

01/17/2007

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

RIGHT NUMBER: 73-136

NAME AND ADDRESS: D & K MOEN RANCH LLC
C/O KENT MOEN
811 PAHSIMEROI RD
MAY ID 83253

SOURCE: MORGAN CREEK

TRIBUTARY: PATTERSON CREEK

QUANTITY: 6.000 CFS

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION:

T15N R21E S11 SENENE Within LEMHI County

T15N R21E S11 NESENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 7/16	6.000 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T15N R21E S22	NESE	27.00	T15N R21E S22	SWSE	8.00
T15N R21E S22	SESE	35.00	T15N R21E S23	SWNW	31.00
T15N R21E S23	SENE	40.00	T15N R21E S23	NESW	40.00
T15N R21E S23	NWSW	40.00	T15N R21E S23	SWSW	38.00
T15N R21E S23	SESW	40.00	T15N R21E S26	NENW	38.00
T15N R21E S26	NWNW	24.00	T15N R21E S26	SWNW	0.50
T15N R21E S27	NENE	2.60			

364.1 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 364.1 acres in a single irrigation season. Combined Right Nos.: 73-40, 73-41, 73-136, 73-139A, 73-12033.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

10/07/2006

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MAY ID 83253

SOURCE: MORGAN CREEK

TRIBUTARY: PATTERSON CREEK

QUANTITY: 6.000 CFS

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION:

T15N R21E S11 SENENE Within LEMHI County

T15N R21E S11 NESENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

4/01 7/16

6.000 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T15N R21E S22	NESE	27.00	T15N R21E S22	SWSE	8.00
T15N R21E S22	SESE	35.00	T15N R21E S23	SWNW	31.00
T15N R21E S23	SENE	40.00	T15N R21E S23	NESW	40.00
T15N R21E S23	NWSW	40.00	T15N R21E S23	SWSW	38.00
T15N R21E S23	SESW	40.00	T15N R21E S26	NENW	38.00
T15N R21E S26	NWNW	24.00	T15N R21E S26	SWNW	0.50
T15N R21E S27	NENE	2.60			

364.1 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



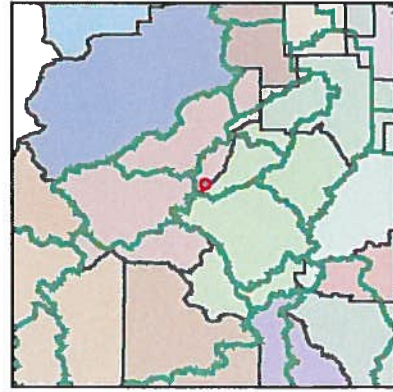
Idaho Department of Water Resources

SRBA Recommendation:

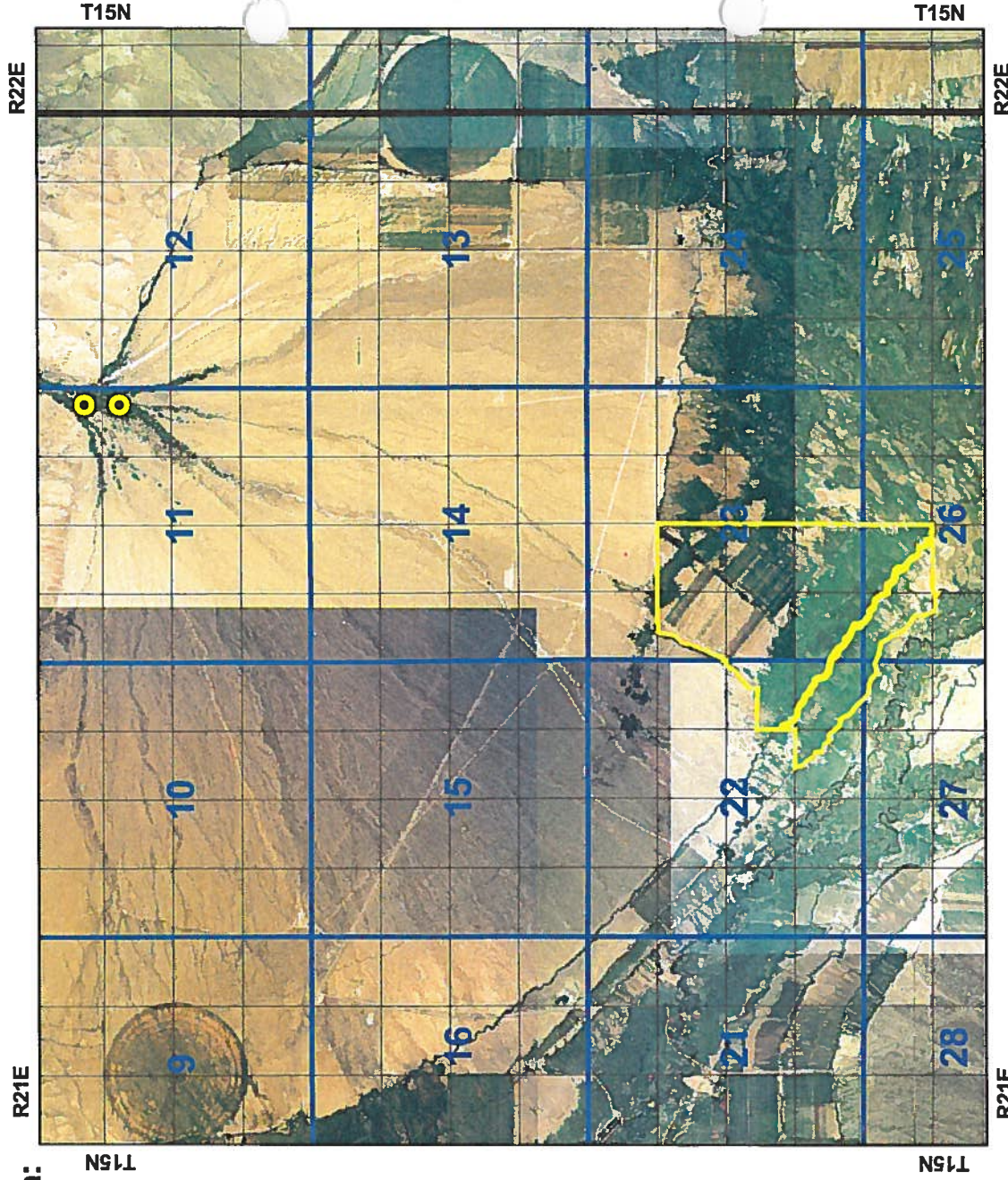
73-136, 73-139A

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi, Custer Counties
IDWR Basin 73



0 1 2 Miles

Prepared by R. Brown
On Tuesday, August 29, 2006
1987/88 Aerial Photography

08/29/2006

IDAHO DEPARTMENT OF WATER RESOURCES
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RIGHT NUMBER: 73-136

NAME AND ADDRESS: D & K MOEN RANCH LLC
C/O KENT MOEN
811 PAHSIMEROI RD
MAY ID 83253

SOURCE: MORGAN CREEK

TRIBUTARY: PATTERSON CREEK

QUANTITY: 6.000 CFS

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION:

T15N R21E S11 SENENE Within LEMHI County

T15N R21E S11 NESENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

4/01 7/16

6.000 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T15N R21E S22	NESE	27.00	T15N R21E S22	SWSE	8.00
T15N R21E S22	SESE	35.00	T15N R21E S23	SWNW	31.00
T15N R21E S23	SENE	40.00	T15N R21E S23	NESW	40.00
T15N R21E S23	NWSW	40.00	T15N R21E S23	SWSW	38.00
T15N R21E S23	SESW	40.00	T15N R21E S26	NENW	38.00
T15N R21E S26	NWNW	24.00	T15N R21E S26	SWNW	0.50
T15N R21E S27	NENE	2.60			

364.1 ACRES TOTAL

Right Nos. 73-41, 73-136, 73-139A, 73-252 and 73-257 are limited to the irrigation of a combined total of 428.1 acres in a single irrigation season.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Overlap Analysis

D&K Moen Ranch LLC

Reviewer Name: R. Brown
Date: 8/29/2006

Acreage Analysis*

Water Rights - Original Place of Use														
Twp	Rng	Sec	Q-Q	Lot	73-41	73-136	73-139A	73-252	73-257	73-40	Total	PPU	73-252/275 Overlap	
15N	21E	22	NENE											
			SENE											
			NESE		40	40					40	27		
			SWSE		40	40					40	8		
			SESE		40	40					40	35		
		23	NENW											
			NWNW											
			SWNW			40	40				40	31		
			SENW			40	40				40	40		
			NESW			40					40	40		
			NWSW			40					40	40		
			SWSW			40					40	38		
			SESW			40		40	40		40	40	40	
			SWSE					40	40		40			
			SESE					40	40		40			
		26	NENW			40		40	40		40	38	26	
			NWNW			40	40				40	24		
			SWNW			40					40	0.5		
		27	NENE		40	40					40	2.6		
			SENE			40	40				40			
					160	560	160	160	160	0	640	364.1	66	

*based on land owned by Moen

PPU = 364.1

Total POU = 428.1 (PPU + portion of 73-252/257)

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 73-136
Date Received: 4/24/1990
Receipt No: E013599
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

D & K MOEN RANCH LLC Phone: (208)876-4002
C/O KENT MOEN
811 PAHSIMEROI RD
MAY ID USA 83253

2. Date of Priority: 06/01/1885

3. Source: MORGAN CREEK , MORGAN CREEK Trib. to: PATTERSON CREEK , PATTERSON CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
15N	21E	11	SE NE NE	LEMHI	
15N	21E	11	NE SE NE	LEMHI	

5. Description of diverting works:

WOODEN HDGATE WITH DITCHES AND FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	7/16	6	

7. Total Quantity Appropriated is:
6 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
15N	21E	22	NE	SE		IRRIGATION	40
			SE	SE		IRRIGATION	30
						Section Acres	70
15N	21E	23	SW	NW		IRRIGATION	30
						Section Acres	30
						Total Acres	100

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? Yes

Original Name: Right: 100%

[illegible]