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Documents  
In File

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.

Notice is hereby given that Oregon Short Line Railroad Company  
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) June 9, 1916

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:

| (cfs, gpd, AFA) |                 | (Domestic, Irrigation, Stock, Etc.) |                 | (Both dates inclusive)        |                 |
|-----------------|-----------------|-------------------------------------|-----------------|-------------------------------|-----------------|
|                 |                 |                                     |                 | (Mo., Day)                    | (Mo., Day)      |
| Quantity        | <u>0.07 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) 0.07 cfs TOTAL QUANTITY USED.  
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)  
NW 1/4 SW 1/4, Sec. 23 Twp. 1 S., Rge. 32 E., B.M., County of Bingham  
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: be as specific as possible. Describe any changes in the system and give the date of the change. 14" x 339' deep well with submersible pump and pressure tank, changed from steam locomotive and domestic use to domestic use only in 1957.

(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.

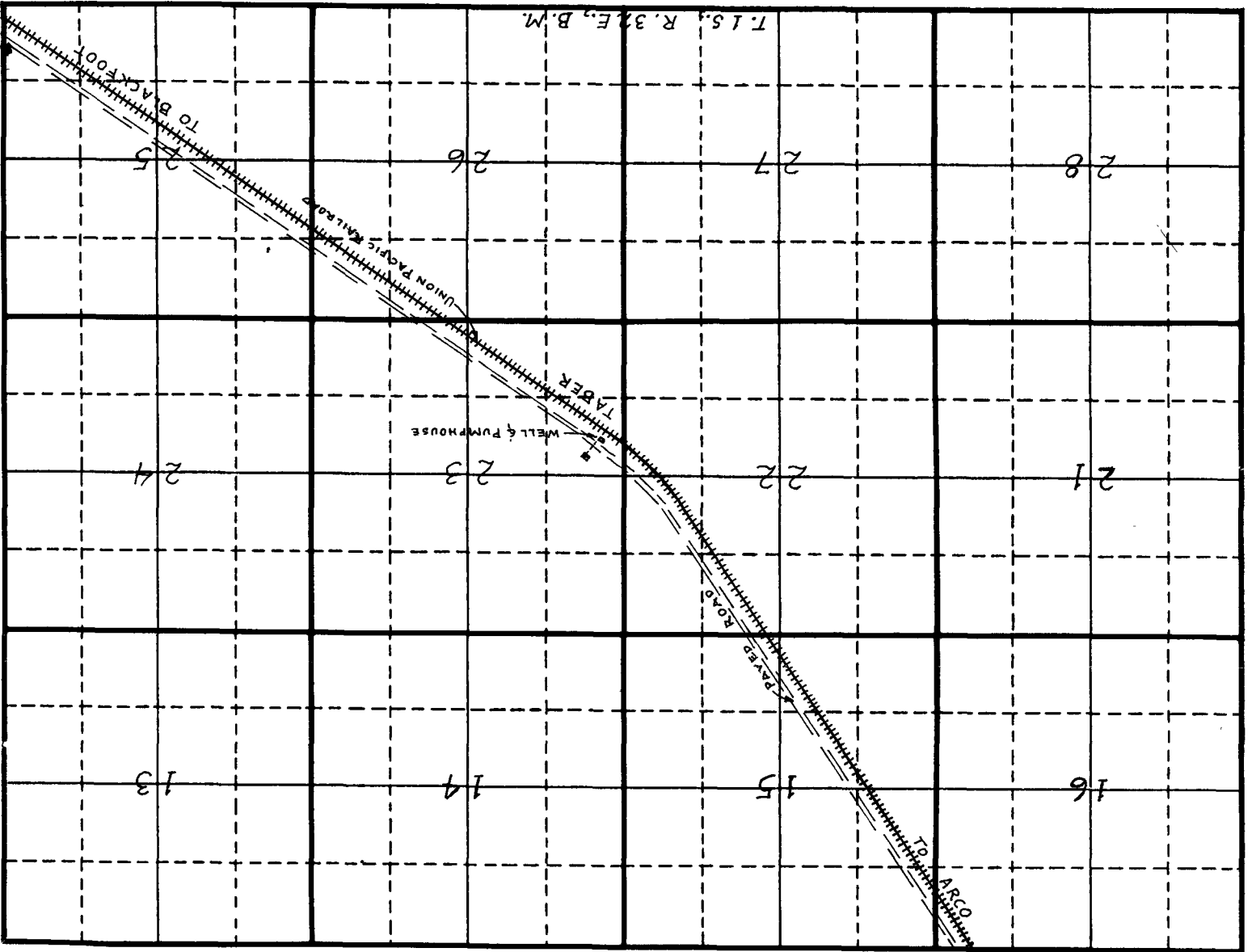
| T   | R    | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTAL |
|-----|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------|
|     |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |       |
| 1 S | 32 E | 23   |        |        |        |        |        |        |        |        | X      |        |        |        |        |        |        |        |       |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |

No. of acres \_\_\_\_\_

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Water system is now leased to an individual for domestic use.

NOTE: Include here the type and number of stock watered: \_\_\_\_\_

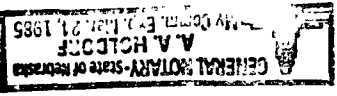
(7) If you are claiming water as a member of an organization, list name of organization: Union Pacific Railroad Company



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 Nevada County of Douglas  
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.

Sworn to before me this 8th day of February, 1983.  
Assistant Notary Public (Claimant)  
AA McElroy



My commission expires

Received by CU Date 3-10-83 Exception filed by: 4-18-83 Forwarded to 4-18-83 Date  
Prelim. check by HWS Date 4-18-83 Claimant by: 4-18-83 Date  
Published in Blackfoot News Date 4-18-83 Published by: 4-18-83 Date  
Des 4/18/83 5/13/83

O. S. L. R. R.

MACKAY BRANCH

# RECORD OF WELL AT TABER

Contract C.E.N°2971- Work Order N° 2883.

C.O. Wilson, Contractor - Lewis Deppe, W.S. Foreman.

Well is located 55<sup>2</sup> feet right at engineers station 1060

| WATER                                                                                                                                                                       | WELL CASING                             |             |       | Depth | Diagram | Depth | WELL DRILLING            |                           |           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-------------|-------|-------|---------|-------|--------------------------|---------------------------|-----------|
|                                                                                                                                                                             | Kind                                    | Date        | Depth |       |         |       | Materials                | Date                      | Size Hole |
| Soft formation carries a small quantity of water.                                                                                                                           | Put in 10' of wooden casing under pipe. | May 14 1916 |       |       |         | 0     | Earth                    |                           |           |
|                                                                                                                                                                             |                                         |             |       |       |         | 10    |                          | May 11-1916               | 14"       |
|                                                                                                                                                                             |                                         |             |       |       |         | 12    |                          | May 12 1916               | 14"       |
|                                                                                                                                                                             |                                         |             |       |       |         | 27    |                          | May 13 1916               | 14"       |
|                                                                                                                                                                             |                                         |             |       |       |         | 30    |                          | May 14 1916               | 14"       |
|                                                                                                                                                                             |                                         |             |       |       |         | 40    |                          | May 15 1916               | 14"       |
|                                                                                                                                                                             |                                         |             |       |       |         | 52    | Struck crevice of 48'    | May 16 1916               | 14"       |
|                                                                                                                                                                             |                                         |             |       |       |         | 60    | Lava                     |                           |           |
|                                                                                                                                                                             |                                         |             |       |       |         | 65    |                          | May 17 1916               | 14"       |
|                                                                                                                                                                             |                                         |             |       |       |         | 85    |                          | May 18 1916               | 14"       |
|                                                                                                                                                                             |                                         |             |       |       |         | 100   |                          | May 19 1916               | 14"       |
|                                                                                                                                                                             |                                         |             |       |       |         | 110   | Gray Lava, Very hard     | May 20 1916               | 14"       |
|                                                                                                                                                                             |                                         |             |       |       |         | 115   |                          | May 21 1916               | 14"       |
|                                                                                                                                                                             |                                         |             |       |       |         | 125   |                          | May 22 1916               | 14"       |
|                                                                                                                                                                             |                                         |             |       |       |         | 130   |                          |                           |           |
|                                                                                                                                                                             |                                         |             |       |       |         | 140   | Red Lava                 |                           |           |
|                                                                                                                                                                             |                                         |             |       |       |         | 150   |                          | May 23 1916               | 14"       |
|                                                                                                                                                                             |                                         |             |       |       |         | 153   |                          |                           |           |
|                                                                                                                                                                             |                                         |             |       |       |         | 158   | Hard Lava                |                           |           |
|                                                                                                                                                                             |                                         |             |       |       |         | 161   | Mud Cave                 |                           |           |
|                                                                                                                                                                             |                                         |             |       |       |         | 165   | Hard Lava                | May 24 1916               | 14"       |
|                                                                                                                                                                             |                                         |             |       |       |         | 175   | Soft Lava                | May 25 1916               | 14"       |
|                                                                                                                                                                             |                                         |             |       |       |         | 180   |                          |                           |           |
|                                                                                                                                                                             |                                         |             |       |       |         | 185   |                          | May 26 1916               | 14"       |
|                                                                                                                                                                             |                                         |             |       |       |         | 192   | Struck crevice Hard Lava | May 27 1916               | 14"       |
|                                                                                                                                                                             |                                         |             |       |       |         | 200   |                          |                           |           |
| Water stands at 304 June 2 <sup>nd</sup> 1916.<br>Struck first water at 312'                                                                                                |                                         |             |       |       |         | 206   | Caving Material          | May 28 1916               | 14"       |
|                                                                                                                                                                             |                                         |             |       |       |         | 210   |                          |                           |           |
|                                                                                                                                                                             |                                         |             |       |       |         | 220   | Red Lava                 | May 29 1916               | 14"       |
|                                                                                                                                                                             |                                         |             |       |       |         | 225   |                          |                           |           |
|                                                                                                                                                                             |                                         |             |       |       |         | 230   | Black Lava               |                           |           |
|                                                                                                                                                                             |                                         |             |       |       |         | 240   | Red Lava                 | May 30 <sup>th</sup> 1916 | 14"       |
|                                                                                                                                                                             |                                         |             |       |       |         | 250   | clay                     | May 31 <sup>st</sup> 1916 | 14"       |
|                                                                                                                                                                             |                                         |             |       |       |         | 275   | Hard Red Lava            | June 1 <sup>st</sup> 1916 | 14"       |
|                                                                                                                                                                             |                                         |             |       |       |         | 305   |                          | June 2 <sup>nd</sup> 1916 | 14"       |
|                                                                                                                                                                             |                                         |             |       |       |         | 320   |                          | June 3 <sup>rd</sup> 1916 | 14"       |
| Well tested for 24 hours June 7 <sup>th</sup> 8 <sup>th</sup> at 45 to 50 yards per minute, which was all the machinery would stand. Working barrel was 300' below surface. |                                         |             |       |       |         | 330   | Pink Lava Water Bearing  | June 4 <sup>th</sup> 1916 | 14"       |
|                                                                                                                                                                             |                                         |             |       |       |         | 339   |                          |                           |           |

RECEIVED

MAY 13 1983

Department of Water Resources  
Eastern District Office

**NOTICE OF CLAIMS  
TO WATER RIGHTS**

The following claim(s) have been filed on  
water right(s) created by diversion and  
beneficial use:

35-4161

OREGON SHORT LINE  
RAILROAD CO.  
UNION PACIFIC  
RAILROAD CO.  
P.O. Box 1592  
Pocatello, Id. 83204  
Source: GROUNDWATER  
Priority Date: 06/09/1916  
Diversion Pt.: NWSW, Sec. 23, T. 01S, R.  
32E.  
Use: DOMESTIC (0.07 CFS)  
In: NWSW, Sec. 28, T. 01S, R. 32E.

29-4332

OREGON SHORT LINE  
RAILROAD CO.  
UNION PACIFIC  
RAILROAD CO.  
P.O. Box 1592  
Pocatello, Id. 83204  
Source: GROUNDWATER  
Priority Date: 05/14/1913  
Diversion Pt.: NESE, Sec. 35, T. 04S, R.  
34E.  
Use: IRRIGATION (0.02 CFS)  
DOMESTIC (0.03 CFS)  
In: NESE, Sec. 35, T. 04S, R. 34E.

Exceptions to a claim may be filed with the  
Director, Dept. of Water Resources, 150 Shoup  
Ave., Suite 15, Idaho Falls, Idaho, 83402.

(7751)  
Pub: 4-28; 5-5

**AFFIDAVIT of PUBLICATION**

County of Bingham

State of Idaho David Mark Brown

I, \_\_\_\_\_  
solemnly

Publisher

swear that I am the \_\_\_\_\_ of  
The Morning News which is a daily newspaper of general  
circulation published each day except Sunday at  
Blackfoot, Bingham County, Idaho, said newspaper hav-  
ing been so published at Blackfoot, aforesaid for more  
than one year past; that said newspaper heretofore com-  
plied with all the provisions of Chapter 154 of the Ses-  
sions Laws of Idaho of 1933, approved March 11, 1933,  
and duly designated, pursuant to law, a particular day of  
the week as the day on which legal notices required by  
law or by the order of any Court of competent jurisdiction  
within the State of Idaho shall be published to-wit: Thursday  
of each week; that the notice attached hereto and which  
is a part of this affidavit and part of the proof of  
publication was published in said issue or said  
newspaper \_\_\_\_\_ consecutive weeks

the first publication having been made on the  
28th day of April, 19 83.

and the last publication having been made on the  
5th day of May, 19 83;

that said notice was published in the regular and entire  
issue of every number of the paper as aforesaid during  
the period and time of publication, and that notice was  
published in the newspaper and not in supplement.

Subscribed and sworn to before me this 11th  
day of May, 19 83.

Patricia A. Johnson  
Notary Public for the State of Idaho,  
Residing at Blackfoot, Idaho  
My commission expires  
Oct. 20, 1984

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

---

150 Shoup Ave., Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

MAY 16, 1983

OREGON SHORT LINE RAILROAD CO.  
UNION PACIFIC RAILROAD CO.  
P.O. BOX 1592  
POCATELLO ID 83204

RE: Claim No. 35-4161

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON  
Eastern Region Supervisor

Enclosure

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

HUT

Right Number

35 4161

Applicant

UPRR - Taber

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

May 16, 1983

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By

Ernest Carlson

Date

May 20, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

RC

Date

5/25/83

RECEIVED  
MAY 25 1983

Department of Water Resources

35-4161

OREGON SHORT LINE RAILROAD CO.  
ATTN: POCATELLO 840 POCATELLO CO.

P.O. BOX 1592, POCATELLO, ID 83204

Source: GROUNDWATER

Priority Date: 06/09/1916

Diversion Pt.: NW 23 T. 01S. R. 32E

Use: DOMESTIC

0.07 CFS

In: NW 23 T. 01S. R. 32E

lego-ust,ust

Legals for pat and connie — jackie

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Use. DOMESTIC (0.07 CFS)  
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