

**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: 13-2128B
Date Received: 7/24/2025
Receipt No: P002058
Claim Fee: \$131.00
Received By: mjb

RECEIVED

JUL 24 2025

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

DWR/Preston

1. Name of Claimant(s)

JOHN MUSSLER
14745 N HWY 34
THATCHER ID 83283

Phone: (208) 221-3346

2. Date of Priority: 8/13/1934

3. Source:

SPRING CREEK
SPRING CREEK
BEAR RIVER
SPRING CREEK

Trib. to:

BEAR RIVER
BEAR RIVER
GREAT SALT LAKE
BEAR RIVER

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
12S	40E	24	SW SE		FRANKLIN	Injection
12S	40E	13	NE SW		FRANKLIN	Injection
12S	40E	24	NW SW		FRANKLIN	Rediversion
12S	41E	18	SE NW		FRANKLIN	

5. Description of diverting works:

Most of the water from Spring Creek is ditched at point of diversion and sent south where it ends up at the Bear River. Some of the water continues in its natural course to the Bear River. At the rediversion point water is pumped out of the Bear River to pivot and sprinklers. Water is metered and measured at the rediversion point.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
IRRIGATION	4/15	10/15	1.62		283.5

7. Total Quantity Appropriated is:

1.62 C.F.S. and/or 283.5 A.F.A.

8. Non-irrigation uses:

9. Place of use:

IRRIGATION within FRANKLIN County

Township	Range	Section	¼	of	¼	Lot	Acres
12S	40E	24	SW		NW		10
12S	40E	24	SE		NW		2.3
12S	40E	24	NE		SW		35
12S	40E	24	NW		SW		14
12S	40E	24	SW		SW		4.4
12S	40E	24	SE		SW		15

Total Acres = 80.7

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:

Comingled with Williams Creek water 13-847A

12. Remarks:

Priority Date Explanation:

This is the licensed priority date and use continues today. POU is where it has always been. In about 2001 the riparian area adjacent to the river stopped being irrigated in an effort to stabilize the banks. This was an NRCS program agreement with the landowner. Similar to a conservation easement. The bank stabilization has continued since then in a conservation effort. ECC program is the latest the land is in.

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.

Use of water under this water right will be regulated by the watermaster of State Water District No. & DISTRICT.

Diversion of water from Bear River is limited to those times when water is available under the priority of this right from Bear River and Spring Creek, and to the amount of that water that reaches Bear River as determined by the Watermaster of State Water District No. 11, Bear River.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

13. Basis of Claim: License

14. Signature(s)

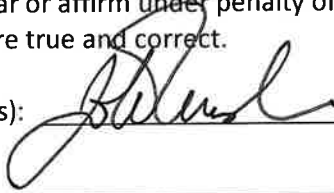
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the BEAR River Basin Adjudication." (b.) I/We do X do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

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):



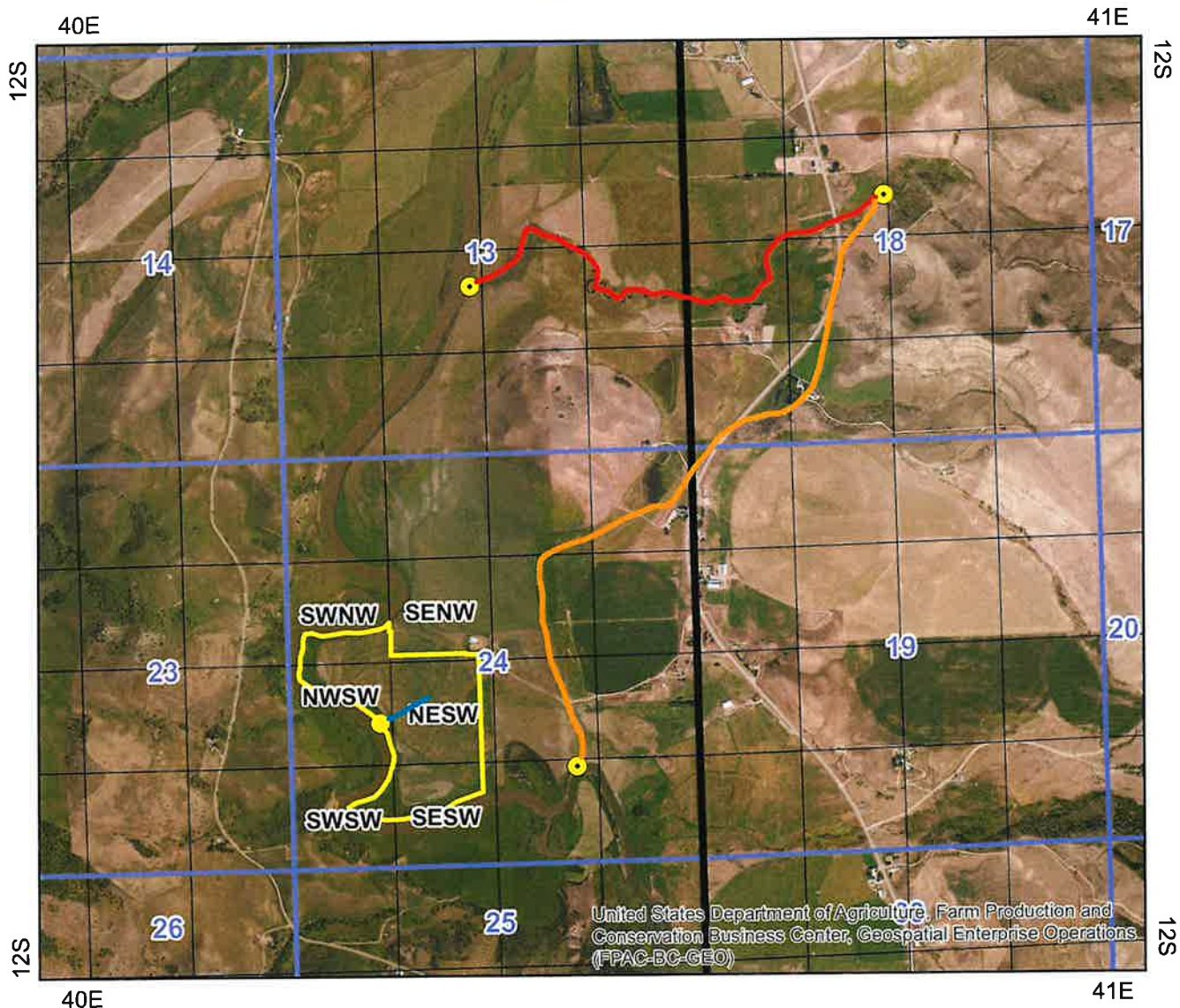
Date: July 24 2025

Date: _____

State of Idaho
Department of Water Resources
Adjudication Claim

13-2128B
John Mussler
July 24, 2025

Irrigation



- Place Of Use Boundary
- Point of Diversion
- State Outline
- Townships
- PLS Sections
- Quarter Quarters

- Spring Creek (Natural)
- Ditch
- Main Pipe to Pivot

