

08/18/2006

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

RIGHT NUMBER: 79-13986

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

SOURCE: GUTHERY 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:

T31N R03W S34 SWSESE Begin of Stream Flow Within IDAHO County
T31N R03W S35 SENENW End 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>		
	T31N R03W S34 SENE	T31N R03W S34	NESE
	T31N R03W S34 SESE	T31N R03W S35	NENW
	T31N R03W S35 SWNW	T31N R03W S35	SENW

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: 79-13986
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

12/18/2004

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

RIGHT NUMBER: 79-13986
NAME AND ADDRESS: HORSESHOE BEND RANCH INC
1910 CHAPEL DR
PHILOMATH OR 97370
SOURCE: GUTHERY 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:

T31N R03W S34 SWSESE Begin of Stream Flow Within IDAHO County
T31N R03W S35 SENENW End 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

T31N R03W S34	SENE	T31N R03W S34	NESE
T31N R03W S34	SESE	T31N R03W S35	NENW
T31N R03W S35	SWNW	T31N R03W S35	SENW

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: **A79-13986**
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: GUTHERY CREEK Trib. to: COTTONWOOD CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
31N	03W	34	NW	NE	SE		IDAHO
		35	SE	NE	NW		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 of	Lot	Use	Acres
31N	03W	34	SE	NE		STOCK	
			NE	SE		STOCK	
		35	NE	NW		STOCK	

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
31N	03W	35	SW	NW ✓		STOCK	
			SE	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

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
Identification No. A 19-13986
Date Received 9/13/99
Receipt Number W025719

RECEIVED

NOTICE OF CLAIM
TO A

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 PHILLMATH, 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) GUTHRY 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

31 N 3W 34 NW NE SE IDAHO

ENDING POINT OF INSTREAM FLOW

↓ ↓ 35 SE NE 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.)
STOCK WATER For 01-01 Month/Day to 12-31 Month/Day amount 0.04 (cfs)

For 01-01 Month/Day to 12-31 Month/Day amount 0.04 (cfs)

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

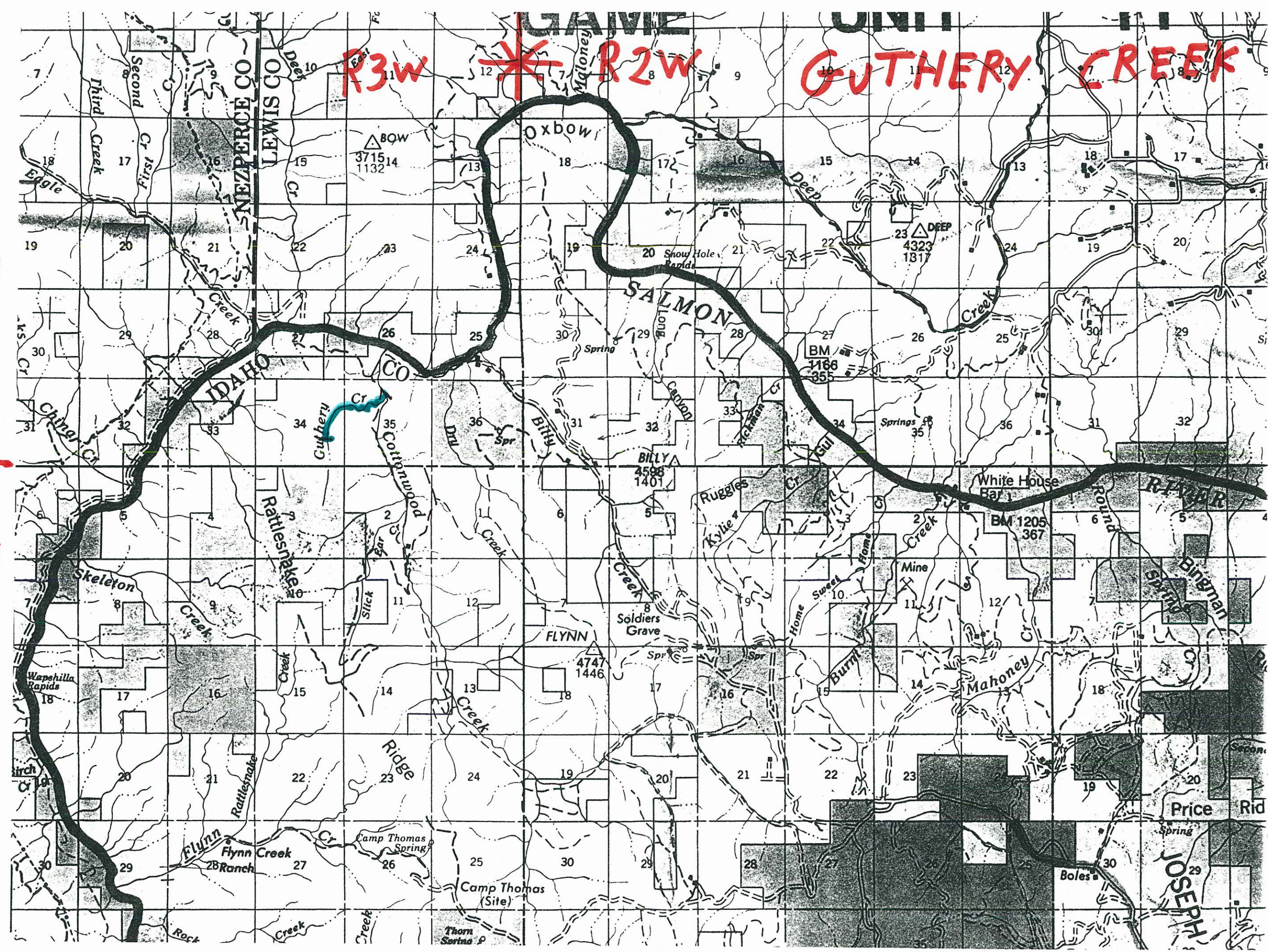
T31N

T30N

R3W

R2W

GUTHRY CREEK



10. Place of use is: GUTHRY CREEK

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

↑ 34 (NE SE) (SE NE)
31N 3W 35 (SW NW) (SE NW) (NE NW)

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

(Stock) Domestic and Stock

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 Title that I have signed the foregoing
document in the space below as Manager of Shroyer Ranches, Inc Idaho Ranch
Organization 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. **NOTARIZATION REQUIRED FOR EACH CLAIM**
County of Benton

Subscribed and sworn (or affirmed) before me this Tenth day of September 1999
Notary Public Ronald F Yeichout
Residing at Philomath, Oregon 97370
My Commission Expires May 12, 2001

