

08/18/2006

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

RIGHT NUMBER: 79-13974

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

SOURCE: BURNT CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 12/31/1918

POINT OF DIVERSION:

T30N R02W S11 NWNWSW End of Stream Flow Within IDAHO County
T30N R02W S11 NWNWSW Begin of Stream Flow Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.020 CFS

PLACE OF USE: STOCKWATER Within IDAHO County

T30N R02W S11 NWSW

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RECEIVED
SEP 25 2006
IDWR/North

08/18/2006

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: September 22, 2006

Water right number: 79-13974

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 79-13974 V1

WATER RIGHT NUMBER: 79-13974 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: 12/31/1918
 Basis: Beneficial Use
 Status: Active

<u>Source</u>	<u>Tributary</u>
BURNT CREEK	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>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	

<u>Location of Point(s) of Diversion</u>			
BURNT CREEK	NW1/4NW1/4SW1/4	Sec. 11,	Twp 30N, Rge 02W, B.M.
IDAHO County	(Ending of Reach)		
BURNT CREEK	NW1/4NW1/4SW1/4	Sec. 11,	Twp 30N, Rge 02W, B.M.
IDAHO County	(Beginning of Reach)		

Place of Use
 STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
30N	02W	11											X						

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:

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: **A79-13974**
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, 1918

3. Source: BURNT CREEK 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							
30N	02W	11	NW	NW	SW		IDAHO
Ending Point of Instream Flow							
30N	02W	11	NW	NW	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	0.050		

7. Total Quantity Appropriated is:
0.050 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
30N	02W	11	NW	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 RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Identification No. A79-13974
Date Received 9/13/99
Receipt Number W025719

NOTICE OF CLAIM TO A

RECEIVED

SEP 13 1999

WATER RESOURCES
WESTERN REGION

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 PHILMATH, OREGON Zip 97370

2. Date of Priority (Only one per claim) 1918 Month/Day/Year

3. Source of water supply (Check one) () Groundwater or Other () (a) BURNT CREEK
which is tributary to (b) _____ Name of 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												
↑	↑	11	NW	NW	SW	↑						
30N	2W											
↓	ENDING POINT	OF INSTREAM FLOW	NW	NW	SW	↓				IDAHO		

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.)
STOCKWATER For _____ purposes from 01/01 to 12/31 amount 05 (cfs)
(Both dates are inclusive)

7. Total quantity claimed 05 (cfs) For _____ purposes from _____ to _____ amount _____

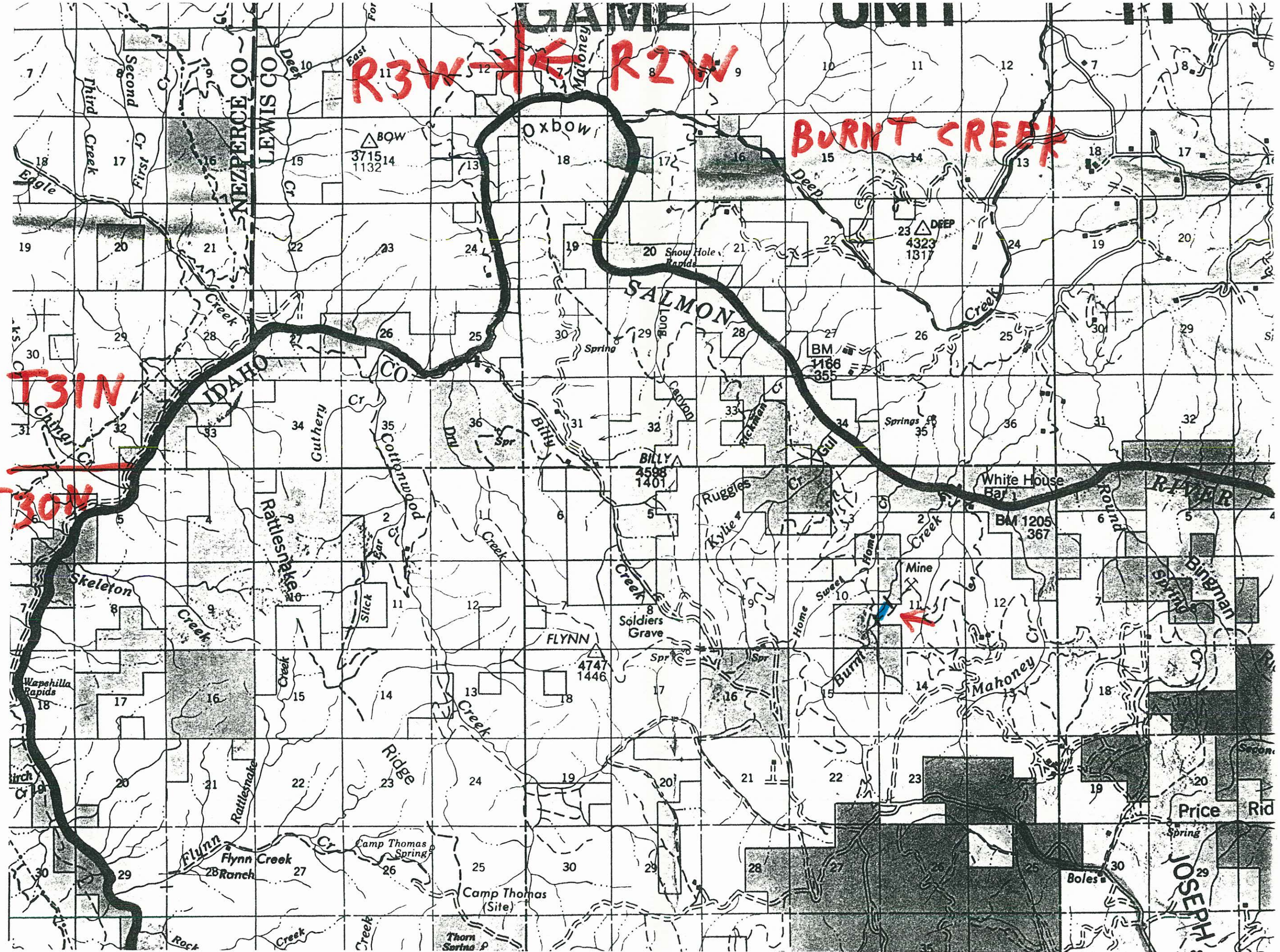
8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) STOCKWATER 150 RANGE CATTLE

GAVIE UNIT

R3W ← R2W

BURNT CREEK



T31N
T30N

10. Place of use is: BURNT CREEK

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

30N 2W 11 NW SW

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 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

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 Idaho Ranch

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

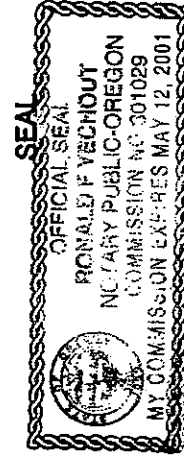
Signature of Authorized Agent Manager George E Shroyer Date 9-10-99

Title and Organization Manager of Shroyer Ranches Inc. Idaho Ranch

State of Idaho/or Oregon) SS.

County of Benton)

Subscribed and sworn (or affirmed) before me this twelfth day of September 19 99



Notary Public Ronald F. Veichout

Residing at Chilamath, Oregon 97370

My Commission Expires May 12, 2001

Last Name Ident No.



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