

11/02/2006

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

RIGHT NUMBER: 22-533B

NAME AND ADDRESS: BRECKENRIDGE BROS
494 N 500 W
TETONIA ID 83452

SOURCE: SPRING CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 3.300 CFS

PRIORITY DATE: 01/18/1905

POINT OF DIVERSION:

T06N R44E S26 NENESE Within TETON County
T06N R44E S26 SWNESE Within TETON County
T06N R45E S31 SENWNE Within TETON County
T06N R45E S32 NWSWNE 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	3.300 CFS

PLACE OF USE: IRRIGATION in TETON County

T06N R44E S26	SWNE	22.00	T06N R44E S26	NWSE	27.00
T06N R44E S26	SWSE	8.20	T06N R44E S26	SESE	39.00
T06N R44E S35	NENE	35.00	T06N R44E S35	SENE	33.00
T06N R44E S35	NESE	8.80	T06N R44E S36	SWNE	35.00
T06N R44E S36	SENE	31.00	T06N R44E S36	SWNW	40.00
T06N R44E S36	SENW	40.00	T06N R44E S36	NESW	40.00
T06N R44E S36	NWSW	30.00	T06N R44E S36	SWSW	14.00
T06N R44E S36	SESW	40.00	T06N R44E S36	NESE	40.00
T06N R44E S36	NWSE	40.00	T06N R44E S36	SWSE	40.00
T06N R44E S36	SESE	40.00	T06N R45E S31 Lot 4	SWSW	17.00

620 ACRES TOTAL

620

The rights listed below are limited to the irrigation of a combined total of
acres in a single irrigation season. Combined Right Nos.: 22-183, 22-533B
and 22-11845.

This right is limited to the irrigation of 120 acres within the place of use
described above in a single irrigation season.

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

11/02/2006

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

Water is delivered through Breckenridge 1, 2, 3 and/or Breckenridge 4 ditch.

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

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

11/02/2006

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: 22-533B

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):

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 6, 2006 SIGNATURE: Dale L Breckenridge

Please print your name: Dale L Breckenridge

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

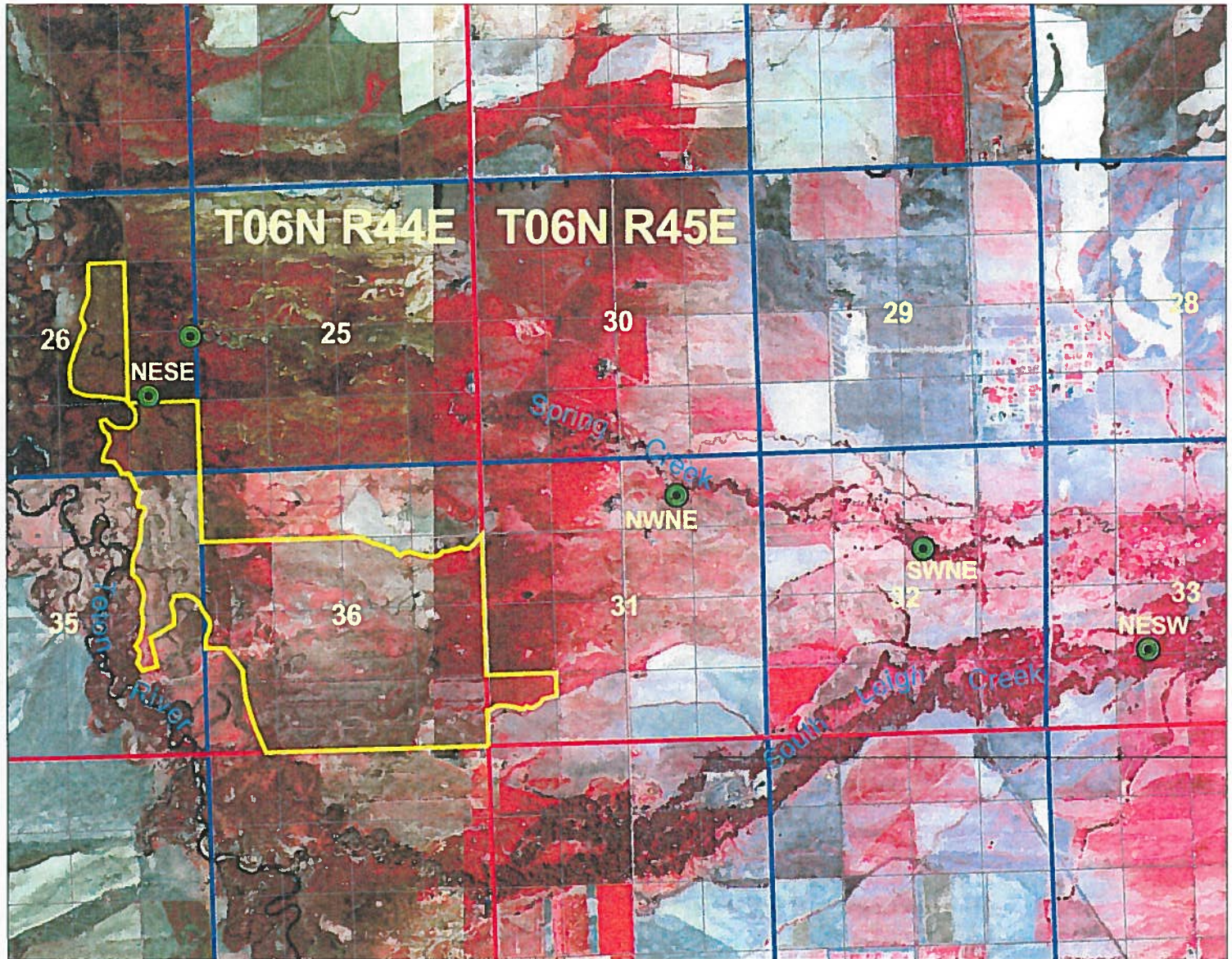
KMD
12/7



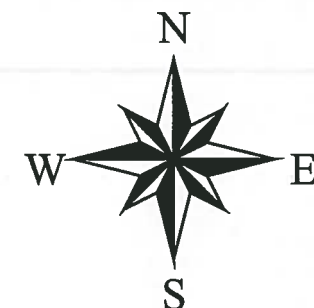
Department of Water Resources

Eastern Region

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



0 1000 2000 3000 4000 5000 Feet



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

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

02/09/05

- The shape for this claim has acres less than those on the claim, therefore if shape is correct then C.F.S on claim will need changed.

NT

1-27-06

PPU with 22-183 and 22-11845. since they were overlapping rights and they had the same source. Limited this right to what was claimed:
165 ac. and 3.3 cfs within the total 603 ac.

KM

1-31-06

Added 22-171B to PPU for total of 620 ac. and limited to 12.4 cfs, or 1"/ac.

50
1727

120 ac

X

Breckenridge diversion off Spring Creek.

6/29/2004 4:06:30 PM

22.
1533B

diversion 15 Sec. 31





- 22-533b.shp
- 22-11845.shp
- 22-183.shp
- Point of Diversion
- Township/Range
- Sections
- QQ

Rexburg Decree

Charles A. 100 inches. June 30, 1898.
 Spencer, Charles 160 inches. June 15, 1898.
 Spencer Clawson & Company, a corporation 2,500 inches. Jan. 18, 1905.
 Spencer Harwood & Company, Limited. 1,278 inches. Aug. 12, 1907.
 Square Top Grove Canal

Trail Creek.
 North Leigh Creek or Spring Creek.
 Frierden Creek.
 (Marked in, and rights

50 d/s

3 N., R., 45 E., R. M., containing 160 acres.

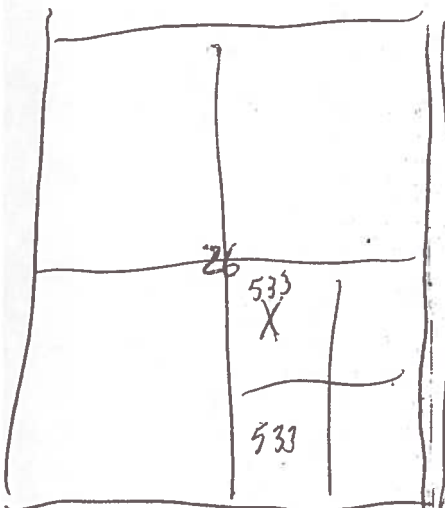
Spencer Clawson & Company, a corporation

SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 26, T. 6 N., R., 45 E., B. M., Lot 3, and part of Lot 2, Sec.
 3 N., R., 45 E. B. M., containing 127 acres.
 Also, NE $\frac{1}{4}$ of SE $\frac{1}{4}$, SW $\frac{1}{4}$ of NE $\frac{1}{4}$, and SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 26, NW $\frac{1}{4}$ of SE $\frac{1}{4}$, the NW $\frac{1}{4}$, and NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 25, NE $\frac{1}{4}$ of SE $\frac{1}{4}$, and E $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 26, SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 23, S $\frac{1}{2}$ of SW $\frac{1}{4}$, and NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 23, T. 6 N., R., 45 E., B. M., containing 600 acres.
 Also, S $\frac{1}{2}$ of SE $\frac{1}{4}$, and S $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 24, T. 6 N. R., 45 R., B. M., and Lots 1, 2, 3 and 4, NE $\frac{1}{4}$, S $\frac{1}{2}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of SE $\frac{1}{4}$, and NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 3, T. 6 N. R., 45 E., B. M., containing 640 acres.
 Also, Lots 1, 2, 3 and 4 of Sec. 1, T. 5 N., 44 E. B. M. containing 160 acres.
 NE $\frac{1}{4}$ of Sec. 17, E $\frac{1}{4}$ of Sec. 18, and E $\frac{1}{4}$ of SW $\frac{1}{4}$, and Lots 3 and 4 of Sec. 7, E $\frac{1}{4}$ and

$$\frac{50}{1727} (120) = 3.4$$

1,727 ac

Spencer Harwood & Company, Limited, a corporation



A claim 1.74 d/s

22-533

B claim 3.3 d/s

there is a lot not claimed under this right.
 44.96 d/s and 1,502 ac. left unclaimed

50

Water Right No(s). _____

GPS DATA:

Tag # ADP14214 Location: ON Rock Work OF GATE 145105

Diversion Data:

Source: Spring Creek Trib to: Teton River

MOTOR

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

PUMP

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

NOTES:

Also Diverts - 22-118??
This is the PDR @ 6N, 44E, Sec. 31, NE1/4NE

Field Exam Date: 6/29/04 Agent: AM

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
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

Recommended Point(s) of Diversion and Source.

	Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
①	6N	44E	25		NW 1/4 SW 1/4	Teton	Spring Creek	Teton Riv.
②	6N	44E	26		SE 1/4 SW 1/4			
	_____	_____	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____	_____	_____

Other rights from this POD? _____

Transfers Pending or approved: _____

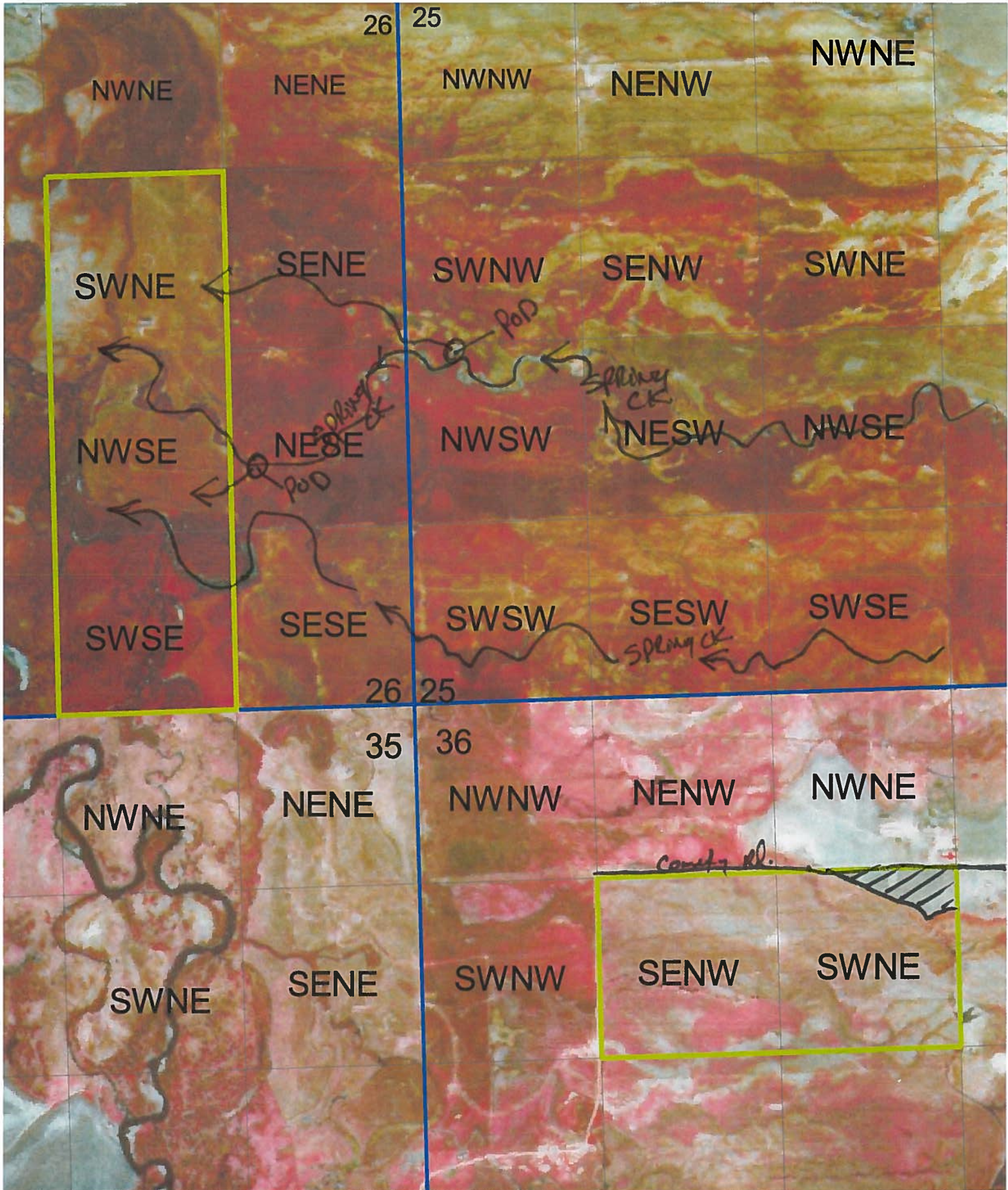
Document how the POD and Source were verified:

GDS TAG #'s: ① AOP 14397
 ② AOP 14396
 ③ AOP 14214 B 2

Reviewer: _____ Date: _____

212 Webster, James W., and Charles H. Woodmansee; May 23, 1903; Moody Creek	300
For reservoir purposes between the first day of September of each year until the first day of May of the following year	
243 Gregory, H. J.; June 1, 1903; North Leigh Creek	100
243 Powell, W. J.; June 1, 1903; Trail Creek	40
243 Siddoway-Briggs Co.; June 1, 1903; Teton River. For power purposes	4,200
243 Buxton, Stillman; June 1, 1903; Sloughs from Twin Creeks	100
229 Gilbert, Albert; June 1, 1902; Horse Shoe Creek	40
243 Nickelson, Peter; June 1, 1903; Swamps	20
243 Thompson & Egbert; June 1, 1903; North Leigh Creek	50
243 Jarman, Arthur; June 1, 1903; South Leigh Creek	40
243 Pherson, Neils; June 1, 1903; South Leigh Creek	100
246 Kunz, Samuel, Jr.; July 31, 1903; Pine Creek (permit)	280
249 Central Teton Canal Co.; Oct. 31, 1903; Teton Creek	1,680
250 Pack Saddle Reservoir Co.; Jan. 15, 1904; North Fork Pack Saddle Creek	1,250
251 Wallace, H. A.; Jan. 18, 1904; North Leigh Creek or Spring Creek	40
252 Hansen, E. P.; May 1, 1904; Game Creek	50
253 Moffat, John P.; June 1, 1904; Swamps	70
253 Withrick, Caroline; June 1, 1904; Paradise Springs. The undivided one-fourth of Paradise Springs	100
253 Miller, J. J.; June 1, 1904; Paradise Springs	60
253 Sinclair, Sarah S.; June 1, 1904; Pole Creek and Pine Creek	40
253 Ricks, Wallace; June 1, 1904; North Leigh Creek	80
253 Phillips, L. A.; June 1, 1904; Badger Creek	110
253 Sautter, John G.; June 1, 1904; North Leigh Creek	60
254 Coyle, M. H.; June 15, 1904; Coyle Spring	640
259 Felt, J. G.; Jan. 18, 1905; Badger Creek	590
259 Felt, G. F.; Jan. 18, 1905; Badger Creek	480
259 Felt, Clara V.; Jan. 18, 1905; Badger Creek	500
259 Felt, Albert; Jan. 18, 1905; Badger Creek	150
259 Clawson, Spencer, adminr. Estate of; Jan. 18, 1905; North Leigh or Spring Creek	500
259 Clawson, Spencer; Jan. 18, 1905; North Leigh or Spring Creek	2,500
259 Clawson, B. W.; Jan. 18, 1905; North Leigh or Spring Creek	200
259 Spencer, Clawson & Co. (a corporation); Jan. 18, 1905; North Leigh Creek or Spring Creek	160
259 Rogers, Orson T.; Jan. 18, 1905; Badger Creek	180
259 Little, Edwin S.; Jan. 18, 1905; Leigh Creek	100
259 Taylor, Joseph E.; Jan. 18, 1905; North Leigh or Spring Creek	100
259 Garrett, Mary G.; Jan. 18, 1905; North Leigh or Spring Creek	80
264 Soulecy, C. V.; June 1, 1906; Darby Creek	15
Crandal, H. L.; no date; waters of Crandal Springs	40
Stahn, Emil A.; no date; Juanita Springs	
Andrews, L. W.; no date; waters of Springs on place	
Pack Saddle Reservoir Co.; no date; South Fork of Pack Saddle Creek	900

22-533B



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: **A22-00533B**
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
Address: TETONIA ID

83452

Davis
208-456-2652
Davis
456-2859

2. Date of Priority: JAN 18, 1905

3. Source: SPRING CREEK

Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	44E	25	NW	NW	SW	208-456-2652	TETON
		26	SW	NE	SE	456-2859	TETON
	45E	31 ✓	NE	NW	NE		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	3.300		

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

A.F.A.

8. Total consumptive use is 330.0 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	44E	26	SW	NE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	10.0

MICROFILMED
NOV 06 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	90.0
		36	SW	NE	IRR	35.0
			SE	NW	IRR	40.0
					Section Acres	75.0
					Total Acres	165.0

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 WR# 22-00533.

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: _____

MICROFILMED
NOV 06 1990

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 **A22-00533B**

Ident. Number: A22-11852

Date Received: 9/23/1988

Receipt No: E002850

Received By: DDM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: JAN 18, 1905

3. Source: SPRING CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	44E	25	NW	NW	SW		TETON
		26	SW	NE	SE		TETON
	45E	31	NE	NW	NE		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	3.300		

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

8. Total consumptive use is 330.0 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	44E	26	SW	NE		IRR	40.0
			NW	SE		IRR	40.0

A22-11852

Page 1

Date: 10/03/88

A2200533B



MICROFILMED

NOV 06 1996

MICROFILMED

NOV 06 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	44E	26	SW	SE		IRR	10.0
						Section Acres	90.0
		36	SW	NE		IRR	35.0
			SE	NW		IRR	40.0
						Section Acres	75.0
						Total Acres	165.0

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 WR# 22-00533.

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 1996

~~MICROFILMED~~
~~NOV 06 1996~~

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: 1

For Organizations:

I do solemnly swear or affirm that I am Partner of _____ Title

Breckenridge Bros, that I have signed the foregoing Organization

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 T. Breckenridge
Signature of Authorized Agent

Partner Breckenridge Bros.
Title and Organization

Oct 3, 1988
Date

State of Idaho)
County of Bonneville) 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 7-12-84

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NOV 06 1996

MICROFILMED
NOV 06 1996

A 22-11852



~~MICROFILMED~~
~~CRC~~
NOV 6 5 1992
NOV 8 6 1996

