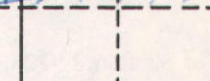


Well Location 

Area of Use 

NW $\frac{1}{4}$, NE $\frac{1}{4}$, T 3N, R 27E, S 9

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.

Received by me Date 4-09-76
Prelim. check by APB Date 4-09-76
\$10.00 fee received by me Date 4-09-76
Approved for publication by me 5-11-76
Published in Arco Advertiser
Dates April 22 + 29, 1976

Exception filed by:	Forwarded to claimant by:	Date
---------------------	------------------------------	------

Affidavit of Publication

RECEIVED

MAY 11 1976

Department of Water Resources
Eastern District Office

I, Le Ella Ammuck, of the
Arco Advertiser, a weekly newspaper of general
circulation, published weekly at Arco, Idaho, since
March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,

for 2 consecutive weeks, commencing with

the issue dated 4/22/76

and ending with the issue dated 4/29/76

Le Ella Ammuck

Subscribed and sworn to before me this

8 day of May, 1976

Charles G. [Signature]

Notary Public

Residence: Arco, Idaho.

My commission expires 5/14/78, 1978

PUBLIC NOTICE

NOTICE OF CLAIM TO A WATER RIGHT

NO. 34-4028

Notice is hereby given that City of Butte City has filed a claim to a water right established by diversion and application to beneficial use of 0.28 cubic feet per second of water from a ground-water source with points of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T. 3N, R. 27E, B.M., Butte County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes for the City of Butte City with a priority of May 10, 1952; the place of use is within the N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 9, T. 3N, R. 27E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

Published in the Arco Advertiser, Arco, Idaho, on April 22 and April 29, 1976.

MICROFILMED

CLAIM TO A WATER RIGHT

572-4400-Ext 3481
3216

(name of claimant)

(mailing address)

The extent and nature of said claim is as follows:

- | | | | | | |
|--------|----------------------|---|-------------------------------|---------------------------------------|-------------------------------|
| Name: | | *City domestic and fire fighting water system | | Dec. 31 | |
| Amount | <u>125 gpm</u> | Use | <u>*</u> | Period of Use: From <u>Jan. 1</u> | To <u>Jan. 1</u> per tele-con |
| Amount | <u> </u> | Use | <u> </u> | Period of Use: From <u> </u> | To <u> </u> 409.96 |
| Amount | <u> </u> | Use | <u> </u> | Period of Use: From <u> </u> | To <u> </u> B/R |
| | (cfs, gpm
or a/f) | | (dom., irri.,
stock, etc.) | (both dates inclusive) | |

[illegible]

City of Butte City, Idaho

do. Log, developed date

do. Invoice, Feb. 27, 1954

Affidavits: Schanwolf, Snoderly and Thiel

Well Location

Area of Use

NW $\frac{1}{4}$, NE $\frac{1}{4}$, T 3N, R 27E, S 9

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 Idaho)
) ss.
County of Butte)

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 Butte City, Idaho
R. W. Thiel R. W. Thiel
 (Claimant) Mayor

Sworn to before me this 30th day of March, 1976

Notary Public
Residing at Arco, Idaho

My commission expires Life

For Department Use Only

Received by me Date 4-09-76 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by LRB Date 4-09-76 claimant by: _____
\$10.00 fee received by me Date 4-09-76
Approved for publication by me 5-11-76 _____
Published in Acad. Advertising _____
Dates April 22 + 29, 1976 _____

R. J. Strasser Drilling Co.

"Satisfied Customers Our Motto"

P. O. Box 593

RUPERT, IDAHO

Jan. 2, 1952

Public Works Contractors State License #187

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APR 9 1976

Department of Water Resources
Eastern District Office

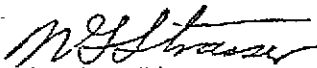
This agreement entered into between the R. J. Strasser Drilling Co., of Rupert Idaho, to be known as Contractor, and Butte City, Butte County, Idaho, hereafter to be known as owner,

The contractor agrees to drill, in a workmanlike manner, a well to be used as a municipal water supply for the owner. It shall be so constructed as to accommodate a deep well turbine pump, and shall be of a minimum diameter of eight inches.

Anticipating a series of lava and sedimentary breaks, the bore of the well shall be 16" at the start, cased with 16" pipe to the first layer of lava, with 15" hole to be drilled thru the lava, and as far as possible into the sedimentary deposits. Twelve inch pipe will then be installed, and driven, if at all possible, to the second layer of lava. From this point, 12" hole will be drilled. The price per ft., from top to bottom, shall be nine dollars, exclusive of pipe used. Pipe, as required, will be as follows:

16" pipe-----\$8.00 per ft.
12" pipe-----\$6.75 per ft.
10" pipe-----\$5.50 per ft.
8" pipe-----\$4.50 per ft.

If possible, the 16" pipe that is to be used to case the hole to the first layer of lava, will be pulled when the well is completed. In this event, the owner will not buy the 16" pipe, but will pay the contractor at the rate of \$2.00 per ft., as a use charge. If the 16" pipe will not pull, the 12" pipe will be cut off five ft. above the bottom of the 16" pipe, and the owner will pay for the amount of 16" pipe used in the well, but will be credited at the rate of \$5.00 per ft. for the 12" pipe taken out. In the event that it should be necessary to cement the well due to caving formations, the cost to the owner shall be \$25.00 per yd., which shall include installation of the cement, and drilling thru same. Any necessary hourly work, such as bailing to determine capacity of the well, or pump installation, shall be at the rate of \$9.00 per hr. This contract shall be completed when a depth of 1000 ft. has been reached, altho it is anticipated that a sufficient flow of water will be obtained between five and six hundred ft.


W. G. Strasser,

Partner, R. J. Strasser Drilling Co.

R. J. Strasser Drilling Co.

1023 D. ST.

RUPERT, IDAHO

Log of Butte City Well. #1

0-3	Topsoil
3-18	Cement gravel
18-38	Clay, with water at 38
38-44	Coarse sand, water.
44-67	Clay
67-76	Cement gravel
76-86	Clay
86-124	Rock
124-128	Sand-stone
128-134	Lava
134-138	Clay
138-144	Cement gravel
144-179	Clay and sand
179-186	Cement gravel
186-210	Clay, sand and gravel.
210-214	Cement gravel
214-259	Brown clay
259-280	Cement gravel
280-290	Sand and clay
290-314	Lava
314-321	Creviced, dry.
321-348	Med. hd. lava.
348-360	Hard gray lava.
360-362	Black and red lava.
362-379	Gray lava
379-391	Red cinders
391-404	Gray lava
404-407	Broken lava, water.
407-414	Honey comb lava
414-417	White clay
417-431	Porous lava
431-434	Hard gray lava
434-444	Gray lava and red cinders. Water.
444-445	Clay and gravel
445-448	sand stone
448-472	Clay and gravel
472-490	Sand stone

Cased to 89 ft. with 16 inch pipe.

Cased to 294 ft. with 12 inch pipe.

Pumping test at 100 G.P.M.

Well completed on May 10, 1952, per phone conversation with Robert Strasser on March 7, 1976 and based on Strasser Co. practice of requiring first payment on completion of well. See invoice dated February 27, 1954.

R. W. Thiel.

R. J. Strasser Drilling Co.

8110 S. E. SUNSET LANE

PORTLAND 6, OREGON, Feb. 27

1954

Butte City,

Butte City, Idaho

To drilling 447 ft. @ \$9.00 per ft.		\$4023.00	
Furnishing and installing 294 ft. 12"			
pipe @ \$6.75 per ft.		1984.50	
Use charge on 89 ft. 16" pipe, @ \$2.00 per ft.		178.00	
Total cost of well		\$6185.50	\$6135.50
May 10, 1952	By Check	\$1500.00	
Apr. 1, 1953	By check	300.00	
July, 1953	By 8" pipe	68.09	
Jan. 6, 1954	By Check	2000.00	
		\$3868.00	\$3869.00
Bal. due			\$2417.50
Contract dated Jan. 2, 1952, between Butte City and the R. J. Strasser Drilling Company, to be considered completed. <i>R. J. Strasser</i>			

RECEIVED

APR 9 1976

AFFIDAVIT

Department of Water Resources
Eastern District Office

IN THE MATTER OF:)

City of Butte City Claims To)
Water Rights For The City)
Water System)

State of Idaho)

County of Butte)

Victor Schanwolf

being first duly sworn,

deposes and says: that he has been a resident of Butte City, Butte County, Idaho
since 1951; that he witnessed the drilling of Butte City Well No. 1
during the spring of 1952; that he took part in the installation of the
first pump therein immediately after completion of the well; that he
witnessed the drilling of Butte City Well No. 2, completed on June 20, 1960
with pump installed; and that he has taken part in the construction of
the Butte City water pumping and distribution system from it's
beginning and through the various phases of improvement and expansion.

Victor Schanwolf
(signature)

Subscribed and sworn to before me this 1st day of April 19 76.

Betty J. Mayo
(notary public)

Residing at Arco, Butte Co, Idaho
My commission expires 2/4/77.

RECEIVED

APR 9 1976

Department of Water Resources
Eastern District Office

AFFIDAVIT

IN THE MATTER OF:)
City of Butte City Claims To)
Water Rights For The City)
Water System)
_____)
State of Idaho)
_____)
County of Butte Butte)

Bertha Snoderly being first duly sworn,
deposes and says: that she has been a resident of Butte City, Butte County, Idaho
since 1950; that she observed the drilling of Butte City Well No. 1
during the spring of 1952; that she observed the installation of a pump
therein immediately after completion of the well; that she observed the
drilling of Butte City Well No. 2, completed on June 20, 1960 with pump
installed; and that she observed the construction of the Butte City water
pumping and distribution system from it's beginning and through the
various phases of improvement and expansion.

Bertha Snoderly
(signature)

Subscribed and sworn to before me this 29th day of March 1976.

Frank H. Dwyer
(notary public)

Residing at Grac, Idaho
My commission expires 6/13/77

IN THE MATTER OF:

City of Butte City Claims To
Water Rights For The City
Water System

State of Idaho

County of Butte

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APR 9 1976

AFFIDAVIT

Department of Water Resources
Eastern District Office

R. W. Thiel being first duly sworn,
deposes and says: that he telephoned Mr. Robert Strasser of R. J. Strasser Drilling
Co., on March 7, 1976 in an effort to establish the completion date of
Butte City Well No. 1; that Mr. Strasser advised they no longer had records
going back to the period in time we were concerned with; that Messrs. Thiel
and Strasser discussed a Strasser Co. invoice in the Butte City files
which shows the first payment on the well was made on May 10, 1952; that
Mr. Strasser advised their Company policy always has been, and still is,
to require the first payment on completion of a well and that we could
therefore safely assume completion on May 10, 1952; and that Mr. Strasser
agreed to record the details of this telephone conversation, in the event
of future need.

R. W. Thiel
(signature)

Subscribed and sworn to before me this 30th day of March 19 76.

Mary E. O'Neil
(notary public)

Residing at Arco, Idaho
My commission expires 7/10

Affidavit of Publication

RECEIVED

MAY 11 1976

Department of Labor
Eastern District Office

I, Lella Ammick, of the
Arco Advertiser, a weekly newspaper of general
circulation, published weekly at Arco, Idaho, since
March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,

for 2 consecutive weeks, commencing with

the issue dated 4/22/76

and ending with the issue dated 4/29/76

Lella Ammick

Subscribed and sworn to before me this

8 day of May, 1976

Charles G. [Signature]
Notary Public

Residence: Arco, Idaho.

My commission expires 5/14, 1978



May 11, 1976

RE: Claim to a Water Right No. 34-4028

Mayor R. W. Thiel
City of Butte City
Rt. #1, Box 28
Arco, Idaho 83213

Dear Mayor:

The Department of Water Resources has completed the processing of your claim to a water right and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enc: Copy of Claim

May 10, 1976

RE: Application for Permit No. 33-7044 STUCKI
" " " No. 34-7144 McAFFEE
" " " No. 34-7145 PARKINSON
Application for Amendment No. 34-7080 McAFFEE
Claim to a Water Right No. 34-4028 CITY OF BUTTE CITY
" " " NO. 34-4027 CITY OF BUTTE CITY

Arco Advertiser
Box "C"
Arco, Idaho 83213

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notice was to have been published in your paper on April 22 and April 29, 1976.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

cc: IDWR - State Office

April 16, 1976

RE: Claim to a Water Right No. 34-4027 CITY OF BUTTE CITY
" " " No. 34-4028 "

Arco Advertiser
Box "C"
Arco, Idaho 83213

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 5-11-76 by CW

RDC:CW

Enc: Legal Notice (2)

**NOTICE OF CLAIM
TO A WATER RIGHT**

NO. 34-4028

Notice is hereby given that City of Butte City has filed a claim to a water right established by diversion and application to beneficial use of 0.28 cubic feet per second of water from a ground-water source with points of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T. 3N, R. 27E, B.M., Butte County, Idaho.

The water is claimed to be used from Jan 1 to Dec 31 for domestic purposes for the City of Butte City with a priority of May 10, 1952, the place of use is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T. 3N, R. 27E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

Published in the Arco Advertiser,
Arco, Idaho, on April 22 and April
29, 1976.

NOTICE OF CLAIM TO A WATER RIGHT

NO. 34-4028

Notice is hereby given that City of Butte City

has filed a claim to a water right established by diversion and application
to beneficial use of 0.28 cubic feet per second ~~XXXXXXXXXXXXXXXXXXXX~~
of water from a ground-water source

with point of diversion in the NW 1/4, Sec. 9, T. 3N, R. 27E, B.M.,
Butte County

The water is claimed to be used from Jan. 1 to Dec. 31
for domestic purposes for the City of Butte City
with a priority of May 10, 1952;
the place of use is within the NW 1/4, Sec. 9, T. 3N, R. 27E, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON

Director

Published in the Arco Advertiser, Arco, Idaho
on April 22 and April 29, 1976

me. A. G.

April 15, 1976

RE: Claim to a Water Right No. 34-40²⁷ and 34-40²⁸

Mr. R. W. Thiel, Mayor
City of Butte City
Rt. #1, Box 28
Arco, Idaho 83213

Dear Mayor:

Attached herewith is departmental receipt No. 15749 in the amount of \$20.00 for the above referenced claims.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC: CW

Attachment

VILLAGE OF BUTTE CITY, Idaho

(Incorporated)

Postoffice
Arco, Idaho

Address Reply To.
Rte. 1, Box 28
Arco, Idaho 83213

April 7, 1976

RECEIVED
APR 9 1976

Mr. Loy H. Johnson
Senior Water Resource Agent

Department of Water Resources
1515 Lincoln Rd.
Idaho Falls, Idaho 83401

Department of Water Resources
Eastern District Office

Ref: City of Butte City, Idaho
Claims to Water Right
City Wells No. 1 and 2

Dear Mr. Johnson:

Enclosed please find Claims to a Water Right for City Wells No. 1 and 2, together with attachments listed under Item 8, "Remarks", for each. Check in the amount of Twenty Dollars (20) is also enclosed for filing fee.

We ask that the effective date of claim on each well be the date of first beneficial use.

If you have any questions or require further information, the writer can be reached at the above address or, during weekdays, at phone number 522-4400, ext. 3485.

Thanking you in advance for your help and interest in this matter, I am

Yours very truly,

R. W. Thiel

R. W. Thiel, Mayor.