

11/02/2006

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

RIGHT NUMBER: 22-11845

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

SOURCE: SPRING CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 5,700 CFS

PRIORITY DATE: 01/22/1916

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:PURPOSE OF USE

IRRIGATION

PERIOD OF USE

04/15 10/31

QUANTITY

5,700 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

This right is limited to the irrigation of 380 acres within the place of use described above in a single irrigation season.

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.

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

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

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

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

This right is a combination of old Right Nos. 22-12, 22-16, and 22-17.

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: 22-11845

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

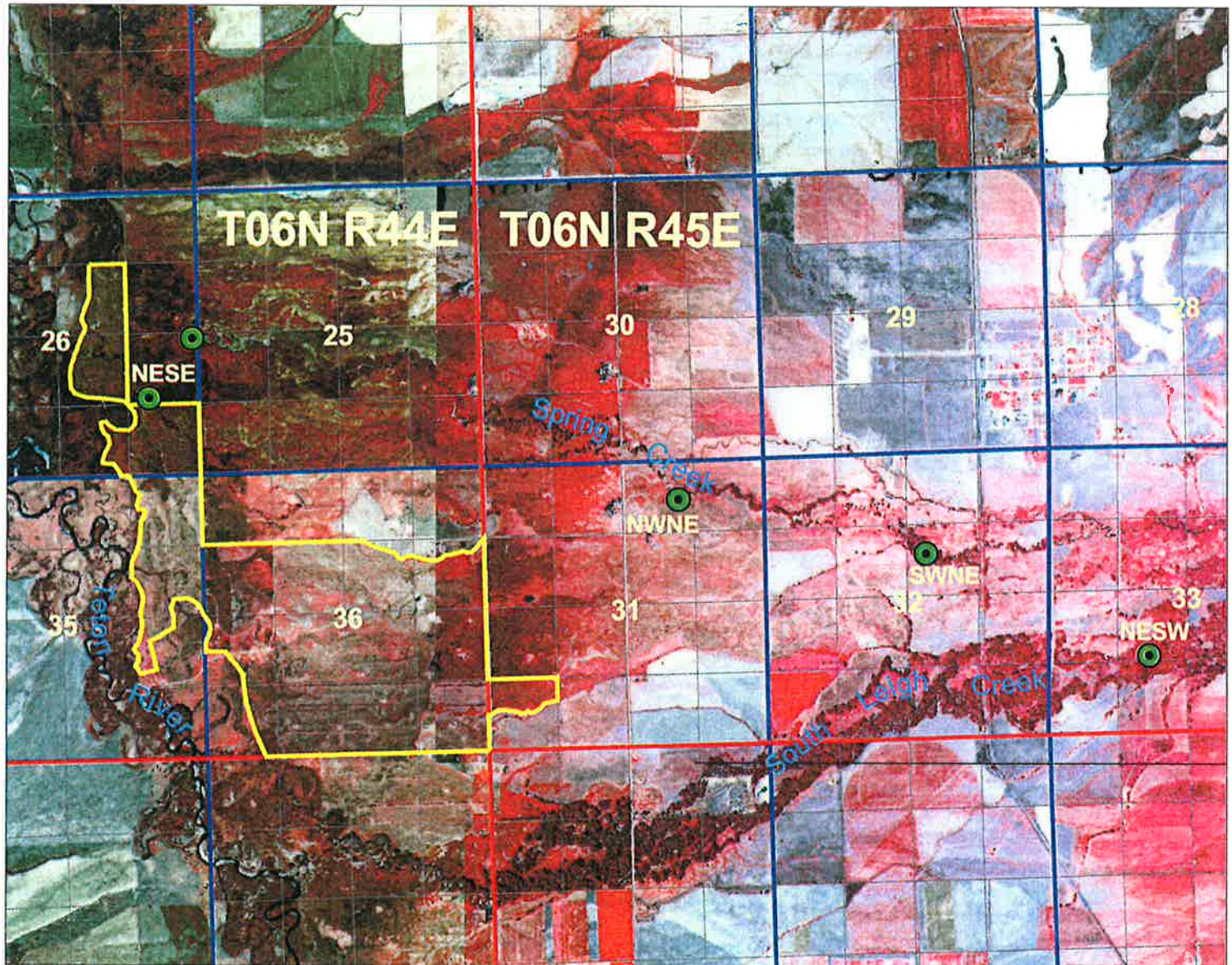
KMD
12/17

Department of Water Resources

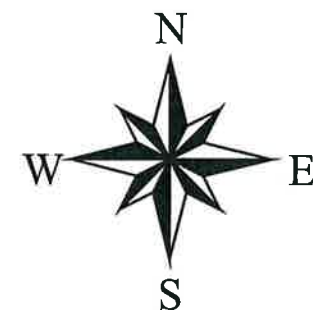
Eastern Region



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

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

Excerpts from Gillette vs. Crandall (22-1)

combined rts. worth 380 ac. and 7.6 cfs

IX.

however, only a portion of 22-116 is claimed.

That the plaintiff, Davida Wade, is the owner of or has an estate in the following described lands, to-wit:

SE $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$ of section 36, in township 6 north, range 44 E.B.M.,

and is the owner of a ditch through which she conveys water from North Leigh Creek, with the point of diversion located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of section 31 in township 6 north range 45 E.B.M., and the plaintiff or her predecessor in interest on or before and ever since the 22d day of January, 1916, has so diverted 3.2 cubic feet per second or 160 miners inches of the waters of said creek, and has applied the same to beneficial use in the irrigation of the above described lands during each irrigating season, which has been in addition to any other rights fixed, decreed, or granted to the said plaintiff, or her predecessors in interest.

X.

That the plaintiff, John H. Hanson, is the owner of or has an estate in the following described lands, to-wit:

Lot 3; NE $\frac{1}{4}$ SW $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$ of section 30 in township 6 north, range 45 E.B.M.,

and is the owner of a ditch through which he conveys water from North Leigh Creek, with the point of diversion located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 23 in township 6 north, range 45 E.B.M., and the plaintiff, or his predecessor in interest, on or before and ever since the 22nd day of January, 1916, has so diverted 3.2 cubic feet per second or 160 miners inches of the waters of said creek, and has applied the same to beneficial use in the irrigation of the above described lands, during each irrigating season, which has been in addition to any other rights fixed, decreed, or granted to the said plaintiff, or his predecessors in interest.

feet per second or 93 miners inches of the waters of said creek, and has applied the same to beneficial use in the irrigation of the above described lands during each irrigating season, which has been in addition to any other rights fixed, decreed, or granted to the said plaintiff, or his predecessors in interest.

XII.

That the plaintiff, D. K. Bowen, is the owner of or has an estate in the following described lands, to-wit:

$S\frac{1}{2}NE\frac{1}{4}$; $NE\frac{1}{4}NE\frac{1}{2}$ of section 2 in township 4 north, range 44 E.B.M.,

and is the owner of a ditch through which he conveys water from Middle Twin Creek, with the point of diversion located in the $SE\frac{1}{4}NW\frac{1}{4}$ of section 2 in township 4 north, range 44 E.B.M., and the plaintiff, or his predecessor in interest, on or before and ever since the 22nd day of January, 1916, has so diverted 1.6 cubic feet per second or 80 miners inches of the waters of said creek, and has applied the same to beneficial use in the irrigation of the above described lands during each irrigating season, which has been in addition to any other rights fixed, decreed, or granted to the said plaintiff, or his predecessors in interest.

XIII.

That the plaintiff, Jim R. R. Breckenridge, is the owner of or has an estate in the following described lands, to-wit:

$S\frac{1}{2}SE\frac{1}{4}$; $S\frac{1}{2}SW\frac{1}{4}$; $N\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}$ of section 36 in township 6 north range 44 E.B.M.,

and is the owner of a ditch through which he conveys water from Spring Creek, with the point of diversion located in the $SW\frac{1}{4}NE\frac{1}{4}$ of section 32 in township 6 north, range 45 E.B.M., and the plaintiff, or his predecessor in interest, on or before and ever since the 22nd day of January, 1916, has so diverted 3.6 cubic feet per sec-

ond or 180 miners inches of the waters of said creek, and has applied the same to beneficial use in the irrigation of the above described lands during each irrigating season, which has been in addition to any other rights fixed, decreed, or granted to the said plaintiff, or his predecessors in interest.

XIV.

That the plaintiff, P. K. Breckenridge, is the owner of or has an estate in the following described lands, to-wit:

SW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 36 in township 6 north, range 40 ac.
44 E.B.M.,

and is the owner of a ditch through which he conveys water from Spring Creek, with the point of diversion located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of section 32 in township 6 north, range 45 E.B.M., and the plaintiff, or his predecessor in interest, on or before and ever since the 22nd day of January, 1916, has so diverted .8 cubic feet per second or 40 miners inches of the waters of said creek, and has applied the same to beneficial use in the irrigation of the above described lands during each irrigating season, which has been in addition to any other rights fixed, decreed, or granted to the said plaintiff or his predecessors in interest.

XV.

That the plaintiff, Fred Hunter, is the owner or has an estate in the following described lands, to-wit:

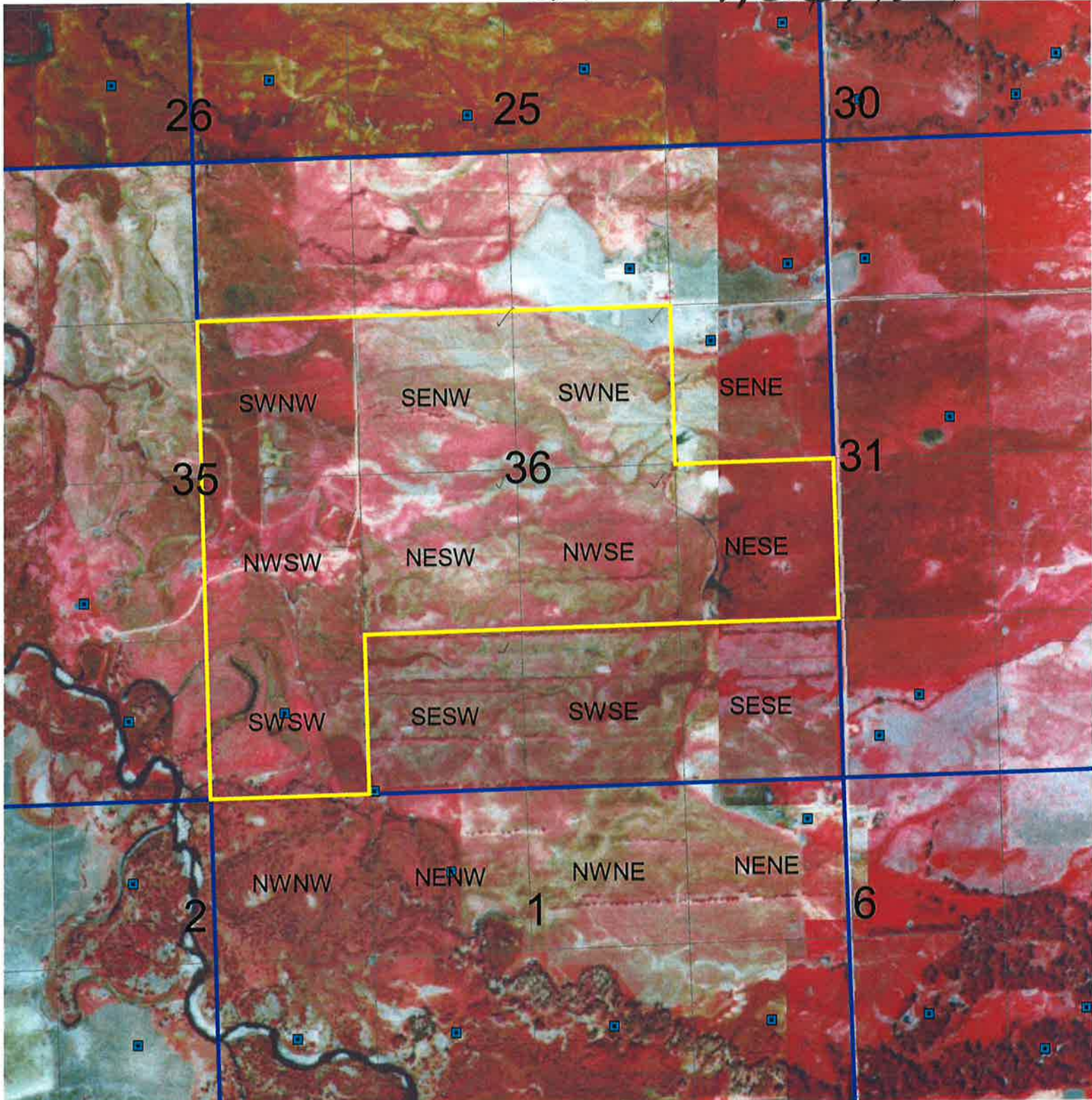
E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of section 36 in township 6 north, range 40 E.B.M.,

and is the owner of a ditch through which he conveys water from Spring Creek, with the point of diversion located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of section 32 in township 6 north, range 45 E.B.M., and the plaintiff, or his predecessor in interest, on or before and ever since

22-11845

6/24/04
SBR

GPS TAG# A0014214



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: A22-11845

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 22, 1916

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	45E	31	NE	NE			TETON
		32	SW	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	5.700		

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

8. Total consumptive use is 560.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	44E	36	SW	NE		IRR	35.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0

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Date: 09/23/88

MICROFILMED

NOV 06 1992

A2211845



3.2 -
3.6
1.8 -

1.7

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	44E	36	NE	SW		IRR	40.0
			NW	SW		IRR	32.0
			SW	SW		IRR	13.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
						Section Acres	280.0
						Total Acres	280.0

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 COMBINES ORIGINAL DECREED WR#³⁶'S 22-00017, 22-00012 AND³²
A PORTION OF 22-00016. EXPANDED TO INCLUDE NESE SEC 36 T6N R44E.
RIGHTS NOW SHARE COMMON P/D'S. PRIORITY DATE FOR ALL THREE RIGHTS
IS 01/22/1916.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/07/1938

F. C. GILLETTE

Decree Plaintiff

vs

LYNN CRANDALL, W. M.

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: 2

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 J Breckenridge
Signature of Authorized Agent

Partner
Title and Organization

Oct 3, 1988
Date

State of Idaho)
County of Bannock) SS.

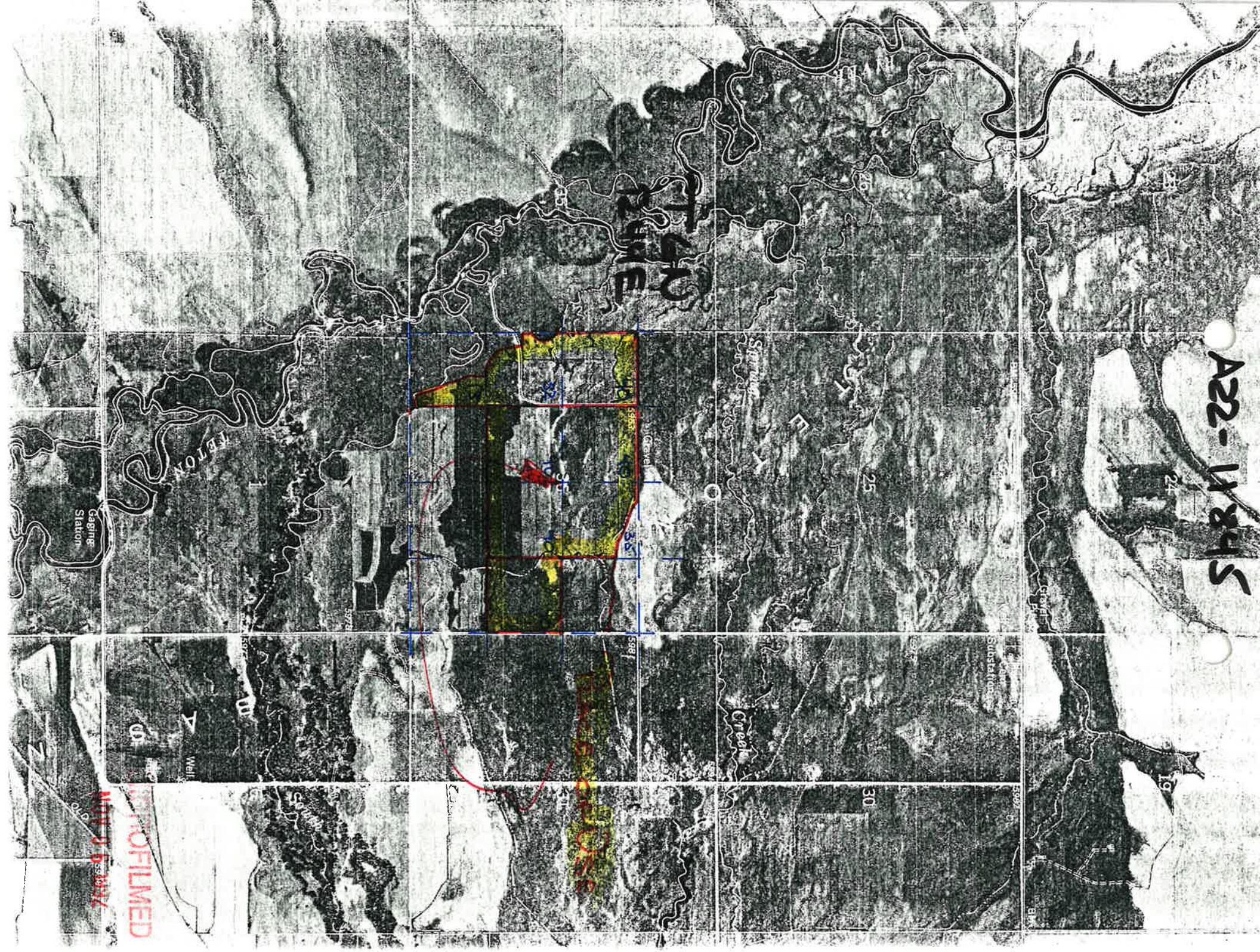
Subscribed and sworn (or affirmed) before me this 3 day
of Oct 19 88

[Signature]
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 9-12-94

A22-11845



A22-11 245

T6N
R4SE

UNPROCESSED
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