

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

T10S R37E S17 SENWNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

<u>PERIOD OF USE</u>	
1/01	12/31

QUANTITY
0.740 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: License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

07/22/2002

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

RIGHT NUMBER: 29-7334

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.74 CFS

PRIORITY DATE: 09/14/1976

POINT OF DIVERSION:

T10S R37E S17 SWNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
1/01 12/31

QUANTITY
0.740 CFS

PLACE OF USE: MUNICIPAL Within BANNOCK County

PLACE OF USE IS WITHIN CITY LIMITS 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: License

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

02/28/2001

RIGHT NUMBER: 29-7334

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

SOURCE: GROUND WATER

QUANTITY: 0.74 CFS

PRIORITY DATE: 09/14/1976

POINT OF DIVERSION: T10S R37E S17 SNNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
1-01 12-31

QUANTITY
0.74 CFS

PLACE OF USE:

MUNICIPAL Within BANNOCK County

T10S R37E S7	NESE	T10S R37E S7	NWSE
T10S R37E S7	SWSE	T10S R37E S7	SESE
T10S R37E S17	NWNW	T10S R37E S17	SNNW
T10S R37E S17	NWSW	T10S R37E S18	NENE
T10S R37E S18	NWNE	T10S R37E S18	SWNE
T10S R37E S18	SENE	T10S R37E S18	NESE

PLACE OF USE IS WITHIN CITY LIMITS 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: BASIS OF CLAIM - License

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

APR 26 2006



SCANNED

APR 26 2005

29-07334

Item 13. Lists Chatterton Springs - Data Base search
yields no such claim in SRBA

Ref: OQ BB92, T.103., R.37E Sec. 11 SWNWSW
→ Sec 29-4148

① Claimed as Lecon500. So Recommended.

Remarks / Conditions

Jd3

C18

USG - Municipal

SCANNED

APR 26 2006

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: 29-7334

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
APR 26 2003

RECEIVED
APR 21 2003
Department of Water Resources
Idaho Falls, ID

WR5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

02/28/01 15:24:58
Page 1

Water Right Number - 29-07334

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
CITY OF ARIMO

1 - P.O. BOX 207
2 -
3 -
City- ARIMO
Phone -

State- ID Zip- 83214

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
09/14/1976 *OK* 15 EASTERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

10S 37E 17 SW NW *OK* (5) BANNOCK

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
40 - MUNICIPAL *OK* 01/01 12/31 *OK* 0.740 *OK*

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.740 *OK* 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
GEN P/U WITHIN CITY LIMITS OF ARIMO.
REINSTATED 11-03-1981.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

SCANNED
JUN 06 2001

195
T10S
R37E

35'

4714

4713

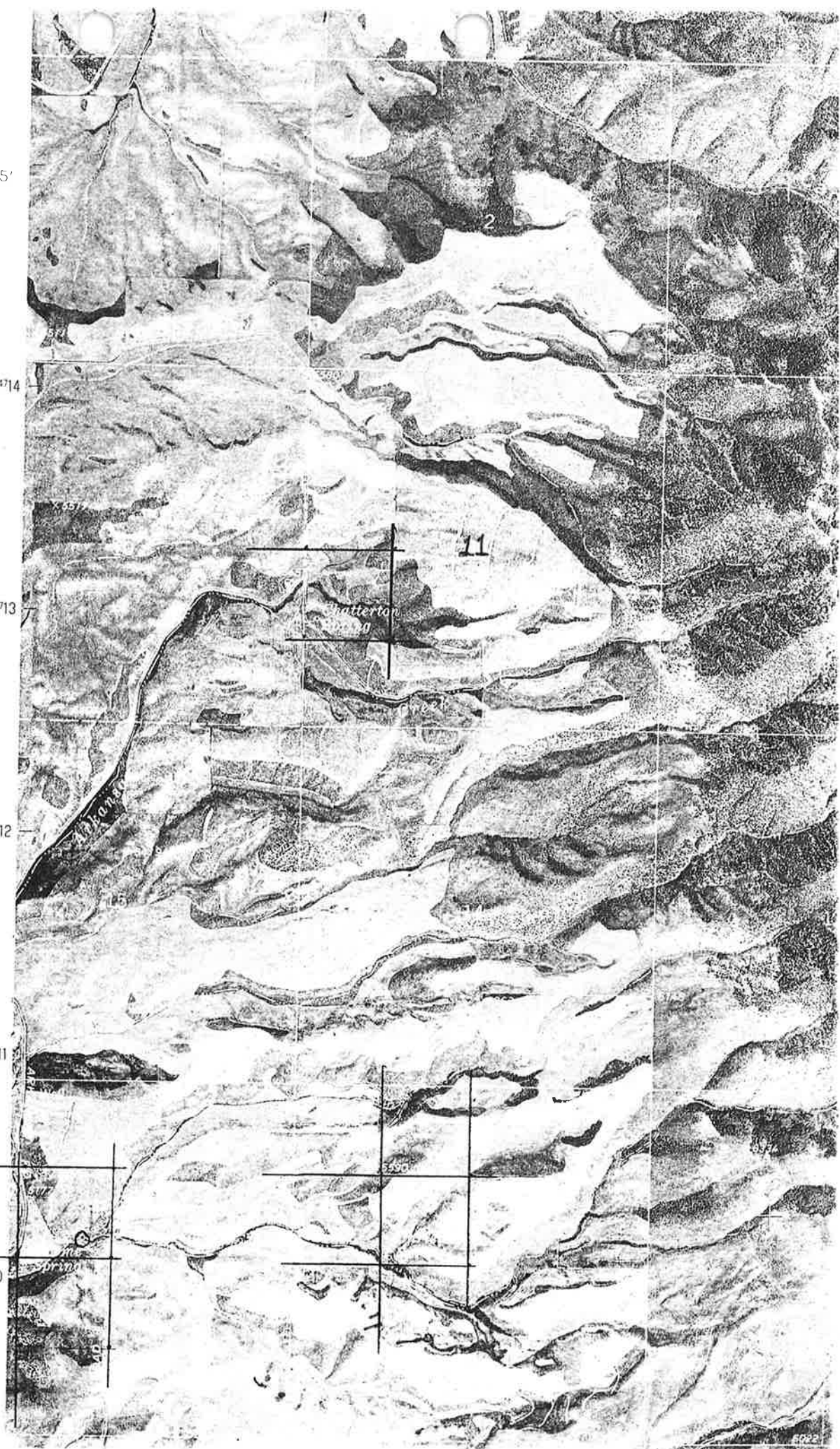
4712

4711

32' 30"

4710

REF:
OQ BB-92



UNRECORDED
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: A29-07334

Date Received: 4/04/1990

Receipt No: 8012790

Received By: E.M.C.

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: SEP 14, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	37E	17	SW	NW			BANNOCK

5. Description of diverting works:
WELL, PUMP & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
MUNICIPAL	01/01	12/31	0.740		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
M/ MUNICIPLE USE 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	

A29-07334

Page 1

Date: 04/04/90

MICROFILMED

NOV 13 1992

A2907334



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:
CHATTERTON SPRING

14. Remarks:
P/U WITHIN CITY LIMITS OF ARIMO.
REINSTATED 11-03-1981.

15. Basis of Claim: LICENSE

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.

Keith E. Anderson
Signature of Authorized Agent

Mayor of City of Arimo
Title and Organization

4-4-90
Date

State of Idaho)
County of Bannock) SS.

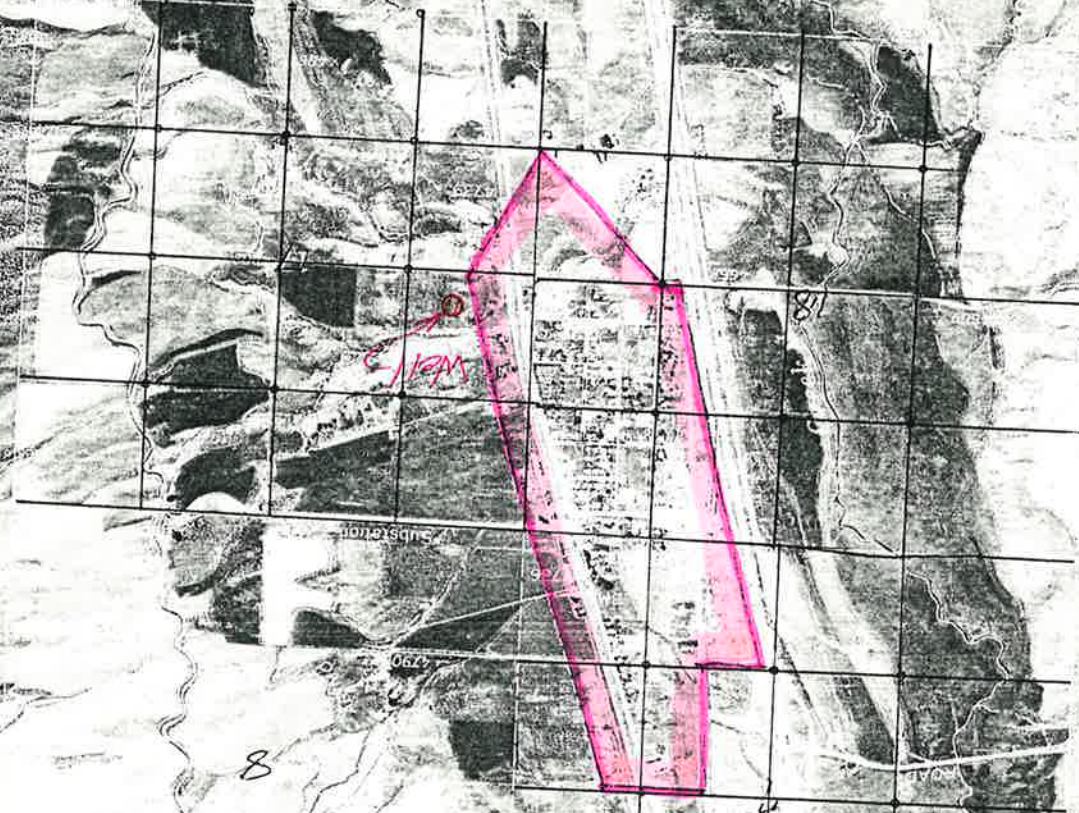
Subscribed and sworn (or affirmed) before me this 4 day
of April 19 90.

Ernest Carlsev
Notary Public



Residing at 1000 Falls, ID
My Commission Expires 6-14-1994

MICROFILMED
NOV 13 1992



Top 105
Age 376