

November 20, 1998

**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: December 18, 1998

Water right number: 35-04071

WELL #2 WEST CENTRAL & 4th WEST

CITY OF ABERDEEN
BOX 190
ABERDEEN ID 83210

Daytime Telephone Number:

208-397-4161

Evening Telephone Number:

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:

☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 17 DEC 98 SIGNATURE: Richard W. Mayer
Please print your name: RICHARD W. MAYER

IDWR Eastern Regional Office, 900 N. Skyline Drive, Suite A, Idaho Falls, ID 83402-1718, (208) 525-7161

RECEIVED
DEC 24 1998
Department of Water Resources
Eastern Region

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QUALITY REVIEW CHECKLIST FOR REPORT READY SRBA CLAIMS

	N/A	YES	NO	*
1. Does the name and address meet the USPS and our data entry standards?		✓		
2. Does the CVR contain information as to how the priority date was determined?		✓		
If the claim is based on beneficial use, is there an analysis of the evidence of priority submitted?		✓		
Is the stage code correct?		✓		
Did the reviewer initial the recommendation of the priority date ?		✓		
3. Does the CVR contain information as to how the point of diversion was determined?		✓		
Did the reviewer initial the recommendation of the point of diversion and the source and tributary ?			✓	
Does the CVR contain a description of the system that includes information as to how the source and/or tributary were determined?		✓		
4. Does the CVR contain information as to how the place of use and number of acres (for irrigation rights) were determined?		✓		
Did the reviewer initial the recommendation of the place of use ?		✓		
5. Does the CVR contain information as to how the nature of use and the season of use were determined?		✓		
Does the CVR contain information as to how the diversion rate was determined?		✓		
Does the CVR contain information as to how the diversion volume was determined?		✓		
Does the CVR contain information as to how the consumptive use volume was determined?		✓		
Did the reviewer initial the recommendation of the nature of use , the season of use , the rate of diversion , the diversion volume and the consumptive use volume ?		✓		
6. If the claim is based on a right recorded with IDWR, was the total diversion rate claimed?		✓	?	
If the total diversion rate was not claimed, is a review sheet attached?			✓	
7. If the claim is based on a right that has conditions/remarks , have these conditions/remarks been considered in the recommendation?				
Are all appropriate conditions/remarks included in the recommendation?				
8. If remarks are included, are the remarks consistent with the " standard remarks " described in Adjudication Memo 32?				
9. If this claim is not being recommended, is the status code correct?	✓			
10. Did the reviewer sign the CVR?		✓		
11. Has the " quicklook " page been completed?		✓		
12. If additional documents were used in the investigation of this right, are copies of those documents included in the file, or is there a reference to the identity and location of the documents?		✓		
13. Does the file contain a copy of the recommended right?		✓		

* See attachment for additional information or explanation.

Quality control review by Jo date 4-4-95 Data entry changes by _____ date _____

CLAIM NO(S). 35-04071
DATE: DEC 93 T R
SOURCE OF DOC:

SIGNATURE: Ernest Carlson

IDAHO DEPARTMENT OF HEALTH AND WELFARE
Division of Environmental Quality

Drinking Water Supply Report

YEAR: 1992
SYSTEM: Aberdeen COUNTY: Bingham
OWNERSHIP: Municipal P.O. Box 190, Aberdeen, Idaho 83210
INFORMATION OBTAINED FROM: Mr. Mayer and Mr. Paz
LOCATION:
INSPECTOR: Keith A. Bithell DATE OF SURVEY: 12-15-92
POPULATION SERVED: 1406

FIELD SURVEY DATA

Well #1. This well has been upgraded and may now be used to provide additional capacity during summer months. It is not part of the automatic dialing system provided for the other three municipal wells.

The casing for the well extends 24" above the wooden floor of the well house. Pressure gauges are provided upstream and downstream of a Cla valve that regulates pressure and output. Water is lifted from a static level of 14 feet by a 50 HP submersible pump. The seal is adequate and is vented by a "t" vent. A depth gauge and sample tap are provided. The well is located in a locking metal covered frame building adjacent to the city's old water tower.

Well #2. Well is located at 4th West and Central. It was drilled in 1958 and is cased to 248 feet with 12" pipe and to 268' with 10". Static water level was 19 feet during the 1979 survey. A 50-HP U.S. motor drives a Berkeley deep well pump which was rated at 800 gpm, but probably pumps 550-600 gpm. The pumphouse has a concrete floor, is constructed of steel and is insulated. It has a thermostatically controlled heater, adequate lighting and ventilation. The pumphouse sits approximately two feet above grade on a concrete pedestal. The well has a pressure gauge and sample tap. The floor drain connects to a gravel pit within five feet of the building.

Well #3 Well house is located at Custer and Main. The building has a concrete floor and steel walls with blown insulation, Thermostatically-controlled heat, adequate lighting and ventilation

are provided. The well is 254 feet deep; static water level was 14 feet during the 1979 survey. A 60 HP, 3 phase, water lubricated turbine is rated at 850 gpm. The well is equipped with a Badger continuous flow meter, pressure gauge, and sample tap. The pump sits 2' above grade and the floor drains to gravel within 5' of the building.

Well #4. Well house is located at 1st East & Bingham. It was drilled in 1980, but the well log is not in the city files. Best estimated garnered from the City files and as-builts indicated 16" casing to 262' & 10" casing to 300'. The bowls are probably set at 100'. The well house is constructed of cinder block over a concrete floor. Thermostatically controlled heat, and adequate lighting and ventilation are provided. A 75 HP Worthington motor (Water lubricated) is used. Sample tap, pressure gauge, and recording flow meter are provided. This well is equipped with a standby diesel generator. Two floor drains lead to gravel pits. Check and gate valves are adequate. The pump sits approximately 12" above grade on a concrete pedestal.

General: Well #4 is the primary source with #2 & #3 acting as standbys should pressure at the pump drop to 60 psi (from normal operating pressure of 70 psi). Either Well #2 or #3 can be designated as the secondary lead.

Well #4 has a 100 KW stand-by generator. A 1000 gal. tank stores diesel fuel for it. The tank is 20'± from the well. The state regulations require at least 50' from a well.

An automatic dialing alarm system is provided in Well House #4.

Most of the distribution system is cast iron pipe, but replacements are of PVC pipe. The majority of fire hydrants are on 6" lines, but some are on 4" lines. The City owns all well lots. The City has an approved cross-connection control program and it is enforced. The water is not treated.

Monthly flat rate for water is \$13.10 for residential & \$23.75 for commercial.

BEN CAVANESS
HENRY R. (Hank) BOOMER

Cavaness & Boomer

ATTORNEYS-AT-LAW
P.O. Box 70 — 376 Roosevelt
American Falls, Idaho 83211

Telephone
(208) 226-2562

September 10, 1991

Mr. Eric Verner
Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83402

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NOV - 7 1991

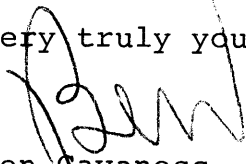
Department of Water Resources
Eastern District Office

Re: Evidence of Priority - CITY OF ABERDEEN
Water Right # A 35-04070 and A 35-04071

Dear Eric:

Enclosed is the Affidavit of Mr. Francis Fox setting out the priority date information that you will require for the above applications. Please review the enclosed Affidavit and advise if anything further will be required.

Very truly yours,


Ben Cavaness

BC:mh

Encl.

DEC 10 1992

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NOV - 7 1991

AFFIDAVIT

Department of Water Resources
Eastern District Office

STATE OF IDAHO)
) ss.
County of Bingham)

I, FRANCIS²⁹ FOX, being first duly sworn on my oath, do
depose and say:

I

That I was employed by the City of Aberdeen beginning
with the year 1950 and continuing until 1976.

II

That as a part of my duties with the City of Aberdeen,
I was responsible for maintenance of water, sewer and
streets. That I am personally aware that the municipal
well, which is commonly referred to as the water tank well,
which bears water right #A-35-04070 with the Department of
Water Resources, which reflects a priority date of January
1, 1916, was in operation long before the date of my
employment with the City and it is my understanding that
January 1, 1916 was the date the well was first placed in
service. That I am also aware that when I started working
for the City, that the well was in place and had been
operating since the ^{VILLAGE} ~~CITY~~ was formed.
77

III

That during my employment with the City, and on
January 1, 1959, I was present when we made operational,
what is called "the school well", which bears water right
#A 35-04071. That to the best of my knowledge, said well has
been in operation continuously since that time and has been
providing culinary municipal water to the City.

IN WITNESS WHEREOF, I have hereunto set my hand and
seal this ____ day of September, 1991.

Francis Fox

FRANCIS FOX

SUBSCRIBED AND SWORN BEFORE ME this 1st day of
~~September~~, 1991.

~~SEPTEMBER~~

Ben Carames

NOTARY PUBLIC FOR IDAHO

Residing at Aberdeen, ID

(seal)

CITY OF ABERDEEN
PO BOX 190
ABERDEEN ID 83210

DEC 10 1992

CITY OF ABERDEEN

page 2

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. Every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Eric Verner
Senior Water Agent

EV:rb

Enc. Brochure on "Evidence of Priority"
Proof Report

MICROFILMED

DEC 10 1992

Section 42-225a, Idaho Code

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

of c/o Kent Anderson, Box 190, Aberdeen, ID (name of claimant)
(mailing address) 83210, claims a right to the diversion and beneficial use of
the public water of the State of Idaho

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) ground water

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

(3) Total quantity of water claimed: 1.89 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

NW ¼ SW ¼, Sec. 33 Twp. 5S Rge. 31E B.M. County of Bingham
Additional points of diversion: SW ¼ NE ¼, SW ¼ SE ¼, Sec. 33, T. 5S, R. 31E

(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.

Total No. of acres _____

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

[illegible]

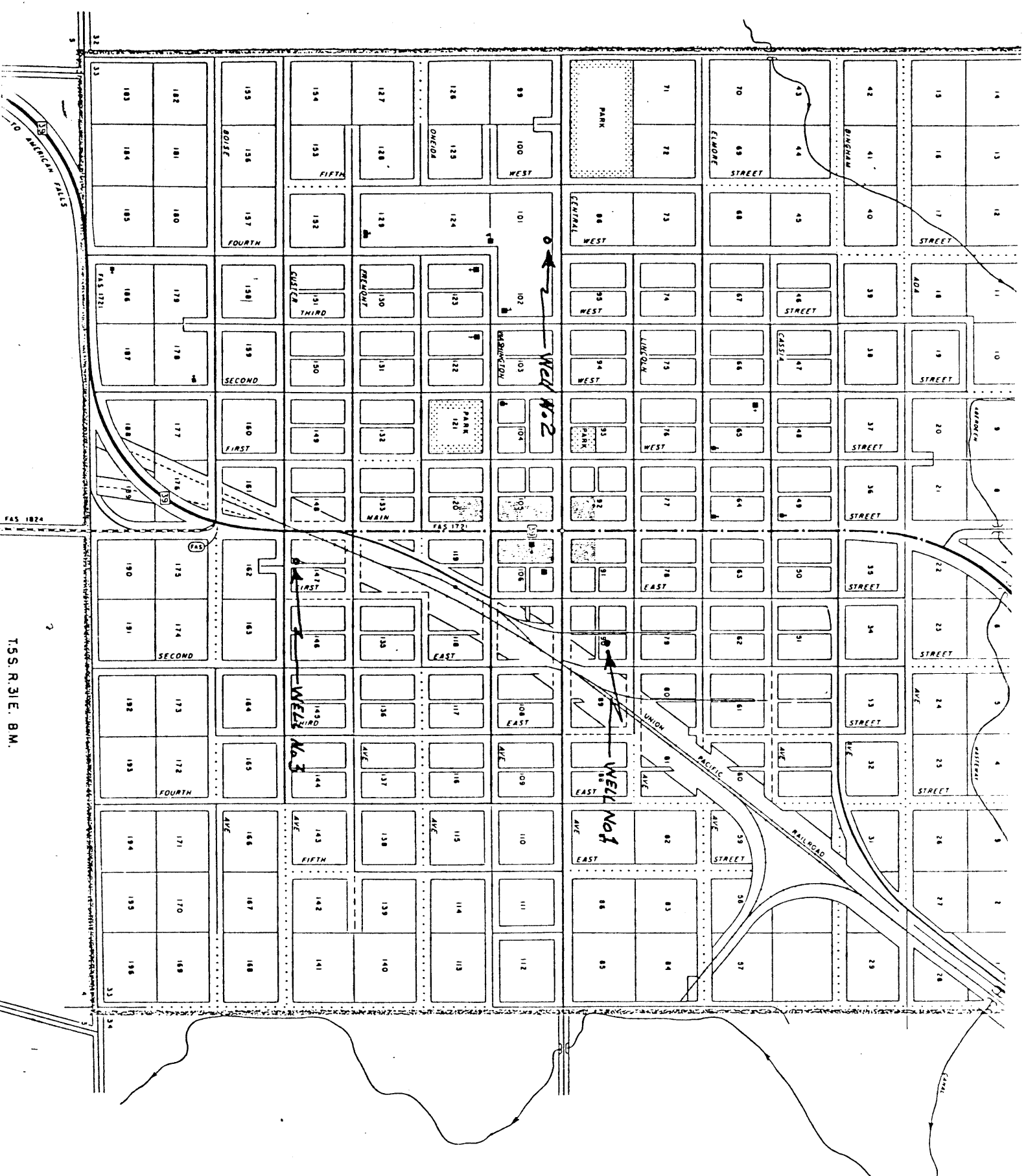
Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

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 affiants knowledge.

City of Aberdeen.
 (Claimant)
 1978

My commission expires Aug 21, 1980

Received by B. P. Date 6-21-78 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by ZH Date 6-21-78 claimant by: _____
\$10.00 fee received by B.P. Date 6-21-78 #11422
Approved for publication by only 7-12-78
Published in Blackboard News _____
Dates June 29 - July 6, 1978 _____



LEGEND

- STREETS FORMING URBAN EXTENSIONS OF
FEDERAL-AID, PRIMARY STATE AND US ROUTES
- UNIMPROVED
 - GRAVEL OR DIRT
 - BITUMINOUS SURFACED—LOW TYPE
 - PAVED STREET
- OTHER CITY STREETS
- PAVED OR SURFACE TREATED
 - UNIMPROVED
 - DEDICATED (not paved)
 - FEDERAL-AID PRIMARY SYSTEM
 - FEDERAL-AID SECONDARY SYSTEM
- US NUMBERED ROUTES
- STATE NUMBERED ROUTES
 - CITY CENTER
 - RAILROAD STATION
 - CENTRAL BUSINESS DISTRICT
 - CORPORATE BOUNDARY LINE
 - END OF WAREHOUSING ROUTE
 - END OF FEDERAL-AID SYSTEM
- HOSPITAL ■ CHURCH ■ SCHOOL
POST OFFICE ■ CITY HALL

ABERDEEN
BINGHAM COUNTY
IDAHO

CITY MAP

SCALE 1" = 100'

1968

T.S.S. R.31.E. B.M.

285

SPECIAL CITY COUNCIL MEETING

By general consent a meeting of the City Council with property owners interested in sanitary sewer was held at the City Hall on April 22, 1958, at 8:00 o'clock P.M.

Present at the meeting of the City Council by roll call were the following. Councilmen: Cooper, Gull, Langenwalter, Vanderford Wonderly. Absent. Isaak. Mayor Wride and City Clerk O.D. Becker were also present. Others present were: Attorney. L.R. Schou, Alvin Funk, Francis Fox, and the following property owners: Al Siegfried Henry Miller, Don Hatt, Loren Corbridge, Leonard Shaw, Del Parsons Kenneth Hawes, Frank Rich.

Bids ~~presented~~ on the digging and laying of the proposed sewer line were presented. T.V. Wilks and Ed Mann \$4329.00 and Grayson Co. \$4410.00 Grayson bid included furnishing all material and doing all of the work, while there were some minor exceptions in the T.V. Wilks bid. Grayson would be able to begin work immediately. Wilks could not begin until a bout a week from this date.

Property owners reported that they have contacted all of the owners of property along the proposed sewer and most have expressed willingness to cooperate. Approximately \$3700.00 had been promised. Property owners were instructed to raise all of the money possible and to report to the City Council at once. Mayor expressed himself stating that if the property owners would be able to raise approximately \$3800, the City would in some way attempt to assist the completion of the sewer line.. No definite commitment is in any way made hereby.

Frank Rich was present to ask permission for himself and Joe Chapple to connect on to the sewer proposed by running lines east from their property to the proposed line. General consensus was that this could be done.

Log of the newly drilled City Well was presented from Cope Drilling and Pump company. Log is in the City Clerk files..Cope Drilling & Pump Company, in lieu of casing well from the seal placed at 165 foot depth to bottom of well and perforating the casing the entire depth from 165 foot depth to bottom, are offering to give a Maintenance Bond for two year term. This would place responsibility on the Cope Drilling and Pump Company if well should cave in with sand or rock and they would have to clean out the well to make same usable. It was moved by John Wonderly and seconded by Ballard Cooper to recind motion made at the Special Meeting held April 15, 1958 in which it was agreed that the well should be cased and perforated from 165 foot level to the bottom of the well, and to accept a Maintenance Bond suggested by Engineer Hamilton from Cope Drilling and Pump Company for a two year term to maintain the well for that period. Voting yes on the motion were: Cooper, Gull, Langenwalter, Vanderford, Wonderly. Voting No: None Absent Isaak. Motion carried. The City Clerk was instructed to call Cope Drilling & Pump Co. and notify them of the above motion.

Atty. L. R. Schou reported that the Bonds are not printed at this date.

Liability Insurance on Snake River Fire Truck was discussed. Elbert Gossen reported that he will inquire if the fire truck has liability insurance and report to the council.

There was some discussion on matter of City Clerk making all water collections and possibly having an office somewhere in the City Center. No definite action taken.

There being no further business it was moved by Vanderford and seconded by Cooper to adjourn. Motion carried.

Attest:

O.D. Becker
City Clerk.

Approved:

Clifford Wilks
Mayor.

Minutes of the April 1, 1958 meeting were read. There being no corrections or alterations the minutes were declared approved as read.

Minutes of the April 15, 1958 meeting were read. There being no corrections or alterations the minutes were declared approved as read.

Minutes of the April 22, 1958 meeting were read. There being no corrections or alterations the minutes stood approved as read.

line and a branch of the East Side Ditch Co. It was noted that the sewer line is to stay at least 6 feet from the City water main and this would crowd the sewer near to the East Side irrigation ditch. It was the opinion of the City Council that the East Side Ditch would not be damaged by leveling the ground so that the sewer trench could be excavated.

A delegation of business men appeared before the council to ask if there was any reason why the City Broom could not be used on those streets which are paved up to the curb, it was requested that the broom be used every week at least once a week. It was thought that this would be sufficient to assure a clean street. Suggestions as to the time when this would be done were made. Question was asked as to how much time would be involved in completing this work. It was stated that it would take from 2 to 3 hours, and that the best time would be after midnight when traffic and parking were at a minimum. A full crew of at least 3 men would be necessary to do the work properly. Council assured the group that this matter will be given their consideration, and if necessary enough men would be hired to do the work.

R. A. Davis appeared to discuss speeding on North Main Street. He Stated that it was difficult at times for school children to cross Main street North of Central Ave. because of speeding. Discussion followed. Caution light was suggested, also pedestrian lanes. Atty. Schou will write Comm. of Law Enforcement in regard to proper signs to be placed to retard speeding.

Ernest Landvatter brought up the matter of runways at the City Mirport. A letter from Chet Moulton, State Director of Aeronautics in which he stated that a runway 800 feet by $\frac{1}{2}$ mile would not be sufficient to land planes in all directions. A letter had been written to him stating that a plan to make a runway 800 feet wide by $\frac{1}{2}$ mile long would be sufficient to land planes the $\frac{1}{2}$ mile distance or to use the runway diagonally. Since it will take considerable work to level the runway to the full 800 feet it was decided to have a runway only 300 feet wide and one half mile long and report this to the Director of Aeronautics.

Odis Waford was the only person present representing the potato Warehouses in need of a sewer to dispose of waste from their operations. Councilman Isaak reported that Galyn Muirbrook of the Potato Growers was in favor of financing the sewer as planned. It was reported that Ronald Funk is also interested. Councilmen Vanderford and Langenwaller ~~who~~ are the sewer committee. ~~will be in charge of the project.~~ ~~Cooper, Gull and Isaak will contact T. S. Vanderford, Farnsworth and Funk. Langenwaller & Mayor Wride to see the others.~~ Present estimates would amount to \$1800 per warehouse.

Dogs in the city were again discussed. Reported that a number of dogs have been liscensed

It was reported that the Snake River Fire Truck is covered by liability insurance under the Snake River Mutual Fire Insurance company.