


DEC 20 2024

By  Clerk
Deputy Clerk

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Attorneys for Crooked River Ranches, LLC

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT FOR THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Subcase No. 00-92021-69

Case No. 39576

**DECLARATION OF KATIE A.
SHRUM**

Katie A. Shrum, being under penalty of perjury states as follows:

1. I am over the age of eighteen and state the following based on my own personal knowledge.
2. I am a Governor of Crooked River Ranches, LLC ("CRR"), a corporation in good standing with the Idaho Secretary of State.
3. CRR is a successor-in-interest to Harold A. Powers and Enea H. Powers ("Powers") who, in 2008, were partially decreed water right nos. 69-4103A, which diverts water from Crooked River, by the Snake River Basin Adjudication ("SRBA") District Court. CRR's water right from Crooked River has a priority date of 4/1/1888, a diversion rate of 3.38 cfs, for irrigation and stockwater purposes.

4. CRR uses its water right from Crooked River to irrigate pasture for cows and calves to graze on and for watering livestock.
5. In 2003, the SRBA Court partially decreed water right nos. 69-10228 (2003), 69-10229, and 69-10251 to the United States of America, each with a priority date of 5/1/1895.
6. In 2008, the SRBA Court partially decreed water right no. 69-4122 to Jack and Ava E. Rubelt ("Rubelt"), from Crooked River, with a priority date of 5/6/1901, a diversion rate of 2.81 cfs, for irrigation and stockwater purposes.
7. In 2008, the SRBA Court partially decreed water right no. 69-4103B to Moonshine Ventures, LLC ("Moonshine Ventures") from Crooked River, with a priority date of 4/1/1955, a diversion rate of 1.94 cfs, for irrigation purposes.
8. The priority date for CRR's water rights are senior to the other rights that were partially decreed in the SRBA from Crooked River.
9. Starting in 2022, and as documented in the 2024 filings in subcase no. 69-4103A *et al.*, there have been difficulties with distribution and administration of water rights from Crooked River between CRR, Moonshine Ventures, and Rubelt.
10. In late August 2023, CRR inquired with the Idaho Department of Water Resources ("IDWR") for assistance with water administration and distribution on Crooked River.
11. On September 9, 2023, Steven Visosky, principal water resource agent with IDWR, informed CRR that IDWR was unable to assist the water users with administration and distribution because Crooked River is not in an IDWR-created water district, with no IDWR-appointed watermaster. The *Declaration of Steven Visosky*, explaining this fact, is of record with the Court in subcase no. 69-4103A *et al.*, filed with the Court on March 27, 2024.

12. During 2024, Crooked River, through our attorney, attempted to resolve water delivery disputes with the attorneys for Rubelt and Moonshine Ventures by entering into a settlement agreement to address water administration and distribution.

13. CRR reviewed multiple versions of the settlement agreement during the spring, summer, and fall of 2024.

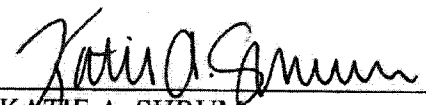
14. When flows in Crooked River became low during the summer of 2024, and CRR was not receiving its full water right, CRR asked Moonshine Ventures and Rubelt to voluntarily adjust their headgates with little to no success.

15. CRR has used its best efforts to come to an agreement with Moonshine Ventures and Rubelt for voluntary adjustment of headgates with little to no success.

16. I believe interim administration and the eventual creation of a water district is needed in order for water rights from Crooked River to be properly administered and distributed.

I certify (or declare) under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct. I.C. § 9-1406; IRCP 2.7.

DATED this 17th day of December, 2024.


KATIE A. SHRUM

CERTIFICATE OF SERVICE

I certify that on this 19th day of December, 2024, I caused to be served a true and correct copy of the foregoing upon the following persons by U.S. Mail:

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/s/ Chris M. Bromley
CHRIS M. BROMLEY