

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: A37-04306
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: FEB 01, 1923

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	13E	5	SE	SE			GOODING

5. Description of diverting works:
WELL, 15.5" CASING, 257' DEEP, 6" PIPE 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	0.150		

7. Total Quantity Appropriated is:
0.150 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

A37-04306

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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:
37-04305

14. Remarks:

WATER TANK, PIPE LINES 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. THE RAILROAD COMPANY USES SOME WATER FOR 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 37-04305 WAS DATA ENTERED FOR ITEM 13, AND "NO" WAS DATA ENTERED FOR ITEM 12. CLF

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 37-4306 A37-04306
Date Received 9-6-88 cz
Receipt Number 1002478

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 Phone 402 271-3728
City of Bliss (Leasee) Phone (208) 352-4445
Mailing Address 1416 Dodge Street, Omaha, Nebraska 68179
P. O. Box 115, Bliss, Idaho Zip 83314

2. Date of Priority (Only one (1) per claim) February 1, 1923

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 5,
SE 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.

15-1/2"x257' well, 6" cast iron pipe to the 350,000 gallon water tank, tied into well in
NE-1/4, SE-1/4, Section 6, 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 0.15 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.15 (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, pipe lines 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. The Railroad Company uses some water for local maintenance section
men and by the larger traveling maintenance gangs.

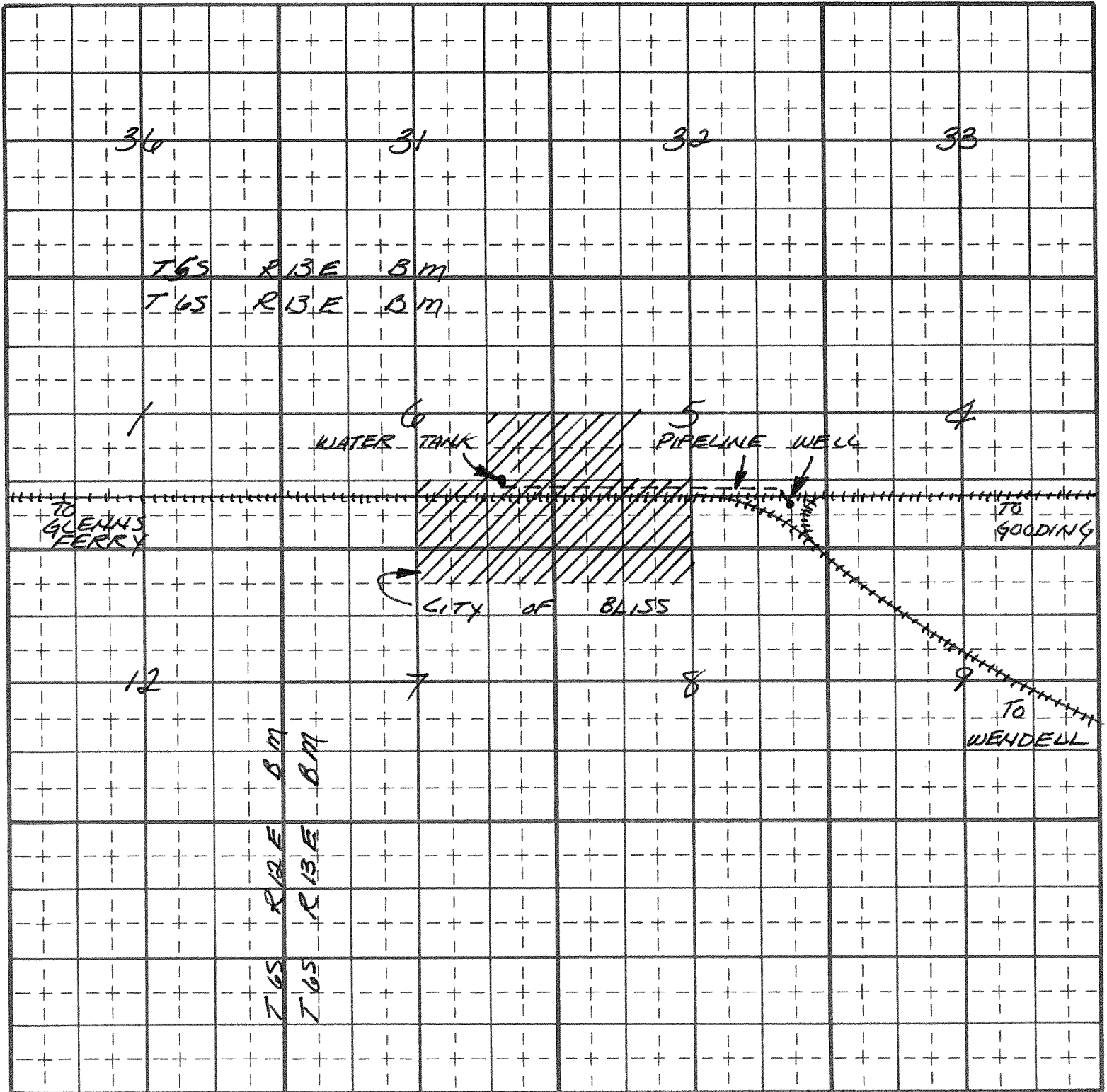
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FEB 24 1993

Last Name Union Pacific Ident No. 37-4306

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 37-4306
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 _____

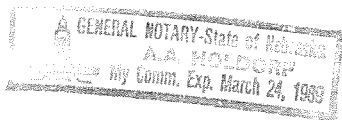
For Organizations: I do solemnly swear or affirm that I am Chief Engineer - Design
Title
of Union Pacific Railroad Company, that I have signed the foregoing
Organization
document in the space below as Chief Engineer - Design of UPRR Co.
Title Organization
and that the statements contained in the foregoing 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 30th 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 _____

Last Name Union Pacific Ident. Number 37-4306

Copies White-State, Yellow-Claimant

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FEB 24 1993

8/01/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Union Pacific R.R. CLAIM IDENT. NO. A37-04306
DATE RECEIVED 9-6-88 CK # 819762 AMOUNT \$

- | | YES | NO |
|--|--------------------|---------------|
| 1. Is the name and address complete with zip code? | <u>✓</u> | <u> </u> |
| 2. Is priority date entered? | <u>✓</u> | <u> </u> |
| 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? | <u>✓</u> | <u> </u> |
| (b) Is a tributary to entered? (if required) | <u>✓</u> | <u> </u> |
| 4. Is the legal description of the p.d. complete? | <u>✓</u> | <u> </u> |
| 5. Is there a description of the diverting works? | <u>✓</u> | <u> </u> |
| 6. Are the water uses appropriate for the form? The short form limited domestic and stockwater. Instream stockwater must use long form. | <u>✓</u> | <u> </u> |
| Is the period of use included? | <u>✓</u> | <u> </u> |
| Is a quantity claimed for each use? | <u>✓</u> | <u> </u> |
| 7. Is a total quantity claimed entered? | <u>✓</u> | <u> </u> |
| 8. Is the consumptive use correct? | <u>NA</u> | <u> </u> |
| If required is a consumptive use entered? | <u>NA</u> | <u> </u> |
| 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. | <u>See Remarks</u> | <u> </u> |
| 10. Is (are) the place(s) of use entered? | <u>✓</u> | <u> </u> |
| 11. Is (are) the county(ies) entered? | <u>✓</u> | <u> </u> |
| 12. Is the ownership of p.u. checked? | <u>✓</u> | <u> </u> |
| 13. Are other water rights listed or "none" checked? | <u>✓</u> | <u> </u> |
| 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.) | <u>✓</u> | <u> </u> |
| 15. Is the basis of the claim checked? | <u>✓</u> | <u> </u> |
| 16. Is the claim signed by the claimant? | <u>✓</u> | <u> </u> |
| 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?) | <u>✓</u> | <u> </u> |
| Has the claim been signed, sealed, and dated by a notary? | <u>✓</u> | <u> </u> |
| Is the fee enclosed correct? | <u>✓</u> | <u> </u> |
| If this claim is based on an existing water right, has the identification number been entered? | <u>✓</u> | <u> </u> |
| Should this claim be receipted and data entered? | <u>✓</u> | <u> </u> |

Claim checked by:

Comments: P.U. checked "yes", other rights checked None
Both appear incorrect.

MICROFILMED
FEB 24 1983



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

RESPONSE DEADLINE
APRIL 12, 2002

Re: Evidence of Priority Date

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

05/29/2002

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

RIGHT NUMBER: 37-4306

NAME AND ADDRESS: UNION PACIFIC RAILROAD CO
1416 DODGE ST
OMAHA NE 68179

CITY OF BLISS
PO BOX 115
BLISS ID 83314

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.15 CFS

PRIORITY DATE: 02/01/1960

POINT OF DIVERSION:

T06S R13E S5 NESESE Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
01/01 12/31

QUANTITY
0.150 CFS

PLACE OF USE:

PLACE OF USE IS WITHIN THE CITY OF BLISS AND SURROUNDING SERVICE AREA.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

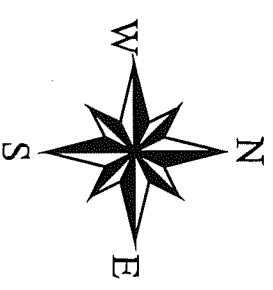
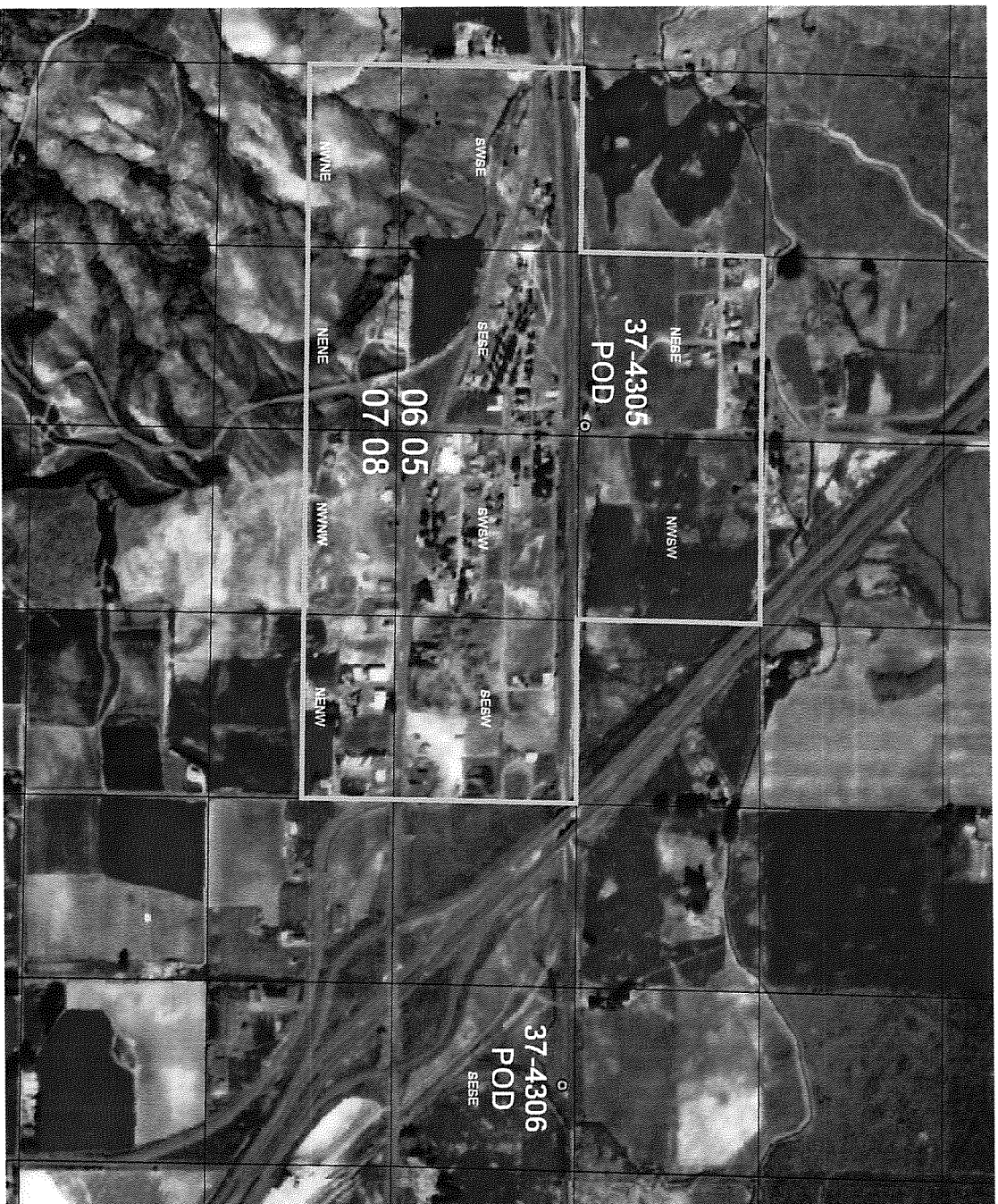
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

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

City of Bliss

T06S R13E
S05, S06,
S07 & S08



51-4506

5-16-177C



USGS

1 meter resolution

WMD

POD Data

06S 13E 05 NESESE

Legal Description	GPS Site ID	Diversion Name	Meas Option	POD
06S 13E 05 NESESE	A0004270	East Railroad Well		WMD20000
Latitude 000:00:00.000	Longitude 000:00:00.000	GPS File L082221A	Flowmeter (8)	
Comments Backup municipal well. Pumps to city water tank. Updated 10-acre tract based on gps point (sking 10/25/2001).				

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	1.11			62.81	69.72	MR	☐	☐
Comments IDWR audit done on 12/28/01 by C. Hodges was 417885 CRK 1/3/02									

Flowmeter Calibration

Calibration Date: **8/22/2000** Calibration Factor: **1.11**

WMD200000015

Installed Meter	Standard Meter	Other well(s):
Meter Type: IMPELLER	Pipe Material: STEEL	
Manufacturer: GRAINLAND	Outside Diameter: 4.53	Other meter(s): ☐
Model:	Wall Thickness: 0.22	Comments:
Serial Number:	Upstream Straight: 3	Even though error is out of target range, operating conditions are constant and calibration factor may be applied uniformly.
Rate Units: GPM	Downstream Straight: 2	
Rate Multiplier: 1	Meter Type: SONIC	
Volume Units: GAL	Measured Flow Units: GPM	
Volume Multiplier: 100	Measured Flow: 178.6	
Location: GOOD	Confidence: POOR	Changed: 8/25/2000
Indicated Flow: 161.3		

Site Visits

Site Visit Date	Site Examiner	Reason	Change Date:
8/22/2000	CHODGES	Flowmeter Calibration	8/28/2000
Notes:			

WMD

POD Data

06S 13E 05 ^{NE} SESE

37-4304

Legal Description

GPS Site ID

Diversion Name

Meas
Option

POD

06S 13E 05 SESE

A0004270

East Railroad Well

WMD20000

Latitude 000:00:

Longitude 000:00:

GPS File L082221A

Flowmeter (8)

Comments Backup municipal well. Pumps to city water tank.

Position included for IDTM x, y
used. - SK

Flowmeter Calibration

Calibration Date: 8/22/2000

Calibration Factor: 1.11

WMD200000015

Installed Meter

Meter Type: IMPELLER

Manufacturer: GRAINLAND

Model:

Serial Number:

Rate Units: GPM

Rate Multiplier: 1

Volume Units: GAL

Volume Multiplier: 100

Location: GOOD

Indicated Flow: 161.3

Standard Meter

Pipe Material: STEEL

Outside Diameter: 4.53

Wall Thickness: 0.22

Upstream Straight: 3

Downstream Straight: 2

Meter Type: SONIC

Measured Flow Units: GPM

Measured Flow: 178.6

Confidence: POOR

Other well(s):

Other meter(s):

Comments:

Even though error is out of target range,
operating conditions are constant and
calibration factor may be applied
uniformly.

0.40 cfs

Changed: 8/25/2000

Site Visits

Site Visit
DateSite
Examiner

Reason

Change Date:

8/22/2000

CHODGES

Flowmeter Calibration

8/28/2000

Notes:



Point of Diversion

(ALL DISTRICTS)

GPS Site ID Tag	Legal Description		POD Number				
A0004270	06S 13E 05 SESE		WMD200000015				
GPS Site ID Tag:	Diversion Name:						
A0004270	06S 13E 05 SESE		East Railroad Well				
Data Summary	Twp	Ring	Sect	Q/Q	1/4 of	Lot	POD Number
	06S	13E	5		SE		WMD200000015
Tag Location:	Offset:		Bearing:	Elevation			
well casing	0		0	0			
Description:	GPS File:						
	L082221A						
	Source:						
	Ground Water						

Backup municipal well. Pumps to city water tank.

Latitude: 0 0 0 Longitude: 0 0 0 Altitude: 998.00 Measurement Option: Flowmeter (8)

IDTMX: 424016.00 IDTM-Y: 203353.00 District: WMD

Reporter(s): Network: Use Codes: Access Port:

Last Name: PRUETT First Name: JIMMIE Organization: CITY OF BLISS

Flowmeter	Water Levels
PCC	Site Visit
Timeclock	System
Alternate	Crop History
Annual Report	

Change Date: 8/25/2000

Record: 1 of 1

Menu

Water Rights

Reporters

Print Data

Record: 1 of 1 2564

Select GPS Site ID Tag