

10/15/2006

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

RIGHT NUMBER: 79-13975
NAME AND ADDRESS: HORSESHOE BEND RANCH INC
1910 CHAPEL DR
PHILOMATH OR 97370
SOURCE: DRY CREEK
UNNAMED STREAM
TRIBUTARY: SALMON RIVER
TRIBUTARY: DRY CREEK
QUANTITY: 0.020 CFS
The quantity of water under this right shall not exceed 13,000 gallons per day.
PRIORITY DATE: 12/31/1919
POINT OF DIVERSION:
T30N R03W S1 SESENE Begin of Stream Flow Within IDAHO County
T30N R03W S1 NENENW Lot 3 End of Stream Flow Within IDAHO County
T30N R03W S1 SESWSE Begin of Stream Flow Within IDAHO County
T31N R03W S25 NESWSW End of Stream Flow Within IDAHO County
T31N R03W S25 SESWSW Lot 8 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 IDAHO County

T30N R03W S01 Lot 1 NENE	T30N R03W S01 Lot 2 NWNE
T30N R03W S01 SWNE	T30N R03W S01 SENE
T30N R03W S01 Lot 3 NENW	T30N R03W S01 SENW
T30N R03W S01 NESW	T30N R03W S01 NWSE
T30N R03W S01 SWSE	T31N R03W S25 SWSW
T31N R03W S25 Lot 8 SWSW	T31N R03W S25 Lot 9 SESW *

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

I added this as part of the
place of use. It appears stream flows
in SESW & SWSW Section 25.

J.F.

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: 79-13975

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):

priority date 12-31-1919
period of use 01/01 12/31 Dry Creek unnamed stream

2. Describe the changes you wish to make in the proposed recommendation:

+31N R03W S25 (S05W) should be SE3W

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

08/18/2006

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

RIGHT NUMBER: 79-13975

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

SOURCE: DRY CREEK
UNNAMED STREAM

TRIBUTARY: SALMON RIVER
TRIBUTARY: DRY CREEK

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 12/31/1919

POINT OF DIVERSION:

T30N R03W S1 SESENE Begin of Stream Flow Within IDAHO County

T30N R03W S1 NENENW Lot 3 End of Stream Flow Within IDAHO County

T30N R03W S1 SESWSE Begin of Stream Flow Within IDAHO County

T31N R03W S25 NESWSW End of Stream Flow Within IDAHO County

T31N R03W S25 SESWSW Lot 8 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:	<u>STOCKWATER Within IDAHO County</u>		
	T30N R03W S01 Lot 1 NENE	T30N R03W S01 Lot 2 NWNE	
	T30N R03W S01 SWNE	T30N R03W S01 SENE	
	T30N R03W S01 Lot 3 NENW	T30N R03W S01 SENW	
	T30N R03W S01 NESW	T30N R03W S01 NWSE	
	T30N R03W S01 SWSE	T31N R03W S25 SWSW	
	T31N R03W S25 Lot 8 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

RECEIVED
SEP 25 2006
IDWR/North

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 79-13975 V1

WATER RIGHT NUMBER: 79-13975 V1

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

Priority Date: 12/31/1919
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
DRY CREEK	SALMON RIVER
UNNAMED STREAM	DRY CREEK

<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	

Location of Point(s) of Diversion

UNNAMED STREAM	SE1/4SE1/4NE1/4	Sec. 1,	Twp 30N,	Rge 03W, B.M.
IDAHO County	(Beginning of Reach)			
DRY CREEK	SE1/4SW1/4SE1/4	Sec. 1,	Twp 30N,	Rge 03W, B.M.
IDAHO County	(Beginning of Reach)			
DRY CREEK	NE1/4SW1/4SW1/4	Sec. 25,	Twp 31N,	Rge 03W, B.M.
IDAHO County	(Ending of Reach)			
DRY CREEK	L8 (SE1/4SW1/4SW1/4)	Sec. 25,	Twp 31N,	Rge 03W, B.M.
IDAHO County	(Beginning of Reach)			
DRY CREEK	L3 (NE1/4NE1/4NW1/4)	Sec. 1,	Twp 30N,	Rge 03W, B.M.
IDAHO County	(Ending 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	03W	1	X	X	X	X	X			X	X					X	X		
			L 1	L 2			L 3												
31N	03W	25											X						

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 79-13975 V1

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: **A79-13975**
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, 1919
3. Source: DRY CREEK Trib. to: SALMON RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
Beginning Point of Instream Flow							
30N	03W	1	NE	NE	SE		IDAHO
30N	03W	1	SE	SW	SE		IDAHO
31N	03W	25	SE	SW	SW		IDAHO
Ending Point of Instream Flow							
30N	03W	1	NE	NW	NE		IDAHO
31N	03W	25	NE	SW	SW		IDAHO

5. Description of diverting works:
INSTSREAM 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
30N	03W	1	NW		NE	OK	STOCK	
			SE		NE		STOCK	
			NE		NW		STOCK	
			SE		NW		STOCK	
			NE		SW		STOCK	
			NE		SE		STOCK	
			NW		SE		STOCK	
			SW		SE		STOCK	
31N	03W	25	SW		SW	Govt Lot	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:
SPRING RIGHT 79-10244

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. A79-13975
Date Received 9/13/99
Receipt Number 0025719

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) 1919 Month/Day/Year

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

↑ ↑ ↑ NE NE SE
30N 3W ↓ SE SW SE
| 1 ↑ 25 SE SW SW

ENDING POINT OF INSTREAM FLOW

IDAHO

↓ ↓ ↓ NE NW NE
↓ 25 NE SW SW

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

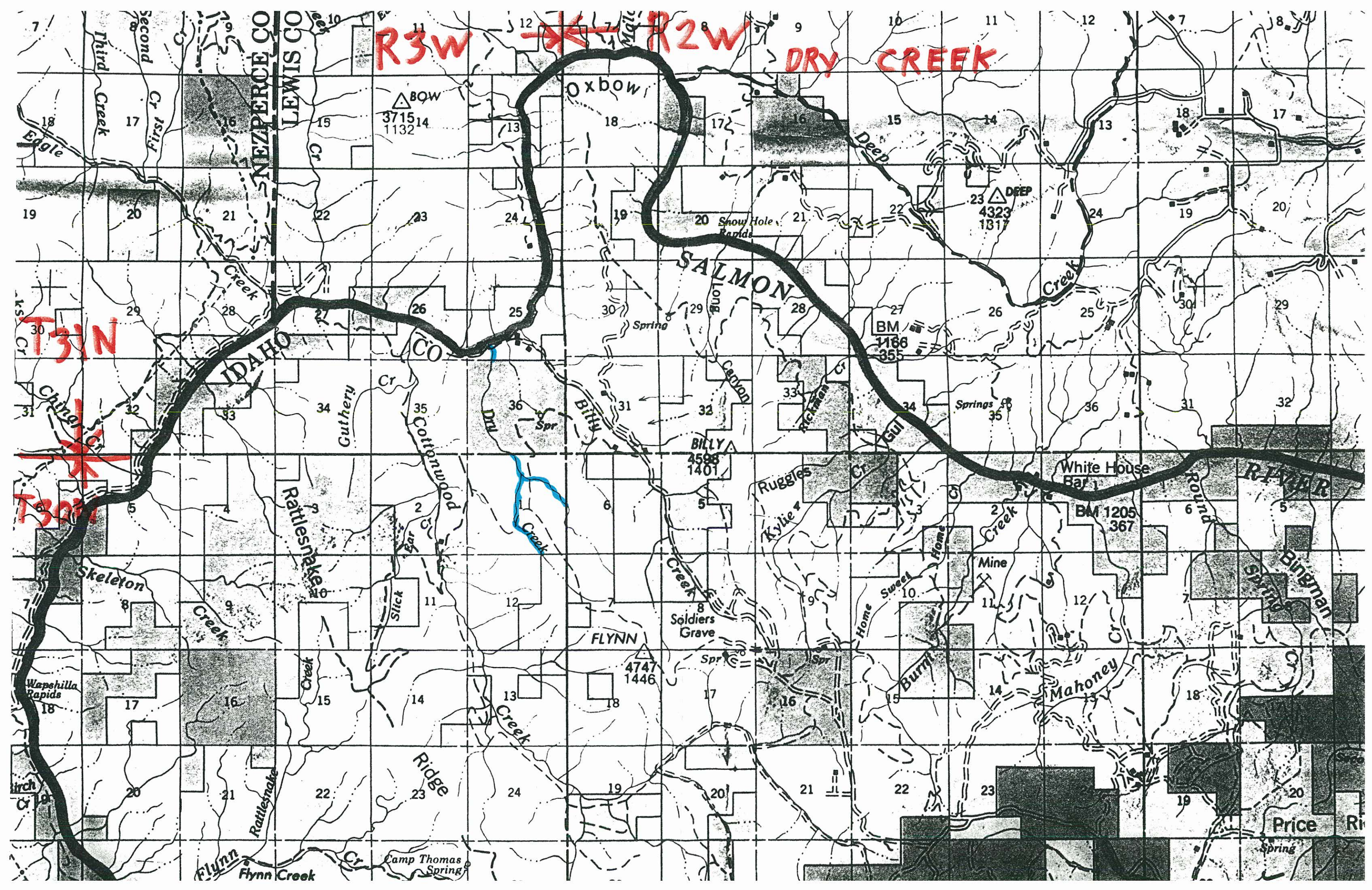
6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
Stock Water For _____ purposes from 01/01 to 12/31 amount 004 (cfs)
Month/Day Month/Day

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) Stock Water 150 RANGE CATTLE



10. Place of use is: DRY CREEK

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

A hand-drawn diagram on lined paper showing a 5x5 grid. The grid is defined by horizontal and vertical lines. At various intersections, there are directional labels (NE, NW, SE, SW) and numerical values. The labels are as follows:

- Top row: NE, NW
- Second row: NE, SE
- Third row: NW, SE
- Fourth row: SW, SE, NE
- Fifth row: NW, NE
- Sixth row: SE, NW
- Seventh row: NE, SW
- Eighth row: SW, SW

Numerical values are placed at specific intersections:

- 30N: At the intersection of the second vertical line from the left and the third horizontal line from the top.
- 3W: At the intersection of the third vertical line from the left and the fourth horizontal line from the top.
- 31N: At the intersection of the first vertical line from the left and the eighth horizontal line from the top.
- 25: At the intersection of the fourth vertical line from the left and the seventh horizontal line from the top.

Arrows are drawn at several intersections, pointing in various directions (up, down, left, right, and diagonally).

Use for (Circle One) Domestic
Additional places of use, if any

Domestic and Stock

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

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.

(~~V~~) None or

14. Remarks: SPRING RIGHT NO 79-10244

15. Basis of Claim (Circle One)

Beneficial Use

Posted Notice, License

Decree

Court _____ **Decree Date** _____

Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number

16. Signature (s)

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 Y 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

Title

that I have signed the foregoing

document in the space below as Manager of Shroyer Ranches Inc. Idaho Ranch
Organization
Title

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 Shrover Ranches Inc. Telabo Ranch

State of Idaho / or Idaho

၇၇

County of

Subscribed and sworn (or affirmed) before me this

tenth day of September 1929

OFFICIAL SEAL
 RONALD F. YECIHOIT
 NOTARY PUBLIC-OREGON
 COMMISSION NO.307029
 MY COMMISSION EXPIRES MAY 12, 2001

Notary Public

Residing at
William A. 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