

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: A36-04205
Date Received: 9/20/1988
Receipt No: S002333
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: MAY 04, 1918

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	23E	5	SE	SW			LINCOLN

5. Description of diverting works:
WELL, 14' CASING, 340' DEEP, 15 HP PUMP, 250,000 GAL. TANK.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.060		
INDUSTRIAL	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/29,000 SHEEP

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	23E	5	SE	SW		STOCK	
			SE	SW		INDUST	

A36-04205

Page 1

Date: 09/23/88

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11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
NONE

14. Remarks:

WATER IS USED BY RAILROAD EMPLOYEE'S FAMILY LIVING IN COMPANY HOUSE, LOCAL MAINTENANCE SECTION CREW, TRAVELING MAINTENANCE OUTFIT CARS AND GANGS, AND BY SHEEPMAEN BELONGING TO THE "KIMAMA WATER USERS ASSOCIATION" WHO HAVE AN AGREEMENT WITH THE RAILROAD COMPANY TO TRUCK WATER TO THEIR STOCK.

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

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FEB 01 1993

C7

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
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Address: 1416 DODGE STREET
OMAHA, ID NE 68179

2. Date of Priority: MAY 04, 1918

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	23E	5	SE	SW			LINCOLN

5. Description of diverting works:
WELL, 14' CASING, 340' DEEP, 15 HP PUMP, 250,000 GAL. TANK.

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8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/29,000 SHEEP

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	23E	5	SE	SW		STOCK	
			SE	SW		INDUST	

A36-04205

Page 1

Date: 09/21/88

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11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
NONE

14. Remarks:

WATER IS USED BY RAILROAD EMPLOYEE'S FAMILY LIVING IN COMPANY HOUSE, LOCAL MAINTENANCE SECTION CREW, TRAVELING MAINTENANCE OUTFIT CARS AND GANGS, AND BY SHEEPMAEN BELONGING TO THE "KIMAMA WATER USERS ASSOCIATION" WHO HAVE AN AGREEMENT WITH THE RAILROAD COMPANY TO TRUCK WATER TO THEIR STOCK.

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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 _____

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FEB 01 1993

8/01/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

Union Pacific R.R.

CLAI

DENT. NO.

A36-04205

DATE RECEIVED

9-12-88

CK #

826075

AMOUNT \$

150⁰⁰2 Claims

YES

NO

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

1 Handbook✓

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)

✓

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?

2

If required is a consumptive use entered?

2

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.

✓

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:

Comments:

Stock p/u not enteredMICROFILMED
FEB 01 1993

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 36-4205 A36-04205
Date Received 9-12-88
Receipt Number 5002333

RECEIVED

SEP 12 1988

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM
TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED

JUL 14 1988

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) May 4, 1918
3. Source of water supply (a) Ground Water
which is tributary to (b) _____
4. a. Location of existing point of diversion is: Township 7 S. Range 23 E. Section 5,
SE 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Lincoln
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. 14"x340' deep well, 250,000 gal. storage tank,
15 HP electric Layne & Bowler pump, 6"x290' pipeline from well to storage tank, 2"x600'
pipe from tank to section house and riser and a 2"x200' pipeline north to riser used by
stockmen.

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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 .04 or _____

For Stock purposes from 1-1 to 12-31 amount .06 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.10 (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.) sheep, approximately 29,000

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	
7 S.	23 E	5												I					

Total number of acres irrigated _____

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

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 Railroad employee's family living in Company house, local maintenance Section Crew, traveling maintenance outfit cars and gangs, and by sheepmen belonging to the "Kimama Water Users Association" who have an agreement with the Railroad Company to truck water to their stock.

MICROFILMED

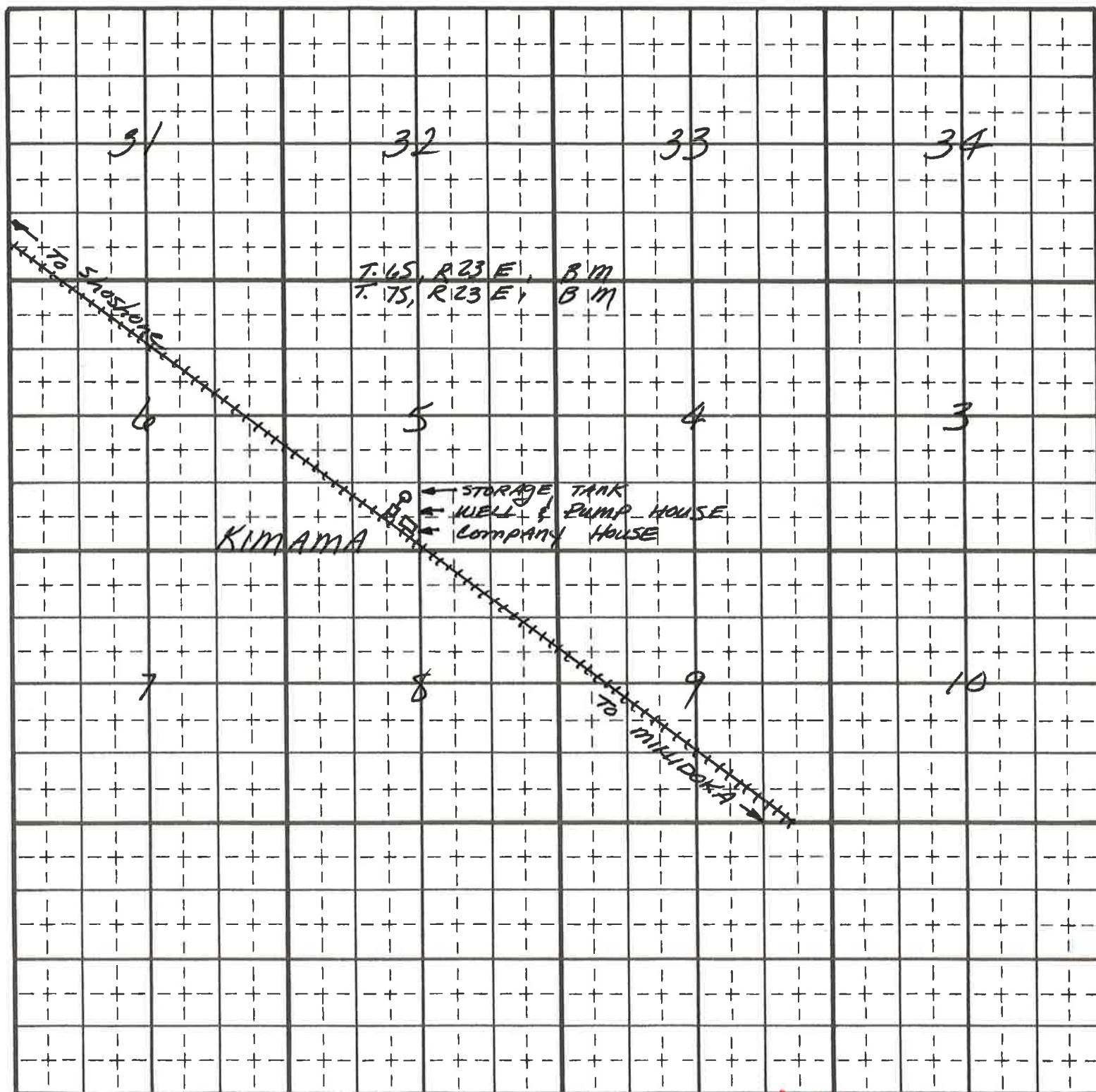
FEB 01 1993

Last Name Union Pacific Ident No. 36-4205

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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FEB 01 1993

Last Name Union Pacific Ident No. 36-4205

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 36-4205
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.

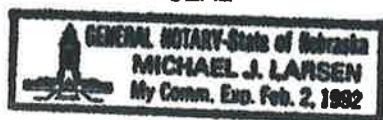
Signature of Claimant (s) _____ Date _____
_____ Date _____

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 Union Pacific Railroad Company
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/Union Pacific Date 7/11/88
Railroad Company

State of Idaho/or NEBRASKA)
County of DOUGLAS) SS.

Subscribed and sworn (or affirmed) before me this 11 day of July 19 88



Notary Public MJ Larsen
Residing at Omaha NE
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 _____

MICROFILMED
FEB 01 1993

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

10-Aug-1988 15:29

Union Pacific Railroad
Attn: Jack L. Nelson
1416 Dodge Street
Omaha, Nebraska 68179

RE: SRBA Claim

Dear Mr. Nelson:

Please find enclosed your claim(s) and your check #771565 for \$200 which you recently submitted to our office. I am returning these pursuant to Rule 10,4 of the Department's Adjudications Rules and Regulations.

As you know the fee submitted is incorrect. The proper fee for the two claims and the Idaho Water Law Handbook is as follows:

Claim A37-04307	\$50 base fee + \$15 var. fee = \$65
Claim A36-04205	\$50 base fee + \$10 var. fee = \$60
Total claim fees	<u>\$125</u>
Idaho Water Law Handbook	<u>\$25</u>
Total amount due	\$150

Please resubmit the claims as soon as possible with the proper fees and we will process your claims. Please note that the claims were receive on time before the Lincoln County deadline; however, since they are being returned to you our office must receive the returned claims within 30 days from the date of this letter or they will be considered late and subject to additional late fees.

As you know our state office has been trying to work out some type of an account for payment of fees in the SRBA for the UPR but our last word was it was not going to work out so I'm left with sending these claims back to you and requesting the proper fee.

If you have any questions please feel free to contact me at my office.

Sincerely

Allen Merritt
Water Rights Supervisor

MICROFILMED
FEB 01 1993

FORM 80018 (Rev. 7-88)



**UNION PACIFIC
RAILROAD**

Get a good
thing going
ship it...



FIRST CLASS MAIL

J. L. NELSON
Rm 1000

CHIEF ENGINEER
1416 DODGE ST.
OMAHA, NE 68179

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

UNION PACIFIC
SEP 11 1988

UNION PACIFIC RAILROAD COMPANY

ENGINEERING DEPARTMENT

S. J. McLAUGHLIN, ASSISTANT VICE PRESIDENT-ENGINEERING

C. D. BARTON
CHIEF ENGINEER-MAINTENANCE
C. L. JENSEN
CHIEF ENGINEER-PROGRAMS
J. R. BERAN
CHIEF ENGINEER-DESIGN

P. M. ABARAY
CHIEF ENGINEER-SIGNALS
D. L. BANGHART
CHIEF ENGINEER-PLANNING
J. W. HEAVIN
CHIEF ENGINEER-FACILITIES



ROOM 1000
1416 DODGE STREET
OMAHA, NEBRASKA 68179
(402) 271-5000



UNION PACIFIC
RAILROAD

MICROFILMED

FEB 01 1993

JACK L. NELSON

July 11, 1988

RIGHT-OF-WAY ENGINEER
UNION PACIFIC RAILROAD
(402) 271-3728

1416 DODGE STREET
OMAHA, NEBRASKA 68179

ter: Idaho: Water Supply Department of Water Resources

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

Dear Mr. Luthy:

In connection with the Snake River Basin water rights adjudication, enclosed please find for filing, two (2) completed Water Rights Claim forms for water rights owned by Union Pacific Railroad Company in Lincoln County, Idaho.

The enclosed claims are identified as follows:

- (1) Kimama - 36-4205
- (2) Richfield - 36-4307

Also, enclosed is Union Pacific Voucher No. 771565 made payable to the Idaho Department of Water Resources in the amount of \$200.00. The first \$175.00 covers the filing fees and the remaining \$25.00 is for a copy of the Idaho Water Law Handbook.

If I can be of further assistance to you, please feel free to contact Mr. Jack L. Nelson of my staff at (402) 271-3728.

Yours truly,

J. R. BERAN
Chief Engineer - Design

jln/b/0711a

RECEIVED
JUL 14 1988

RECEIVED
JUL 12 1988
Department of Water Resources
Southern Region Office

MICROFILMED
FEB 01 1993

UNION PACIFIC RAILROAD COMPANY

A. L. SHOENER
ASSISTANT VICE PRESIDENT
SERVICE RESOURCES



ROOM 900
1416 DODGE STREET
OMAHA, NEBRASKA 68179

RECEIVED

SEP 12 1988

Department of Water Resources
Southern Region Office

September 7, 1988

Drainage & Water:
Water Supply

Mr. Alan Merritt
State of Idaho
Department of Water Resources
2148 4th Avenue East
Twin Falls, Idaho 83301

Dear Mr. Merritt:

Reference is made to your letter dated August 10, 1988, regarding the Railroad's water rights claim forms for claims 36-4205 and 37-4307 in conjunction with the Snake River Basin Water Rights Adjudication, in particular, at Kimama and Richfield in Lincoln County, Idaho.

As requested in your letter, enclosed please find corrected copies of the Railroad's two water rights claim forms and a check, Voucher No. 826075, in the amount of \$150.00 to cover the associated filing fees and for a copy of the Idaho Water Law Handbook.

If I can be of further assistance, please feel free to contact Mr. Jack L. Nelson of my staff at (402) 271-3728.

Yours truly,

J. R. BERAN
Chief Engineer - Design

jln/r/0907j

MICROFILMED
FEB 01 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 3, 1990

A36-04205
UNION PACIFIC RAILROAD CO.
1416 DOUCE ST.

04044

NE 68179

Dear Claimant(s):

In the past you submitted the claim(s) identified with the number(s) shown above your name and address at the top of this letter. You indicated on the claim(s) that the basis for establishing the water right(s) was Beneficial Use, meaning the water right was not previously confirmed by a decree, water right license or permit before you filed the claim(s).

The purpose of this letter is to request evidence supporting the priority date(s) you have claimed. The enclosed pamphlet describes what this means. While I encourage you to read all of the pamphlet, I direct your attention to the right-hand half of the pamphlet after you open it. There you will find two sections: What Kind of Evidence is Required, and Some Examples of Documents which May Be Evidence of the Priority Date. These sections tell you what must be submitted. The other sections tell you why the evidence is necessary and what the consequences of not submitting the evidence could be.

Please submit the requested evidence by November 1, 1990. When returning to the Department please reference all documents with the claim(s) identification number(s) listed above.

If you have questions not addressed by the pamphlet or need other technical assistance, please feel free to contact this office. For advice on your water right(s), please contact your attorney.

Sincerely,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosure

MICROFILMED
FEB 01 1993

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

November 16, 1990

Drain & Waterway: Idaho
Water Source

Mr. Allen Merritt
c/o State of Idaho
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

Dear Mr. Merritt:

I am writing in reference to your letter dated October 3, 1990, regarding the Railroad's water rights, claims number 4201, 4202, 4203, 4204 and 4205, at various locations in Idaho.

As you were advised last week, due to the age of these water rights priority dates, many of our older records have been either misplaced during various reorganizations or have been simply destroyed throughout the years as irrelevant. However, during the 1950's, an in depth study was performed on all the Railroad's water rights, for which I do have copies of various abstracts of the facts that support our claimed priority dates.

Therefore, attached are several affidavits with attached copies of these abstracts for your files.

If I can be of further assistance or if you require additional information, please feel free to call Jack L. Nelson at (402) 271-2347.

Yours truly,

J. R. BERAN
Chief Engineer - Design

RECEIVED

NOV 19 1990

Department of Water Resources
Southern Region Office

MICROFILMED
FEB 01 1993

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

A F F I D A V I T

concerning

Water Rights Claim Number 4205

at

Kimama, Idaho

I, James R. Beran, being duly sworn, do hereby certify that I am Chief Engineer - of the Union Pacific Railroad Company and on behalf of said Company do further certify, that the abstract of the facts concerning the above referenced Water Rights Claim and priority date as accurately represented on the accompanying Exhibit "A" was made under authority of the Company; that the facts disclosed therein were obtained from information contained in files known to exist as of the date shown thereon; that presently, to the best of my knowledge and belief, the original sources of this information either cannot be located or do not exist.


Chief Engineer - Design

Sworn and subscribed to before me this 15 day of November, 1990.




(Notary Public)

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FEB 01 1993

KIMAMA, IDAHO

OS-20-16

(On Mainline)

Now not a watering station.

A 6" x 340' deep well, with 4" drop line, drilled prior to 1914, work order unknown, abandoned on an unknown date, retired by W.O. 4711 of 12-14-1955 to adjust the Investment account. OSL RR did advise on 3-13-1923 in a request for a new tank as follows: "Present tank was erected in 1884 and leaks badly". Evidently there was a well in 1884 when the railroad was constructed.

Log of present well, on file in Bridge Engineer's log file, states as follows:

"Drilled 14" dia. x 340' deep well, 3-20-1918 to 5-4-1919. Located 29' right of station 4730 / 05. No casing. Water struck at 265', static level 230'. Well tested 5-7 and 5-8-1918 at 160,000 GPD. Working barrel Cook's 7-7/16", plain cased, ball valve, placed 295' below surface of ground".

W.O. 3448 of 10-15-1954 replaced 20 HP oil engine, deep well pumping equipment with S.H. 100 GPM submersible, electric motor type, deep well turbine pump, however, as Kimama within a sheep grazing area arrangements are being made with interested ranchers to pay part of cost the water facilities, and on 9-2-1955 Bridge Engr. made requisition for a gasoline powered pumping unit to replace the electric motor powered unit. (In order to obtain pump control when storage tank is full).

RESUME:

Have a 14" dia. x 340' deep well.

Vested Right with priority of 1884. Idaho water law covering appropriation of underground water enacted in 1951.

Water now used for domestic purposes only.

H.S.
5/8/56

W.O. 4711, Jan. 16, 1956 retired 6" x 340' well, drop line and rods.
W.O. 5179, Aug. 3, 1957 retires all locomotive watering facilities, R. & E. Acct. #18.
W.O. 5178, Aug. 3, 1957 capitalizes under R & E Acc't. 16 all facilities retired under W.O. 5179 except 20' x 32' portion of pump house, 12" standpipe with pit and small portion water lines.

12-17-1957 B.F.B.

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FEB 01 1993

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

November 16, 1990

Drain & Waterway: Idaho
Water Source

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

RECEIVED

NOV 19 1990

Department of Water Resources
Southern Region Office

Mr. Allen Merritt
c/o State of Idaho
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

Dear Mr. Merritt:

I am writing in reference to your letter dated October 3, 1990, regarding the Railroad's water rights, claims number 4201, 4202, 4203, 4204 and 4205, at various locations in Idaho.

As you were advised last week, due to the age of these water rights priority dates, many of our older records have been either misplaced during various reorganizations or have been simply destroyed throughout the years as irrelevant. However, during the 1950's, an in depth study was performed on all the Railroad's water rights, for which I do have copies of various abstracts of the facts that support our claimed priority dates.

Therefore, attached are several affidavits with attached copies of these abstracts for your files.

If I can be of further assistance or if you require additional information, please feel free to call Jack L. Nelson at (402) 271-2347.

Yours truly,

J. R. BERAN
Chief Engineer - Design

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KIMAMA, IDAHO

OS-20-16

(On Mainline)

Now not a watering station.

A 6" x 340' deep well, with 4" drop line, drilled prior to 1914, work order unknown, abandoned on an unknown date, retired by W.O. 4711 of 12-14-1955 to adjust the Investment account. OSR RR did advise on 3-13-1923 in a request for a new tank as follows: "Present tank was erected in 1884 and leaks badly". Evidently there was a well in 1884 when the railroad was constructed.

Log of present well, on file in Bridge Engineer's log file, states as follows:

"Drilled 14" dia. x 340' deep well, 3-20-1918 to 5-4-1919. Located 29' right of station 4730 / 05. No casing. Water struck at 265', static level 230'. Well tested 5-7 and 5-8-1918 at 160,000 GPD. Working barrel Cook's 7-7/16", plain cased, ball valve, placed 295' below surface of ground".

W.O. 3448 of 10-15-1954 replaced 20 HP oil engine, deep well pumping equipment with S.H. 100 GPM submersible, electric motor type, deep well turbine pump, however, as Kimama within a sheep grazing area arrangements are being made with interested ranchers to pay part of cost the water facilities, and on 9-2-1955 Bridge Engr. made requisition for a gasoline powered pumping unit to replace the electric motor powered unit. (In order to obtain pump control when storage tank is full).

RESUME:

Have a 14" dia. x 340' deep well.

Vested Right with priority of 1884. Idaho water law covering appropriation of underground water enacted in 1951.

Water now used for domestic purposes only.

H.S.
5/8/56

W.O. 4711, Jan. 16, 1956 retired 6" x 340' well, drop line and rods.
W.O. 5179, Aug. 3, 1957 retires all locomotive watering facilities, R. & E. Acct. #18.
W.O. 5178, Aug. 3, 1957 capitalizes under R & E Acc't. 16 all facilities retired under W.O. 5179 except 20' x 32' portion of pump house, 12" standpipe with pit and small portion water lines.

12-17-1957 B.F.B.

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R PROOF



CVR



MAPS



PHOTOS



MISC



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Water Right Number - R36-04205

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
UNION PACIFIC RAILROAD CO.

1 - 1416 DODGE ST.

2 -

3 -

City- OMAHA

State- NE Zip- 68179

Phone - 402-271-3728

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/04/1918 17 SOUTHERN J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

07S 23E 5 SE SW (63) LINCOLN

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

04 - STOCKWATER 01/01 12/31 0.060

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.060 0.0+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

07S 23E 5 SE SW 04 STOCKWATER (63) LINCOLN

+ - - Diversion Means - WELL, 14' CASING, 340' DEEP, 15 HP PUMP, 250,000 GAL. TANK.

+ - - Non-Irrigation Use - STOCKWATER, 29,000 RANGE CATTLE

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
No Remarks found.+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 03/05/92 THORNTON

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Water right number - R36-04205

Prefix Translation: RESEARCH

+ - - - - - Comments - - - - - +
Date: 03/05/1992 User Id: THORNTON Subject: COPIED FROM REMARKS
WATER IS USED BY RAILROAD EMPLOYEE'S FAMILY LIVING IN COMPANY HOUSE, LOCAL MAINTENANCE SECTION CREW, TRAVELING MAINTENANCE
OUTFIT CARS AND GANGS, AND BY SHEEPMAEN BELONGING TO THE "KIMAMA WATER USERS ASSOCIATION" WHO HAVE AN AGREEMENT WITH THE RAILROAD
COMPANY TO TRUCK WATER TO THEIR STOCK.
Date: 03/05/1992 User Id: THORNTON Subject: WATER USES
PER CONVERSATION WITH LEROY LISTON, FORMER UP WATER SERVICE SUPERVISOR, THERE ARE NOT ANY INDUSTRIAL OR DOMESTIC USES. THERE
WAS A HOUSE AT ONE TIME, BUT IT WAS REMOVED SEVERAL YEARS AGO.

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 03/05/1992	Old Judicial District	-
Claim Received Date	- 09/20/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- S002333	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-	Notice of Error Flag	-

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CLAIM NO. A38 - 04205

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET
FOR SMALL INDUSTRIAL AND COMMERCIAL CLAIMS IN PLACE OF A CVR

1. ☒ No Change NAME:
NEW OWNER: _____
☒ No Change ADDRESS:
NEW ADDRESS: _____
☒ DATA ENTRY STANDARDS CHECKED?
2. ☒ No Change - DATE OF PRIORITY:
(EVIDENCE OF PRIORITY REQUIRED) ☒ Proof in File
Claimant Contact if Not _____
☐ CHANGE- Priority date, per claimant, is _____.
(if the priority date, based on your exam, seems questionable,
explain in COMMENTS.)
3. ☒ No Change - SOURCE:
☐ CHANGE - Different Source found: _____
4. ☒ No Change - POINT OF DIVERSION:
Point of diversion is different than the claim
New P/D: Twp. _____, Rge. _____, Sec. _____, _____ 1/4 _____ 1/4 _____ 1/4

Note: If the 10-acre tract is shown on the claim, then *unable to determine 10-ac. tract.*
verification of the 10-acre parcel is needed. Otherwise the
10-acre tract is not required, unless the source is a spring.

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS:
☐ Complete items missing, IF KNOWN.

HP of pump _____ Static water level _____ Well depth _____
Casing size _____ Pumping water level _____ Gravity flow _____

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

Q = CFS

H.P. = Total Brake Horsepower of pumping plant (including booster)

EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)

TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]

LIFT = depth to water in FEET from land surface to pumping
water level

PSI = pumping pressure measured in psi near pump
(if open discharge assume zero [0])

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$$Q = \frac{(8.8) (\dots\dots\dots) (0.70)}{[(\dots\dots\dots) + (\dots\dots\dots \times 2.31)]}$$

LIFT FROM:

measurement ()

owner ()

area estimate ()

well logs ()

Booster (Y) (N)

PSI FROM:

measurement ()

owner ()

estimate ()

owner gage ()

NOTES ON PUMP:

Motor Make, Serial or ID

Pump Make, Serial or ID, rating

REMARKS

.....
 DESCRIPTION OF USE: (Fully describe type, time & all aspects of Use)

Well located in small white building between RR tracks. Piped to water tower.

Overhead lines from water tower allow filling of stockwater vehicles in large dirt area.

CALCULATE VOLUMES: (time)X(rate)= Vol.

6. ☒ No Change - WATER USES:
☒ RECOMMENDED USES:

div cons

Use Stockwater From 1/1 To 12/31 Amount .06 cfs af afUse From To Amount cfs af af☐ DATA ENTRY STANDARDS CHECKED FOR ITEMS 6, 7, 8 AND 9.

10. ☐ No Change - PLACE OF USE: (If changed, list below.) Delete industrial
 Use Twp. Rge. Sec. 1/4, 1/4, 1/4

13. ☒ No change - OTHER RIGHTS FOR SAME USE:
☐ CHANGE:

14. ☒ REMARKS AND CONDITIONS
 (copy existing remarks to comments in "R")
☐ LIST STANDARD REMARKS FOR THE RECOMMENDATION: ☒ NONE

☐ LIST STANDARD CONDITIONS FOR THE RECOMMENDATION: ☒ NONE

15. ☐ BASIS OF CLAIM VERIFIED AS: D - L - P - S - J (circle one)

COMMENTS: (pertinent to field examination)

Calculations for recommended diversion rate for 29,000 sheep
is 1.073 cfs. Therefore, claimed .06 cfs is recommended.
Can not recommend more than claimed

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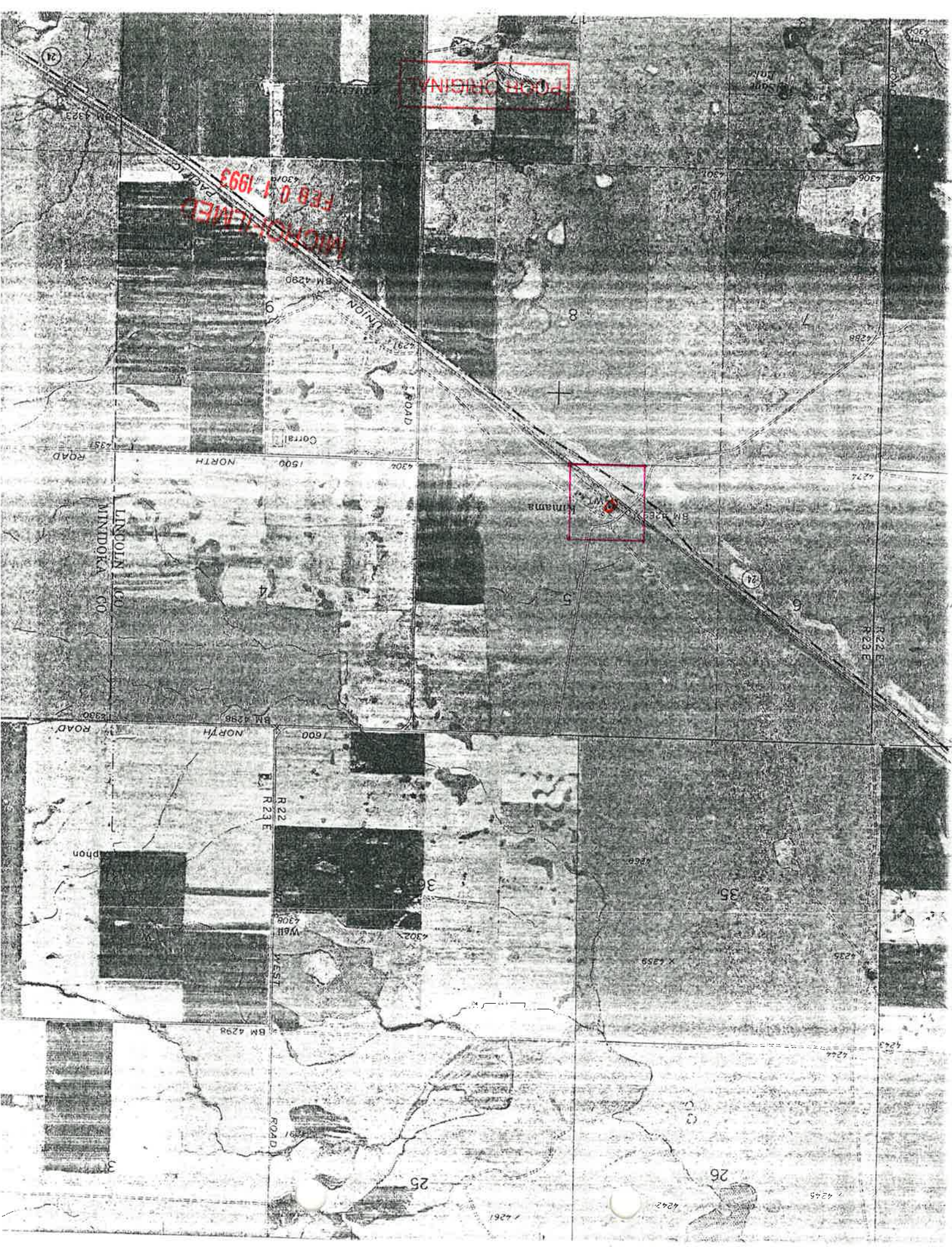
PHOTOS
MAP
SYSTEM DIAGRAM

✓

1111

SIGNATURE:

VERIFICATION BY/DATE: HHT 3/5/92





Kimama Union Pacific
water tower, close up
of opening to piping.



HHT
1/15/92

1
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TELEPHONE & VISITOR LOG

Date: 2/28/92

Time: 3:30pm

Call X Visit

Name: Leroy Liston

Former UP Water Service Supervisor

Address: Currently w/ UP in different job assignment
Pocatello

Phone No.: 236-5416

Claim No(s): A3U-04205 - Kimama

=====

RE: Uses of Water at Kimama

Conversation: Mr. Liston stated that the only use of
water at Kimama was by the grazing association
for stockwater. He stated there wasn't any industrial
or domestic uses.

This information is in line with my findings during
field exam on 1/15/92.

=====

Action Required:

Recommend stockwater only.

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HHT