OF THE CONSTRUCTION AGREEMENTS, NOTARIZED AFFIDAVIT FROM AN INDIVIDUAL & A COMPLETED WELL LOG STATING WHEN WELL WAS DRILLED. THIS TYPE OF EVIDENCE CAN

UNION PACIFIC RAILROAD COMPANY

ENGINEERING DEPARTMENT

S. J. McLAUGHLIN,
Assistant Vice President
Engineering
(402) 271-3018



Room 920
1416 Dodge Street
Omaha, Nebraska 68179

C. D. Barton
Chief Engineer-Maintenance
(402) 271-3792
C. L. Jensen
Chief Engineer-Programs
(402) 271-5573
J. R. Beran
Chief Engineer-Design
(402) 271-3029
P. M. Abaray
Chief Engineer-Signals
(402) 271-3036

May 25, 1989

Drainage & Water:
Idaho: Water Supply

RECEIVED
MAY 30 1989

Mr. Forrest E. Luthy
Idaho Department of Water Resources
Adjudication Bureau
Statehouse Mail
Boise, Idaho 83720

Department of Water Resources

Dear Mr. Luthy:

In connection with the Snake River Basin water rights adjudication, enclosed please find for filing seven (7) completed Water Rights Claim forms for water rights owned by Union Pacific Railroad Company in Bingham, Ada, Minidoka and Elmore Counties.

The enclosed claims are identified as follows:

(1)	Taber	-	35-4161
(2)	Fort Hall	-	29-4332
(3)	Orchard	-	61-4074
(4)	Minidoka #3	-	36-4203
(5)	Minidoka #2	-	36-4204
(6)	King Hill	-	61-4075
(7)	Hammett	-	61-4076

Also, enclosed is Union Pacific Voucher No. 154031, made payable to the Idaho Department of Water Resources in the amount of \$415.00 to cover the associated filing fees. Please note that this amount is less the \$33.00 credit balance referenced in Mr. Donald V. Shaff's letter dated April 5, 1989, Receipt No. C006124. In conjunction with his letter, we do not wish to file the claim for water right 94-4182 furnished with my letter dated March 29, 1989; but would rather have the \$33.00 credit applied to the enclosed filings.

MICROFILMED
AUG 11 1992

If I can be of further assistance to you, please feel free to contact Mr. Jack L. Nelson at (402) 271-2347.

Yours truly,

A handwritten signature in cursive script that reads "J. R. Beran".

J. R. BERAN
Chief Engineer - Design

jln/c/0525i

MICROFILMED
AUG 11 1982

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Union Pacific

CLAIM IDENT. NO.

A61-04075

DATE RECEIVED

5-30-89

CK #

154031

AMOUNT \$

415 (7)

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO *
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☐ YES ☒ NO N/A ☐ NO *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO *
6. Are the water uses appropriate for the form? The short form is limited
to domestic and stockwater uses with direct diversion. All claims that
include storage or instream stockwater must use long form. ☒ YES ☐ NO *
- Is the period of use included? ☒ YES ☐ NO *
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO *
8. If required is a consumptive use entered? ☐ YES ☒ NO N/A ☐ NO *
- Is the consumptive use correct? ☐ YES ☒ NO N/A ☐ NO *
9. Are the non-irrigation uses listed properly? If this claim is on the
short form, and more than one domestic use is listed, single owner-
ship must be stated. If not under single ownership, see
Adjudication Memo # 4. ☐ YES ☒ NO N/A See Remarks *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO *
14. If required, are remarks correct? (If the claimant does not own
the place of use, authority for filing the claim must be
explained in the remarks.) ☒ YES ☐ NO N/A ☐ NO *
15. Is the basis of the claim indicated? ☒ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed?
(If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO N/A ☐ NO *
17. Is the claim signed by the claimant, and is the signature appropriate?
Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☐ YES ☒ NO Exempt ☐ NO *
21. If this claim is based on an existing water right, has the
identification number been entered? ☐ YES ☒ NO N/A ☐ NO *
22. Should this claim be data entered? ☒ YES ☐ NO *

Claim checked by: CTDate: 7-21-89Claim must be returned to claimant: ☐ (Yes) ☐ (No)Claimant must be notified of modifications: ☐ (Yes) ☐ (No)

Receipt Prepared by:

Claim data entered by: CT

Sent to claimant by:

Date:

Date: 7-21-89

Checked by:

Date:

Comments: Entry in Item 10 does not agree with mapField inspection flag added 11-22-89

MICROFILMED

AUG 11 1992

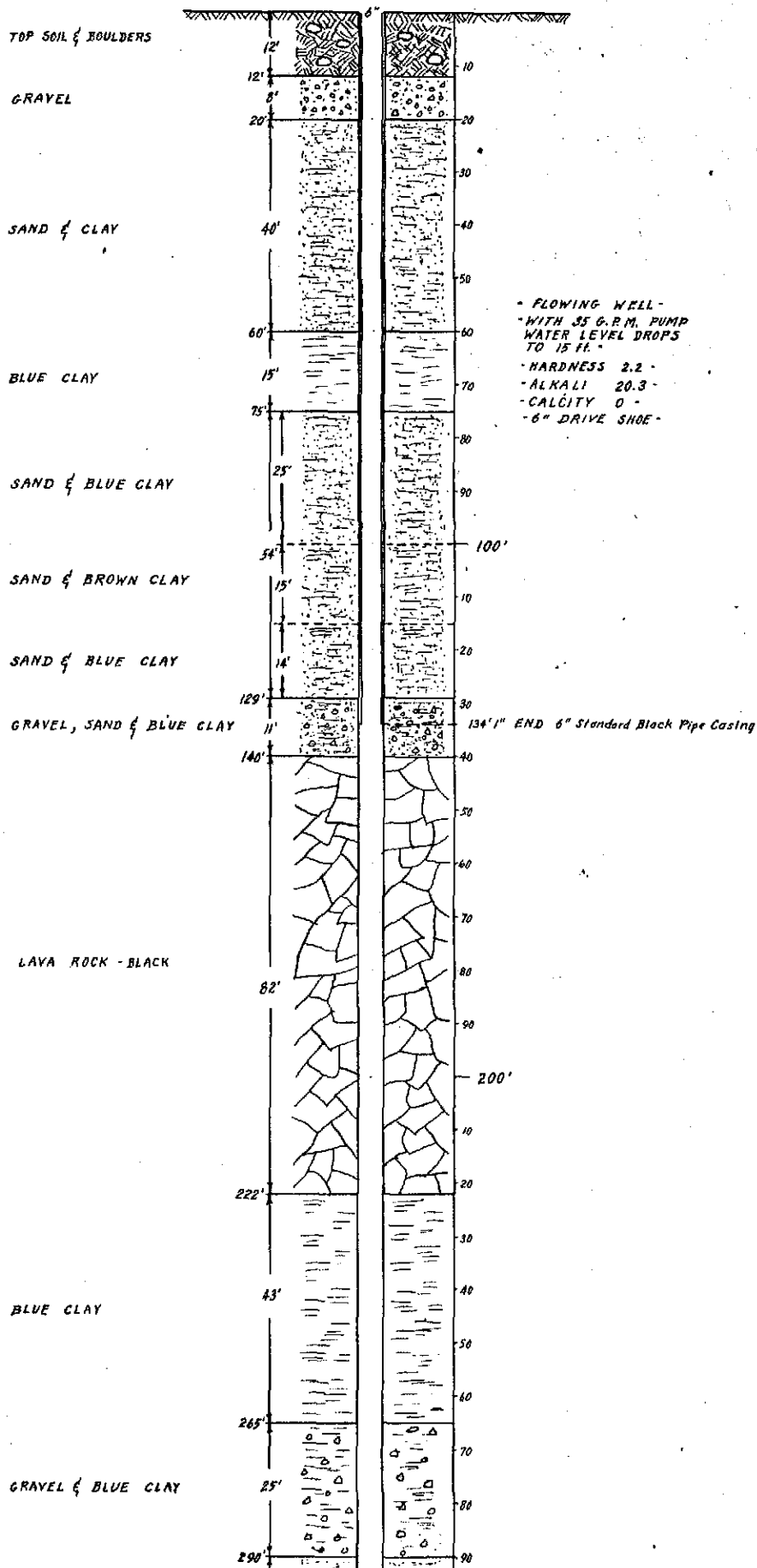
CLAIMANTS - UNION PACIFIC RAILROAD CO.
LOG OF WELL
OREGON SHORT LINE RAILROAD CO.
MAIN LINE
KING HILL, IDAHO

61-04075

CLAIM - 9-1-1959

PRIORITY DATE

Drilled by J. Emmett Smith, Inc. of
Jerome, Idaho. - F.S. Moseley, Driller
Began 5-11-1959 Completed 8-24-1959
ELEVATION TOP OF WELL = 2930.07



ADDENDUM to agreement LD 17646, Audit No. 74052,
CD No. 44663, dated March 12, 1959, between UNION PACIFIC
RAILROAD COMPANY, (called "Railroad Company"), and J. EMMETT
SMITH, INC., (called "Contractor"), covering the drilling
of a well for the Railroad Company at King Hill, Idaho.

IT IS HEREBY AGREED, by and between the parties
hereto, as follows:

Section 1. Due to a blue clay and fine sand condition
encountered at the 150-foot depth it is necessary to drill
the well deeper than originally planned, and the Contractor
is hereby authorized to drill said well to a maximum depth
of 300 feet if necessary, which the Contractor hereby agrees
to do at the same rates specified in the above mentioned
agreement, that is, \$4.25 per foot for drilling and \$4.70
per foot for casing used.

Section 2. The time within which the work is to be com-
pleted by the Contractor shall be and is hereby extended to
and including Sept. 1, 1959.

Section 3. This agreement is supplemental to the above
named agreement and nothing herein written shall be construed
as modifying or amending the same except as herein speci-
fically set forth.

IN WITNESS WHEREOF, the parties hereto have caused
this agreement to be executed in duplicate this 15th day
of August, 1959.

Witness:

15/ L. J. Proudfoot

UNION PACIFIC RAILROAD COMPANY,

By 15/ E. L. Bailey
Vice President

Witness:

15/ Carl M. Adams

J. EMMETT SMITH, INC.,

By 15/ J. Emmett Smith
Its President

Attest:

15/ L. Paul Smith
Secretary

APPROVED
D. F. [illegible]
General Manager
APR 16 1959
[illegible]

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THIS AGREEMENT, made and entered into this

1-2-51 day of March, 1959,
by and between UNION PACIFIC RAILROAD COMPANY, a corporation
of the State of Utah, (hereinafter called "Railroad Company"),
party of the first part, and
J. EMMETT SMITH, INC., an Idaho corporation,
(hereinafter called "Contractor"), party of the second part,
WITNESSETH:

IT IS MUTUALLY AGREED, by and between the parties
hereto, as follows:

(1) CONTRACTOR TO PERFORM SERVICES:

The Contractor agrees to furnish all superintend-
ence, labor, machinery, pipe, tools, and all other things
necessary and requisite, and drill a 6-inch well, approxi-
mately 90 feet in depth, for the Railroad Company at King
Hill, Idaho.

The Contractor agrees to perform said work in an
expeditious, substantial and workmanlike manner, to the
entire satisfaction and acceptance of the Railroad Company.

The Contractor agrees to commence work promptly
upon receipt of notice from the Railroad Company to do so,
and shall complete the same in not less than thirty (30) days
after commencement of the work, with the right in the Rail-
road Company, however, to terminate this agreement as in
Section 11 provided.

(2) RAILROAD COMPANY TO PAY:

In consideration of the completion of the work
herein described, and the fulfillment of all covenants, con-
ditions and agreements of the Contractor herein contained,
to the satisfaction and acceptance of the Railroad Company,
the Railroad Company shall pay the Contractor at the rate of
\$4.25 per foot for drilling, \$4.70 per foot for 6 5/8 inch
outside diameter standard black pipe casing, f.o.b. Boise,
Idaho, and \$6.50 for 6-inch drive shoe, Contractor to be re-
imbursed for a minimum of 50 feet of well at the above rates.

(7) LIENS:

The Contractor shall comply with the laws of the State in which the work is to be performed regarding liens for labor, material and supplies furnished for the work, and shall protect and indemnify the Union Pacific Railroad Company and its Lessor, **Oregon Short Line Railroad Company**, from and against any and all claims or liens against the work for labor, material and supplies furnished, and the Railroad Company may, whenever it deems it proper or expedient so to do, pay to the laborers or other persons employed by the Contractor, or those who may have furnished material or supplies for the work, out of monies due the Contractor hereunder, any sums due for labor, materials or supplies furnished in the performance of the work and charge the same to the Contractor as so much paid on this contract.

~~(8) BOND:~~

~~The Contractor shall, at the time of the execution and delivery of this contract, furnish and deliver to the Railroad Company a good and sufficient bond of indemnity, in the sum of \$ _____, in form and substance and with surety thereon satisfactory and acceptable to the Railroad Company, to insure the faithful performance by the Contractor of all the covenants and agreements on the part of the Contractor herein contained.~~

(9) TRANSPORTATION:

In addition to paying the contract prices hereinbefore specified, the Railroad Company shall bear the cost of transporting all tools, material, supplies and equipment actually required on the work, as well as all of the employees of the Contractor actually required in connection with the work; from the point of origin located on its line of railroad, or the junction point with another railroad, to the point where the work is to be performed, and return to the point of origin, or such junction point on its line of railroad, upon the completion of the work provided for herein.

The Contractor agrees to ship via such routes as the Railroad Company may direct all supplies, materials and equipment furnished, and all laborers hired, by the contractor for or incident to the work hereunder and to bill such supplies, materials and equipment in accordance with the Railroad Company's instructions, employing freight billing only, except as otherwise specifically authorized or directed in writing by the Railroad Company.

(10) COMPENSATION, LIABILITY AND PROPERTY DAMAGE INSURANCE:

The Contractor shall procure and keep in effect during the life of this agreement, at its own sole cost and expense, Workmen's Compensation and Employers' Liability Insurance, Contractors' Public Liability and Contractors' Property Damage Insurance and Contractors' Contractual Liability and Contractors' Contractual Property Damage Insurance as follows:

(A) Workmen's Compensation and Employers' Liability Insurance.

The policy or policies shall cover the entire liability of the Contractor to employees as determined by the compensation laws of the state in which the work is performed, it being understood, however, that such policies will not cover liability of the Contractor in the States of Wyoming, Nevada, Oregon and Washington, being so-called "monopolistic states" with respect to Workmen's Compensation, and in such states the Contractor shall nevertheless and at its own expense comply with the respective Workmen's Compensation laws therein.

(B) Contractors' Public Liability and Property Damage Insurance and Contractors' Contractual Liability and Property Damage Insurance.

The policy or policies to be taken out by the Contractor shall provide minimum limits as follows:

- (a) Under Contractors' Public Liability Insurance, of \$25,000.00 for any one person and, subject to the same limit per person, \$100,000.00 for any one occurrence; such insurance to protect the Contractor against claims for injuries to or death of persons, arising out of the work to be performed under this contract;
- (b) under Contractors Property Damage Insurance, of \$25,000.00 for any one accident, and subject to the same limit per accident, \$100,000.00 aggregate during an annual period;
- (c) under Contractors' Contractual Liability Insurance, of \$25,000.00 for any one person and, subject to the same limit per person, \$25,000.00 for any one occurrence; and
- (d) under Contractors' Contractual Property Damage Insurance, of \$25,000.00 for any one accident; and, subject to the same limit per accident, \$25,000.00 aggregate during an annual period;

The insurance under items (c) and (d) above to insure the liability assumed by the Contractor under the indemnifying provisions of this agreement on account of injuries to or death of persons or damage to property.

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(11) TERMINATION:

The Railroad Company reserves the right to terminate this agreement at any time by giving to the Contractor five (5) days' written notice of its intention so to do.

(12) SUCCESSORS AND ASSIGNS:

The obligations of the Contractor herein contained shall be binding upon the Contractor, its successors and assigns.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed in duplicate as of the day and year first herein written.

Witness:

W. G. J. Brundage

UNION PACIFIC RAILROAD COMPANY,

By 15/ E. W. Bailey
Its Vice President

Witness:

15/ H. L. S. Mowley

J. EMERITT SMITH, INC.,

By 15/ J. Emeritt Smith
Its President

Attest:

W. G. Paul Smith
Secretary