

01/17/2006

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

RIGHT NUMBER: 22-11536

NAME AND ADDRESS: HADEN CEMETERY
C/O DALE BRECKENRIDGE
494 N 500 W
TETONIA ID 83452

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.060 CFS
10.500 AFY

PRIORITY DATE: 09/10/1954

POINT OF DIVERSION:

T06N R45E S30 NWNWNW Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 10/31

QUANTITY
0.060 CFS
10.50 AFY

PLACE OF USE: IRRIGATION Within TETON County
T06N R45E S30 Lot 1 NWNW 3.00

3 ACRES TOTAL

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 - Beneficial Use



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
22-11536

Point(s) of Diversion:
T6N, R45E
Sec. 30 NWNWNW

Place of Use: (part of)
T6N, R45E
Sec. 30 NWNW

LEGEND



Point of Diversion



Place of Use



Section



Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: January 2006

02/07/2006

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: 22-11536

HADEN CEMETERY

C/O DALE BRECKENRIDGE

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 5, 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
12/17

Claim no. 2211536

Claimant Contact Log

Date _____

Remarks

Agent initials

19 MARCH ON MAILED REQUEST FOR PRIORITY EVIDENCE

RECEIVED

22-11536

EOP

APR 07 2004

Wayden Cemetery District

Department of Water Resources
Eastern Region

Check # 7-071-09

Date	Account Title	Credits	Expense	Balance	
1951-60					
Aug		Deposits			
4	Warrant 1948-	385.82			
21	1950	20.00		20.00	1
		231.89			
		44.84		64.84	2
Jul. 11, 51	Warrant 1949	212.91			
Aug 11, 52	" 1951	284.10		268.94	3
Oct 20, 52	Warrants	227.90		316.12	4
Oct 29, 52	Warrant	47.18			
Feb 25, 53	Warrant	1,264.64		1,580.76	5
Apr. 29, 53	Lot Sale	~~1,264.64~~			
May 26, 53	" "	227.34		1,491.98	7
May 28, 53	Rexburg Auction	10.95		1,501.98	8
Jan 3, 53	Labor to Live Fullmer	10.95		1,491.03	9
Jun 11, 53	Labor to Carl Kempton	17.00		1,474.03	10
Feb 4, 54	Co Warrant & 1 lot	10.00		1,464.03	11
Sept 10, 54	Hopkins Bros. Well drill.	10.35		1,453.68	12
Sept 10, 54		243.56		1,697.24	13
March 29, 55	Co. warrant	40.09		1,067.64	14
Aug 17, 55	Co. " "	185.60		1,109.73	15
Mar 21, 56	Co. warrant	70.47		1,295.33	16
Aug 30, 56	Co. Warrant	218.15		1,365.80	17
Mar 15, 57	Sept 13-57 Warrant	41.29		1,625.24	19
Aug 1, 58	Co Warrant	144.12		1,769.36	20
Apr. 9, 59	" "	234.50		2,003.86	21
June 1, 59		58.22		2,062.08	22
June 1, 59	Labor to Dean Wade		500		23
" 1, 59	Labor		750	2,049.58	24
" 2, 59	Labor		40.00		25
" 3, 59	"		750	2,002.08	26
" 11, 59	"		500	1,997.08	27
" 12, 59	"		750	1,989.58	28
Jul 3, 59	Co. warrant	177.08		1,982.08	29
Oct 16, 59	C. warrant	70.35		2,159.16	30
Feb 22, 60	Co. warrant	200.38		2,329.51	31
	Total			2,429.89	32
				2,429.89	33

[illegible]

mailed
19 March 04

March 19, 2004

**HADEN CEMETERY
C/O DALE BRECKENRIDGE
TETONIA ID 83452**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-11536

Dear Claimant (s):

The Idaho Department of Water Resources is beginning water rights review in Basin 22, the Teton River drainage. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

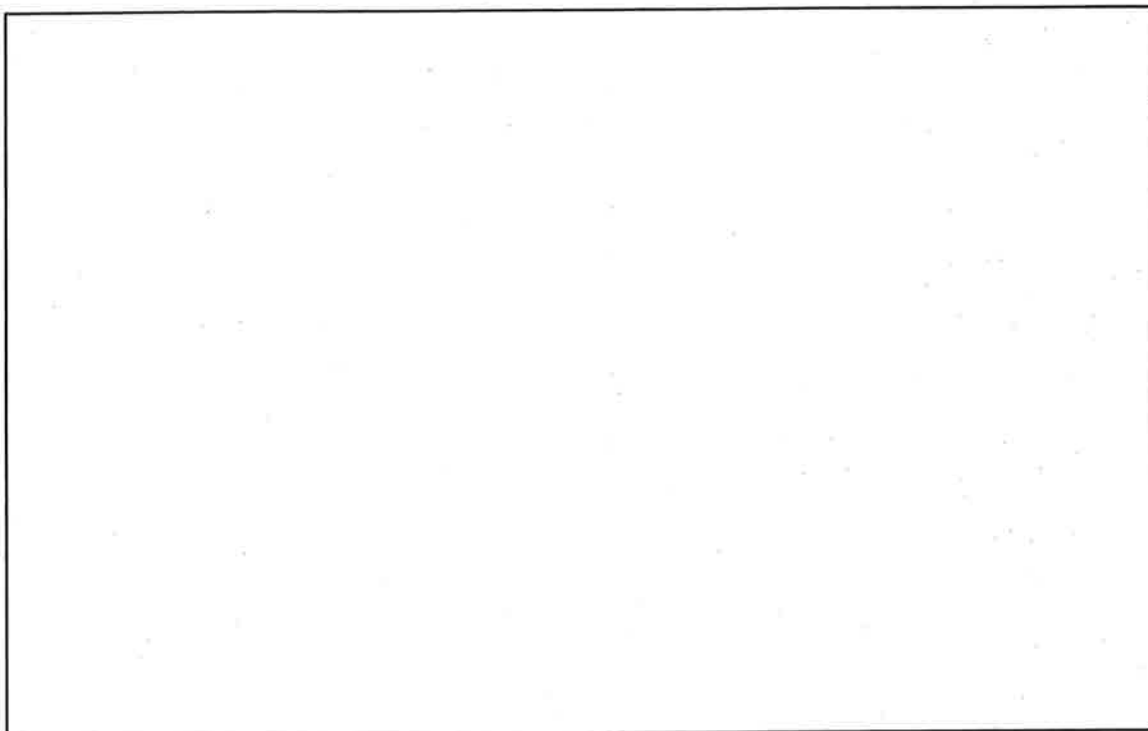
Your claim, as referenced above, claims a Priority Date of SEPTEMBER 10, 1954, from a WELL.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

Water Right No(s). 2211536



GPS DATA:

Tag # ADP14245 Location: North side of pump house

Diversion Data:

Source: Groundwater Trib to: _____

MOTOR

Make: _____ Model: _____ Hp: 5

SN: _____

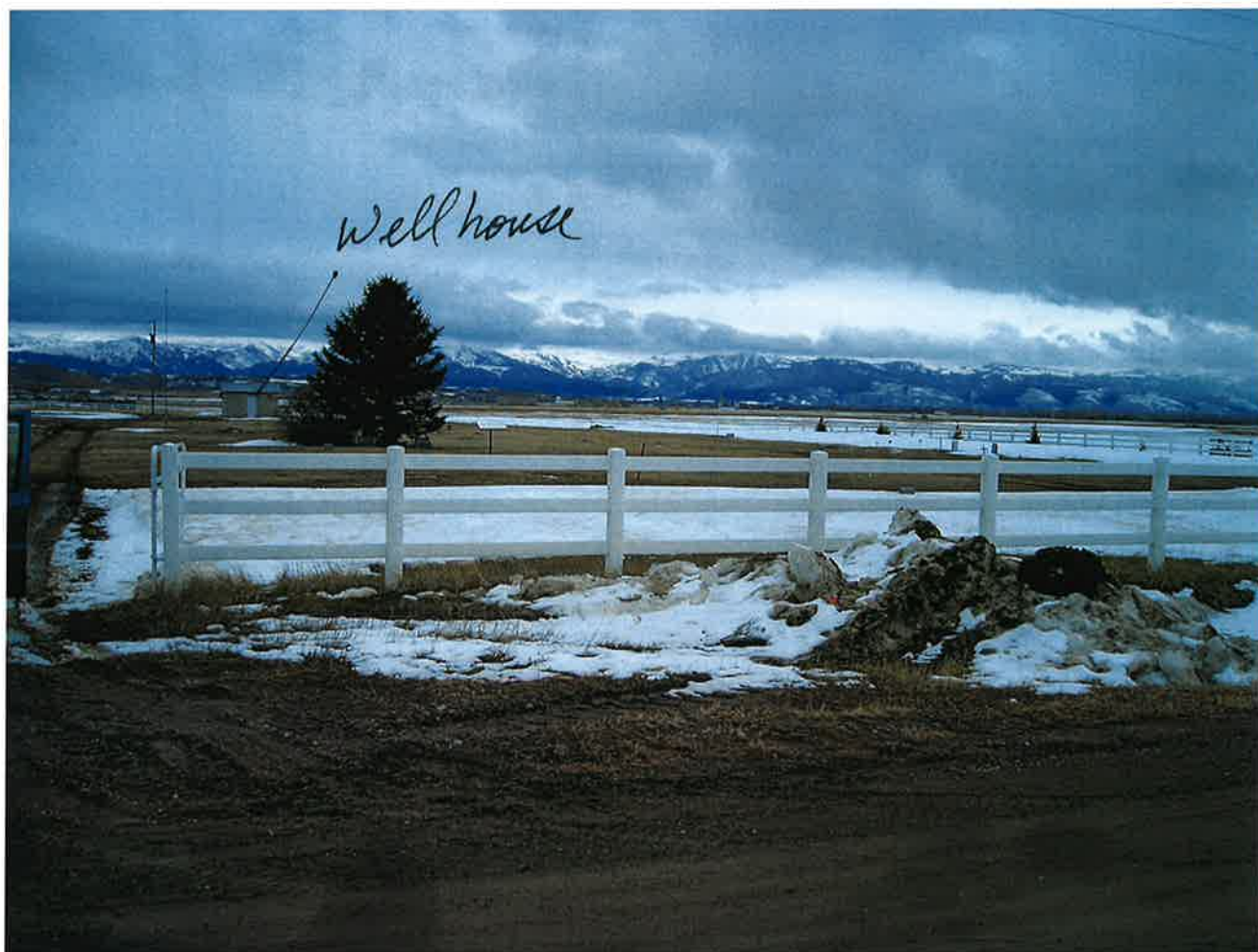
PUMP

Make: galuzzi Model: 554X17-52 5116 Disch: _____

SN: WP1-1015

NOTES:

Field Exam Date: 3/28/05 Agent: ED



3/28/05 Haden Cemetery



3/28/05 Well house for Haden Cemetery
DO



3/28/05 Well casing for Haden Cemetery well.
DO submersible pump is used.

Point of Diversion and Source Data Entry Form

Claim Number: 2211536

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
6N	45E	30		NW NW NW	Teton	Groundwater	

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
6N	45E	30		NW NW NW	Teton	Groundwater	

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

Field exam. on

3/28/05
DO

Field exam showed cemetery is irrigated with a submersible pump.

Reviewer: _____ Date: _____

Place Of Use Data Entry Form

Claim Number: 2211536Claimed Place Of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
6N	45E	30	NW	NW	Teton		3	Irrigation

Total acres 3Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
6N	45E	30	NW	NW	Teton		2.9	Irrigation

Total acres 2.9

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:Claimed 3 acres. GTS found 2.9 acres

3/28/05
DO Field exam showed well and submersible pump used
to irrigate the Haden cemetery

Reviewer: _____ Date: _____

Season of Use and Quantity Data Entry Form

Claim Number: 2211536Water 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
Irrigation	1/1	12/31	.090	10.5 AFA

Overall Diversion Rate .090Overall Diversion Volume 10.5 AFARecommended Period of Use and Diversion Rate

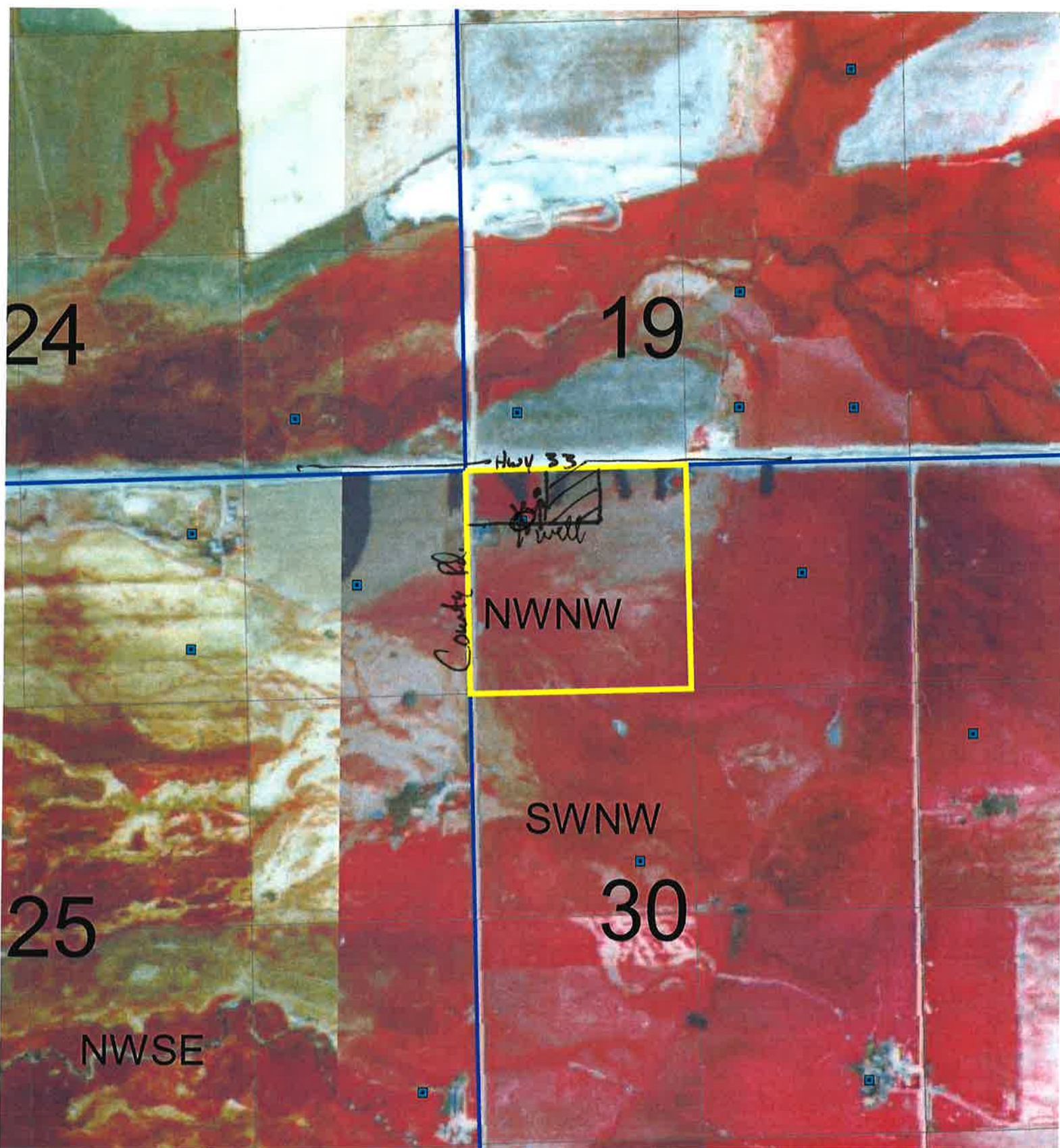
Water Use	Start	End	Rate	Volume
Irrigation	4/15	10/31	.06	10.5 AFA

Overall Diversion Rate .06Overall Diversion Volume 10.5 AFADocument how the Period of Use and/or Diversion Rate were verified:IDWR STD 504. 4/15 - 10/313acms x 0.02 = 0.06 cfs No conveyance loss!

Reviewer: _____

Date: _____

22-11536



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: A22-11536
Date Received: 9/22/1988
Receipt No: EQG 2836
Received By: JAN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HADEN CEMETERY
Address: C/O DALE BRECKENRIDGE
TETONIA, ID 83452 208-456-2652

2. Date of Priority: SEP 10, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	45E	30	NW	NW	NW		TETON

5. Description of diverting works:
WELL AND PUMP TO SPRINKLER SYSTEM FOR IRRIGATION OF CEMETERY

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.090		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	30	NW	NW		IRR	3.0
Section Acres							3.0
Total Acres							3.0

A22-11536

Page 1

Date: 09/22/88

MICROFILMED
NOV 06 1992

A221536



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:

15. Basis of Claim: BENEFICIAL USE

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 Pres of
Haden Cemetery Dist. Title
Organization

, that I have signed the foregoing
document in the space below as Pres of
Title

Haden Cemetery Dist. and that the statements contained in the
Organization
foregoing document are true and correct.

Dale Breckenridge
Signature of Authorized Agent

Pres Haden Cemetery Dist
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 9-12-94

7/10/20

REPRODUCED FROM THE ORIGINAL FILMED

NOV 06 1992