

11/01/2002

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

RIGHT NUMBER: 29-4331

NAME AND ADDRESS: UNION PACIFIC RAILROAD CO
REAL ESTATE DEPT
1800 FARNAM ST
OMAHA NE 68102

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.020 CFS
0.060 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 07/01/1924

POINT OF DIVERSION:

T06S R33E S16 SWSW Within POWER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.020 CFS

0.06 AFY

PLACE OF USE: DOMESTIC Within POWER County

T06S R33E S16

SWSW

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

3

Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

02/18/2003

E. J. E. Paul

NOTICE OF ERROR
REPLY

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: April 21, 2003

Water right number: 29-4331

UNION PACIFIC RAILROAD CO
REAL ESTATE DEPT
1800 FARNAM ST
OMAHA NE 68102
Telephone Number: (402) 997-3600

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

Up I AGREE with this proposed recommendation: no changes need to be made.

DATE: 4/17/03

SIGNATURE: Stan Miskela - Rep for water

Please print your name:

Stan Miskela

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PROFILED

SCANNED
MAR 30 2006

RECEIVED

APR 24 2003

Department of Water Resources
Eastern Region

Query B29 Organization = Union Pacific

Basin Num	Sequence	Split Suffi	Basis	Status	Priority D	Diversion	Source Li	Water Use	Owner Li	Version N	Source Ta	Application
29	4329		Beneficial	Active	1882-09-04		0.6 SQUAW C	MUNICIPAL	UNION PACIFIC RAIL		wrAdjudicationClaim	
29	4330		Beneficial	Active	7/1/17		0.27 GROUND		MUNICIPAL OREGON SHORT LIN		wrAdjudicationClaim	
29	4331		Beneficial	Active	7/1/24		0.02 GROUND		INDUSTRIAL OREGON SHORT LIN		wrAdjudicationClaim	
29	4332		Statutory	Active	5/14/13		0.05 GROUND		INDUSTRIAL JACK L NELSON (Re)		wrAdjudicationClaim	
29	4333		Beneficial	Active	1882-07-03		0.5 BLASER S	COMMERCIAL	OREGON SHORT LIN		wrAdjudicationClaim	

SCANNED

MAY 16 2001

JAN BORNHOLDT
UPRR LEAN E
1800 FARMER ST
Chama 68102



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 2, 2001

Union Pacific Railroad
1416 Dodge Street
Omaha, Nebraska 68179

Re: Claim 29-4331, Snake River Basin Adjudication

Dear Water User(s):

We are now in the process of reviewing adjudication claims in Administrative Basin 29. Claim filing began a number of years ago, followed by several years of resolving legal issues. We are now in the process reviewing claims in order to make recommendations to the court.

Your claim 29-4331 is based upon a right that was originally developed without a permit or license. This was perfectly legal and appropriate for a long period of time in Idaho's history. In the 1970's or 1980's, a "statutory" claim was filed, but this process did not involve any investigation by the department; claims were simply advertised, then recorded. When the adjudication commenced, a new adjudication claim was filed, based upon the older statutory claim.

Your water right falls in this class. Because of the nature of the statutory claims process and the adjudication claims process, this right has never been investigated nor verified by the department. I've enclosed copies of the adjudication claim and the older statutory claim.

In order to recommend this right, I need you to supply "evidence of priority" and "evidence of beneficial use." The enclosed pamphlet describes some typical sources that may be used. If an affidavit is used, it must clearly show that the person making the affidavit personally observed the water use. The more detail the affidavit gives, indicating dates, circumstances, amounts and details of water use, the better. As I review the documentation provided, my standard will be:

The documentation should tend to indicate that diversion works were in place and had adequate capacity for the claimed use. The documentation should also tend to indicate that water was applied to the claimed beneficial use on the claimed place of use.

Please review these documents, and provide documentation of the historical use of this right. Feel free to call me if you have questions. You should be able to reach me Thursday or Friday mornings.

Sincerely,

Bryce A. Contor

Senior Water Resource Agent

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Oregon Short Line Railroad Company

Notice is hereby given that Union Pacific Railroad Company - Lessee

(Name of Claimant)

P. O. Box 1592 Pocatello, Idaho

83204

Telephone No. 236-5514

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) July 1, 1924

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Ground water tributary to

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>0.02 cfs</u>		Use <u>Domestic</u>		Period of Use From <u>1 - 1</u>	To <u>12 - 31</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

- (4) 0.02 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SW 1/4 SW 1/4, Sec. 16 Twp. 6 S., Rge. 33 E., P.M., County of Power

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities as specific as possible. Describe any changes in the system and give the date of the change. 4 1/2" x 162' deep well with a 1 H.P. submersible pump.

Original well was 94' deep and was drilled an additional 68 ft. in 1943.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

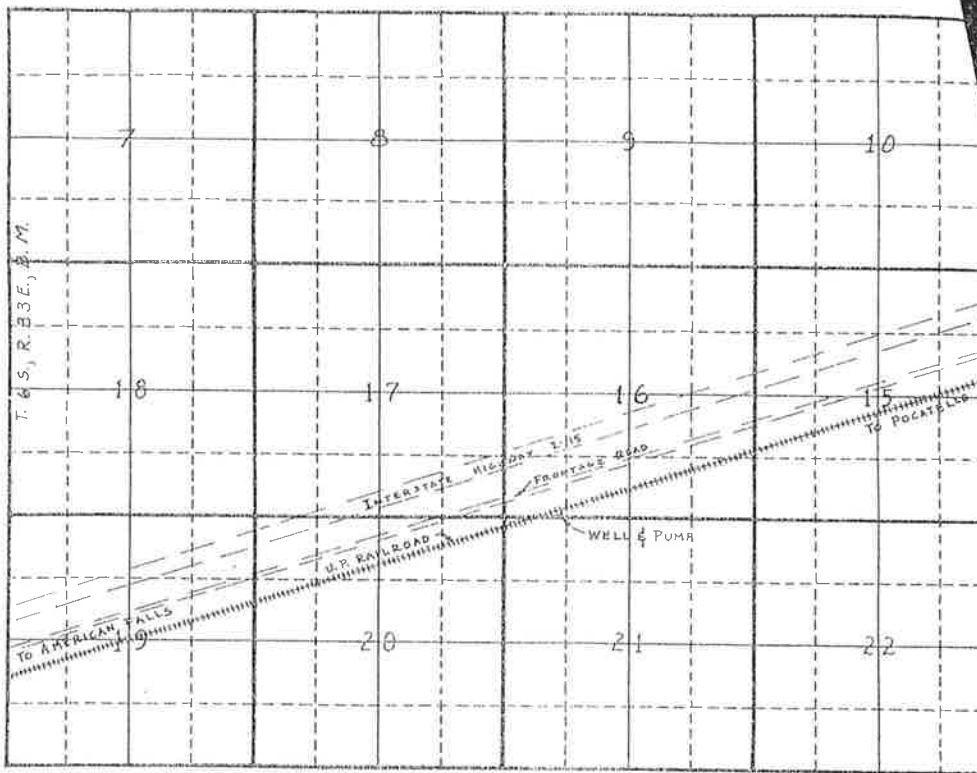
T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6S	33E	16											X						

No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Water is used by local maintenance section crew and by the traveling maintenance gangs.

NOTE: Include here the type and number of stock watered.

- (7) If you are claiming water as a member of an organization, list name of organization: Union Pacific Railroad Company



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho Idaho)
County of Boyle) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

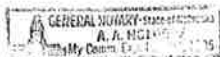
UNION PACIFIC RAILROAD COMPANY.

Sworn to before me this 10 day of April, 1953.

(Claimant)

Notary Public
Residing at Boyle, Idaho

My commission expires



FOR DEPARTMENT USE ONLY

Received by	Date	Exception filed by:	Forwarded to	Date
Prelim. check by <u>WHS</u>	Date <u>4-18-53</u>		claimant by:	
\$20.00 fee received by <u>WHS</u>	Date <u>4-18-53</u>			
Published in <u>Boyle County News</u>				
Dates <u>4-18-53</u>				

Claim the
microfiche

12-1400 (2) 1/80

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

CIVIL CASE NUMBER: 39356
GENERAL ADJUDICATION Ident. Number 29-4331
AS TO THE USE OF WATER FROM Date Received 2/20/90
THE RIVER BASIN WATER SYSTEM Receipt Number 2014792

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

Union Pacific Railroad Company Phone (402) 271-3728
1416 Dodge Street, Omaha, Nebraska Zip 68179
July 1, 1924

water supply (a) groundwater

secondary to (b)

existing point of diversion is: Township 6 S., Range 33 E., Section 16

SW 1/4 of 1/4, Govt. Lot B.M., County of Power

points of diversion if any:

flow, beginning point of claimed instream flow is:

Range Section 1/4 of 1/4

B.M., County of

Township Range Section 1/4 of 1/4

Govt. Lot B.M., County of

existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc);

of any changes or enlargements in use, the dimensions of the diversion works as enlarged and the depth of each well.

up well with a 1 HP submersible pump. Original well was 94' deep and was

ational 68 ft. in 1943.

PH 5-001-54 015 10/92

Copy: Photo-Dup, Yellow-Clamnet

25x10

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 29-4331
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
of Union Pacific Railroad Company that I have signed the foregoing
document in the space below as Chief Engineer - Design of UPRR Co.
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent J.R. Boren
Title and Organization Chief Engineer - Design/UPRR Co. Date 2/13/90

State of Idaho/or Nebraska } 89.
County of Douglas }

Subscribed and sworn (or affirmed) before me this 13 day of February 19 90

SEAL

Notary Public Michael J. Larsen
Residing at Omaha NE

My Commission Expires _____
Please Print Name MICHAEL J. LARSEN
My Comm. Exp. Feb. 2, 1992

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 29-4331

Copy: White Sheet, Yellow-Claimant

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME	<u>Union Pacific</u>	CLAIM IDENT. NO.	<u>A29-04331</u>
DATE RECEIVED	<u>3-20-90</u>	AMOUNT \$	<u>492.00</u>
		<u>5 claims</u>	

	YES	NO	Required info?
1. Is the name and address complete with zip code?	☒	☐	
2. Is a priority date entered?	☒	☐	*
3. Is the priority date acceptable in view of mandatory filing dates? See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	*
4. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒	☐	
5. Is the legal description of the p.d. sufficient?	☒	☐	*
6. Is there a description of the diverting works?	☒	☐	
7. 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.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
8. Is a total quantity claimed entered?	☒	☐	
9. If required is a consumptive use entered?	☒	☐	
Is the consumptive use correct?	☒	☐	
10. 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, see Adjudication Memo #4.	☒	☐	In Remarks
(are) the place(s) of use and purpose(s) indicated?	☒	☐	*
(are) the county(ies) entered?	☒	☐	
11. Is the ownership of p.u. checked?	☒	☐	
12. Are other water rights listed or "none" indicated?	☒	☐	
13. If required, are remarks correct? (If the claimant does not own place of use, authority for filing the claim must be explained in the remarks.)	☒	☐	
14. Is the basis of the claim indicated?	☒	☐	
15. If the claimant requested a monthly docket sheet, is payment enclosed? (Yes, describe payment status in "Comments" below.)	☒	☐	
16. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
17. Is the claim been signed, sealed, and dated by a notary?	☒	☐	*
18. Was this claim filed on time, or was an extension granted?	☒	☐	*
19. Is the fee enclosed correct?	☒	☐	*
20. Is the claim based on an existing water right, has the adjudication number been entered?	☒	☐	
21. If this claim be data entered?	☒	☐	

Claim checked by:	<u>AD</u>	Date:	<u>3-22-91</u>
Claim must be returned to claimant:		(Yes) ☒ (No) ☐	
Claimant must be notified of modifications:		(Yes) ☒ (No) ☐	

Prepared by:		Date:	
Entered by:	<u>S. Miller</u>	Date:	<u>04-03-91</u>
Claimant by:		Checked by:	
Fee =	<u>52.00</u>		

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: A29-04331
Date Received: 2/20/1990
Receipt No: C014792
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 ST.
OMAHA, NE 68179
2. Date of Priority: JUL 1, 1924
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
- | Township | Range | Section | 1/4 of 1/4 of 1/4 | Lot | County |
|----------|-------|---------|-------------------|-----|--------|
| 06S | 33E | 16 | SW SW | | POWER |
5. Description of diverting works:
SEE REMARKS
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| INDUSTRIAL | 01/01 | 12/31 | 0.020 | | |
7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:
- | Township | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|----------|-------|---------|------------|-----|--------|-------|
| 06S | 33E | 16 | SW SW | | INDUST | |
11. Place of use in counties: POWER
12. Do you own the property listed above as place of use? YES

A29-04331

Page 1

Date: 04/08/91

25X

13. Other Water Rights Used:
NONE

14. Remarks:
ITEM 5:
4-1/2" X 162' DEEP WELL WITH A 1 HP SUBMERSIBLE PUMP.
ORIGINAL WELL WAS 94' DEEP AND WAS DRILLED AN ADDITIONAL 68' IN
1943.
WATER IS USED BY LOCAL MAINTENANCE SECTION CREW AND BY THE
TRAVELING MAINTENANCE GANGS.

15. Basis of Claim: BENEFICIAL USE

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 _____ Title _____ of
_____, 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 _____

Seal

Notary Public

Residing at _____

My Commission Expires _____

A29-04331

Page 3

Date: 04/08/91

25x1

Caribou

UNION PACIFIC RAILROAD COMPANY

ENGINEERING DEPARTMENT



S. J. McLAUGHLIN
Vice President-Engineering
Room 1203
(402) 271-3818

Mailing Address
Room 1203
1416 Dodge Street
Omaha, Nebraska 68179

C. D. Barton
Chief Engineer-M/W East
(402) 271-3152
C. L. Jensen
Chief Engineer-M/W West
(402) 271-3673
J. R. Beran
Chief Engineer-Design
(402) 271-2029
P. M. Atterley
Chief Engineer-Signals
(402) 271-3038
K. R. Welch
Chief Engineer-Facilities
(402) 271-4666

February 15, 1990

Drainage & Water;
Idaho: Water Supply

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

RECEIVED
FEB 20 1990

Department of Water Resources

Dear Mr. Luthy:

In connection with the Snake River Basin water rights adjudication, enclosed please find for filing five (5) completed Water Rights Claim forms for water rights owned by Union Pacific Railroad Company in Caribou, Power and Bannock Counties.

The enclosed claims are identified as follows:

- | | | |
|-----------------------------|---|---------|
| (1) Bancroft Spring | - | 29-4329 |
| (2) Bancroft Well | - | 29-4330 |
| (3) Michaud | - | 29-4331 |
| (4) Pocatello Batise Spring | - | 29-4334 |
| (5) Blaser | - | 29-4333 |

Also, enclosed is Union Pacific Voucher No. 456935 made payable to the Idaho Department of Water Resources in the amount of \$492.00 to cover the associated filing fees.

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

Yours truly,

J. R. Beran

J. R. BERAN
Chief Engineer - Design

b0215e.jln

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME	<u>Union Pacific</u>	CLAIM IDENT. NO.	<u>A29-04331</u>
DATE RECEIVED	<u>2-20-90</u>	CK #	<u>0014792</u>
AMOUNT \$	<u>492.00</u>		

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?	☒	☐	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
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.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☒	☐	
Is the consumptive use correct?	☒	☐	
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, see Adjudication Memo # 4.	☒	☐	In Remarks *
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
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 indicated?	☒	☐	
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	☒	☐	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
19. Was this claim filed on time, or was an extension granted?	☒	☐	*
20. Is the fee enclosed correct?	☒	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?	☒	☐	
22. Should this claim be data entered?	☒	☐	

Claim checked by: RA Date: 3-22-91Claim must be returned to claimant: (Yes) (No)Claimant must be notified of modifications: (Yes) (No)

Receipt Prepared by:

Claim data entered by: S. Frazier

Sent to claimant by:

Date:

Date: 04-03-91

Date:

Checked by:

MICROFILMED

Date:

NOV 13 1992

Comments: Fee = 52.00

UNION PACIFIC RAILROAD COMPANY

ENGINEERING DEPARTMENT

S. J. McLAUGHLIN,
Vice President-Engineering
Room 1200
(402) 271-3018

Mailing Address:
Room 920
1416 Dodge Street
Omaha, Nebraska 68179



C. D. Barton
Chief Engineer-M/W East
(402) 271-3792
C. L. Jensen
Chief Engineer-M/W West
(402) 271-5573
J. R. Beran
Chief Engineer-Design
(402) 271-3029
P. M. Abaray
Chief Engineer-Signals
(402) 271-3036
K. R. Welch
Chief Engineer-Facilities
(402) 271-4856

February 15, 1990

Drainage & Water:
Idaho: Water Supply

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



Department of Water Resources

Dear Mr. Luthy:

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The enclosed claims are identified as follows:

(1)	Bancroft Spring	-	29-4329
(2)	Bancroft Well	-	29-4330
(3)	Michaud	-	29-4331
(4)	Pocatello Batise Spring	-	29-4334
(5)	Blaser	-	29-4333

Also, enclosed is Union Pacific Voucher No. 456935 made payable to the Idaho Department of Water Resources in the amount of \$492.00 to cover the associated filing fees.

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

Yours truly,

J. R. BERAN
Chief Engineer - Design

b0215e.jln

MICROFILMED
NOV 13 1992

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: A29-04331
Date Received: 2/20/1990
Receipt No: C014792
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 ST.
OMAHA, NE 68179

2. Date of Priority: JUL 1, 1924

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	33E	16	SW	SW	SW		POWER

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
INDUSTRIAL	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	33E	16	SW	SW		INDUST	

11. Place of use in counties: POWER

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

13. Other Water Rights Used:
NONE

14. Remarks:
ITEM 5:
4-1/2" X 162' DEEP WELL WITH A 1 HP SUBMERSIBLE PUMP.
ORIGINAL WELL WAS 94' DEEP AND WAS DRILLED AN ADDITIONAL 68' IN
1943.
|
WATER IS USED BY LOCAL MAINTENANCE SECTION CREW AND BY THE
TRAVELING MAINTENANCE GANGS.

15. Basis of Claim: BENEFICIAL USE

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 29-4331

Date Received 2/20/90

Receipt Number 0014792

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
FEB 20 1990

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) July 1, 1924
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 33 E. Section 16,
SW 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Power
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.
4-1/2"x162' deep well with a 1 HP submersible pump. Original well was 94' deep and was
drilled an additional 68 ft. in 1943.

A2904331



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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 0.02 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.02 (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	33 E	16											I						

Total number of acres irrigated _____

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

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 by local maintenance section crew and by the traveling maintenance gangs.

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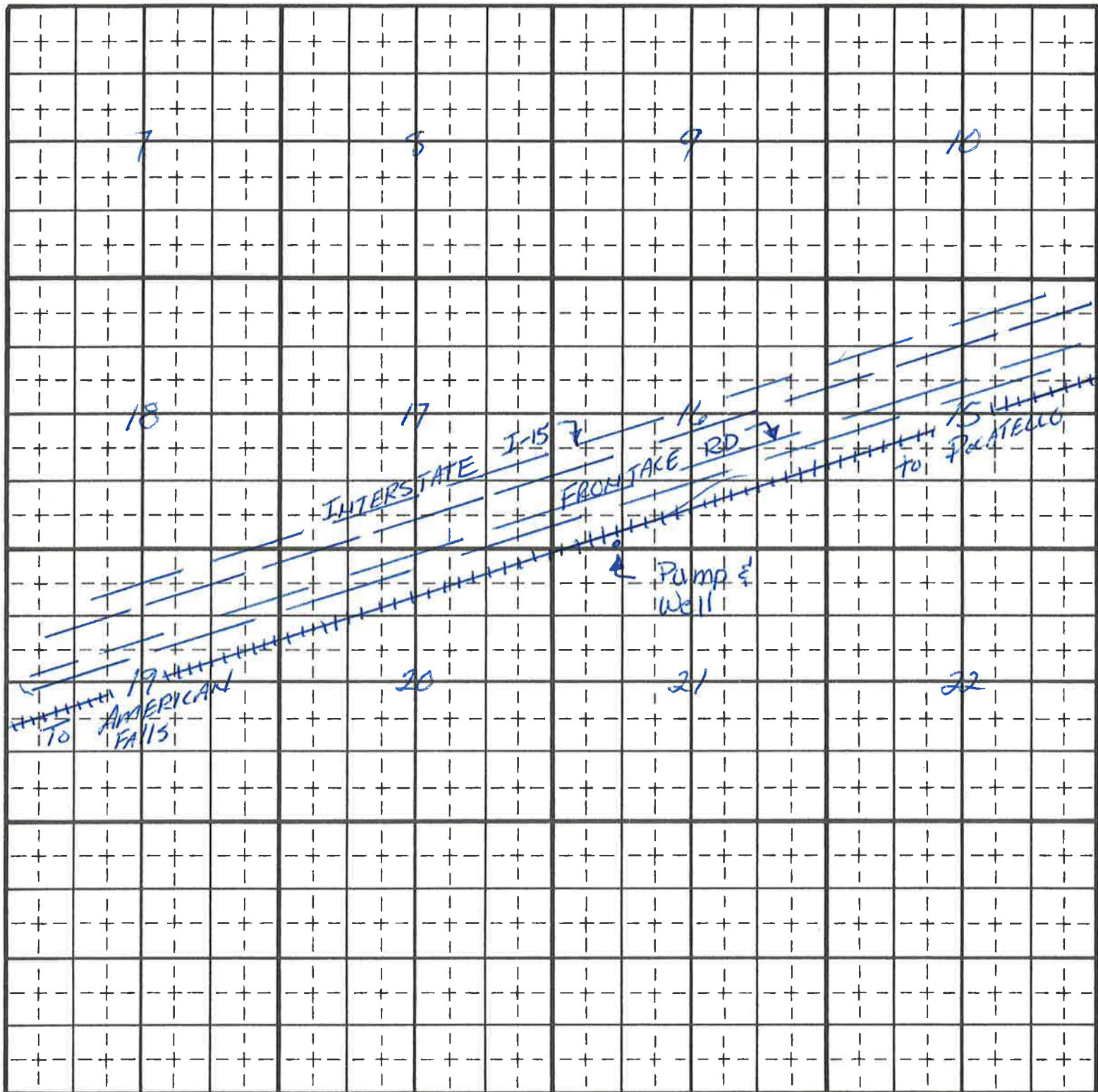
NOV 13 1992

Last Name Union Pacific Ident No. 29-4331

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



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NOV 13 1992

Last Name Union Pacific Ident No. 29-4331

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 29-4331
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 Boran

Title and Organization Chief Engineer - Design/UPRR Co. Date 2/13/90

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

Subscribed and sworn (or affirmed) before me this 13 day of February 19 90

SEAL

Notary Public

Residing at

My Commission Expires

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 _____

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NOV 13 1992

Last Name Union Pacific Ident. Number 29-4331

Copies White-State, Yellow-Claimant