

09/13/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-171B
NAME AND ADDRESS: DAVID BRECKENRIDGE
519 W 575 N
TETONIA ID 83452
BRECKENRIDGE BROS
494 N 500 W
TETONIA ID 83452

SOURCE: SOUTH LEIGH CREEK TRIBUTARY: TETON RIVER

QUANTITY: 0.750 CFS

The rights listed below are limited to a total combined diversion rate of 0.99 cfs. Combined Right Nos.: 22-171B, 22-441B, 22-2282

PRIORITY DATE: 06/01/1898

POINT OF DIVERSION:

T06N R45E S33 NWSWSE Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.750 CFS

PLACE OF USE: IRRIGATION Within TETON County

T05N R45E S06 Lot 4 NWNW	19.00	T06N R45E S31 Lot 4 SWSW	19.00
--------------------------	-------	--------------------------	-------

38 ACRES TOTAL

38

The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 22-2282, 22-441B, 22-171B

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Black Ditch

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

09/13/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-171B

DAVID BRECKENRIDGE

519 W 575 N

TETONIA ID 83452

Telephone Number: (208)456-2652

BRECKENRIDGE BROS

494 N 500 W

TETONIA ID 83452

Telephone Number: (208)456-2652

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

*Take David Breckenridge name off and leave
in Breckenridge Bros name*

OK

DK

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: Dec 7, 2006 SIGNATURE: Dale Breckenridge

Please print your name: Dale Breckenridge

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161



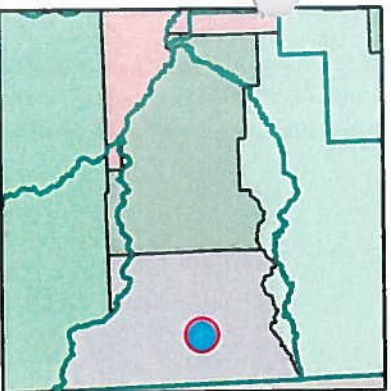
Idaho Department of Water Resources

Adjudication Claim:

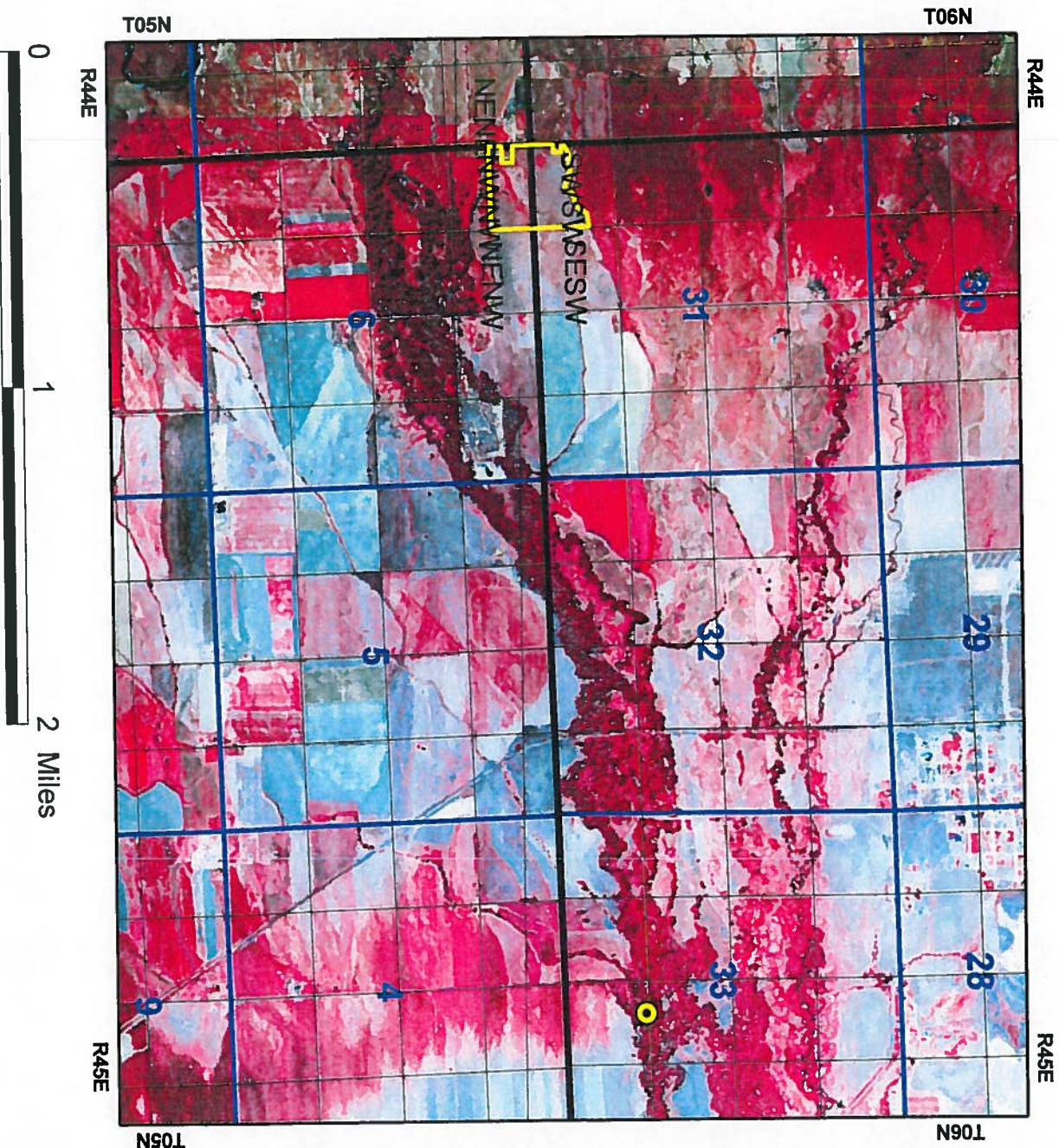
22-171B

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters

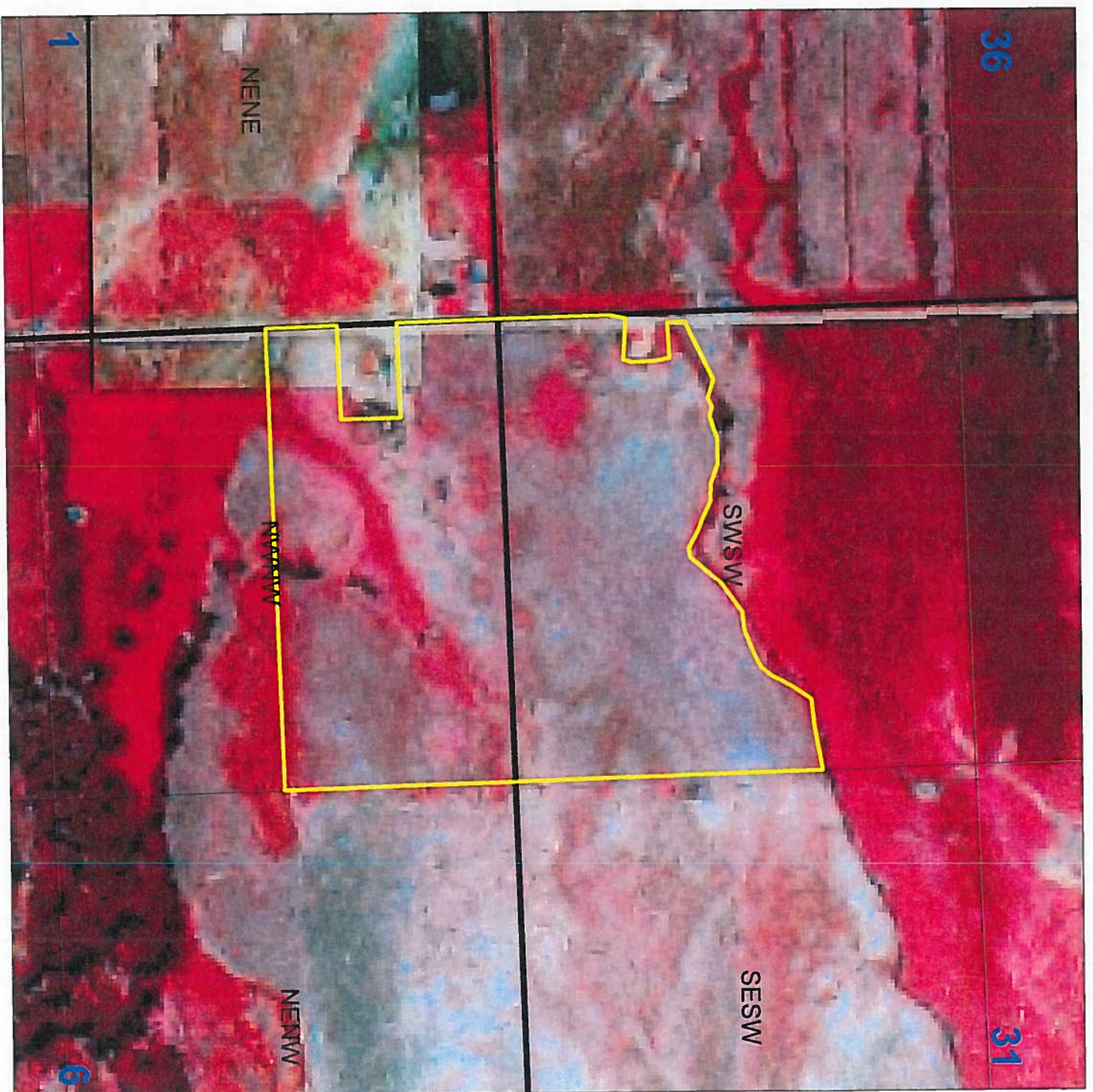


Teton County
IDWR Basin 22



Prepared by D. Carlson
On Wednesday, September 13, 2006
1987/88 Aerial Photography

22-171B

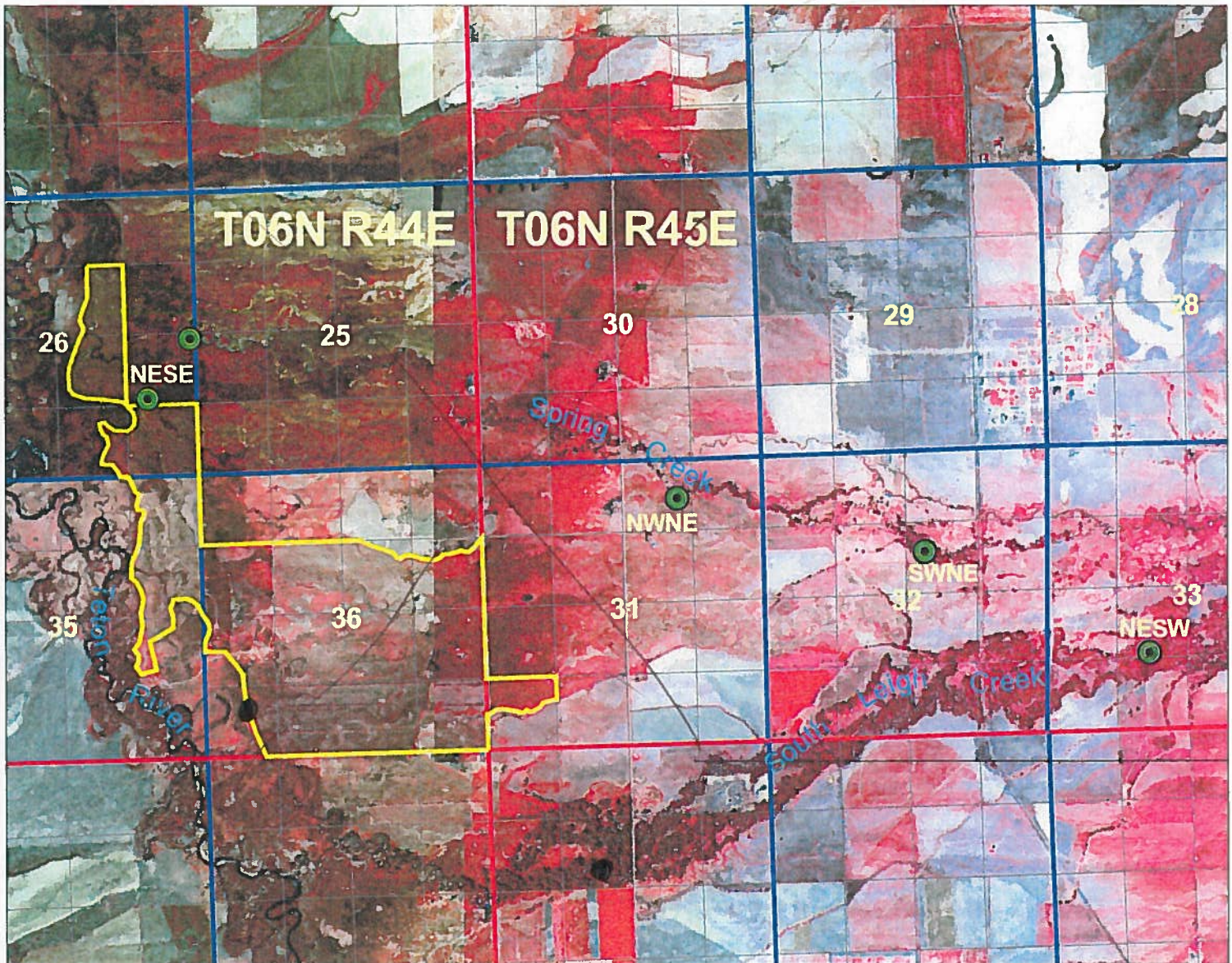




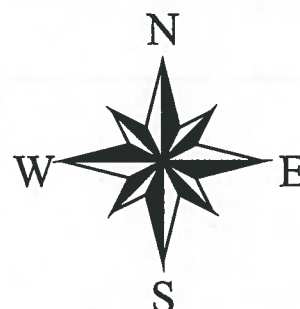
Department of Water Resources

Eastern Region

Claim No.: ~~22-171B~~, ~~22-183~~,
~~22-533B~~, & ~~22-11845~~



0 1000 2000 3000 4000 5000 Feet



- Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ

VOID

GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: Kristin Moore
Date Prepared: January 2006

02/08/05

Claim overlaps partially w/ claim 22-2282

Notice that this claim has a rate of 0.76 c.f.s.

with 38.0 Acres, however I only see 18.5 Acres in this Q₂, which exceeds the allowable 0.02 in/Acre.

WR SPIT
22-171 { A 120 ac. 2.25 dfs
 B 40 ac. 0.75 dfs
 160 ac 3.0 dfs as decreed

→ Recommending 0.01875 dfs/ac.

NT
both claimants overclaimed Q. 171A claimed 2.4 dfs and 171B claimed 0. or 1"/ac. for each. However, original decree was only for 0.01875 dfs/ac, no 0.02 dfs/ac. as claimed.

Claim does not overlap w/ 22-2282. This claims the northern portion of the Q₂. 22-2282 claims the southern portion. Recommending in PPU with 22-183, 22-533B, and 22-11845. Right limited to claimed acres - 38.

KM

Water Right No(s). _____

GPS DATA:

Tag # AOP 13851 Location: Black Canal Concrete Left Side

Diversion Data:

Source: Southleigh Trib to: Teton River

MOTOR

Make: _____ Model: _____ Hp: _____
SN: _____

PUMP

Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

Field Exam Date: _____ Agent: _____

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point(s) of diversion and Source.

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____ County: _____

Source: _____ Tributary to: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____ County: _____

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
10N	45E	33		NE SW	Teton	South Leigh	Teton River

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
10N	45E	33		NW SE	Teton	South Leigh	Teton River

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

The POD is the Black Canal off of the north side of South Leigh CK. located in the recommended POD.

Reviewer: _____ Date: _____

Season of Use and Quantity Data Entry Form

Claim Number: _____

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

X Claimed Partial Overlap w/ 22-2282 (GW Lic)

Reviewer: _____

Date: _____

Rexburg Decree

#6

22-0170
22-0170

Bigler, Jesse

320 inches. May 1, 1893.

Moody Creek; to be reduced to 160 inches after June 20th in each year.

Bigler, Mark S.

Good Luck Canal Company and Pioneer Ditch Company.

Birch, Mary H.,
Admx. Estate of
Thomas Birch,
deceased.

Pioneer Ditch Company.

Birch, Mary H.,
Admx. Estate of
Samuel Stewart,
deceased; and
Birch, Mary H.,

(See Stewart, Samuel,
deceased, Mary H.
Birch, Admx.)

0062

Bird, Martin L.,
F. W. Garner &
Geo. A. Pincock

444 inches. March 1, 1884.

Pincock-Garner Ditch.

0063

Bird, Martin L.,
F. W. Garner &
Geo. A. Pincock

800 inches. Apr. 1, 1898.

Pincock-Garner Ditch.

0021 0023

Bishop, J. B.

300 inches. May 10, 1889.

Sheridan Creek. Trans # 174-545

0021 0024

Bishop, Jennie

300 inches. May 10, 1889.

Sheridan Creek. Trans # 177-545-546

0021 0025

Bishop Mary M.

150 inches. May 10, 1889.

Sheridan Creek. Trans # 178-545

0021 0026

Bishop R. L.

150 inches. May 10, 1889.

Sheridan Creek. Trans # 177-545-546

0021 0027

Bishop R. L.

150 inches. May 10, 1889.

Sheridan Creek. # 545-546

Bithell, Alice

(Dismissed.)

Bithell, Heber

The Sunny Dell Irrigation Canal Company.

0027 25-0256

Bitton, T. S.

300 inches. June 1, 1890.

Spring Creek, near Monan,

0027 22-0171

Black, Joseph A.

150 inches. June 1, 1898.

South Leigh Creek.

Blackburn, Thomas

Trego Ditch Company.

0000

Blackfoot

0001

Irrigation

Company.

20,000 inches. July 10, 1889.

Sneeke River. Trans 264-276, 1914
266-274-283-

0007 22-0172

Blair, Ed. F.

160 inches. June 1, 1896.

Trail Creek.

0007 22-0173

Blair J. J.

120 inches. May 1, 1896.

Spring Creek.

0007 22-0174

Blumires, Robert,
and C. J. Burton,
W. S. Burton, and
Thomas H. Phillips

640 inches. June 1, 1891.

Badger Creek, and
Springs on land
of T. A. Phillips.

TRANS # 1919

Bigler, Jesse E.

NE $\frac{1}{4}$ of Sec. 13, T 6 N., R. 40 E. B. M.,
containing 160 acres.

Birch, Mary H.)
Admx. of Estate)
of Thomas Birch,)
deceased.)

(Lands under "Stewart ditch":(NE $\frac{1}{4}$ of SW $\frac{1}{4}$
of Sec. 30, T 7 N., R 41 E., B. M, containing
40 acres.

✓ Bishop, J. B.

S $\frac{1}{2}$ of NE $\frac{1}{4}$. N $\frac{1}{2}$ of SE $\frac{1}{4}$. Sec. 2, T 12
N., R. 41 E., B. M. S $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 2. Trans¹⁷⁶
and NE $\frac{1}{4}$ of Sec. 11, T. 12 N., R. 41
E., B. M.

Bishop, Jennie

SW $\frac{1}{4}$ of NW $\frac{1}{4}$, and W $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 1,
and NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 12, SE $\frac{1}{4}$ of
NE $\frac{1}{4}$ and ~~SE~~^{NE} of SE $\frac{1}{4}$ of Sec. 1, and
NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 12, all in T. 12 N., R 41
E., B. M. Trans¹⁷⁹

Bishop, Mary M.

SW $\frac{1}{4}$ of NE $\frac{1}{4}$. SE $\frac{1}{4}$ of NW $\frac{1}{4}$. NW $\frac{1}{4}$ of
SE $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$. Sec. 1, T 12 N., R 41 E., B. M. Trans¹⁷⁸

Bishop, R. L.

SW $\frac{1}{4}$ of SE $\frac{1}{4}$. SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 1, NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 12, NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 12. T. 12 N., R 41 E., B. M. Trans¹⁷⁷

Bishop, T. J.

Lots 1 and 2 and E $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec. 7, T.
12 N., R 42 E., B. M.

Bithell, Alice

SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 5, SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 6
T. 1 N., R. 44 E., containing 80 acres.

Bithell, Heber

Lots 1 and 2 and E $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec. 7, T.
1 N., R. 44 E. B. M., containing 160 acres.

Bitton, W. S.

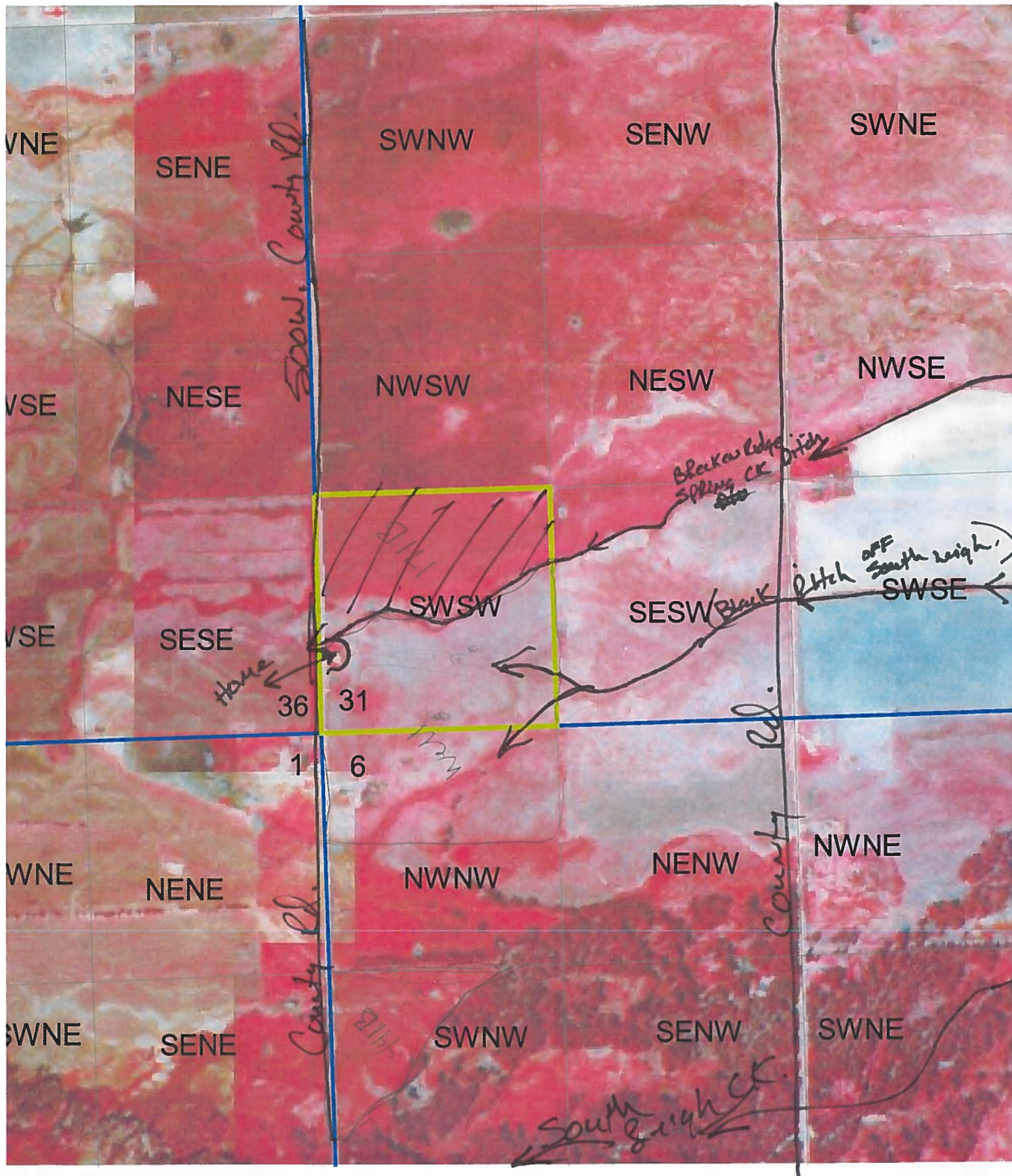
N $\frac{1}{2}$ of SE $\frac{1}{4}$ and N $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 35,
T. 5 N, R 37 E., B. M.

Black, Joseph A.

W $\frac{1}{2}$ of SW $\frac{1}{4}$. S $\frac{1}{2}$ of NW $\frac{1}{4}$. Sec. 31, T. 6
N., R 45 E., B. M., containing 160 acres.

22-171B

9-22-04
ck



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 SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A22-00171B**
Date Received: 10/ 3/1988
Receipt No: E002856
Received By: _____

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

1. Name: BRECKENRIDGE BROS 208-456-2652
Address: TETONIA ID 83452
OR
Name: DAVID BRECKENRIDGE 208-456-2652
Address: TETONIA ID 83452

2. Date of Priority: JUN 1, 1898

3. Source: SOUTH LEIGH CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	45E	33	NE	SW			TETON
			NW	SE			

5. Description of diverting works:
HEADGATE TO DITCHES TO P/U

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.760		

7. Total Quantity Appropriated is:
0.760 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 76.0 Acre Feet Per Annum

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	45E	31	SW	SW		IRR	38.0

MICROFILMED

NOV 06 1990

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	38.0
					Total Acres	38.0

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

THIS RIGHT IS A PORTION OF 22-00171. P/U IS NORTH 20 AC. OF SEC 31 SWSW.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO. ET AL
Decree Plaintiff

TETON IRR. CANAL CO. ET AL
vs Decree Defendant

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

MICROFILMED
NOV 06 1996

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 SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Renumbered A22-00171B

Ident. Number: A22-11850

Date Received: 10/03/1988

Receipt No: E002856

Received By: *[Signature]*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BRECKENRIDGE BROS. 208-456-2652
Address: TETONIA, ID 83452
OR
Name: DAVID BRECKENRIDGE 208-456-2652
Address: TETONIA, ID 83452

A2200171B



2. Date of Priority: JUN 01, 1898

3. Source: SOUTH LEIGH CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	45E	33	NE	SW			TETON

5. Description of diverting works:
HEADGATE TO DITCHES TO P/U

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.760		

7. Total Quantity Appropriated is:
0.760 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 76.0 Acre Feet Per Annum.

9. Non-irrigation uses:

MICROFILMED
NOV 06 1996

A22-11850

Page 1

Date: 10/03/88

MICROFILMED
NOV 06 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	31	SW	SW		IRR	38.0
Section Acres							38.0
Total Acres							38.0

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
THIS RIGHT IS A PORTION OF 22-00171. P/U IS NORTH 20 AC. OF SEC
31 SWSW.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRR. CO. ET AL
Decree Plaintiff

vs

TETON IRR. CANAL CO. ET AL
Decree Defendant

MICROFILMED
NOV 06 1990

~~MICROFILMED~~
~~NOV 06 1992~~

16. 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 Snake 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 Organizations:

I do solemnly swear or affirm that I am Partner of
Breckenridge Bros, that I have signed the foregoing
Organization Title
document in the space below as Partner of
Title
Breckenridge Bros and that the statements contained in the
Organization
foregoing document are true and correct.

Dale W Breckenridge
Signature of Authorized Agent

Partner Breckenridge Bros
Title and Organization

Oct 3, 1988
Date

State of Idaho)
County of Bennett) SS.

Subscribed and sworn (or affirmed) before me this 3 day
of Oct 19 88

[Signature]
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 7-12-94

MICROFILMED
NOV 06 1996

MICROFILMED
NOV 06 1996

A 22-11850

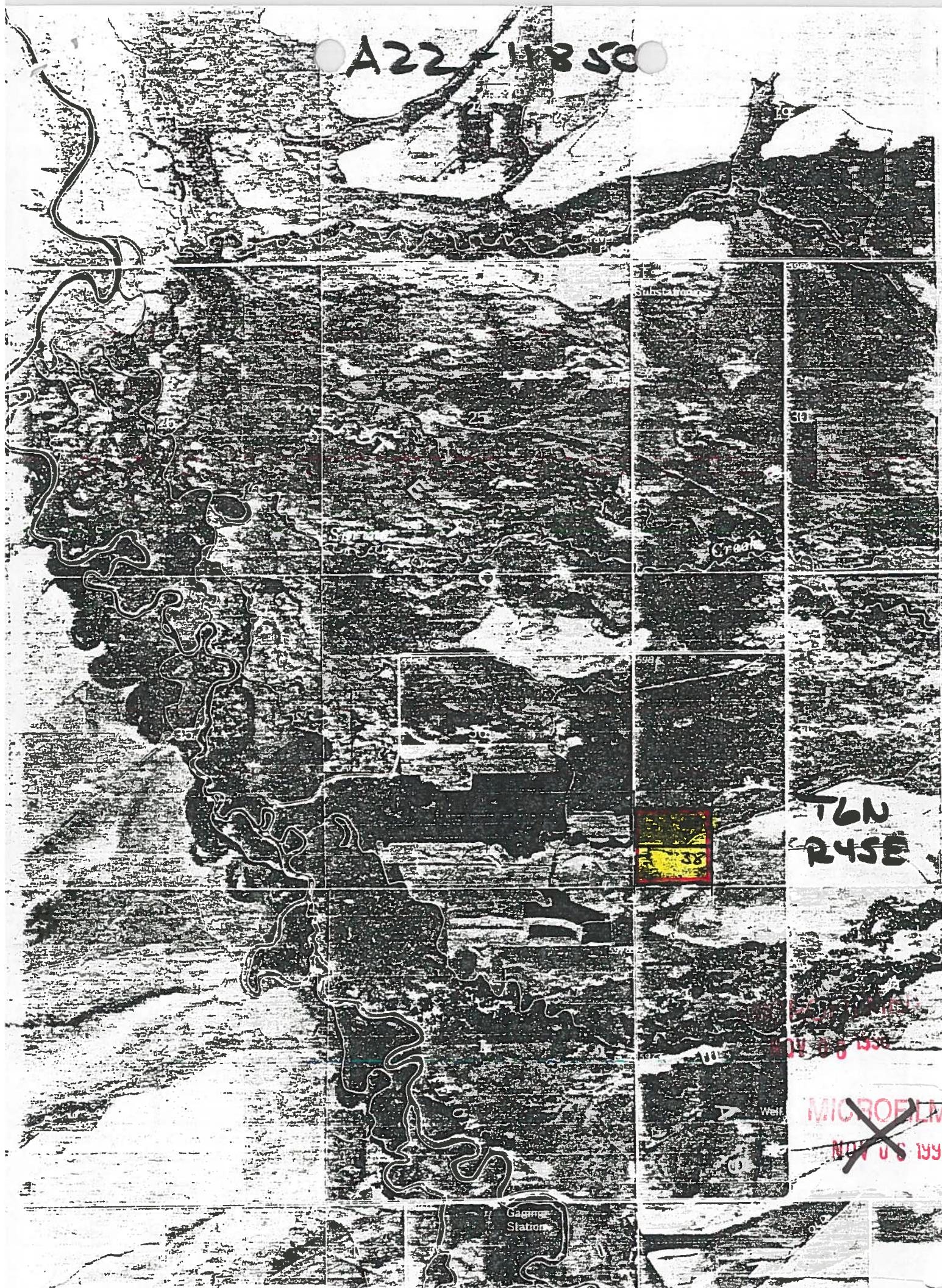
25E
25N

1/10/71

~~CONFIDENTIAL~~

CONFIDENTIAL

A22-11850



Substation

Creed

38

T6N
R4SE

Gaging
Station

Well

~~MICROFILM~~

~~NOV 0 8 1992~~