

10/10/2003

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-4148

NAME AND ADDRESS: CITY OF ARIMO
JEAN ANDERSON
PO BOX 61
ARIMO ID 83214

SOURCE: CHATTERTON SPRING

TRIBUTARY: SINKS

QUANTITY: 0.330 CFS

PRIORITY DATE: 10/01/1924

POINT OF DIVERSION:

T10S R37E S11 SENWSW Within BANNOCK County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

MUNICIPAL

1/01 12/31

0.330 CFS

PLACE OF USE:

Place of use is within the service area of the City of Arimo municipal water supply system as provided for under Idaho Law.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

Source is also known as Arkansas Springs.

08/06/2002

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-4148

NAME AND ADDRESS: CITY OF ARIMO
PO BOX 61
ARIMO ID 83214

SOURCE: ARKANSAS SPRING

TRIBUTARY: SINKS

QUANTITY: 0.33 CFS

PRIORITY DATE: 10/01/1924

POINT OF DIVERSION:

T10S R37E S11 SENWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
1/01 12/31

QUANTITY
0.330 CFS

PLACE OF USE: MUNICIPAL Within BANNOCK County

PLACE OF USE IS WITHIN THE CITY OF ARIMO

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

SOURCE IS ALSO KNOWN AS CHATTERTON SPRINGS.

29-4148

ARIMU

4790

Substation

FARB

BM 4739

BM 4736

Armo

ST

Cen

BM 4732

BM 4662

Creek

18

SCANNED JAN 13 2014

City of Arimo

Municipal Use Boundary

Township

Section

Quarter

24k Quad Imagery
Date: 5/20/02

0 170 340 680 1,020 1,360 Feet

29-4148

ARIMU

4790

Substation

FARB

BM 4739

BM 4736

Armo

ST

Cen

4732

BM

4662

Creek

18

4640

SCANNED

JAN 13 2014

City of Arimo

Municipal Use Boundary

Township

Section

Quarter

24k Quad Imagery
Date: 5/20/02

0 170 340 680 1,020 1,360 Feet

CITY OF ARIMO

P. O. Box 207

ARIMO, IDAHO 83214

February 14, 1990

David B. Shaw

I hope thesre maps are what you need. If not please
contact us we will be glad to help.

Keith G. Anderson, Mayor

KEITH G. ANDERSON

RECEIVED
FEB 16 1990

Department of Water Resources

SCANNED

JAN 13 2014

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.

PROFILED

SCANNED
FEB 25 2005

10/14/2003

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-4148
NAME AND ADDRESS: CITY OF ARIMO
JEAN ANDERSON
PO BOX 61
ARIMO ID 83214

SOURCE: CHATTERTON SPRING TRIBUTARY: SINKS

QUANTITY: 0.330 CFS

PRIORITY DATE: 10/01/1924

POINT OF
DIVERSION: T10S R37E S11 SENWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
1/01 12/31

QUANTITY
0.330 CFS

PLACE OF USE:

Place of use is within the service area of the City of Arimo municipal water supply system as provided for under Idaho Law.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
Source is also known as Arkansas Springs.

03/21/2003

allen

**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: April 21, 2003

Water right number: 29-4148

CITY OF ARIMO

PO BOX 61

ARIMO ID 83214

Telephone Number: (208)254-3119

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: 3-24-03 SIGNATURE: *Jean Anderson*
Please print your name: Jean Anderson

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PROFILED

**SCANNED
FEB 25 2005**

RECEIVED

Department of Water Resources
Eastern Region

RECEIVED

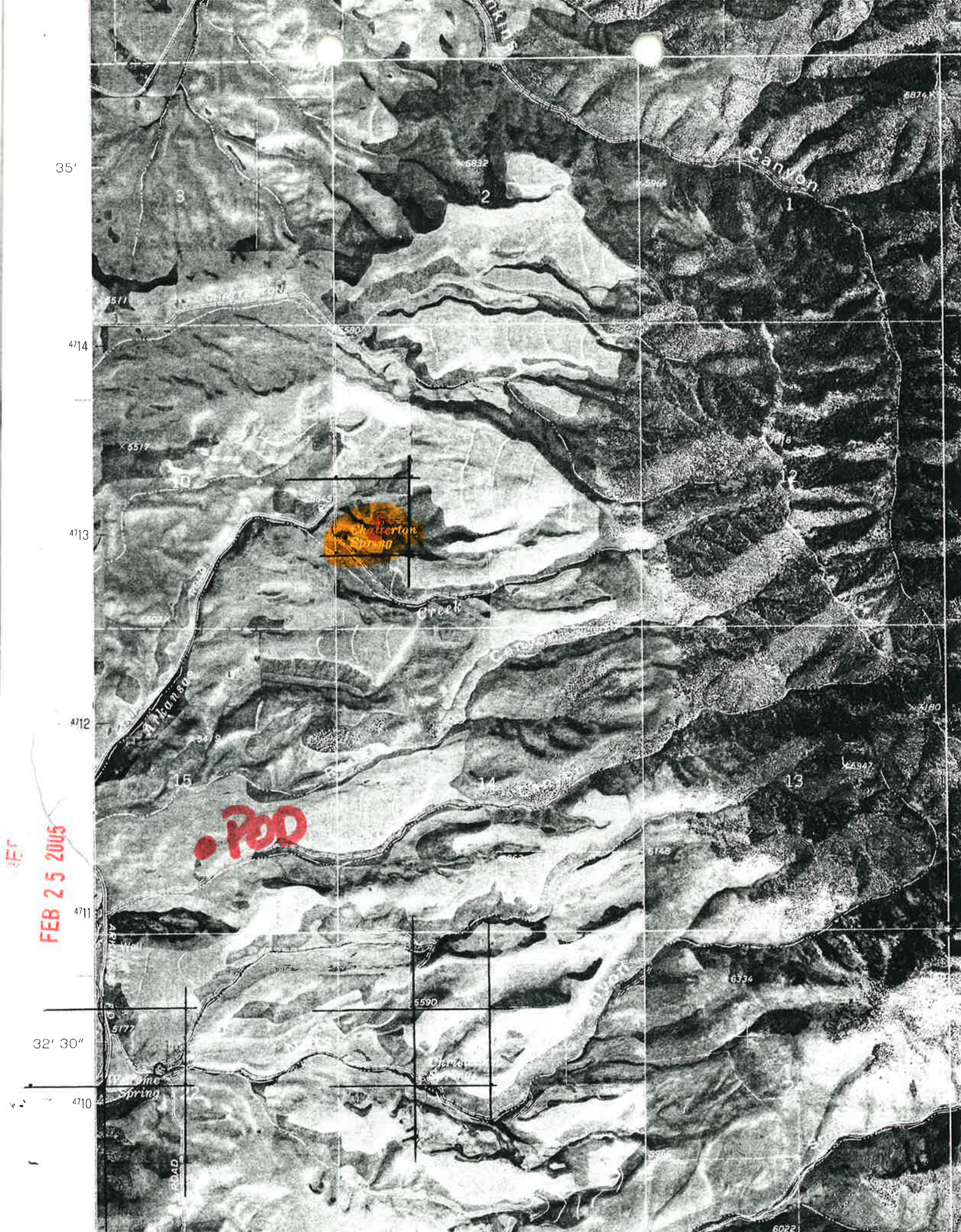
FEB 24 2005

Department of Water Resources
Eastern Region

COPIED



SCANNED
FEB 25 2005

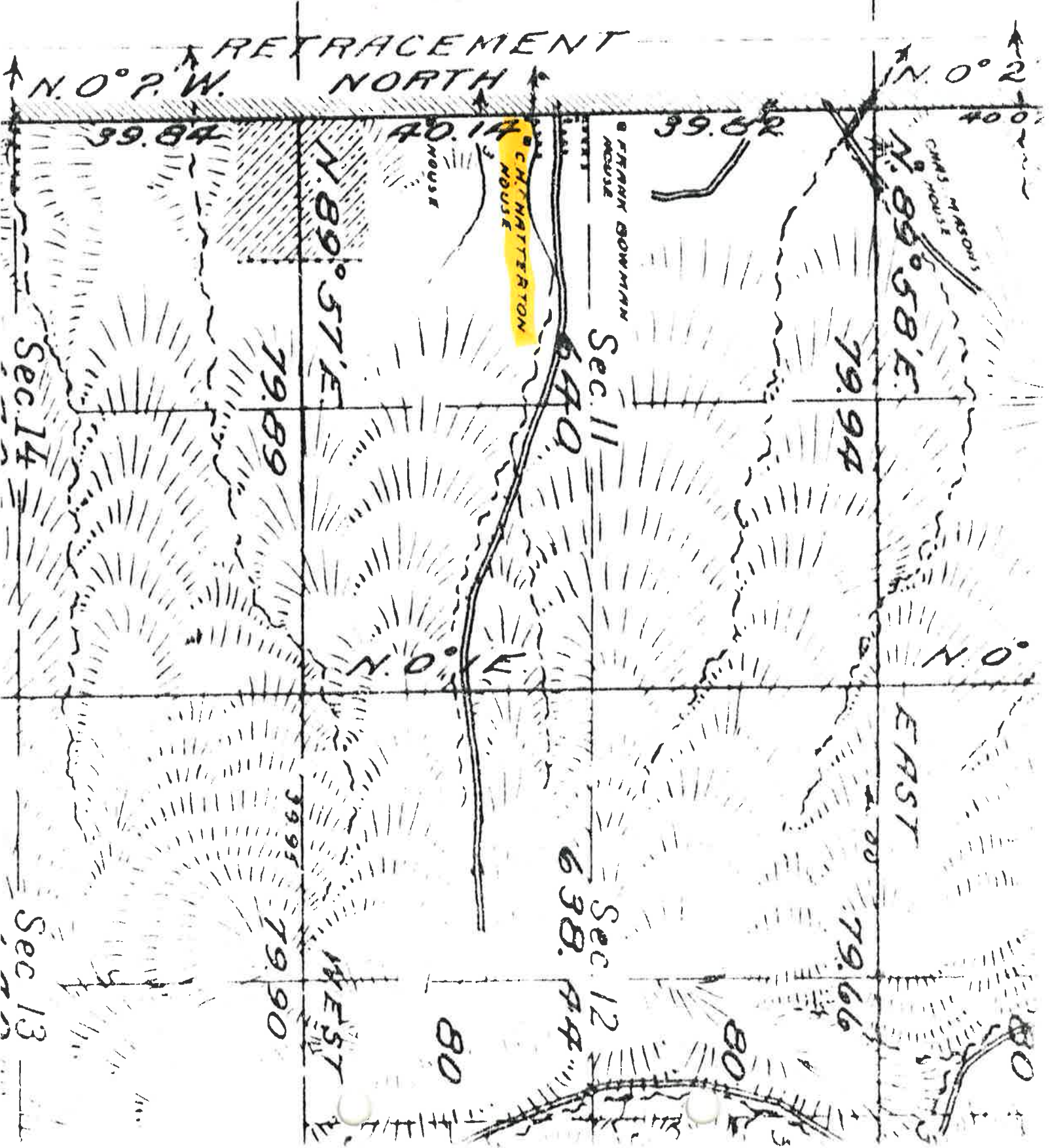


PROFILED

111

SCANNED
FEB 25 2005

ORIGINAL Survey 1892
RETRACEMENT 1913



2/30/02 1800 hrs. Met with Clair Monson, Counselman
from City of Arimo. Clair is in charge of the Municipal
Water system. We traveled to Chattanooga Springs (AKA
Arkansas Springs). Clair explained the system of
collection (underground) pipes and showed me the
HOBBOX and further commented that when the
collection system worked (now) they had water
flowing out the overflow. However, about 1 1/2
years back the springs seemed to move down-
slope and the collection system no longer works.
The City of Arimo is trying to pass a bond to re-
build the city water system and the springs have
slid down the priority list.

The City still wants to keep the water right
in hopes they can reconstruct the system.

No measurement was taken and the city does
not know records.

Recommended as claimed - since there are no
other competing claims on the source or the
unnamed stream flowing from the site

PROFILED

SCANNED

FEB 25 2005

me

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Tw	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Tw	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

POU is w/ City of Arimo

Transfers Changing POU _____

Reviewer: _____

Date: **SCANNED**
FEB 25 2005**PROFILED**

29-4148

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	City of Arimo	Jean Anderson-Mayer				
Name connector: and _____, or _____, and/or _____						
Current Owner						
Current Owner						

Representing Attorney: NA Phone Number: 254-3119 HmAccompanied By: CLARE MONSON Phone Number: 254-3508 City officeRelationship to Claimant: City Counselman 317-2712 cellDate of Field Exam: 7/25/02 / 7/30/02 Time: _____

Directions to Property (if different from above) and/or update owner information:

BUT CLAIM

Follow Old Hwy 91 south from Arimo $\approx$ 1^{1/2} mi. Turn EAST ON ARKANSAS CANYON ROAD, FOLLOW uphill ABOUT 3^{1/2} mi. THEN TURN EAST ON TRIPP ROAD, FOLLOW ABOUT 1^{1/2} mi UNTIL AN OLD SHED WITH A SILVER METAL ROOF IS ON YOUR LEFT. TURN Right AND FOLLOW THE STREAMBED (TRAIL LINE) TO THE SPRINGS, JUST LESS THAN 0²⁵ mi. You will note A LEVELED AREA IN A HORSESHOE SHAPE CROSSING THE DRAINAGE. THIS IS WHERE A COLLECTION PIPE SYSTEM IS BURIED.

FB INDICATOR - SQUARES DON'T MATCH EVIDENCE OF Priority - POO. EVIDENCE SPEAKS OF ARKANSAS SPS.

Reviewer: _____

Date: _____

SCANNED

FEB 25 2005

PROFILED

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____

Water Right Basis: _____

Claimed Priority Date: 10/01/1924Claimed Basis: BU (243 stat.)Recommended Priority Date: 10/01/1924Recommended Basis: BU☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

EVIDENCE (AGREEMENT BETWEEN CHATTERTON'S AND CITY OF ANIMO)
REFERENCES A SALE OF ARIZONA SPRINGS - LEGAL DESCRIPTION
OF AGREEMENT DOES NOT FIT W/ OQ, 126F BR92, REFERENCES TO
CHATTERTON SPRING IN SEC. 11 SW NW SW (BY CLAIM). AGREEMENT
LEGAL REFERENCES TO SEC. 11 SE NW SW. DATED 19 JANUARY 1925.
TENDS TO CONFIRM 10/01/1924. NO OTHER APPROPRIATIONS
OR CLAIMS ON THIS SOURCE

Reviewer: _____

Date: _____

SCANNED
FEB 25 2005

PROFILED

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Recommended Point of Diversion: T 105, R 37E, Sec. 11, SE, NW, SW. County: BannockSource: Arkansas Springs Tributary: Sinks

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
						<u>Chatterton Spgs</u> ^{OK}
GPS Coordinates: <u>0655540</u>						<u>0164597</u>
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

SOME INDICATION FROM ON-THE-GROUND FS THAT THE SOURCE
IS NOT Chatterton Sp. (COULD NOT BE LOCATED AS PLACED BY MAP)
RATHER ARKANSAS SPRINGS AND INDICATED IN SALE AGREEMENT
11/30/02 FS w/ CLAIR MONSON, City of Arimo, THAT IT WAS ALSO
KNOWN AS ARKANSAS SPRINGS.

Source
RemarkAKA:
Chatterton Spgs.

Transfers Changing POD _____

Reviewer: _____

SCANNED

Date: _____

FEB 25 2005

PROFILED

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Municipal	1/1	12/31	0.33	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Could not be measured w/ the system but
the discharge line does work 0.33 cfs or not more,
No way to quantify the system.

Reviewer: _____

Date: _____

SCANNED
FEB 25 2005

PROFILED

STATE OF ILLINOIS
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT

Under the provisions of Section 43-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by decision and declaration to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1975. Excepted from this filing are single family domestic uses as defined in Section 43-220(d), Idaho Code. Also excluded are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The Bureau did not receive any information that anyone might challenge that failure as this being caused by the failure of a single page.



CITY OF ARIZONA

OF ARTIST
(Name of Claimant)

Box 61 Arimo, Idaho 83214

(Zip Code)

Tolson No. 254-3507

(Mailing Address) _____ (Zip Code) _____
 claiming a right to the subsurface and beneficial use of the surface or ground water. The extent and nature of said claim is a
 matter of public concern. *October*
 1927 month and day not available

- (1) Date of priority (Date when the work first applied to a beneficial use) 1924 Month and day not available
A claim is not available on a ground water source with a priority later than March 20, 1933 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on a single family domestic use from a surface water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
tributary to _____

12. Describe the source of water, its use, and the amount of water used: tributary to sink
Whetstone Springs
13. Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: both sides involved

Quantity	Unit	Material, Location, Stock, Etc.	Period of Use From	(Mo., Day)	To	(Mo., Day)
Quantity 50 gal	Use	municipal	Period of Use From	Jan 1	To	Dec 31
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	
Quantity	Use		Period of Use From		To	

- 4) 53.12 TOTAL QUANTITY USED.
- 5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 SW 1/4 Sec. 11 Twp. 10S Rng. 37E S.M., County of Baraboo
B) Address of owner of diversion:

- 5) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give size and capacities, be as specific as possible. Describe any changes in the system and give the date of the change.
- Spring is in line w/ Slotted pipes are used to gather water
and transported to main collection box and then piped to City

- (b) All definite location of use by listing number of irrigated acres within each 40-acre tract is appropriate here. If use is not for irrigation, place an "X" in appropriate box to show location.

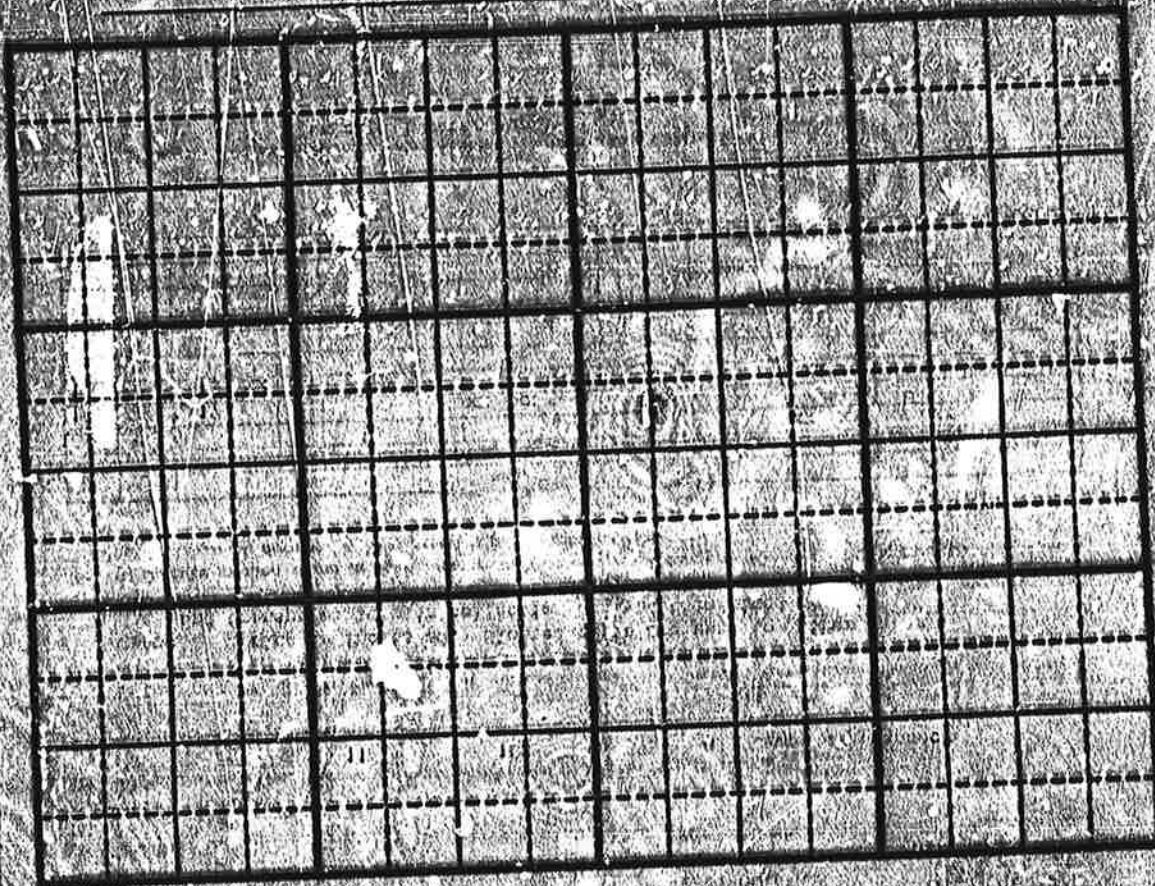
[illegible]

THE UNIVERSITY OF CHICAGO PRESS

21 If water is used for other than irrigation, fully disclose that use along with details of possible beneficial water supply.

NOTE: Indicate the type and number of work entered:
 10 you are starting work as member of organization; 11 name of organization; 12 age of A-1

12-004 are showing, later as a member of an organization, UN notes of organization.



Scale: 1 inch equals 1 mile.

Map should show 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

County of Bern

Be it known that the undersigned, being duly sworn, depose and say that he, she, they submitted 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 claimant's knowledge.

Given to him, her, it, on the 25 day of August, 1977.

Stuart F. Chilton
(Claimant) Mayor

Notary Public
Residing at 4440 Arroyo

My commission expires 4/4/83

63 8-18-79 FOR DEPARTMENT USE ONLY
Received by SA Date 8-28-79 Forwarded to SA
From check by SA Date 12-28-79 Forwarded by SA
Reviewed by SA Date 1-27-80
Checked by SA Date 1-27-80

53 3128



NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claims to water rights have been established by diversion and application in beneficial use.

CLAIM

CITY OF ARING

BOX EL. ARING ID 62214

Source: CHATTERTON SPRINGS tributary to SINK

Priority Date: 11/01/1924

Amount: 0.22 CFS

Diversion Point: NEAR SEE 12 T 10S R 37E BRADOCK Co.

Use: MUNICIPAL

(0.22 CFS) 9-28 01/01 to 12/73

Place of Use: NEAR SEE 12 T 10S R 37E BRADOCK Co. NEAR SEE 12 T 10S R 37E BRADOCK Co. NEAR SEE 12 T 10S R 37E BRADOCK Co. NEAR SEE 12 T 10S R 37E BRADOCK Co.

Diversion Means: COLLECTION BOX AND PIPING

Any question in any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1215 Lincoln Road, Boise, Idaho 83725.

C. STEPHEN RALPH
Director

Published 11/01 & 11/12/73.

SCANNED
JUN 06 2001

MEMORANDUM

21 May 2001

To: The File

From: A Ruberry

Subject: Telephone conversation

RE: A29-04148

Returned a voice mail message today to Jean Anderson, Mayor of the City of Arimo. She has concerns regarding the second letter sent to her, requesting flow measurement data for the spring claimed by the city. She has sent information regarding the Priority Date but has not sent flow data. Accordingly, she says they haven't used the spring in recent years but they want to keep the water right (claim).

During the discussion she told me that the City has hired an engineering firm to evaluate the city water system. They will be measuring the system and sources. I told her that I would hold off on the recommendation, waiting on the flow measurement data from the engineering firm as long as I had it within the next 6 months or so.

I explained the adjudication process and it's purpose. Further, that I would come down to meet her and she or her husband (ex-mayor) could show me the system. She said they would do just that.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

May 8, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CITY OF ARIMO
OFFICE OF THE MAYOR
PO BOX 61
ARIMO ID 83214

RE: NOTICE OF CLAIM NUMBER A29-04148

Dear Sir:

This letter is the second and final request for flow measurement data. Please see the attached letter dated March 1, 2001.

If we do not receive this information within the next 30 days your claim will be disallowed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Allen Ruberry'.

Allen Ruberry
Senior Water Right Agent

Enclosure: 1

29-04/48

42-243 IC

Original claim filed 25 August 1979. Priority date to
month and day established by default (IDWR Policy) when
month and day are not declared. Thus, October 1, 1924.
It is claimed as 150 gpm on Original claim $\Rightarrow$ 0.40 cfs
SRSA claims 148 gpm $\Rightarrow$ 0.33 cfs
Published Nov. 1979 as 0.33 cfs

RECEIVED

MAY 03 2001

Department of Water Resources
Eastern Region

April , 2001

State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr. Suite A

Idaho Falls , Idaho 83402-1718

RE: Snake River Basin Adjudication (SBRA) Claim to Water Right A29-o4148

To whom it may concern:

I, the under signed , having resided in the City of Arimo in excess of 50 years, and having been actively involved in the implementation and operation of the water system do hereby attest that the Chatterton Spring has been an important part of the City water system since its acquisition in 1925. The waters from the spring have been connected through pipes into the water collection and storage tank. These waters have combined with those taken from the well and pumped through the city system.

Wilson D. Tippet 5-30-2001

2001
- 50
1951

RECEIVED

MAY 03 2001

Department of Water Resources
Eastern Region

April , 2001

State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr. Suite A

Idaho Falls , Idaho 83402-1718

RE: Snake River Basin Adjudication (SBRA) Claim to Water Right A29-o4148

To whom it may concern:

I, the under signed , having resided in the City of Arimo in excess of 50 years, and having been actively involved in the implementation and operation of the water system do hereby attest that the Chatterton Spring has been an important part of the City water system since its acquisition in 1925. The waters from the spring have been connected through pipes into the water collection and storage tank. These waters have combined with those taken from the well and pumped through the city system.

Kenneth Capell 5/30/01

1951

RECEIVED

MAY 03 2001

Department of Water Resources
Eastern Region

April , 2001

State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr. Suite A

Idaho Falls , Idaho 83402-1718

RE: Snake River Basin Adjudication (SBRA) Claim to Water Right A29-o4148

To whom it may concern:

I, the under signed , having resided in the City of Arimo in excess of 50 years, and having been actively involved in the implementation and operation of the water system do hereby attest that the Chatterton Spring has been an important part of the City water system since its acquisition in 1925. The waters from the spring have been connected through pipes into the water collection and storage tank. These waters have combined with those taken from the well and pumped through the city system.

James H. Gunter Jr.

RECEIVED

APR 09 2001

Department of Water Resources
Eastern Region

CITY OF ARIMO

Office of the Mayor
P.O. Box 61
Arimo, Idaho 83214115 Henderson
208-254-3507
Fax #208-254-3507 *51State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr. Suite A.
Idaho Falls, Idaho 83402-1718

RE: A29-04148

To Whom it May Concern:

I, the undersigned was part the crew who, in August of 1994 along with Ashley Payne (dec.) and Johnathan McDaniels further developed the water source known as Chatterton Spring, East of Arimo. At that time I was Mayor of Arimo. We had Camble Construction of Lava Hot Springs do the backhoe work. We measured the amount of water flowing from that spring at that time. Our estimation of the amount of water flow was 35 gallons per minute.

Keith G. Anderson

Keith G. Anderson

4-06-01

SUPPORTED BY,
EVIDENCE: $\frac{35 \text{ gpm}}{448^{\text{B}} \text{ gpm}} = 0.078 \text{ cfs}$

CLAIMED: $(0.33 \text{ cfs})(448^{\text{B}}) = 148^{\text{L}} \text{ gpm}$

APR

CITY OF ARIMO

Office of the Mayor
P.O.Box 61
Arimo, Idaho 83214

RECEIVED

APR 09 2001

Department of Water Resources
Eastern Region
115 Henderson

208- 254-3507

Fax #208- 254-3507*51

April 2, 2001

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr. Suite A
Idaho Falls , Idaho 83402-1718

RE: Snake River Basin Adjudication (SBRA) **Claim to Water Right A29-o4148**

Dear Allen Rueberry,

In response to your inquiry and as a follow up to our phone call, I have acquired the inclosed statement from a person who can give us a verbal testimony as to the flow of water coming from the Chatterton spring as of August 1994.

I am in the process of acquiring a statement by a person or persons who were involved in the original implementing of waters from the spring into the city system. These gentlemen will not be in the city for two weeks.

Regards,


Jean Anderson
Mayor

1 March 2001

City of Arimo
Office of the Mayor
PO Box 61
Arimo ID 83214

RE: Snake River Basin Adjudication (SRBA), Claim to Water Right A29-04148

Dear Mayor Anderson:

I have started review of the SRBA water right claims in the Portneuf River area. The above referenced claim is for part of the water system for the City of Arimo

This claim is based on beneficial use dating to 1924. This type of claim requires flow measurements to confirm quantity claimed for beneficial use. In this case, pumping or flow records, which date from 1980 to 1987, will satisfy this requirement. Therefore, by this letter, I am requesting copies of the flow records for this source. I have enclosed a copy of the claim referenced for your perusal.

Please provide the documentation requested showing the basis for the SRBA claim referenced above within the next 30 days. Without the requested data the claim will be recommended as disallowed.

Address correction is requested.

I look forward to your timely response, should you have questions regarding this matter please feel free to contact this office.

Respectfully submitted,

Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

cc; file

Enclosures; Claim 29-04148 (copy)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF ARIMO PO BOX 61 ARIMO ID 83214 (208) 254-3119	10/01/1924	MUNICIPAL	01-01 12-31	0.33 CFS	
TOTAL DIVERSION:					0.33 CFS	

Water Source: CHATTERTON SPRINGS

Tributary to: SINKS

Stage: STATUTORY CLAIM

Point(s) of Diversion: T10S R37E S11 SWNWSW

BANNOCK County

Place of use Legal Description for: MUNICIPAL

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
10S	37E	7	:																			:
10S	37E	17	:							M	M					M		M	M	M		:
10S	37E	18	:	M		M		M		M						M						:

POU County: BANNOCK

Non-Irrigation Uses: M/ WATER FOR CITY OF ARIMO.

Other Rights: A29-07334

Remarks: MUNICIPAL PURPOSES FOR CITY OF ARIMO

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

A G R E E M E N T .

THIS AGREEMENT, Made and entered into this 19th day of January 1925, by and between Heber J. Chatterton and Effie Pearl Chatterton, husband and wife, of Arimo, Bannock County, Idaho, parties of the first part, and the Village of Arimo, a municipal corporation of Bannock County, Idaho, party of the second part; WITNESSETH:

THAT, WHEREAS, the party of the second part has constructed a municipal water distributing system, which system has its head works in what are commonly known as Arkansas Springs, which have heretofore been purchased by the party of the second part from William R. Tripp and Annie Tripp, which said springs are located upon the land hereinafter described, which said lands were conveyed by the parties of the first part to the party of the second part; and,

WHEREAS, The parties of the first part have executed and delivered to the party of the second part warranty deeds, whereby and by the terms whereof they have conveyed to the party of the second part the following described real estate, to-wit:

An easement for a right of way for a pipe line for conveying water for municipal purposes, which right of way is described as being a strip of land 25 feet wide, having its general route and termini as follows:

Beginning at a point lying North 1,693 feet from the Southeast Corner of Section 10, Township 10 South, Range 37, East of the Boise Meridian, thence running North 80° 01' East 829.5 feet to a point lying North 23° 34' East 2,040 feet from the Southeast Corner of Section 10, Township 10 South, Range 37, East of the Boise Meridian; 716° 10'

Also, beginning at a point which lies North 28° 4' East 1,750.5 feet from the Southeast Corner of Section 10, Township 10 South, Range 37, East of the Boise Meridian, and thence running North 1° 21' West 400 feet, thence North 88° 39' East 600 feet; thence South 1° 21' East 400 feet; thence South 88° 39' West 600 feet to the place of beginning, containing 5.50 feet, more or less; 621° 20'

And, WHEREAS, the parties to this agreement have jointly laid a pipe-line from a cement box located in the head works of the water system of the party of the second part to the house of the parties of the first part for the purpose of conveying to the parties of the first part the water hereinafter specified; NOW, THEREFORE,

For and in consideration of the premises and of the covenants herein expressed, it is agreed as follows, to-wit:

1. That the said pipe-line laid from the said cement box in the head works of the water distributing system of the party of the second part to the house of the parties of the first part shall hereafter be the property of the parties of the first part, the obligation resting upon them wholly and completely to keep said pipe-line in repair;

2. That the parties of the first part are to receive from the party of the second part, through the pipe-line aforesaid, water for domestic and culinary purposes in a quantity not exceeding one (1) gallon per minute, continuous flow;

1440 gpd
No claim
(SRBA)

3. That the parties of the first part relinquish and release all right or claim of every kind or nature in and to the said Arkansas Springs, either as against the party of the second part to this agreement or against William R. Tripp or any successor in interest and recognize that in settlement of the matters referred to in this agreement they are to receive the one gallon of water per minute, continuous flow, through said pipe-line in lieu of any other claim to any

POOR ORIGINAL

water whatsoever from said Springs or their tributaries.

This agreement shall be binding upon the heirs, executors, administrators, successors or assigns of the respective parties hereto and shall be considered a covenant running with the land of the parties of the first part.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

Heber J. Chatterton
Effie Pearl Chatterton
Parties of the First Part.

Attest:

Secretary.

VILLAGE OF ARIMO, a municipal corporation,

Chairman.

STATE OF IDAHO,)
COUNTY OF BANNOCK) ss.

On this 19th day of January, 1925, before me Wilford Olsen, Justice of the Peace, Arimo Precinct, in and for said County and State, personally appeared Heber J. Chatterton and Effie Pearl Chatterton, husband and wife, known to me to be two of the parties who subscribed the above and foregoing instrument, and they duly acknowledged that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(SEAL)

Wilford Olsen
Justice of Peace, Residing at
Arimo Precinct, Idaho.
Arimo, Idaho

NOV 13 1925

JUN 06 2001

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-04148
Date Received: 4/04/1990
Receipt No: 8012-790
Received By: ENE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF ARIMO 208-254-3119
Address: P.O. BOX 61
ARIMO, ID 83214

2. Date of Priority: OCT 01, 1924

3. Source: CHATTERTON SPRINGS Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	37E	11	SW	NW	SW		BANNOCK

5. Description of diverting works:
COLLECTION BOX AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
MUNICIPAL	01/01	12/31	0.330		

7. Total Quantity Appropriated is:
0.330 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
M/ WATER FOR CITY OF ARIMO.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	37E	7	NE	SE		MUNI	
			NW	SE		MUNI	
			SW	SE		MUNI	

A29-04148

Page 1

Date: 04/04/90

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A2904148



10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10S	37E	7	SE		SE		MUNI	
		17	NW		NW		MUNI	
			SW		NW		MUNI	
			NW		SW		MUNI	
		18	NE		NE		MUNI	
			NW		NE		MUNI	
			SW		NE		MUNI	
			SE		NE		MUNI	
			NE		SE		MUNI	

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A29-07334

14. Remarks:
MUNICIPAL PURPOSES FOR CITY OF ARIMO

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am MAYOR of
Title
CITY OF ARIMO, that I have signed the foregoing
Organization
document in the space below as MAYOR of
Title
CITY OF ARIMO and that the statements contained in the
Organization
foregoing document are true and correct.

Kurt B. Anderson
Signature of Authorized Agent

Mayor of City of Arimo
Title and Organization

4-4-90
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 4 day
of April 19 90.

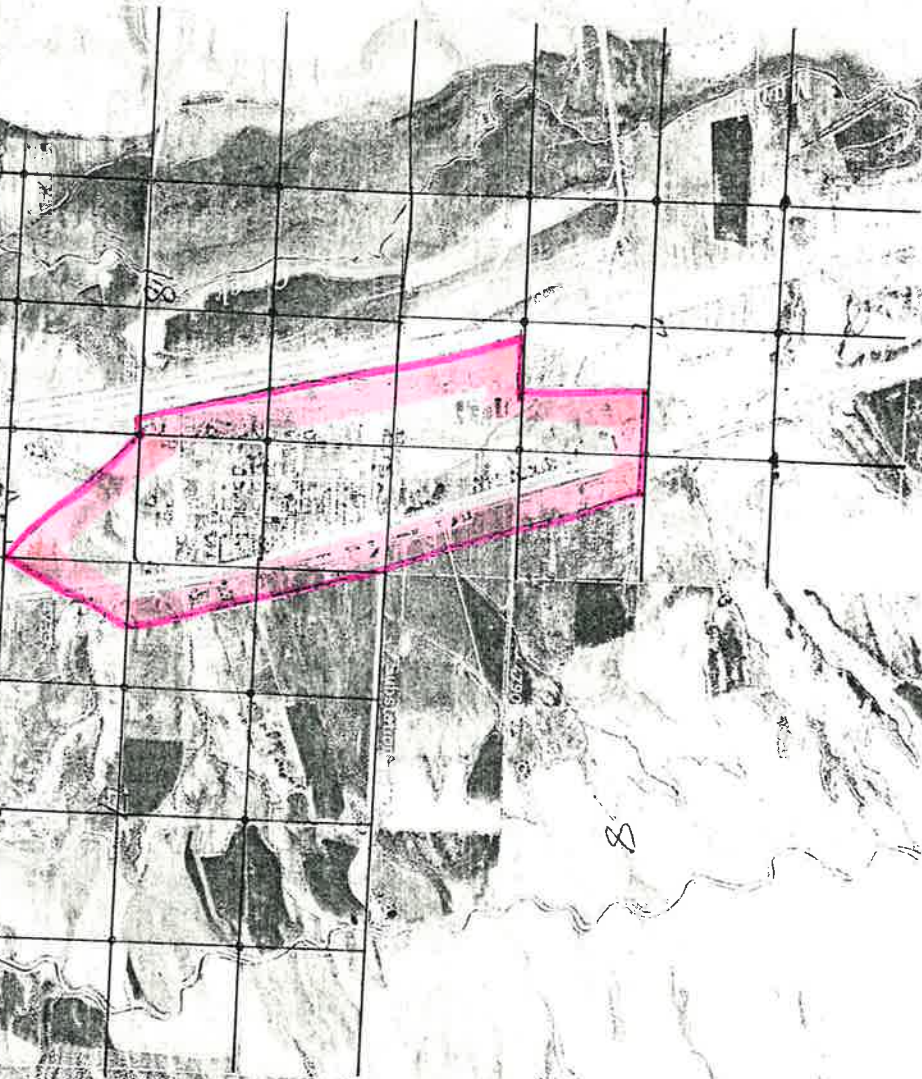
Ernest Carlsen
Notary Public



Residing at State Falls, ID

My Commission Expires 6-14-1994

NOV 13 1992
MILITARY MED



S
S

476 —

35'

474 —

Twp 10 S.
Rge 37 E.

473 —

10 11
15 14

472 —

471 —

32' 30"

470 —

MICROFILMED
NOV 13 1992