

08/18/2006

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

RIGHT NUMBER: 79-13985

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

SOURCE: SLICK EAR CREEK

TRIBUTARY: COTTONWOOD CREEK

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 12/31/1917

POINT OF DIVERSION:

T30N R03W S2 SESWNE End of Stream Flow Within IDAHO County  
T30N R03W S11 SWNENW Begin of Stream Flow Within IDAHO County  
T30N R03W S11 NWSWSW End of Stream Flow Within IDAHO County  
T30N R03W S15 SENENE 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 S02 SWNE                    | T30N R03W S02        | NESW            |
|               | T30N R03W S02 SESW                    | T30N R03W S02        | NWSE            |
|               | T30N R03W S11 NENW                    | T30N R03W S11        | SWSW            |
|               | T30N R03W S14 NWNW                    | T30N R03W S15        | NENE            |

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

**NOTICE OF ERROR  
REPLY**

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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: 79-13985  
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:

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

12/18/2004

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

RIGHT NUMBER: 79-13985  
NAME AND ADDRESS: HORSESHOE BEND RANCH INC  
1910 CHAPEL DR  
PHILOMATH OR 97370  
SOURCE: SLICK EAR CREEK TRIBUTARY: COTTONWOOD CREEK  
QUANTITY: 0.020 CFS  
The quantity of water under this right shall not exceed 13,000 gallons per day.  
PRIORITY DATE: 12/31/1917  
POINT OF DIVERSION:

T30N R03W S2 SESWNE End of Stream Flow Within IDAHO County  
T30N R03W S11 SWNENW Begin of Stream Flow Within IDAHO County  
T30N R03W S11 NWSWSW End of Stream Flow Within IDAHO County  
T30N R03W S15 SENENE 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 S02 | SWNE | T30N R03W S02 | NESW |
| T30N R03W S02 | SESW | T30N R03W S02 | NWSE |
| T30N R03W S11 | NENW | T30N R03W S11 | SWSW |
| T30N R03W S14 | NWNW | T30N R03W S15 | NENE |

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: A79-13985  
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: SLICK EAR CREEK Trib. to: COTTONWOOD CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
|----------|-------|---------|--------|--------|-----|-----|--------|

Beginning Point of Instream Flow

|     |     |    |    |    |      |  |       |
|-----|-----|----|----|----|------|--|-------|
| 30N | 03W | 11 | SW | NE | NW ✓ |  | IDAHO |
| 30N | 03W | 15 | SE | NE | NE ✓ |  | IDAHO |

Ending Point of Instream Flow

|     |     |    |    |    |      |  |       |
|-----|-----|----|----|----|------|--|-------|
| 30N | 03W | 2  | SE | SW | NE   |  | IDAHO |
| 30N | 03W | 11 | NW | SW | 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 |
|----------|-------|---------|-----|----|------|-----|-------|-------|
| 30N      | 03W   | 2       | NW  |    | NE ✓ |     | STOCK |       |
|          |       |         | SW  |    | NE ✓ |     | STOCK |       |
|          |       |         | NE  |    | SW ✓ |     | STOCK |       |
|          |       |         | SE  |    | SW ✓ |     | STOCK |       |
|          |       |         | NW  |    | SE ✓ |     | STOCK |       |
|          |       | 11      | NE  |    | NW ✓ |     | STOCK |       |
|          |       |         | SW  |    | SW ✓ |     | STOCK |       |
|          |       | 15      | NE  |    | NE ✓ |     | 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. A79-13985  
Date Received 9/13/99  
Receipt Number WD25719

## 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) 1917 Month/Day/Year
3. Source of water supply (Check one) ( ) Groundwater or Other ( ) (a) SLICK EAR creek  
which is tributary to (b) COTTONWOOD creek 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 | 3W | 15 | SE | NE | NE | ↑ |
|     |    | 11 | SW | NE | NW | ↓ |

ENDING POINT OF INSTREAM FLOW

IDAHO

|   |    |    |    |    |   |
|---|----|----|----|----|---|
| ↓ | 11 | NW | SW | SW | ↓ |
| ↓ | 2  | SE | SW | NE | ↓ |

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

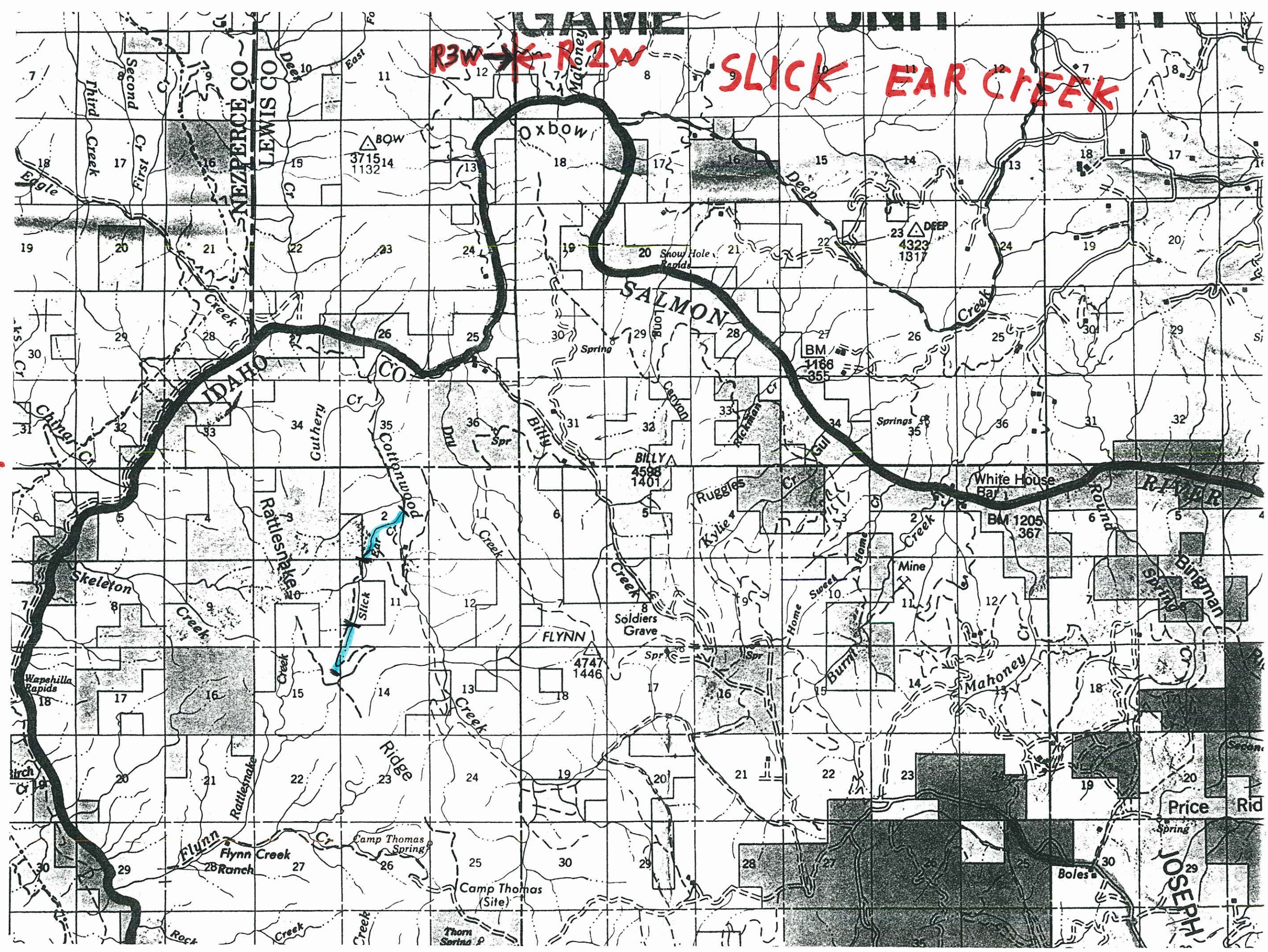
6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)  
STOCKWATER For 01/01 Month/Day to 12/31 Month/Day amount 0.04 (cfs)  
For            purposes from            to            (Both dates are inclusive) amount

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) STOCKWATER 150 RANGE CATTLE

T31N  
T30N



10. Place of use is: SLICK EAR CREEK

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

↑ 15 NE NE  
30N 3W 11 SW SW (NE NW)  
↓ 2 SE SW (NE SW) NW NE (SW NE) 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.

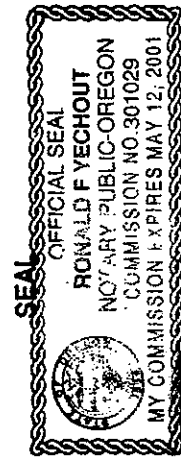
Signature of Claimant (s) Date Date

For Organizations: I do solemnly swear or affirm that I am Vice President  
of Shroyer Ranches Inc Manager Title Shroyer Ranches Inc Idaho Ranch Organization  
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 Jr. Date 9-10-99  
Title and Organization Manager of Shroyer Ranches Inc Idaho Ranch

State of Idaho Oregon ) ss. **NOTARIZATION REQUIRED FOR EACH CLAIM**  
County of Benton )

Subscribed and sworn (or affirmed) before me this tenth day of September 19 99  
Notary Public Ronald F Yeichout  
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