

CA

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: A37-04305  
Date Received: 9/07/1988  
Receipt No: C002478  
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

OR  
Name: CITY OF BLISS, LESSEE 208-352-4445  
Address: P.O. BOX 115  
BLISS, ID 83314

2. Date of Priority: AUG 01, 1917

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 06S      | 13E   | 6       | NE     | SE     |     |     | GOODING |

5. Description of diverting works:  
WELL, 12" CASING, 517' DEEP, ELEC. PUMP TO 350,000 GALLON TANK.

6. Water is used for the following purposes:

| Purpose   | From  | To    | C.F.S. | (or) | A.F.A. |
|-----------|-------|-------|--------|------|--------|
| MUNICIPAL | 01/01 | 12/31 | 0.120  |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
M/ CITY OF BLISS

A37-04305

Page 1

Date: 09/07/88

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10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use  | Acres |
|----------|-------|---------|--------|-----|-----|------|-------|
| 06S      | 13E   | 5       | NW     | SW  |     | MUNI |       |
|          |       |         | SW     | SW  |     | MUNI |       |
|          |       |         | SE     | SW  |     | MUNI |       |
|          |       | 6       | NE     | SE  |     | MUNI |       |
|          |       |         | SW     | SE  |     | MUNI |       |
|          |       |         | SE     | SE  |     | MUNI |       |
|          |       | 7       | NE     | NE  |     | MUNI |       |
|          |       |         | NW     | NE  |     | MUNI |       |
|          |       |         | NE     | NW  |     | MUNI |       |
|          |       | 8       | NW     | NW  |     | MUNI |       |

11. Place of use in counties: GOODING

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:  
37-04306

14. Remarks:

WATER TANK, PIPELINES AND FACILITIES WERE DONATED TO THE CITY OF BLISS IN 1960. THE TWO WELLS ARE LEASED TO THE CITY AND THE ENTIRE SYSTEM IS THE CITY'S MUNICIPAL WATER SUPPLY; HOWEVER, THE RAILROAD CONTINUES TO USE SOME WATER FOR ITS LOCAL MAINTENANCE SECTION MEN AND BY THE LARGER TRAVELING MAINTENANCE GANGS.

\*\*\*\*\* MEMO TO FILE \*\*\*\*\*  
ITEM 12 WAS CHECKED "YES" ON THE CLAIM AND ITEM 13 WAS CHECKED "NONE". WATER RIGHT 37-04306 WAS DATA ENTERED FOR ITEM 13, AND NO WAS DATA ENTERED FOR ITEM 12. CLF  
\*\*\*\*\*

15. Basis of Claim: STATUTORY CLAIM

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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 37-4305 A37-04305  
Date Received 9-6-88 ca  
Receipt Number C002478

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

RECEIVED  
SEP 06 1988

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Union Pacific Railroad Company 402 271-3728  
City of Bliss (Leasee) Phone (208) 352-4445  
1416 Dodge Street, Omaha, Nebraska 68179  
Mailing Address P. O. Box 115, Bliss, Idaho Zip 83314

2. Date of Priority (Only one (1) per claim) August 1, 1917

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

4. a. Location of existing point of diversion is: Township 6 S. Range 13 E. Section 6,  
NE 1/4 of SE 1/4 of \_\_\_\_\_ 1/4, Govt. Lot, \_\_\_\_\_ B.M., County of Gooding

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.

12"x517' well, elec. pump to 350,000 steel water tank and tied into line from well in  
SE-1/4, SE-1/4, Section 5, Township 6 South, Range 13 East, B.M. System was changed  
from basic railroad use to municipal use in 1960.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Municipal purposes from 1-1 to 12-31 amount 0.12 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 0.12 (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 |        |
| 6 S. | 13 E. | 5   |        |       |       |       |        |       |       |       |        | M     | M     | M     |        |       |       |       |        |
| 6 S. | 13 E. | 6   |        |       |       |       |        |       |       |       |        |       |       |       | M      |       | M     | M     |        |
| 6 S. | 13 E. | 7   | M      | M     |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
| 6 S. | 13 E. | 8   |        |       |       |       | M      | M     |       |       |        |       |       |       |        |       |       |       |        |
|      |       |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|      |       |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|      |       |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated \_\_\_\_\_

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

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.

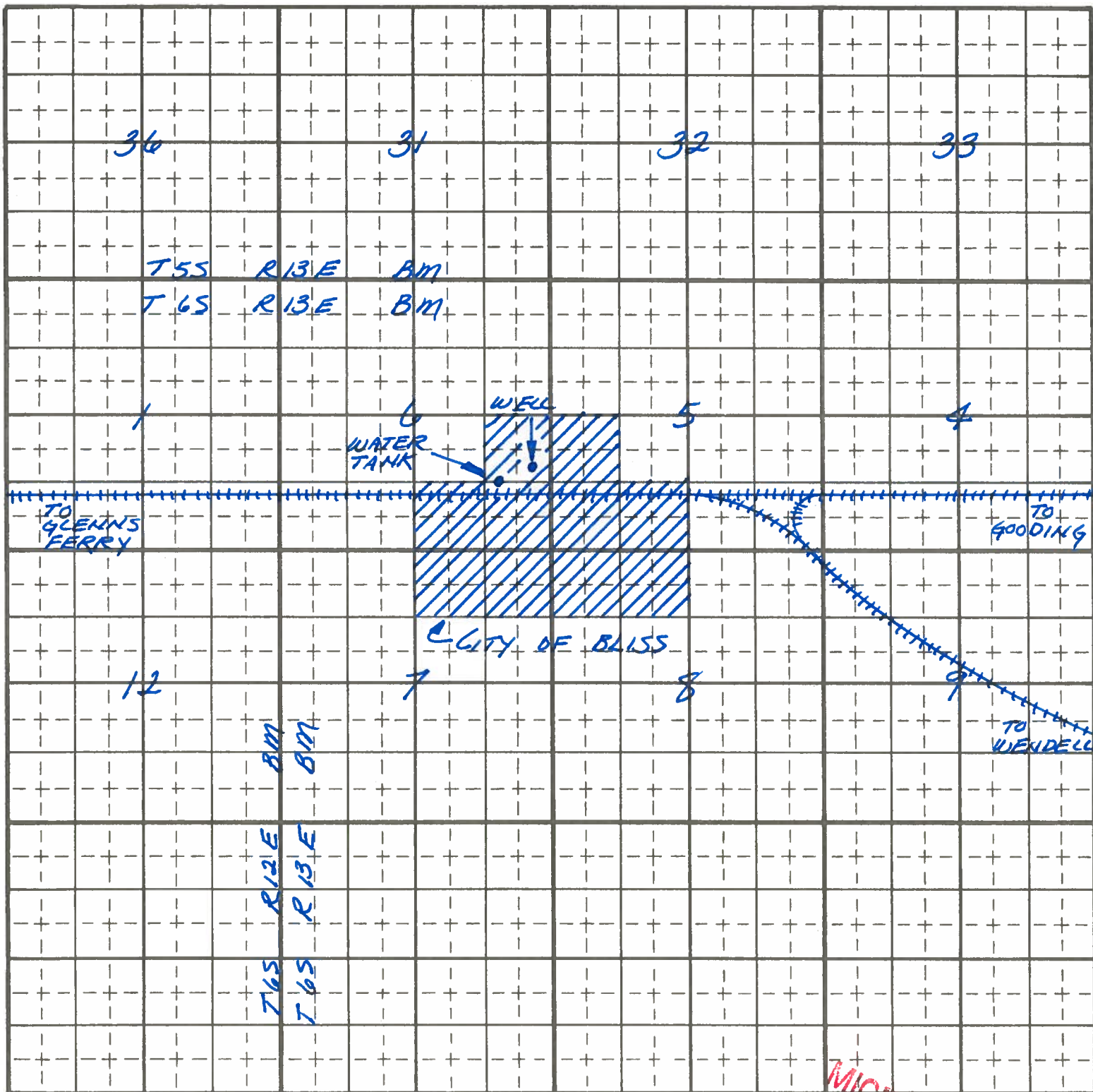
13. Describe any other water rights used at the same place and for the same purposes as described above. \_\_\_\_\_ or None ( X )

14. Remarks:  
Water tank, pipelines, and facilities were donated to the City of Bliss in 1960.  
The two wells are leased to the City and the entire system is the City's municipal  
water supply; however, the Railroad Company continues to use some water for its local  
maintenance section men and by the larger traveling maintenance gangs.

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

Scale: 2 inches equals 1 mile



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15. Basis of Claim (check one) Beneficial Use X Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_  
Decree \_\_\_\_\_  
If applicable provide IDWR Water Right Number 37-4305  
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 X 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 \_\_\_\_\_

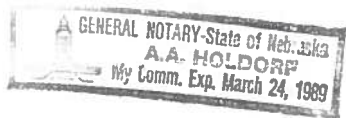
**For Organizations:** I do solemnly swear or affirm that I am Chief Engineer - Design  
Title  
of union Pacific Railroad Company, that I have signed the foregoing  
Organization  
document in the space below as Chief Engineer - Design of UPRR Co.  
Title Organization  
and that the statements contained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

Signature of Authorized Agent J. R. Beran  
Title and Organization Chief Engineer - Design/UPRR Co. Date 8/30/88

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

Subscribed and sworn (or affirmed) before me this 30<sup>th</sup> day of August 19 88

SEAL



Notary Public A.A. Holdorf  
Residing at Omaha  
My Commission Expires March 24, 1989

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 \_\_\_\_\_

Union Pacific 37-4305  
Last Name \_\_\_\_\_ Ident. Number \_\_\_\_\_

Copies White-State, Yellow-Claimant

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8/01/1988

## SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Union Pacific R.R.

CLAIM IDENT. NO.

A37-04305

DATE RECEIVED

8-6-88

CK #

819762

AMOUNT \$

127.00

YES

NO

1. Is the name and address complete with zip code? . . . . .

✓   

2. Is priority date entered? . . . . .

✓   

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

✓   

3. (a) Is a source entered? . . . . .

✓   

(b) Is a tributary to entered? (if required) . . . . .

NA   

4. Is the legal description of the p.d. complete? . . . . .

✓   

5. Is there a description of the diverting works? . . . . .

✓   

6. Are the water uses appropriate for the form? The short form limited domestic and stockwater. Instream stockwater must use long form. . . . .

✓   

Is the period of use included? . . . . .

✓   

Is a quantity claimed for each use? . . . . .

✓   

7. Is a total quantity claimed entered? . . . . .

✓   

8. Is the consumptive use correct? . . . . .

NA   

If required is a consumptive use entered? . . . . .

NA.   

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 ownership must be stated. If not under single ownership, each household must file a separate claim. See Adjudication Memo # 4. . . . .

See Remarks

10. Is (are) the place(s) of use entered? . . . . .

✓   

11. Is (are) the county(ies) entered? . . . . .

✓   

12. Is the ownership of p.u. checked? . . . . .

✓   

13. Are other water rights listed or "none" checked? . . . . .

✓   

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.) . . . . .

✓   

15. Is the basis of the claim checked? . . . . .

✓   

16. Is the claim signed by the claimant? . . . . .

✓   

Is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) . . . . .

✓   

Has the claim been signed, sealed, and dated by a notary? . . . . .

✓   

Is the fee enclosed correct? . . . . .

✓   

If this claim is based on an existing water right, has the identification number been entered? . . . . .

N/A

✓   

Should this claim be receipted and data entered? . . . . .

✓   Claim checked by: CO

Comments: Item 12 "yes" is checked, however the water is used in the city of Bliss. Item 13 "None" incorrectly checked.

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FEB 24 1993



## State of Idaho

### DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

March 7, 2002

37-4305

UNION PACIFIC RAILROAD CO  
1416 DODGE ST  
OMAHA NE 68179

Re: Evidence of Priority Date

**RESPONSE DEADLINE**  
**APRIL 12, 2002**

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, and are termed beneficial use rights. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. I will be conducting field examinations for the SRBA claims with a Ground Water source in your area in late March and early April. Since the priority date of a beneficial use right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the adjudication.

Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

**PLEASE NOTE:** IDWR will recommend the SRBA Court decree the claim disallowed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding claim number. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129. If you have multiple claims that require evidence of priority date, the labels with the identification numbers of the additional claims are attached below. Please submit evidence of the priority date for each of your beneficial use rights. Also, if there are multiple claimants of the claim at the same address, the additional claimants are identified on the labels attached below.

Sincerely,

Carter Fritschle  
Water Rights Supervisor

Enclosures

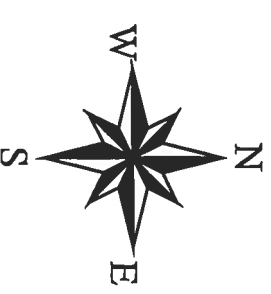
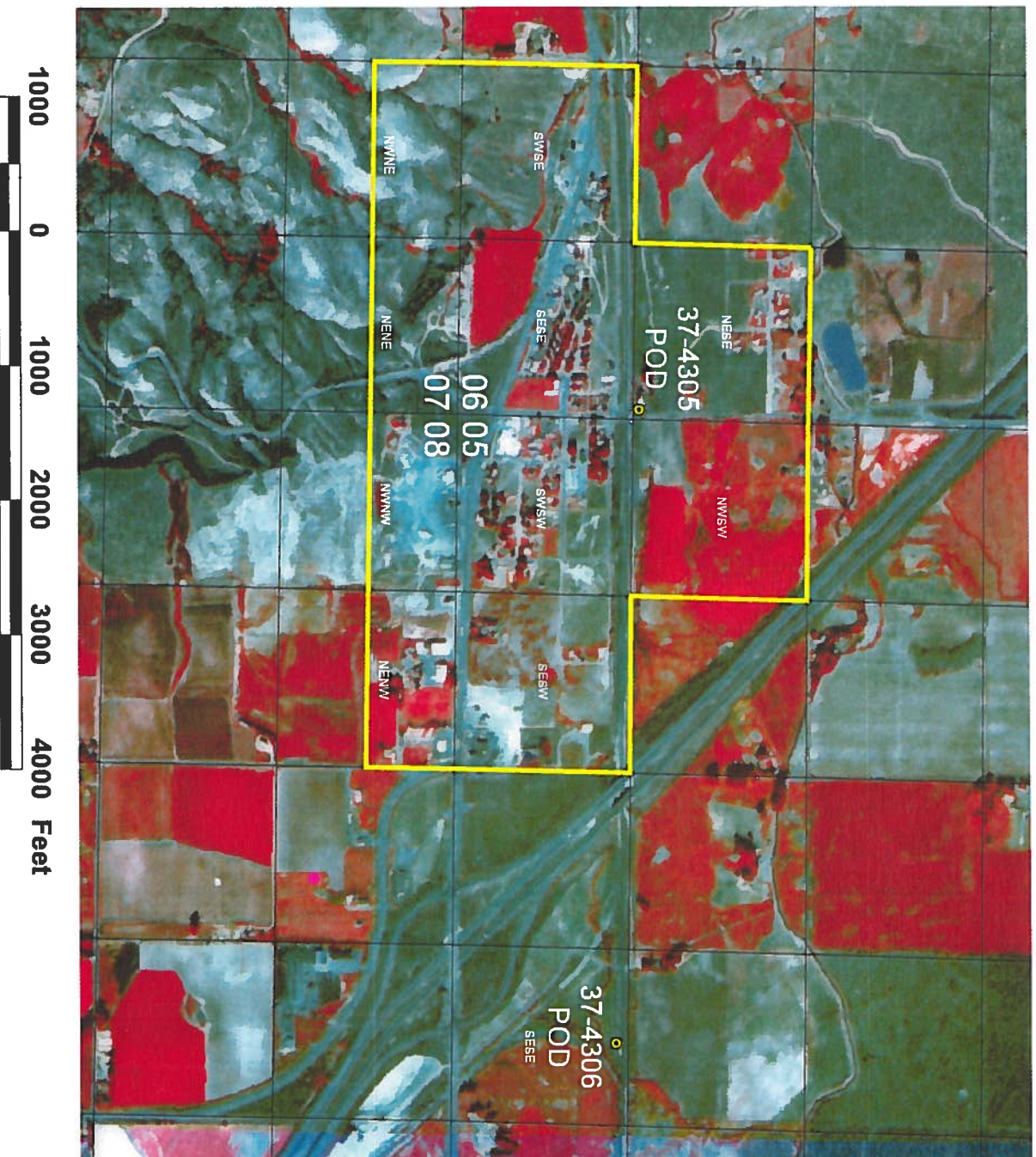
37-4306  
UNION PACIFIC RAILROAD CO  
1416 DODGE ST  
OMAHA NE 68179

IDAHO DEPARTMENT OF WATER RESOURCES  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE PURSUANT TO  
SECTION 42-1425, IDAHO CODE.

# City of Bliss

T06S R13E  
S05, S06,  
S07 & S08



31-7500

0-16-1112



**WMD****POD Data****06S 13E 08 NWNE**

| Legal Description                                                                       | GPS Site ID | Diversion Name          | Meas Option       | POD           |
|-----------------------------------------------------------------------------------------|-------------|-------------------------|-------------------|---------------|
| 06S 13E 08 NWNE                                                                         | D0008159    | NEW WELL                |                   | WMD20000      |
| Latitude 000:00:00.000                                                                  |             | Longitude 000:00:00.000 | GPS File L082222A | Flowmeter (8) |
| Comments Municipal well, diverts to city storage tank. This is the primary supply well. |             |                         |                   |               |

**Flowmeter Data**

| Year                                                                         | Date      | Calibration Factor | Max CFS | Adj Max CFS | Acre-Ft | Adj Acre-Ft | Acre-Ft Qualif | Valid                    | Prefrd                   |
|------------------------------------------------------------------------------|-----------|--------------------|---------|-------------|---------|-------------|----------------|--------------------------|--------------------------|
| 2001                                                                         | 8/22/2000 | 0.98               |         |             | 68.22   | 66.86       | FE             | <input type="checkbox"/> | <input type="checkbox"/> |
| Comments Total includes volume from August 2000 to Dec 2001. The end of 2000 |           |                    |         |             |         |             |                |                          |                          |

**Flowmeter Calibration**Calibration Date: **8/22/2000**Calibration Factor: **0.98****WMD200000016**

| Installed Meter                 | Standard Meter                     | Other well(s):                           |
|---------------------------------|------------------------------------|------------------------------------------|
| Meter Type: <b>PROPELLER</b>    | Pipe Material: <b>DUCTILE IRON</b> | <input type="text"/>                     |
| Manufacturer: <b>MCCROMETER</b> | Outside Diameter: <b>6.89</b>      | Other meter(s): <input type="checkbox"/> |
| Model: <input type="text"/>     | Wall Thickness: <b>0.51</b>        | Comments: <div></div>                    |
| Serial Number: <b>009966</b>    | Upstream Straight: <b>5</b>        |                                          |
| Rate Units: <b>GPM</b>          | Downstream Straight: <b>5</b>      |                                          |
| Rate Multiplier: <b>1</b>       | Meter Type: <b>SONIC</b>           |                                          |
| Volume Units: <b>GAL</b>        | Measured Flow Units: <b>GPM</b>    |                                          |
| Volume Multiplier: <b>100</b>   | Measured Flow: <b>198.3</b>        |                                          |
| Location: <b>GOOD</b>           | Confidence: <b>EXCL</b>            |                                          |
| Indicated Flow: <b>201.9</b>    |                                    | Changed: 8/25/2000                       |

**Site Visits**

| Site Visit Date    | Site Examiner  | Reason                       | Change Date:     |
|--------------------|----------------|------------------------------|------------------|
| <b>8/22/2000</b>   | <b>CHODGES</b> | <b>Flowmeter Calibration</b> | <b>8/28/2000</b> |
| Notes: <div></div> |                |                              |                  |

# Well Proof Report

Permit No. 716524  
Metal Tag No. D0008159,  
Well ID # 312444  
Water Right No. 37-8886

Relationship: Owner/Operator  
Name: CITY OF BLISS Phone:(208)352-4641  
Address: PO BOX 102  
BLISS ID 83314

Well Location: Township 06S, Range 13E, Section 8, NW, NE  
COUNTY GOODING

Address of Well Site: 17286 US HIGHWAY 30  
BLISS ID

Use of Well: Municipal

Activity: New Well

Region: Southern

Construction Method:

Const Start Date: Oct 04 1999 Const End Date: Oct 22 1999

Well Drilling Company: EATON DRILLING & PUMP SERVICE INC (No. 26)

Card Hold Name:

Certifying Official:

Date Received: Nov 09 1999

Date Approved: Sep 24 1999

Date Inspected:

Completed Depth: 218 FT Drilled Depth: Surface Diameter: 10 inches

Primary Flow Depth: Overall Temp: Static Water Level: 145

Head Pipe Length: Tail Pipe Length Production Rate: 591 GPM

Closed in Pressure: 0 Psi Bottom Hole Temp: 56 F. Low Temp Geothermal: NO

Control Device Desc:

Access Port Desc:

## Casing

| From | To  | Diam | Type   | Gauge | Join Type | Material |
|------|-----|------|--------|-------|-----------|----------|
| 1    | 127 | 6    | Casing | 0.25  | Welded    | STEEL    |

## Seal

| From | To | Material | Amount | Method |
|------|----|----------|--------|--------|
|------|----|----------|--------|--------|

**Screen**

| From | To | Dia | Type | Slot<br>Size | # of<br>Slots | Material | Perforation<br>Meth | Screen Type |
|------|----|-----|------|--------------|---------------|----------|---------------------|-------------|
|------|----|-----|------|--------------|---------------|----------|---------------------|-------------|

**Lithologic Layer**

| From | To | Diam | Water | Color | Material | Texture |
|------|----|------|-------|-------|----------|---------|
|------|----|------|-------|-------|----------|---------|

**Drive Shoe**

| Depth | Test Description |
|-------|------------------|
|-------|------------------|