

08/18/2006

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

RECEIVED  
SEP 25 2006  
IDWR/North

RIGHT NUMBER: 79-13968

NAME AND ADDRESS: HORSESHOE BEND RANCH INC  
1910 CHAPEL DR  
PHILOMATH OR 97370

SOURCE: SPRING

TRIBUTARY: SALMON RIVER

QUANTITY: 0.030 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/31/1917

POINT OF DIVERSION:  
T31N R02W S28 SWSWSW Within IDAHO County

PURPOSE AND  
PERIOD OF USE:

|               | <u>PURPOSE OF USE</u>                 | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|---------------|---------------------------------------|----------------------|-----------------|
|               | STOCKWATER                            | 1/01 12/31           | 0.030 CFS       |
| PLACE OF USE: | <u>STOCKWATER Within IDAHO County</u> |                      |                 |
|               | T31N R02W S28 SWSW                    |                      |                 |

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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

08/18/2006

NOTICE OF ERROR  
REPLY

RECEIVED

SEP 25 2006

IDWR/North

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: September 22, 2006

Water right number: 79-13968

HORSESHOE BEND RANCH INC

1910 CHAPEL DR

PHILOMATH OR 97370

Telephone Number: (541) 929-3308

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:

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

DATE: 9/20/06 SIGNATURE: by George E Shroyer Jr.

Please print your name: George E Shroyer Jr

IDWR Regional Office, 322 E Front St  
PO Box 83720, Boise, ID 83720-0098, (208) 287-4800

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

EXPLANATORY MATERIAL: Beneficial Use

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: **A79-13968**  
Date Received: 9/13/1999  
Receipt No: W025719  
Received By: \_\_\_\_\_

**COPY FOR  
YOUR FILES**

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

**COPY FOR  
YOUR FILES**

1. Name: SHROYER RANCHES INC 541-929-3308  
Address: 1910 CHAPEL DR  
PHILOMATH OR 97370

2. Date of Priority: DEC 31, 1917

3. Source: SPRING Trib. to: SALMON RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 31N      | 02W   | 28      | SW     | SW     | SW     |     | IDAHO  |

5. Description of diverting works:  
STOCKWATER

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| STOCKWATER | 01/01 | 12/31 | 0.030 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
STOCKWATER, 100 RANGE CATTLE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use   | Acres |
|----------|-------|---------|--------|--------|-----|-------|-------|
| 31N      | 02W   | 28      | SW     | SW /   |     | STOCK |       |

11. Place of use in counties: IDAHO

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

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

Identification No. A79-13968

Date Received 9/13/99

Receipt Number W025719

NOTICE OF CLAIM  
TO A  
WATER RIGHT

RECEIVED

SEP 13 1999

WATER RESOURCES  
WESTERN REGION

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use Is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) SHROYER RANCHES INC Phone (541) 929-3308

Mailing Address 1910 CHAPEL DRIVE PHILOMATH, OREGON Zip 97370

2. Date of Priority (Only one per claim) 1917 Month/Day/Year

3. Source of water supply (Check one) ( ) Groundwater or Other ( ) (a) SPRING

which is tributary to (b) \_\_\_\_\_ Name or kind of source

4. Location of point of diversion is: Township 30N Range R2W

Section 28, SW 1/4 of SW 1/4 of SW 1/ \_\_\_\_\_ Township is  
County of IDAHO 31N per map

Additional points of diversion if any: NONE

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Head changes or enlargements in use, the dimensions of the diversion works as constructed of each well. STOCK WATER of any depth

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

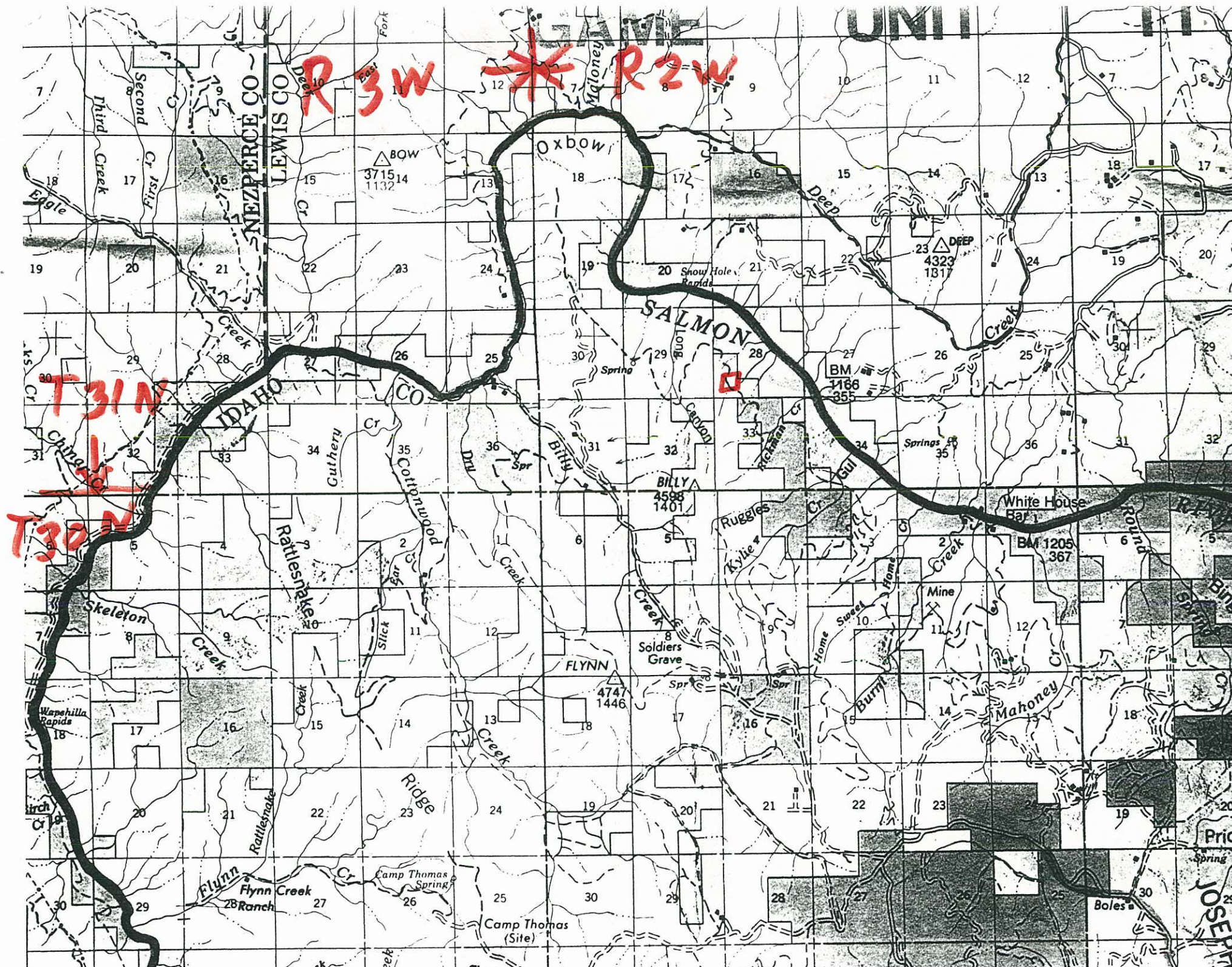
For STOCK WATER purposes from 01/01 to 12/31 amount 0.03 (cfs)

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ (Both dates are inclusive)

7. Total quantity claimed 0.03 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) STOCK WATER 100 RANGE CATTLE



10. Place of use is: Township: 30N Range 2W  
Section 28, SW 1/4 of SW 1/4, Govt. Lot \_\_\_\_\_, B.M.,  
for (Circle One) Domestic Stock Domestic and Stock  
Additional places of use, if any \_\_\_\_\_

11. In which county (ies) are lands listed above as place of use located? IDAHO

12. Do you own the property listed above as place of use? Yes ✓ No \_\_\_\_\_  
If your answer is No, describe in Remarks below the authority you have to claim this water right.  
13. Describe any other water rights used at the same place and for the same purposes as described above.  
(✓) None or \_\_\_\_\_

14. Remarks: \_\_\_\_\_

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree  
Court \_\_\_\_\_ Decree Date \_\_\_\_\_ Plaintiff vs Defendant \_\_\_\_\_

If applicable provide IDWR Water Right Number \_\_\_\_\_

16. Signature (s) \_\_\_\_\_  
(a.) By signing below, I/We acknowledge \_\_\_\_\_ and understood the form entitled "How you will  
receive notice in the Snake River Basin \_\_\_\_\_ do not ✓ wish to receive  
and pay a small annual fee for monthly \_\_\_\_\_  
Township is  
31N per map

Number of Attachments 1

For Individuals: I do solemnly swear or affirm \_\_\_\_\_

the foregoing document are true and correct.

Signature of Claimant (s) \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am Vice president

of Shroyer Ranches Inc \_\_\_\_\_, that I have signed the foregoing  
document in the space below as Manager of Shroyer Ranches Inc  
and that the statements contained in the foregoing document are true and correct.  
Idaho Ranch

Signature of Authorized Agent Manager George E. Shroyer Jr Date 9-10-99

Title and Organization manager of Shroyer Ranches Inc Idaho Ranch

State of Idaho or Oregon )  
County of Benton ) SS.

**NOTARIZATION REQUIRED FOR EACH CLAIM**

Subscribed and sworn (or affirmed) before me this tenth day of September 1999

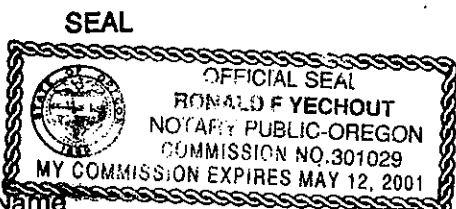
Notary Public Ronald F. Yechout

Residing at Philomath, Oregon 97370

My Commission Expires May 12, 2001

Last Name \_\_\_\_\_ Ident No. \_\_\_\_\_

Copies: White-State, Yellow-Claimant





**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

November 29, 1999

SHROYER RANCHES INC  
1910 CHAPEL DR  
PHILOMATH OR 97370

Dear Sirs:

Enclosed, for your records, are copies of the Notices of Claim to Water Rights that we were able to process. We are still awaiting the return of the four claims that were returned to you with a letter dated October 14, 1999 for additional information and fees. These claims will be reviewed and processed upon their receipt.

Please feel free to contact our office if you have any questions regarding the enclosed copies or the previously returned claims.

Sincerely,

Adjudication Section  
Western Region

LH:1  
Enclosures