

08/18/2006

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

RIGHT NUMBER: 79-13973

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

SOURCE: UNNAMED STREAMS

TRIBUTARY: SALMON RIVER

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 12/31/1921

POINT OF DIVERSION:

T31N R03W S33 SENWNE Begin of Stream Flow Within IDAHO County
T31N R03W S33 NWSENE End of Stream Flow Within IDAHO County
T31N R03W S33 NENENW Lot 1 End of Stream Flow Within IDAHO County
T31N R03W S33 SWNENW Lot 1 Begin of Stream Flow Within IDAHO County
T31N R03W S33 SENWNW End of Stream Flow Within IDAHO County
T31N R03W S33 NWNESW End of Stream Flow Within IDAHO County
T31N R03W S33 NENESE Begin of Stream Flow Within IDAHO County
T31N R03W S33 SESWSE Begin of Stream Flow Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER Within NEZ PERCE County

T31N R03W S33	NWNE	T31N R03W S33	SENE
T31N R03W S33 Lot 1	NENW	T31N R03W S33	NWNW
T31N R03W S33 Lot 1	NWNW	T31N R03W S33	NESW
T31N R03W S33	NESE	T31N R03W S33	NWSE
T31N R03W S33	SWSE		

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

RECEIVED
SEP 25 2006
IDWR/North

**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: September 22, 2006

Water right number: 79-13973
HORSESHOE BEND RANCH INC
1910 CHAPEL DR
PHILOMATH OR 97370
Telephone Number: (541) 929-3308

RECEIVED
SEP 25 2006
IDWR/North

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:

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
 Adjudication Recommendation Report 79-13973 V1

WATER RIGHT NUMBER: 79-13973 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HORSESHOE BEND RANCH INC 1910 CHAPEL DR PHILOMATH, OR 97370 (541)929-3308
Original Owner	SHROYER RANCHES INC 1910 CHAPEL DR PHILOMATH, OR 97370 (541)929-3308

Priority Date: 12/31/1921
 Basis: Beneficial Use
 Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAMS	SALMON RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

Location of Point(s) of Diversion

UNNAMED STREAMS	L1 (NE1/4NE1/4NW1/4)	Sec. 33, Twp 31N, Rge 03W, B.M.
IDAHO County	(Ending of Reach)	
UNNAMED STREAMS	NW1/4SE1/4NE1/4	Sec. 33, Twp 31N, Rge 03W, B.M.
IDAHO County	(Ending of Reach)	
UNNAMED STREAMS	NE1/4NE1/4SE1/4	Sec. 33, Twp 31N, Rge 03W, B.M.
IDAHO County	(Beginning of Reach)	
UNNAMED STREAMS	SE1/4SW1/4SE1/4	Sec. 33, Twp 31N, Rge 03W, B.M.
IDAHO County	(Beginning of Reach)	
UNNAMED STREAMS	SE1/4NW1/4NE1/4	Sec. 33, Twp 31N, Rge 03W, B.M.
IDAHO County	(Beginning of Reach)	
UNNAMED STREAMS	L1 (SW1/4NE1/4NW1/4)	Sec. 33, Twp 31N, Rge 03W, B.M.
IDAHO County	(Beginning of Reach)	
UNNAMED STREAMS	NW1/4NE1/4SW1/4	Sec. 33, Twp 31N, Rge 03W, B.M.
IDAHO County	(Ending of Reach)	
UNNAMED STREAMS	SE1/4NW1/4NW1/4	Sec. 33, Twp 31N, Rge 03W, B.M.
IDAHO County	(Ending of Reach)	

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 79-13973 V1

31N	03W	33	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
				X		X	X	X			X				X	X	X		
							L 1												

Conditions of Approval:

1. C18 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.
2. n11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
3. n13 The quantity of water under this right shall not exceed 13,000 gallons per day.

Remarks:

Comments:

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: **A79-13973**
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, 1921
3. Source: UNNAMED STREAMS Trib. to: SALMON RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
Beginning Point of Instream Flow							
31N	03W	33	SE	NW	NE		IDAHO
31N	03W	33	SE	SE	NE✓		IDAHO
31N	03W	33	SE	SW	NW		IDAHO
31N	03W	33	SE	SW	SE✓		IDAHO
Ending Point of Instream Flow							
31N	03W	33	NW	SE	NE		IDAHO
31N	03W	33	NE	NE	NW		IDAHO
31N	03W	33	SE	NW	NW		IDAHO
31N	03W	33	NW	NE	SW		IDAHO

5. Description of diverting works:
INSTREAM STOCKWATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

STOCKWATER, 150 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
31N	03W	33	NW		NE		STOCK	
			SE		NE		STOCK	
			NE		NW		STOCK	
			NW		NW		STOCK	
			NE		SE		STOCK	
			NW		SE		STOCK	
			SW		SE		STOCK	

*Govt
land*

11. Place of use in counties: IDAHO

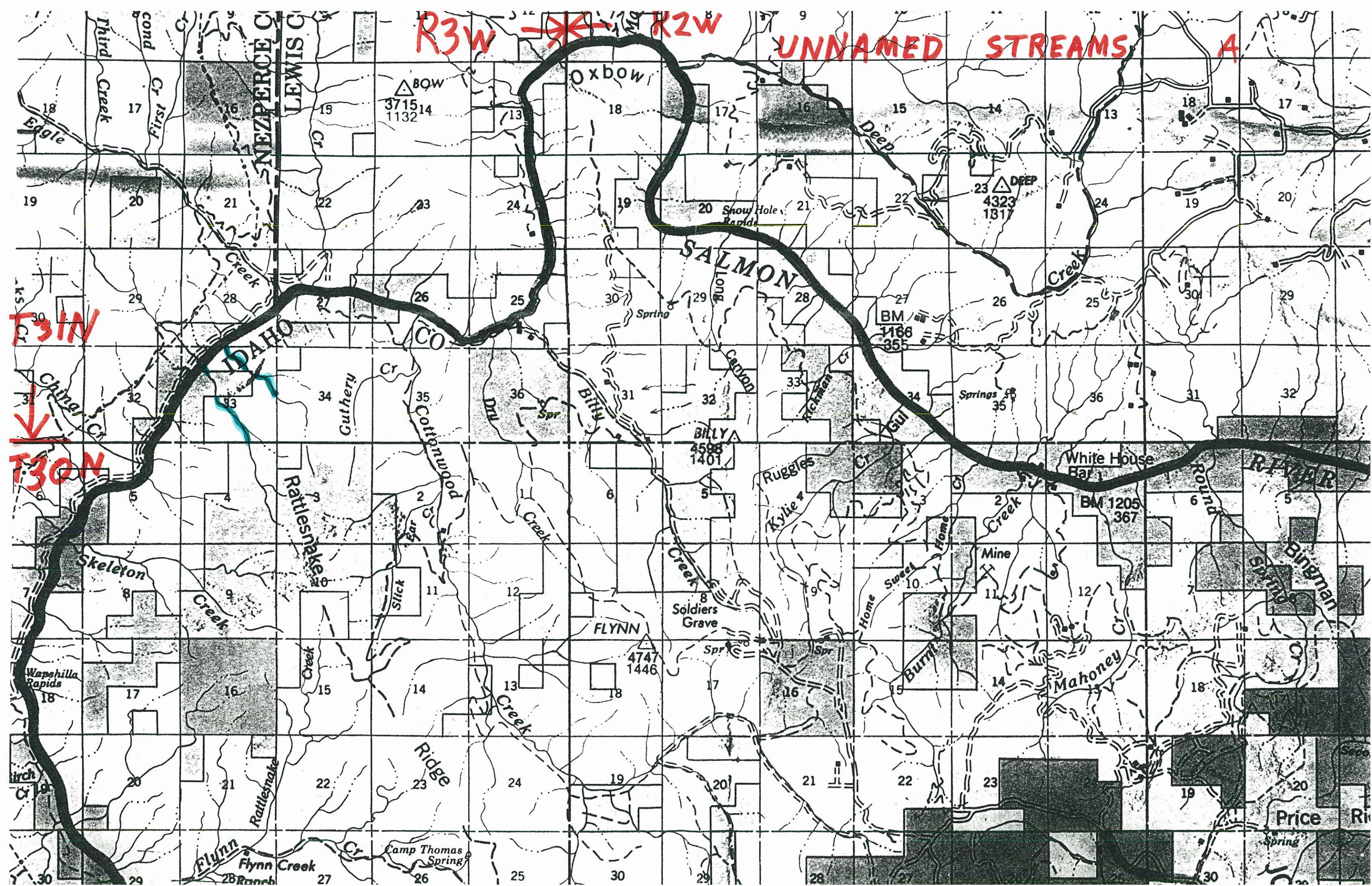
12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE



10. Place of use is: UNNAMED STREAMS A

TOWNSHIP RANGE SECTION 1 / 4 OF 1 / 4 Govt. Lot B.M.,

↑ ↑ SE NE (NW NE NW)
31N 3W 33 NW NW (SW SE NW SE)
↓ ↓ NE SE

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 ☐
(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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.

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 that I/We have received, read and understood 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 Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Date Date
Signature of Claimant (s) Date Date

For Organizations: I do solemnly swear or affirm that I am Vice President
of Shroyer Ranches Inc. Title
document in the space below as Manager of Shroyer Ranches Inc. Idaho Ranch Organization

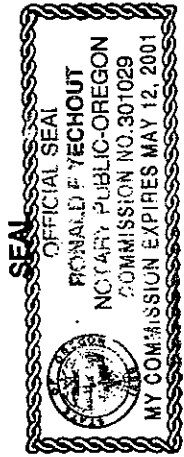
and that the statements contained in the foregoing document are true and correct.

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) ss. NOTARIZATION REQUIRED FOR EACH CLAIM

County of Benton)
Subscribed and sworn (or affirmed) before me this twelfth day of September 1999



Notary Public: Donald E. Techout
Residing at Philomath, Oregon 97370
My Commission Expires May 12, 2001

Last Name Ident No. Copies: White-State, Yellow-Claimant

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. A79-13973
Date Received 9/13/99
Receipt Number W025719

RECEIVED
SEP 13 1999
WATER RESOURCES
WESTERN REGION

NOTICE OF CLAIM
TO A

WATER RIGHT
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 PHILLMATH, OREGON Zip 97370
2. Date of Priority (Only one per claim) 1921 Month/Day/Year
3. Source of water supply (Check one) () Groundwater or Other () (a) UNNAMED STREAMS A
which is tributary to (b) _____
Name or kind of source

4. POINT OF DIVERSION.

TOWNSHIP	RANGE	SECTION	1 / 4	OF	1 / 4	OF	1 / 4	LOT	COUNTY
Beginning Point of Instream Flow									
↑	↑	33	SE	SE	NE	↑			
31N	3W	33	SE	NW	NE				
		33	SE	SW	SE				
		33	SE	SW	NW				IDAHO
ENDING POINT OF INSTREAM FLOW									
		33	NW	SE	NE				
		33	NW	NE	SW				
		33	NE	NE	NW				
↓	↓	33	SE	NW	NW	↓			

Additional points of diversion if any: NONE

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. INSTREAM STOCKWATER
6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For _____ purposes from 01 01 to 12 31 amount 004 (cfs)
For _____ purposes from _____ to _____ amount _____
(Both dates are inclusive)
7. Total quantity claimed 004 (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) 150 RANGE CATTLE



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