

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

Ident. Number: 11-7618
Date Received: 10/26/2023
Receipt No: P000552
Claim Fee: \$50.00
Received By: _____

RECEIVED

JAN 31 2025

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

IDWR/Preston

1. Name of Claimant(s)

GARY H TEUSCHER _____ Phone: (208) 915-7222
PO BOX 34
GENEVA ID 83238-0034

OR

SYLVIA TEUSCHER _____ Phone: (208) 705-8782
39917 US 89
PO BOX 34
GENEVA ID 83238

OR

JAMES TEUSCHER _____ Phone: (208) 339-0542
PO BOX 43
GENEVA ID 83238-0043

OR

HEIDI L TEUSCHER _____ PHONE: (208) 847-0069
PO BOX 43
GENEVA ID 83238

2. Date of Priority: 4/1/1884

3. Source:
THOMAS FORK

Trib. to:
BEAR RIVER

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
12S	46E	11	NE SW	3	BEAR LAKE	

5. Description of diverting works:

In the past the water was diverted from Thomas Fork down the Geneva Ditch. For the last 30 years, for the most part water has been diverted out of the Geneva Ditch at the headgate shown on the attached map. This diverts water into the old Preuss Creek drainage channel which is also historically referred to as Muddy Canal. We pump out of this to sprinkle irrigate our land. The original point of diversion from Thomas Fork has been lost and to the best of my knowledge since the 1980's the water that Geneva Ditch captures is mostly from Dry Creek/Preuss Creek except for in the spring when Thomas Fork water floods into the ditch.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
IRRIGATION	04/15	10/31	1.53		

7. Total Quantity Appropriated is:

1.53 C.F.S. and/or A.F.A.

8. Non-irrigation uses:

9. Place of use:

IRRIGATION within BEAR LAKE County

Township	Range	Section	¼	of	¼	Lot	Acres
12S	46E	27	SW		NW		30
12S	46E	27	NW		NW		31.2

Total Acres = 61.2

10. Do you own the property listed above as place of use? Yes

If your answer is no, describe in remarks below the authority you have to claim this water right.

11. Other Water Rights Used:

11-2166

12. Remarks:

Priority Date Explanation:

This is the priority date decreed. Water has continued to be used since. I am unsure why the point of diversion is described further south from the property after my father had the water right split in 2006. Water is not diverted down there and has always been diverted from either the old Geneva Ditch or the Muddy Canal near this property. Conditions on this water right describe

the diversion from Stevens & Larson Ditch, however there is no way this can happen today. Historically when it was decreed it may have come from that ditch, but after my father's transfer this water does not come from the ditch.

P/D INCOMPLETE STEVENS & LARSON DITCH LEGAL USGS MAP.

P/U INCOMPLETE AC. IRR. = 61.2.

DECREE SOURCE - STEVENS & LARSON DITCH.

13. Basis of Claim: Decreed

14. 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 BEAR River Basin 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): James R. Stewart Date: 1/31/25

Date: _____