

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

RECEIVED

OCT 23 2023

IDWR/Preston

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

CIVIL CASE NUMBER: 79576

Claim ID: 11-7219

Date Received: 10-23-23

Receipt No: P000543

Claim Fee: 1730.00 By: MB

Please type or print clearly

1. Name of claimant(s) The Georgetown Irrigation Company Phone (208) 847-5486
Mailing address c/o Drue Smith, President, PO Box 174, Georgetown, Idaho Zip 83239
Street or Box City State
Email address (optional) druesmith69@gmail.com and lynette.smith86@yahoo.com
2. Date of priority: (Only one per claim) January 12, 1981 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (✓) (a) Georgetown Creek
which is tributary to (b) Bear River
4. a. Location of point of diversion is: Township 10S, Range 44E, Section 32,
SW 1/4 of SE 1/4, Govt. Lot _____, BM, County of Bear lake
Parcel no. 10S44E324800 (02393.00) and 11S44E047810
Additional points of diversion, if any: SE1/4NE1/4 and SW1/4NE1/4 of Section 4, Township 11S, Range 44E
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.
Water is diverted by closing a head gate in the main channel of Georgetown Creek which
sends the flow through a pipe into holding cell and through mechanical screens, then into
the irrigation main pipe. This pipe feeds the power plant.

6. Water is claimed for the following purposes:

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

For Power purposes from 01/01 to 12/31 amount 30 or 19,800

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 30 (cfs) and/or (b) 19,800 (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) Hydropower Generation: 480 kWh

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	7								P									

Parcel no(s). 11S44E074420 (02628.01) Total number of acres irrigated NA

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

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.
11-7592 or None ()

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

The priority date is based off of the Application for Permit filed January 12, 1981, approved 9/27/1985, and licensed 4/7/2009.

~~List of Attachments to Claim Form:~~

1. IDWR Water Right Report of 11-7219
2. IDWR Map of 11-7219
3. Current Point of Diversion and Place of Use for 11-7219

~~This right and 11-7592 combined generate 480 kWh.~~

Name of claimant(s) The Georgetown Irrigation Company 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 11-7219

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: _____

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

President _____ of The Georgetown Irrigation Company
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 Drue Smith Date 10/18/23

Printed Name of Authorized Agent Drue Smith

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) Thomas J. Budge, 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 10/19/2023

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

Name of claimant(s) The Georgetown Irrigation Company Claim ID _____

Close

Water Right Report : 11-7219(License/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	GEORGETOWN IRRIGATION CO	C/O DRUE SMITH PO BOX 8	GEORGETOWN	ID	83239
Previous Owner	SNEDIGAR, DAVID R	4577 N CLEAR LAKES GRADE	BUHL	ID	83316
Previous Owner	GEORGETOWN POWER	5203 S 11 E	IDAHO FALLS	ID	83404

Water Right Status

Priority Date : 1/12/1981
 Basis : License
 Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GEORGETOWN CREEK		BEAR RIVER	
GEORGETOWN CREEK	LEFT HAND FORK	GEORGETOWN CREEK	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQ	QQ	Q	County	Diversion Type
GEORGETOWN CREEK	10S	44E	32	3	SE	SW	SE	BEAR LAKE	
GEORGETOWN CREEK	11S	44E	4	0	SE	SW	NE	BEAR LAKE	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
POWER	01/01	12/31	30.00 CFS	19800.00 AFA
TOTAL			30.00 CFS	19800.00 CFS

Places of Use

Printable View

Paged View

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

Township	Range	Section	Lot	QQ	QQ	Q	Acres
11S	44E	7		SE	NW		

Conditions

Code Conditions

- 027 Use of water under this right shall be non-consumptive.
- X35 Rights 11-290 and 11-7219 when combined shall not exceed a total diversion rate of 70 cfs.
- X36 Right 11-290 is also diverted through the point(s) of diversion described above.
- R05 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.
- R43 At each authorized point of diversion 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.

When diverting and using water in connection with this right, the right holder shall maintain an instantaneous minimum bypass flow of 5.0 cfs past the point of diversion on Georgetown Creek. Until a fish passage structure is installed at the point of 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.

At each measurement location for the bypass flow, the right holder shall maintain a flow measuring device capable of measuring a flow of 5.0 cfs. The right holder shall also maintain a data recorder capable of continuously recording the measured bypass flow. The measuring device(s) and recording device(s) shall be of types approved by the Department.

By January 5 of each year, the right holder shall submit an annual report to Water District 11 documenting the instantaneous minimum bypass flow for the preceding calendar year (January 1 through December 31).

- R22 The rights for the use of water confirmed in this license shall be junior and subordinate to all 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 right or 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 right.
- X42 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.
- 025 This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
- 020 The diversion and use of water described in this right may be subject to additional limitations agreed to by the right holder and other parties under separate agreement to which the Department is not a party and which may be enforceable by a court of law.

Dates

Licensed Date : 4/7/2009
 Decreed Date :
 Permit Proof Due Date : 7/1/1988
 Permit Proof Made Date : 5/21/1986
 Permit Approved Date : 9/27/1985
 Permit Moratorium Expiration Date :
 Enlargement Use Priority Date :
 Enlargement Statute Priority Date :
 Application Received Date: 1/12/1981
 Protest Deadline Date:

IDAHO DEPARTMENT OF WATER RESOURCES

Other Information

State or Federal :
 Water District Number : 11
 Generic Max Rate Per Acre : 0
 Generic Max Volume Per Acre : 0
 Combined Acre Limit :
 Combined Volume Limit:
 Combined Rate Limit: 70.00
 Civil Case Number :
 Decree Plaintiff :
 Decree Defendant :
 Swan Falls Trust or Nontrust :
 Swan Falls Dismissed :
 DLE Act Number :
 Cary Act Number :
 Mitigation Plan: False

5/10/2023

Georgetown Irrigation Company
WR 11-7219 POU

11S44E

Legend

- 11-7219 POU (Hydro)
- PLSS_Section_Corners
- PLSS_Townships
- PLSS_Sections
- Quarter Quarter

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



10S44E

33

Georgetown Irrigation Company
WR 11-7219 POU & POD

04

05

06

11S44E

08

Legend

- 11-7219 POD (Hydro)
- 11-7219 POU (Hydro)
- PLSS_Section_Corners
- PLSS_Townships
- PLSS_Sections
- Quarter Quarter

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



POWER

The USDA-FSA Aerial Photography Field office asks to be credited in derived products.



State of Idaho
Department of Water Resources

Water Right

11-7219

POWER

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: 11/2/2022



Legend

- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



The Georgetown Irrigation Company



RECEIVED

OCT 23 2023

IDWR/Preston

October 19, 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: Georgetown Irrigation Company
Notices of Claims to Water Rights
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 Georgetown Irrigation Company, together with a check in the amount of \$7,414.00 for the filing fees, broken down as follows:

Claim 11-290: \$50 flat fee + (\$1.00 per acre x 3,500 acres) = \$3,550.00

Claim (Supplemental): \$50 flat fee + (\$1.00 per acre x 354 acres) = \$404.00

Claim 11-7219: \$50 flat fee x (\$3.50 per kilowatt capacity x 480 kWh) = \$1,730.00

Claim 11-7592: \$50 flat fee (combined with 11-7219 for 480 kWh) = \$50.00

Total: \$5,734.00

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 black ink, appearing to read 'Tessa Sparrow', written over the printed name.

TESSA SPARROW
Paralegal

Enclosure

c: Georgetown Irrigation Company