

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 11-07592

Priority: April 04, 2008

Maximum Diversion Rate: 5.00 CFS

This is to certify, that CITY OF GEORGETOWN
PO BOX 99
GEORGETOWN ID 83239

has applied for a permit to appropriate water from:

Source: SPRING**Tributary:** GEORGETOWN CREEK

and a permit is APPROVED for development of water as follows:

BENEFICIAL USE

POWER

PERIOD OF USE

01/01 to 12/31

RATE OF DIVERSION

5.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

SPRING	SW¼4NW¼NE¼	Sec. 4	Twp 11S	Rge 44E, B.M.	BEAR LAKE County
SPRING	SW¼SE¼NE¼	Sec. 4	Twp 11S	Rge 44E, B.M.	BEAR LAKE County
(Injection)					
SPRING	SW¼SE¼NE¼	Sec. 4	Twp 11S	Rge 44E, B.M.	BEAR LAKE County
(Rediversion)					

PLACE OF USE:

POWER

Tw	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	44E	7																	X

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **January 01, 2011**.
2. Subject to all prior water rights.
3. Rights 11-290, 11-7219, and 11-7592 when combined shall not exceed a total diversion rate of 70 cfs at the point of rediversion for this right.
4. The diversion and use of water for hydropower purposes under this license is subject to review by the Director on or after March 1, 2021. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.
5. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
6. Use of water under this right shall be non-consumptive.
7. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 11.
8. Rights 11-290 and 11-7219, are also diverted through the point of rediversion described above.

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9. Point of injection into and point of redirection from Georgetown Creek.
10. The rights for the use of water acquired under this right shall be junior and subordinate to all other rights for the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any claim against any future rights for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
11. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
12. The right holder shall install a measuring device on the penstock at the power plant that can be used to determine the instantaneous rate of flow of water through the system, or the right holder shall provide to the department a flow rate measurement or computation made by a certified water right examiner in accordance with actual system design and operation.
13. This right is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this right. Failure to comply with these provisions is cause for immediate cancellation of this right.
14. When diverting and using water in connection with this right, the right holder shall maintain an instantaneous minimum bypass flow in the amount of 5.0 cfs past the point of redirection on Georgetown Creek. Until a fish passage structure is installed at the point of re-diversion on Georgetown Creek, the bypass flow shall be measured at the crested weir located within the SWNE, Section 4, T11S, R44E, B.M., approximately 150 to 200 feet downstream from the point of diversion, or at a point as close as possible to the location of the crested weir if the weir is removed or damaged, or at the location of the replacement measuring device if the crested weir is replaced. When a fish passage structure is installed at the point of diversion on Georgetown Creek, the 5.0 cfs bypass flow shall be measured in the fish passage structure from April 15 through July 15 and shall be measured in the fish passage structure or at the location of the weir or replacement measuring device as described above during the period July 16 through April 14. Deviations from the measurement locations shall be approved in advance in writing by the Department. In determining whether to authorize an alternative measurement location, the Department will consult the USDI Bureau of Land Management and/or the Idaho Department of Fish and Game as the Department deems necessary.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 6th day of January, 2010.


for GARY SPACKMAN, Interim Director