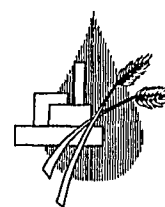


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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
(Mailing Address)

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) October 3, 1883

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)

Ledge Creek Spring _____ tributary to _____ Bear River

- (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>0.20 cfs</u>	Use	<u>Domestic</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity	<u> </u>	Use	<u> </u>	Period of Use From <u> </u>	To <u> </u>
Quantity	<u> </u>	Use	<u> </u>	Period of Use From <u> </u>	To <u> </u>
Quantity	<u> </u>	Use	<u> </u>	Period of Use From <u> </u>	To <u> </u>
Quantity	<u> </u>	Use	<u> </u>	Period of Use From <u> </u>	To <u> </u>

- (4) 0.20 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

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

SE ¼ SE ¼, Sec. 5 Twp. 9 S., Rge. 42 E., B.M., County of Caribou

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. Originally we had a 4'x6' intake diversion well with 3846' of 6"

~~change. Originally we had a 4'x6' intake diversion well with 3846' of 6" pipe to our property & retired this system on Nov. 19, 1946, and signed a joint agreement with the City to obtain our 0.20 cfs through their intake diversion well with 10083' of 18" pipe.~~

- (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.

[illegible]

No. of acres _____

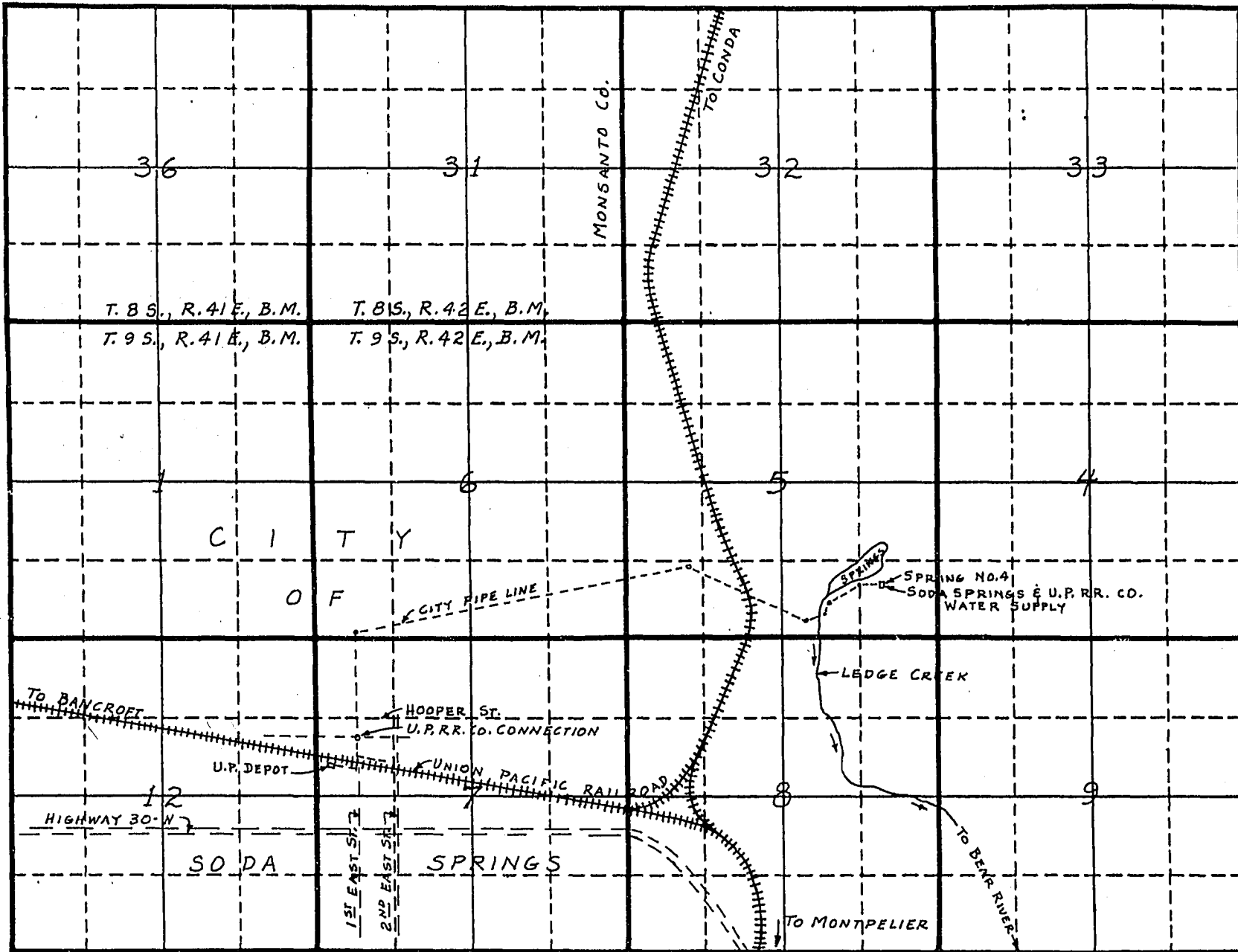
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: RR. Co. takes water out of the city pipe at the intersection of Hooper Street and 1st East Street. Surplus water not used in our depot and by maintenance forces is used by the City of Soda Springs in their Municipal System by an agreement.

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

18) Remarks Purchased water right in Ledge Creek from G.W. Gorton and E. T. Williams in October 3, 1883. Claim to 0.20 cfs awarded to the Oregon Short Line Railroad Company along with others by Court Decree dated March 6, 1902.



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 Douglas) 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 8th day of February, 1983.
Assistant Vice President (claimant)

A.A. Holdorf
Notary Public
Residing at Omaha Neb.

My commission expires



Received by CW Date 3-10-83 Exception filed by: _____ Date _____
Prelim. check by AWJ Date 4-18-83 Fowarded to claimant by: _____ Date _____
\$20.00 fee received by CW Date 4-18-83 # 28059
Published in Caribou County Sun
Dates 4/28 & 5/5/83

Gorton and Williams,)
To)
The Oregon Short Line)
Railway Co.)

O. S. L. R.R CO.

AUDIT No. 87 ✓

Know all Men by these presents that we George W. Gorton and Ephraim T. Williams of the County of Oneida and Territory of Idaho for and in consideration of the sum of One Thousand Dollars to me in hand paid By the Oregon Short Line Railway Company the receipt whereof is hereby acknowledged do grant, sell and convey unto the Oregon Short Line Railway Company the following described premises, situated in the County of Oneida and Territory of Idaho "to wit"

The right to take water from Formation Creek "so called" which rises in Formation Spring and flows to the Lake about one mile East of Soda Springs Townsite said water to be taken from said Creek at a point to be designated by the Chief Engineer of the Oregon Short Line Railway Company said water to flow through a four inch pipe the inflow shall be so far below the surface as to secure the pipe from frost:

To have and to hold the said premises to the said Railway Company, its successors and assigns forever.

And I do covenant with the said Oregon Short Line Railway Company its successors and assigns that I am lawfully seized in fee of said premises that they are free from all incumbrances that I have good and lawful right to sell the same:

And I will warrant and defend the same against the lawful claims of all persons whomsoever:

And Leah Gorton wife of George W. Gorton aforesaid and Annie Williams wife of Ephraim T. Williams aforesaid hereby release all her right title and interest or in any dower in the said premises.

Witness our hand this 3rd day of October A.D. 1883.

George W. Gorton, (SEAL)

By Leah Gorton, (SEAL)

Leah Gorton, Atty. in fact.

Ephraim T. Williams, (SEAL)

Mrs. Annie Williams, (SEAL)

in presence of
Homer Stull,

Territory of Idaho,)
(SS.
County of Oneida.)

O. S. L. R. R. CO.

AUDIT No. 87✓

On this 30th day of October A.D. 1883 personally
appeared before me a Justice of the Peace in and for said County Ephraim
Williams and Annie Williams his wife and Leah Gorton wife of Geo. W. Gorton
above named who are personally known to me to be the persons described in
and who executed the and who acknowledged to me that they executed the
same freely and voluntarily and for the uses and purposes therein menti-
oned and the said Leah Gorton acknowledged that she executed the fore-
going instrument as Attorney in Fact for George W. Gorton freely and
voluntarily and for the uses and purposes therein mentioned.

Witness my hand-----the day and year last above written.

William Chester,

Justice of the Peace.

Recorded this 10th day of October 1883.

Wm. B. Thews,

Co. Recorder.

By H. R. Evans,

Deputy.

Transcribed from Book "B" Deed)
Page 461 Bingham County, Idaho.)

STATE OF IDAHO,)
(SS.
County of Bannock.)

I, J. S. Campbell, Ex-Officio Auditor and Recorder of
Bannock County, Idaho, do hereby certify that the within and foregoing is
a full, true and correct copy of the original Deed from George W. Gorton
and Ephraim T. Williams to the Oregon Short Line Railway Company as shown
by the records in my office.

Witness my hand and official seal this 6th day of September A.D. 1902.

J. S. Campbell,
BY *J. S. Campbell* Ex-officio Aud. & Recorder.
Deputy.

rtified Copy

CHIEF ENGINEER O.S.L.
877

O.S.L. & P. CO.
877

Warranty Deed

Geo. W. Gorton & Wife

Ephraim Williams & Wife

to R

O.S.L. & P. Co.

October 3rd 1883

AUDIT No. 877

Barnes & Co.

PUBLIC NOTICE

First Time Published

NOTICE OF CLAIMS TO
WATER RIGHTS

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

29-4330
OREGON SHORT LINE
RAILROAD CO.
UNION PACIFIC RAIL-
ROAD CO.
P.O. BOX 1592, POCA-
TELLO, ID 83204

Source: GROUNDWATER
Priority Date: 07-01-1917
Diversion Point: NWNE Sec
22 T 08S R 39E
Use: DOMESTIC (0.27 CFS)
29-4329

OREGON SHORT LINE
RAILROAD CO.
UNION PACIFIC RAIL-
ROAD CO.
P.O. BOX 1592, POCA-
TELLO, ID 83204
Source: SQUAW CREEK
SPRING trib. to PORTNEUF
RIVER

Priority Date: 09-04-1882
Diversion Point: SESE Sec 20
T 08S R 39E
Use: DOMESTIC (0.60 CFS)
11-4231

OREGON SHORT LINE
RAILROAD CO.
UNION PACIFIC RAIL-
ROAD CO.
P.O. BOX 1592, POCA-
TELLO, ID 83204

Source: LEDGE CREEK
SPRING trib. to BEAR RIVER
Priority Date: 10-03-1883
Diversion Point: SESE Sec 05
T 09S R 42E
Use: DOMESTIC (0.20 CFS)
In: SWNW Sec 07 T 09S R
42E

11-4229
OREGON SHORT LINE
RAILROAD CO.
UNION PACIFIC RAIL-
ROAD CO.
P.O. BOX 1592, POCA-
TELLO, ID 83204

Source: GROUNDWATER
Priority Date: 06-01-1956
Diversion Point: SWSE Sec 07
T 09S R 41E

Use: DOMESTIC (0.02 CFS)
In: SWSE Sec 07 T 09S R 41E
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

Published April 28 and May 5,
1983 in the Caribou County Sun.

Affidavit of
Publication

County of Caribou }
State of Idaho } ss.

Mark Steele

being first duly sworn on his
oath, states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County that said
newspaper has been published
in said County uninterruptedly
and continuously for over sev-
enty-eight consecutive weeks,
prior to the first publication of
the annexed notice or advertise-
ment;

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for 2 successive weekly
issues thereof, the date of the
first publication being the

28th day of

April, 1983

The date of the last publication

being the 5th day of

May, 1983

Subscribed and sworn to be-

fore me this 6th day

of May, 1983

Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the

1st day of March

1984

MAY 9 1983

Idaho Dept. of Water Resources
Eastern District Office

11-4231

OREGON SHORT LINE RAILROAD CO.
UNION PACIFIC RAILROAD CO.

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

Source: LEDGE CREEK SPRING trib. to BEAR RIVER

Priority Date: 10/03/1883

Diversion Pt: SESE Sec 05 T 09S R 42E

Use: DOMESTIC (0.20 CFS)

In: SWNW Sec 07 T 09S R 42E

11-4231
OREGON SHORT LINE
RAILROAD CO.
UNION PACIFIC RAIL-
ROAD CO.
P.O. BOX 1592, POCA-
TELLO, ID 83204
Source: LEDGE CREEK
SPRING trib. to BEAR RIVER
Priority Date: 10-03-1883
Diversion Point: SESE Sec 05
T 09S R 42E
Use: DOMESTIC (0.20 CFS)
In: SWNW Sec 07 T 09S R
42E

#27

Form 243a
11/78

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWT
Right Number 11 4231 Applicant UPRR - Soda Springs

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.
W.D.#11

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date May 26, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By RC Date 5/31/83

RECEIVED
MAY 31 1983

Department of Water Resources



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

April 27, 1983

RE: Claim to a Water Right No. 11-4228 UNION PACIFIC & OREGON SHORT LINE
11-4231 " "
11-4232 HARDCASTLE
11-4235 "

Russell Stoker, Watermaster
Water District No. 11
279 East Third North
Soda Springs, ID 83276

Dear Mr. Stoker:

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
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. 11-4231

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