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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) May 1, 1880

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)

Spring tributary to Beaver Creek & Camas Creek

- (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)

SE ¼ NW ¼, Sec. 4 Twp. 13N Rge. 36E B.M., County of Clark

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. 4' x 4' spring house over spring on railroad right-of-way.

- (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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13N	36E	4								X									

No. of acres _____

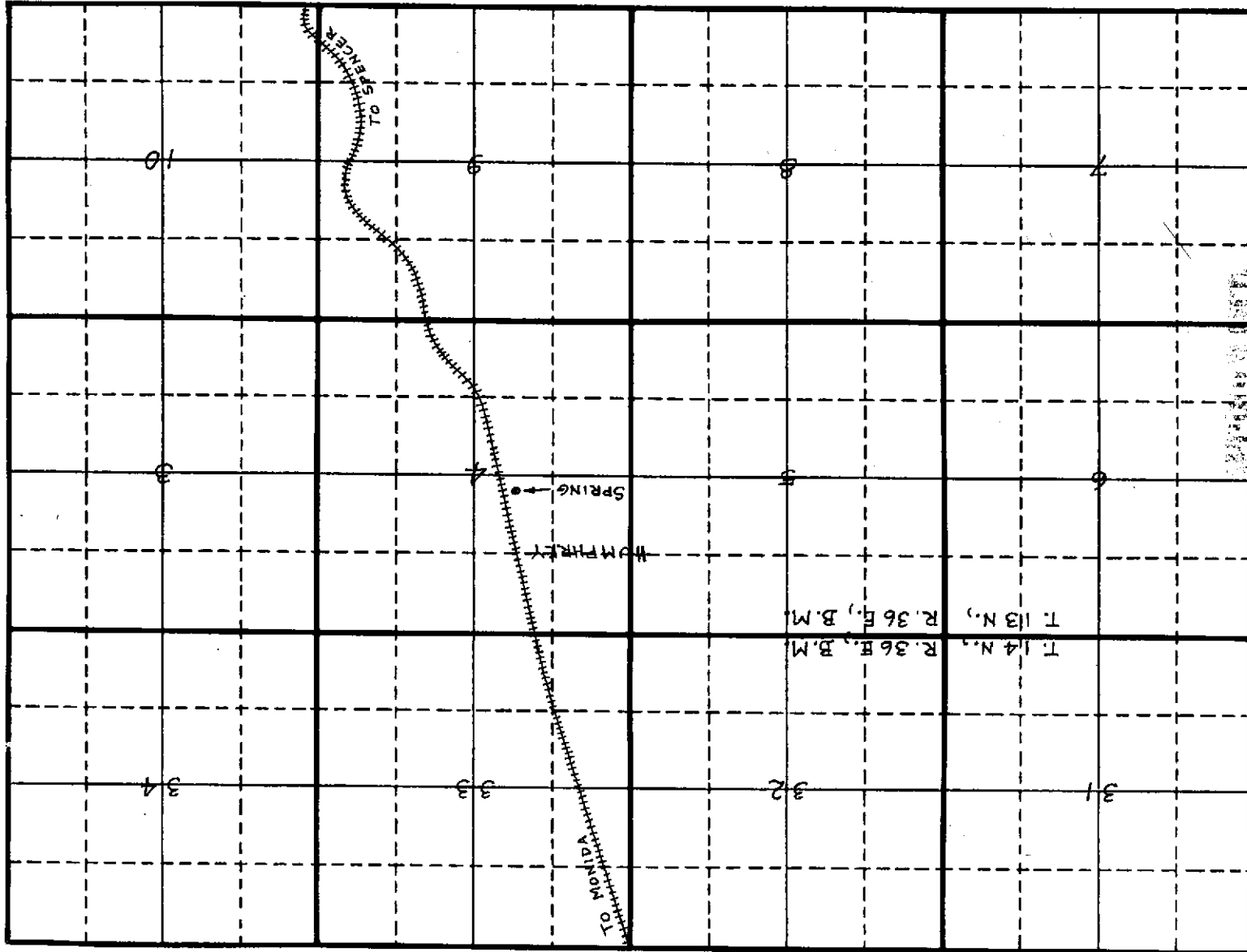
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Water is used by section maintenance forces & by traveling maintenance gangs.

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

(8) Remarks



Scale: 2 inches equal 1 mile.

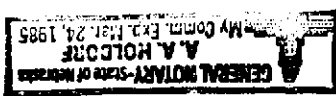
Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Nebraska
County of DeWala
) 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.

Sworn to before me this 8th day of February
Assistant Vice President (Claimant)
1983

Notary Public
Residing at Omaha, Neb.
A. A. Holcomb



My commission expires

Received by Bill
Prelim. check by HWS
Date 3-10-83
Date 4-18-83
Date 4-18-83
\$20.00 fee received by Bill
Published in Standard Journal
Dates 4/18 & 5/5/83
4-14-83 FOR DEPARTMENT USE ONLY
Exception filed by:
Forwarded to
claimant by:
Date

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

RECEIVED

MAY 9 1983

Department of Water Resources
Eastern District Office

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Bruce Porter
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

Notice Of Claims

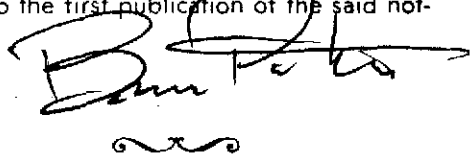
a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for Two
consecutive issues, the first publication hav-

ing been made on April 28, 1983
and the last publication having been made

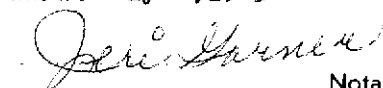
on May 5, 1983

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.



Subscribed to and sworn to before me

this May 6, 1983



Notary Public.

(SEAL)

My commission expires Life.

**NOTICE OF CLAIMS
TO WATER RIGHTS**

The following claims have been filed on
water rights created by diversion and
beneficial use:

31-4087

OREGON SHORT LINE RAILROAD CO.
UNION PACIFIC RAILROAD CO.
P.O. BOX 1592, POCATELLO, ID 83204
Source: THOMAS CREEK trib. to BEAVER
CREEK

Priority Date: 09/01/1879
Diversion Pt: NESE Sec 15 T 12N R 36E
Use: MUNICIPAL (0.13 CFS) DOMESTIC
(0.10 CFS)
In: SWSW SESW Sec 14 T 12N R 36E
NWNE NENW NWNW SENW Sec 23 T 12N
R 36E

31-4086

OREGON SHORT LINE RAILROAD CO.
UNION PACIFIC RAILROAD CO.
P.O. BOX 1592, POCATELLO, ID 83204
Source: SPRING trib. to BEAVER CREEK,
SPRING trib. to CAMAS CREEK
Priority Date: 05/01/1880
Diversion Pt: SENW Sec 04 T 13N R 36E
Use: DOMESTIC (0.02 CFS)
In: SENW Sec 04 T 13N R 36E

22-4091

FRANK SUMMERS, INC.
RT. 1, SUGAR CITY, ID 83448
Source: GROUNDWATER
Priority Date: 05/01/1962
Diversion Pt: NWSW Sec 27 T 06N R 40E
Use: IRRIGATION (7.20 CFS)
In: SESW NWSE SWSE Sec 27 T 06N R
40E NWNE SWNE NENW NWNW SWNW
SESW NWSW SWSW Sec 34 T 06N R 40E
FOR 360 ACRES

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

KEN DUNN
Director

Publ. April 28 and May 5, 1983J

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. 31-4086

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
EASTERN REGION

John V. Evans
Governor

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

A. Kenneth Dunn
Director

April 27, 1983

RE: Claim to a Water Right No. 31-4086 OREGON SHORT LINE & UNION PACIFIC
31-4087 " "

Don Shenton, Watermaster
Water District No. 31
Dubois, ID 83423

Dear Don:

Enclosed, for your information only, is a copy of the above referenced claim to a water right filed within your district. If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

KC Wilson

Right Number

31 4080

Applicant

*Oregon Short Line RR
U.L. RR Co Lessee*

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.
WD #31

FINAL REGIONAL PROCESSING REVIEW:

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

By *Ernest Carlson*

Date *May 26, 1983*

May 16, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

KC

Date

5/31/83

RECEIVED
MAY 31 1983

Department of Water Resources

31-4086

OREGON SHORT LINE RAILROAD CO.
UNION PACIFIC RAILROAD CO.

P.O. BOX 1592. POCA TELLO. ID 83204

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SPRING trib. to CAMAS CREEK

Priority Date: 05/01/1880

Diversion Pt: SENW Sec 04 T 13N R 36E

Use: DOMESTIC (0.02 CFS)

In: SENW Sec 04 T 13N R 36E