

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 BEAR RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 79576

Claim ID: 11-4121

Date Received: 10/20/23

Receipt No: P00528

Claim Fee: 326.00 By: MB

RECEIVED

OCT 20 2023

IDWR/Preston

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of claimant(s) City of Georgetown Phone (208) 847-2120
Mailing address P.O. Box 99, Georgetown, Idaho Zip 83239
Street or Box City State
Email address (optional) georgetowncityhall@gmail.com
2. Date of priority: (Only one per claim) June 1, 1872 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (☒) (a) Unnamed Spring
which is tributary to (b) Georgetown Creek, Right Hand Fork
4. a. Location of point of diversion is: Township 11S, Range 44E, Section 10,
NW 1/4 of NE 1/4, Govt. Lot _____, BM, County of Bear Lake
Parcel no. Unknown - US Forest Service - Easement with City of Georgetown
Additional points of diversion, if any: NESE of Section 4, T11S, R44E
If available, GPS Coordinates _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
Ending point is: Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
5. Description of existing diversion works (dams, reservoirs, ditches, wells, pumps, pipelines, headgates, etc.),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.
Spring box and 12" pipeline to storage tank then into the municipal water system.

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)

For Municipal purposes from 01/01 to 13/31 amount 2.76 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.76 (cfs) and/or (b) _____ (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	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	5											M	M	M	M	M		
11S	44E	7	M		M	M				M	M	M	M			M			
11S	44E	8		M			M	M	M										
11S	44E	18						M	M			M							
11S	43E	12	M		M	M			M	M	M				M	M	M	M	
11S	43E	13			M	M			M		M					M			

Parcel no(s). N/A Total number of acres irrigated N/A

10. In which county(ies) are lands listed above as place of use located? Bear Lake County

11. Do you own the property listed above as place of use? Yes () No (☒)
If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.
11-4360 or None ()

13. Remarks (Include an explanation of the priority date selected):

See attached Supplemental Remarks Sheet.

Name of claimant(s) City of Georgetown Claim ID _____

**SUPPLEMENTAL SHEET
NOTICE OF CLAIM TO A WATER RIGHT**

13. Remarks (Include an explanation of the priority date selected):

List of Attachments to Claim Form:

1. IDWR Water Right Report of 11-4121
2. IDWR Map of 11-4121
3. Current Service Area Map (POU & POD) for 11-4121
4. Idaho historical marker

The place of use includes the City of Georgetown city limits and other properties the city diverts water to.

Georgetown residents originally diverted water from Georgetown Creek. The City later developed a spring up Georgetown Canyon and installed a pipe to deliver water for municipal purposes. Statutory Claim no. 11-4121 indicates the spring was developed in 1958. However, development of the spring represents an accomplished transfer of the source and point of diversion under Idaho Code 42-1425 from Georgetown Creek to a spring tributary to Georgetown Creek.

Name of claimant(s) City of Georgetown Claim ID _____

14. Basis of claim (Check one) Beneficial Use (☒) Posted Notice (☐) License (☐) Permit (☐) Decree (☐)

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 11-4121

15. Signature(s)

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

Number of attachments: 4

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

Council President of City of Georgetown
Agent's title (Please print) Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Gregory Kunz Council Pres Date 9-20-23

Printed Name of Authorized Agent Gregory Kunz

16. Notice of Appearance:

Notice is hereby given that I, (please print) Thomas J. Budge, Attorney, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Thomas J. Budge Date 10.7.23

Address PO Box 1391, Pocatello, Idaho 83204-1391, tj@racineolson.com

Name of claimant(s) City of Georgetown Claim ID _____

Close

Water Right Report : 11-4121(Statutory Claim/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	CITY OF GEORGETOWN	PO BOX 99	GEORGETOWN	ID	83239

Water Right Status

Priority Date : 6/1/1958
 Basis : Statutory Claim
 Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			
SPRING		GEORGETOWN CREEK	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	11S	44E	4	0		SW	NE	BEAR LAKE	
GROUND WATER	11S	44E	4	0		NE	SE	BEAR LAKE	
SPRING	11S	44E	10	0	SW	NW	NE	BEAR LAKE	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
MUNICIPAL	1/01	12/31	2.76 CFS	
TOTAL			2.76 CFS	

Places of Use

This water right has a [Large Place Of Use](#) 

Conditions

Code Conditions

- R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- The total instantaneous diversion of water from all points of diversion under Transfer 5446 shall not exceed 2.76 cfs. Approval of Transfer 5446 does not confirm Claimed Right 11-04121. Place of use within the service area of the City of Georgetown.
- 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

Dates

Licensed Date :
 Decreed Date :

Other Information

State or Federal :
 Water District Number : 11
 Generic Max Rate Per Acre : 0

Close

Large Pou Report for Right ID : 109454

Place of Use Legal Description : MUNICIPAL (BEAR LAKE county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
11S	43E	12		SW	NE		
11S	43E	12		SE	NE		
11S	43E	12		SE	NW		
11S	43E	12		NE	SW		
11S	43E	12		NE	SE		
11S	43E	12		NW	SE		
11S	43E	12		SW	SE		
11S	43E	12		SE	SE		
11S	43E	13		NE	NE		
11S	43E	13		NW	NE		
11S	43E	13		SE	NE		
11S	44E	5		SE	SW		
11S	44E	5		SW	SE		
11S	44E	7		NE	NE		
11S	44E	7		SW	NE		
11S	44E	7		SE	NE		
11S	44E	7		SE	NW		
11S	44E	7		NE	SW		
11S	44E	7	3	NW	SW		
11S	44E	7	4	SW	SW		
11S	44E	7		NW	SE		
11S	44E	8		NW	NE		
11S	44E	8		NE	NW		
11S	44E	8		NW	NW		
11S	44E	8		SW	NW		
11S	44E	18	1	NW	NW		
11S	44E	18	2	SW	NW		

Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargment Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date:
Protest Deadline Date:

Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

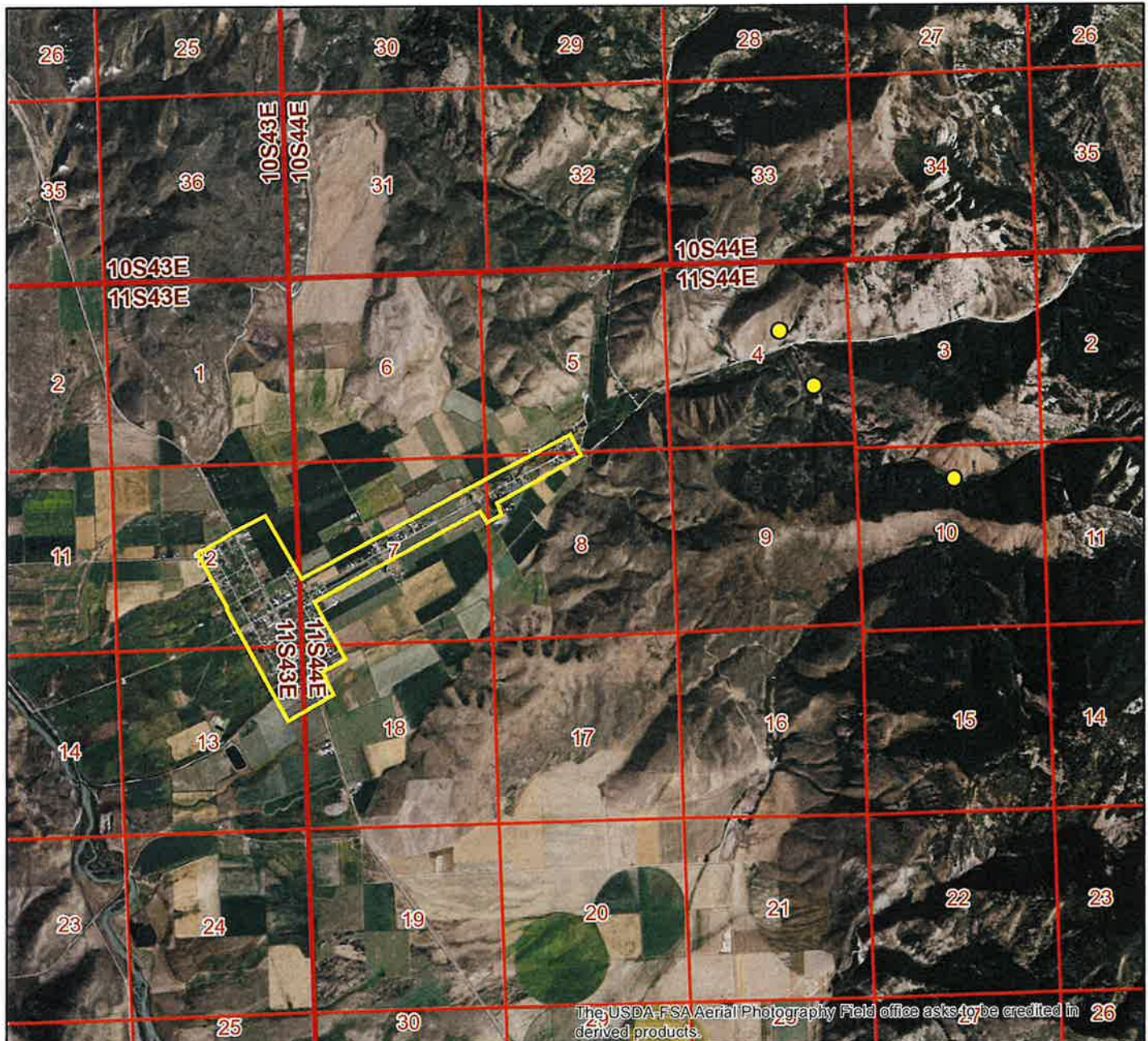
6/26/2023

State of Idaho
Department of Water Resources
Water Right

11-4121

MUNICIPAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 6/26/2023



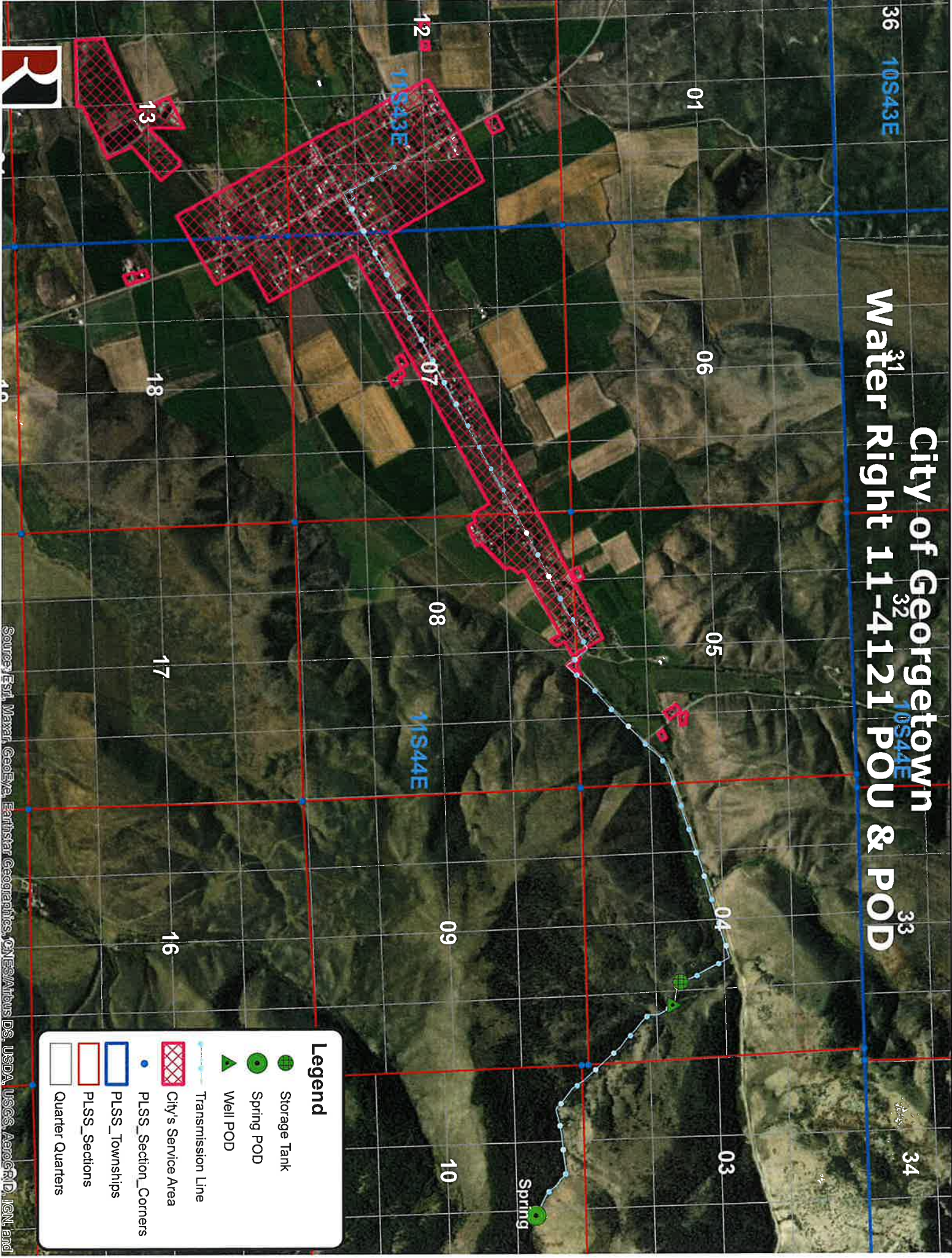
Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections



City of Georgetown

City of Georgetown Water Right 11-4121 POU & POD



Storage Tank

Spring POD

Well POD

Transmission Line

City's Service Area

PLSS_Section_Corners

PLSS_Townships

PLSS_Sections

Quarter Quarters

Legend

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and



City of Georgetown



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OCT 20 2023
IDWR/Preston

October 18, 2023

Idaho Dept. of Water Resources
325 East 600 South, Ste 300
Preston, Idaho 83263-4921
marion.beck@idwr.idaho.gov

Sent via Email & U.S. Mail

**Re: City of Georgetown
Notices of Claims to Water Rights - 11-4360, 11-7272, and 11-4121
Bear River Basin Adjudication**

To whom it may concern:

Enclosed for filing please find the originals of four Notices of Claims to Water Rights on behalf of the City of Georgetown, together with a check in the amount of \$506.00 for the filing fees, broken down as follows:

Claim 11-4360: \$50 flat fee + \$100 per cfs x .78 cfs claimed = \$128.00	
Claim 11-7272: \$50 flat fee + \$100 per cfs x .02 cfs claimed = \$52.00	
Claim 11-4121: \$50 flat fee + \$100 per cfs x 2.76 cfs claimed = \$326.00	
Total:	\$506.00

Please file the originals and email the claim numbers assigned to tessa@racineolson. Thank you for your assistance. Please contact us if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tessa Sparrow', is written over the printed name.

TESSA SPARROW
Paralegal

Enclosure

c: City of Georgetown