

Memorandum

To: 29-4148, 29-7334
From: D. Shaff 
Date: October 10, 2003
Subject: Further Review

RECEIVED

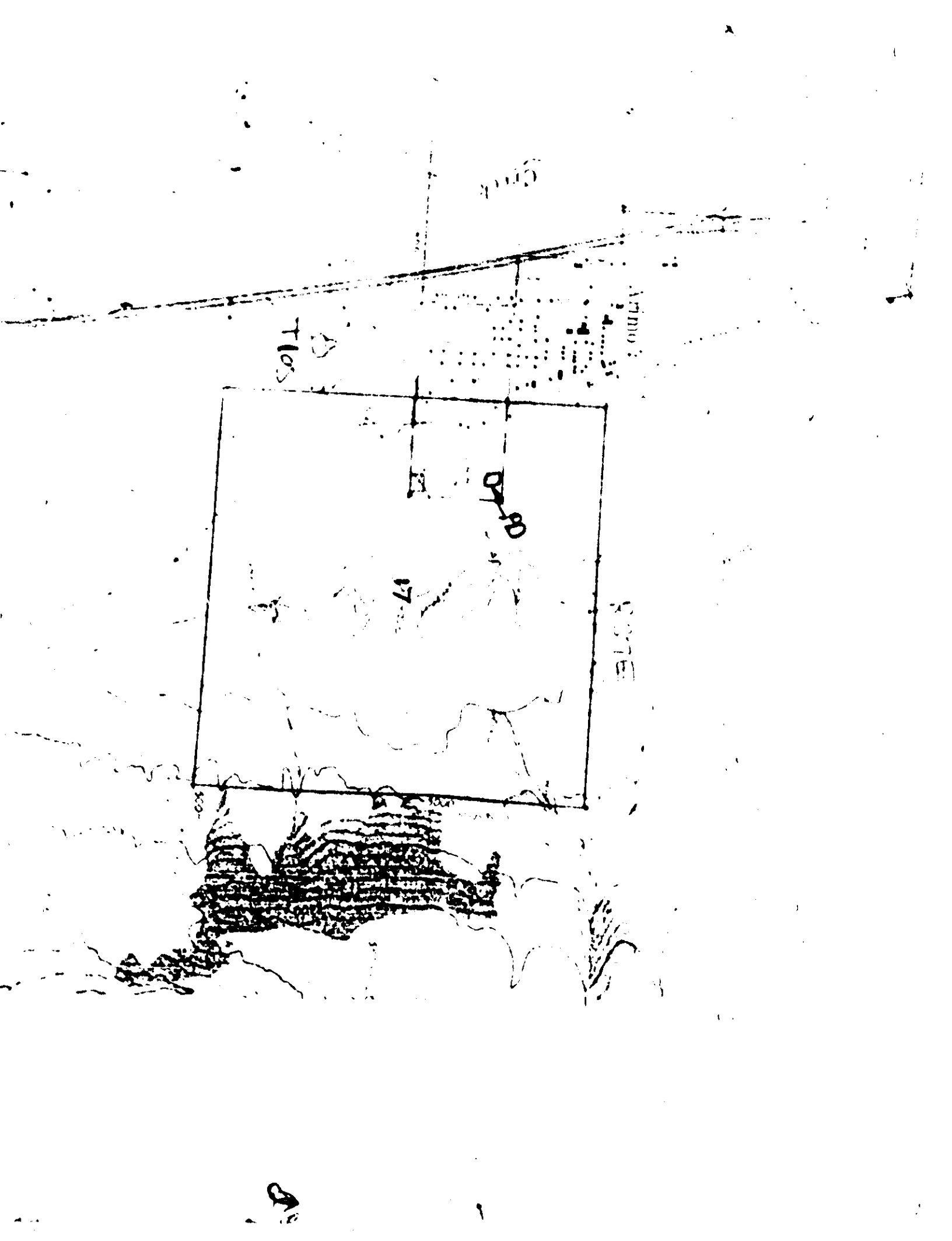
NOV 06 2003

Department of Water Resources
Eastern District Office

The city on October 2, 2003, filed with IDWR a notice of intent to modify its service area using both water right 29-4148 and 29-7334. Both of these water rights were recommended in the Director's Report for use within the city limits as the 1983 license for 29-7334 had done. More recent law 42-202B(9) allows a municipal supplier to have a water right for use within the service area. The Claims Review (Investigation) Handbook at Section IV in the Place of Use chapter describes the manner in which municipal water rights are described. Amended director's reports will be filed with the court to correct these typographical errors.

Another point was discovered during the review of these water rights. The name of the source of water for 29-4148 has been confused by historical documents. In a conversation with E. Carlsen on October 9, 2003, revealed a deed conveying title to the land and use of the spring referred to the source as Arkansas Spring likely given the spring is near Arkansas Creek. The previous filings made with IDWR including the claim and the change notice filed on behalf of the City state the source is Chatterton Spring(s). The convincing factor was the currently published USGS quadrangle map that refers to the source in the location claimed and recommended as Chatterton Spring. The source in the recommendation was changed accordingly along with changing the remark referencing the alias source to maintain the tie between the water right and the deed.

The last issue was the location of the city well. During the process of locating the diversion point for GIS purposes, a spatial data point was discovered that was supplied to IDWR by DEQ for the city water point just north of the point previously represented as the point of diversion for this right in license field exam. The DEQ point is located with a GPS unit, presumed more accurate, and was used as the point of diversion for 29-7334 resulting in an accomplished transfer for the water right from the well.



29-07334

ITEM 13. Lists Chatterton Springs - Data Base SEARCH
YIELDS NO SUCH CLAIM IN SRBA

REF: OQ BB92, T.105., R.376 SEC. 11 SWNW SW
→ SEC 29-4148

① CLAIMED AS LICONSED. SO RECOMMENDED.

Remarks / Conditions

Jd3

C18

USB - Municipal