

**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: 79-13979

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 - 12/31/1920

source - Kylie creek

period of use - 01/01 12/31

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

T30N R02W S4 S00WSE should be changed to
T30N R02W S4 S00WSE

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

12/17/2004

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

RIGHT NUMBER: 79-13979

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

SOURCE: KYLIE CREEK
UNNAMED STREAM

TRIBUTARY: RUGGLES GULCH
TRIBUTARY: KYLIE CREEK

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 12/31/1920

POINT OF DIVERSION:

T30N R02W S4 NESWSW End of Stream Flow Within IDAHO County
T30N R02W S4 NWNWSE Begin of Stream Flow Within IDAHO County
T30N R02W S4 NWNWSE End of Stream Flow Within IDAHO County
T30N R02W S4 SWNWSE End of Stream Flow Within IDAHO County
T30N R02W S4 SWSWSE Begin of Stream Flow Within IDAHO County
T30N R02W S4 NWSESE End of Stream Flow Within IDAHO County
T30N R02W S4 SWSESE Begin of Stream Flow Within IDAHO County
T30N R02W S9 SENWNW 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 R02W S04	SWSW	T30N R02W S04	NWSE
T30N R02W S04	SWSE	T30N R02W S04	SESE
T30N R02W S09	NWNW		

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: 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: **A79-13979**
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, 1920
3. Source: KYLIE CREEK Trib. to: RUGGLES GULCH
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
Beginning Point of Instream Flow							
30N	02W	4	NW	NW	SE	✓	IDAHO
30N	02W	4	SW	SW	SE	✓	IDAHO
30N	02W	4	SW	SE	SE	✓	IDAHO
30N	02W	9	SE	NW	NW	✓	IDAHO
Ending Point of Instream Flow							
30N	02W	4	NE	SW	SW	✓	IDAHO
30N	02W	4	NW	NW	SE	✓	IDAHO
30N	02W	4	SE	NW	SE	✓	IDAHO
30N	02W	4	NW	SE	SE	✓	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
30N	02W	4	SW		SW /		STOCK	
			NW		SE /		STOCK	
			SW		SE /		STOCK	
			SE		SE /		STOCK	
		9	NW		NW /		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

08/18/2006

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

RIGHT NUMBER: 79-13979

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

SOURCE: KYLIE CREEK
UNNAMED STREAM

TRIBUTARY: RUGGLES GULCH
TRIBUTARY: KYLIE CREEK

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 12/31/1920

POINT OF DIVERSION:

- 2 T30N R02W S4 NESWSW End of Stream Flow Within IDAHO County
- 3 T30N R02W S4 NWNWSE Begin of Stream Flow Within IDAHO County
- 3 T30N R02W S4 NWNWSE End of Stream Flow Within IDAHO County
- 4 T30N R02W S4 ~~S~~NWSE End of Stream Flow Within IDAHO County *
- 4 T30N R02W S4 SWSWSE Begin of Stream Flow Within IDAHO County
- 1 T30N R02W S4 NWSESE End of Stream Flow Within IDAHO County
- 1 T30N R02W S4 SWSESE Begin of Stream Flow Within IDAHO County
- 2 T30N R02W S9 SENWNW 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 R02W S04 SWSW	T30N R02W S04	NWSE
	T30N R02W S04 SWSE	T30N R02W S04	SESE
	T30N R02W S09 NWNW		

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

* Change to 40 acre tract instead of 10 acre tract

This allows ending point to be anywhere in that quarter-quarter.

L.T.

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. 479-13979
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) 1920 Month/Day/Year

3. Source of water supply (Check one) () Groundwater or Other () (a) KYLIE CREEK
which is tributary to (b) RUGGLES GUL 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

30N	2W	4	SW	SE	SE	↑
			SW	SW	SE	
			NW	NW	SE	
		9	SE	NW	NW	
ENDING POINT OF INSTREAM FLOW						
		4	NW	SE	SE	IDAHO
			SE	NW	SE	
			NW	NW	SE	
			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

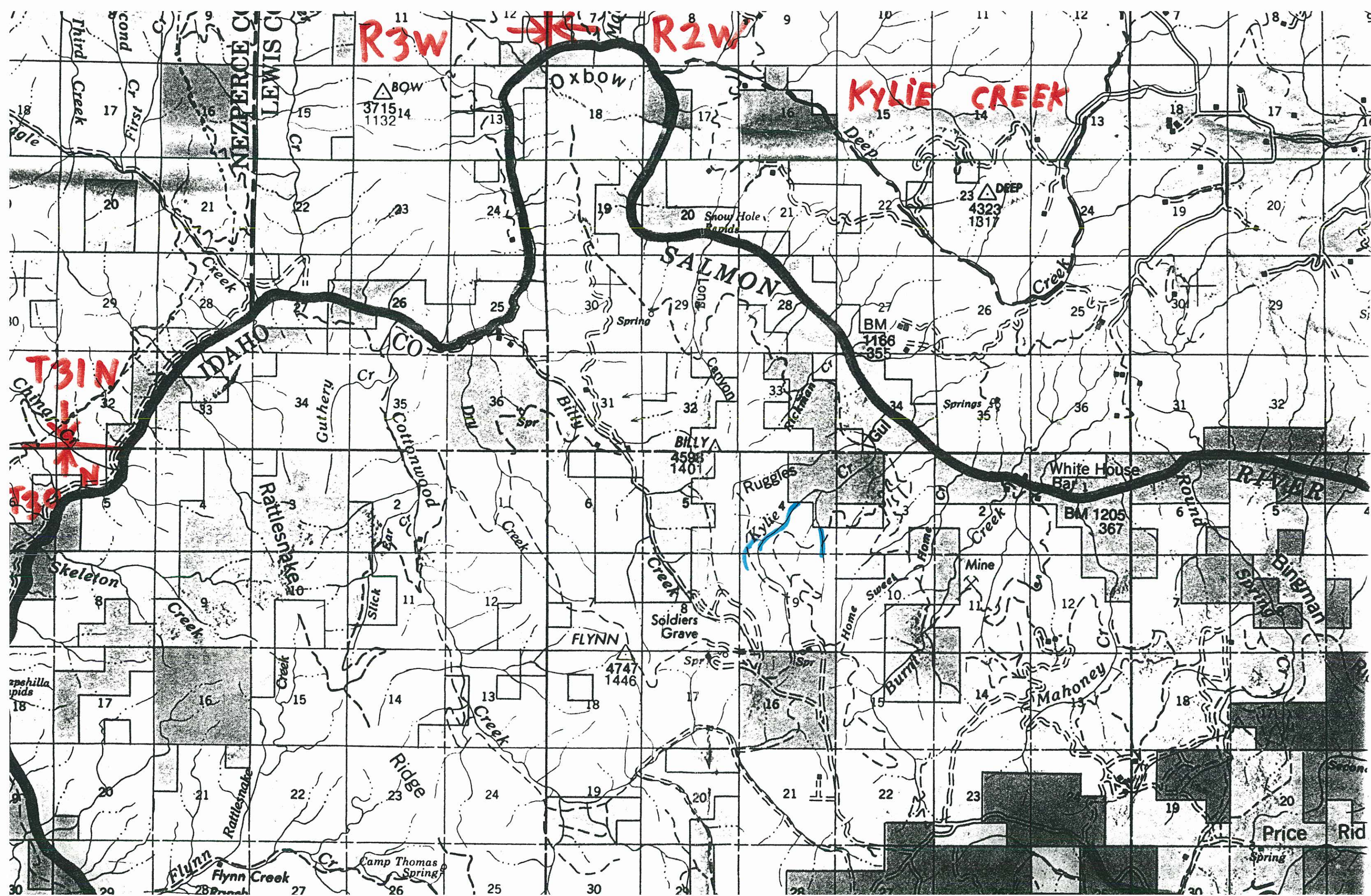
6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
STOCK WATER (cfs)
For 01-01 to 12-31 amount 0.04
(Both dates are inclusive)

For 01-01 to 12-31 amount 0.04

7. Total quantity claimed 0.04 (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: **KYLIE CREEK**

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

30N	2W	9	NW	NW
		4	SW	SW
			SE	SE
			SW	SE
			NW	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 ☐
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
Organization Title Organization

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

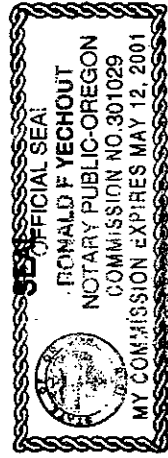
Title and Organization Manager of Shroyer Ranches Inc Idaho Ranch

State of Idaho or Oregon) ss.

County of Benton)

NOTARIZATION REQUIRED FOR EACH CLAIM

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



Notary Public Ronald F. Yeichout

Residing at Shulmanville, 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