

10/07/2006

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

RIGHT NUMBER: 73-252

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

SOURCE: BERNARD DITCH

TRIBUTARY: SINKS

QUANTITY: 1.800 CFS

PRIORITY DATE: 04/01/1890

POINT OF DIVERSION:

T15N R21E S24 NESESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.800 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T15N R21E S23	SESW	39.00	T15N R21E S23	SWSE	39.00
T15N R21E S23	SESE	39.00	T15N R21E S26	NENW	37.00

154 ACRES TOTAL

Right Nos. 73-252 and 73-257 are limited to the irrigation of a combined total of 154 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



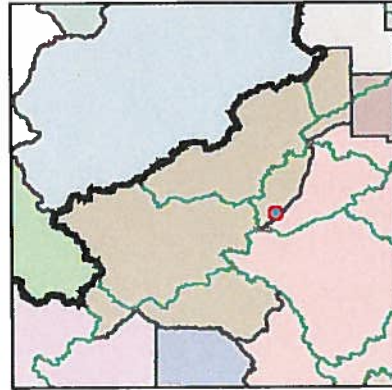
Idaho Department of Water Resources

SRBA Recommendation:

73-252
(Irrigation)

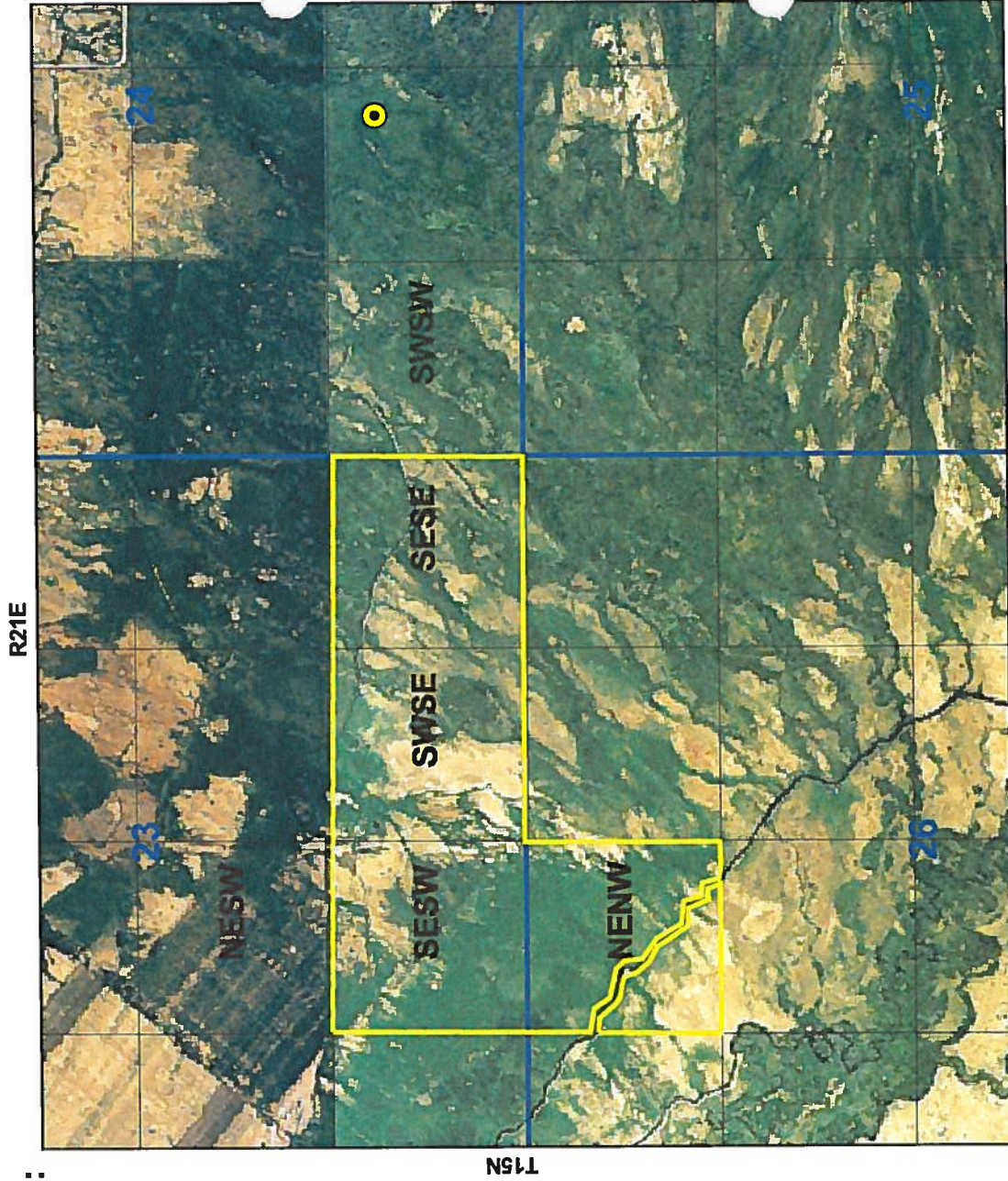
Legend

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



Lemhi County
IDWR Basin 73

Prepared by D. Favreau
On Friday, October 6, 2006
1987/88 Aerial Photography



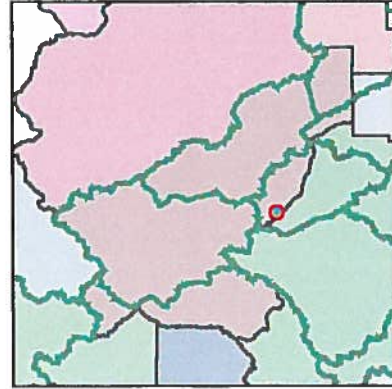


Idaho Department of Water Resources

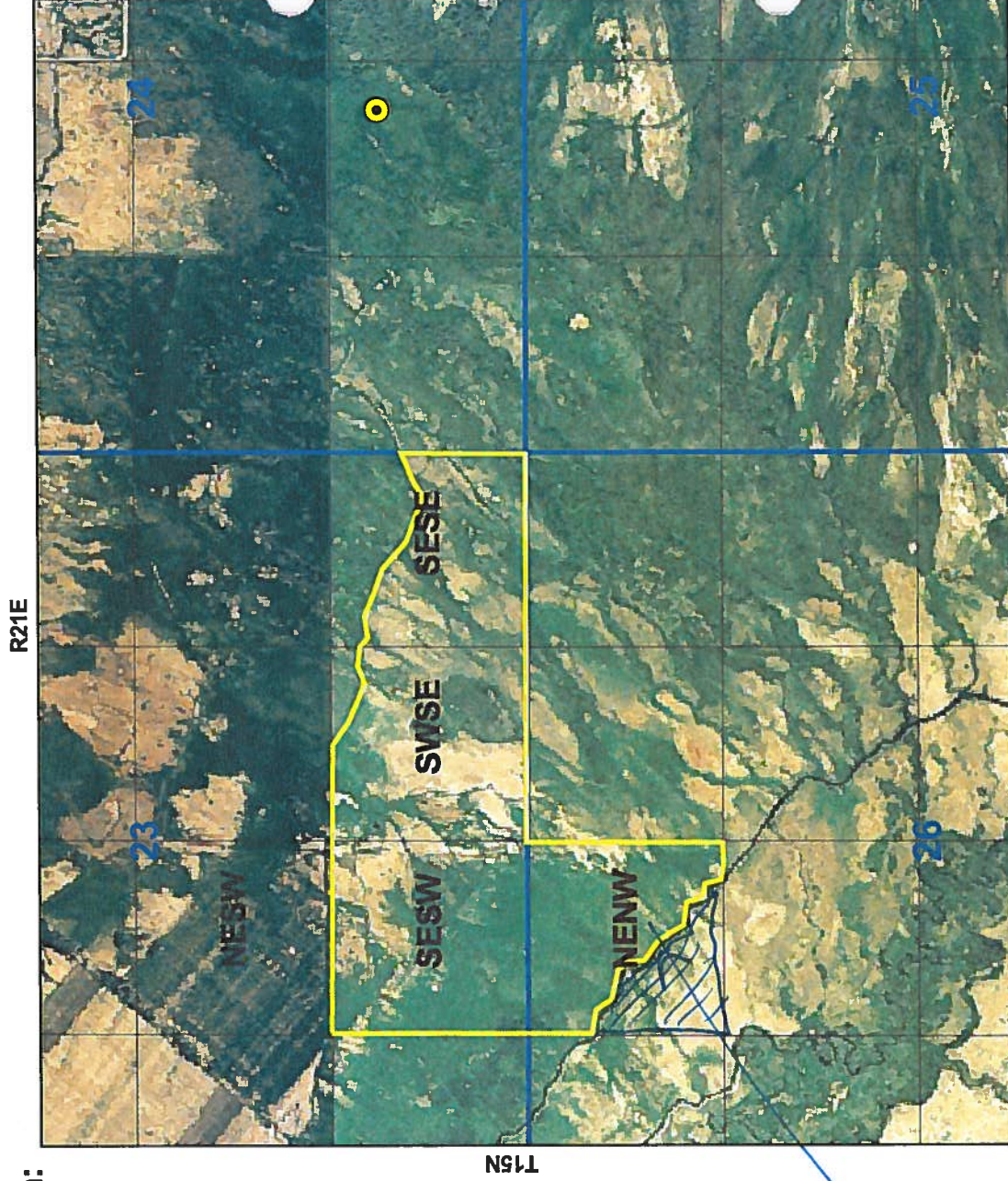
SRBA Recommendation:
73-252, 73-257

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
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Lemhi County
IDWR Basin 73



Prepared by R. Brown
On Tuesday, August 22, 2006
1987/88 Aerial Photography

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)



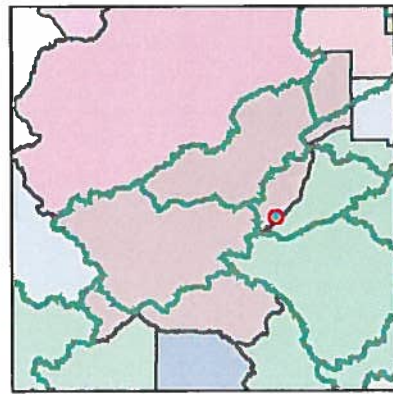
Idaho Department of Water Resources

SRBA Recommendation:

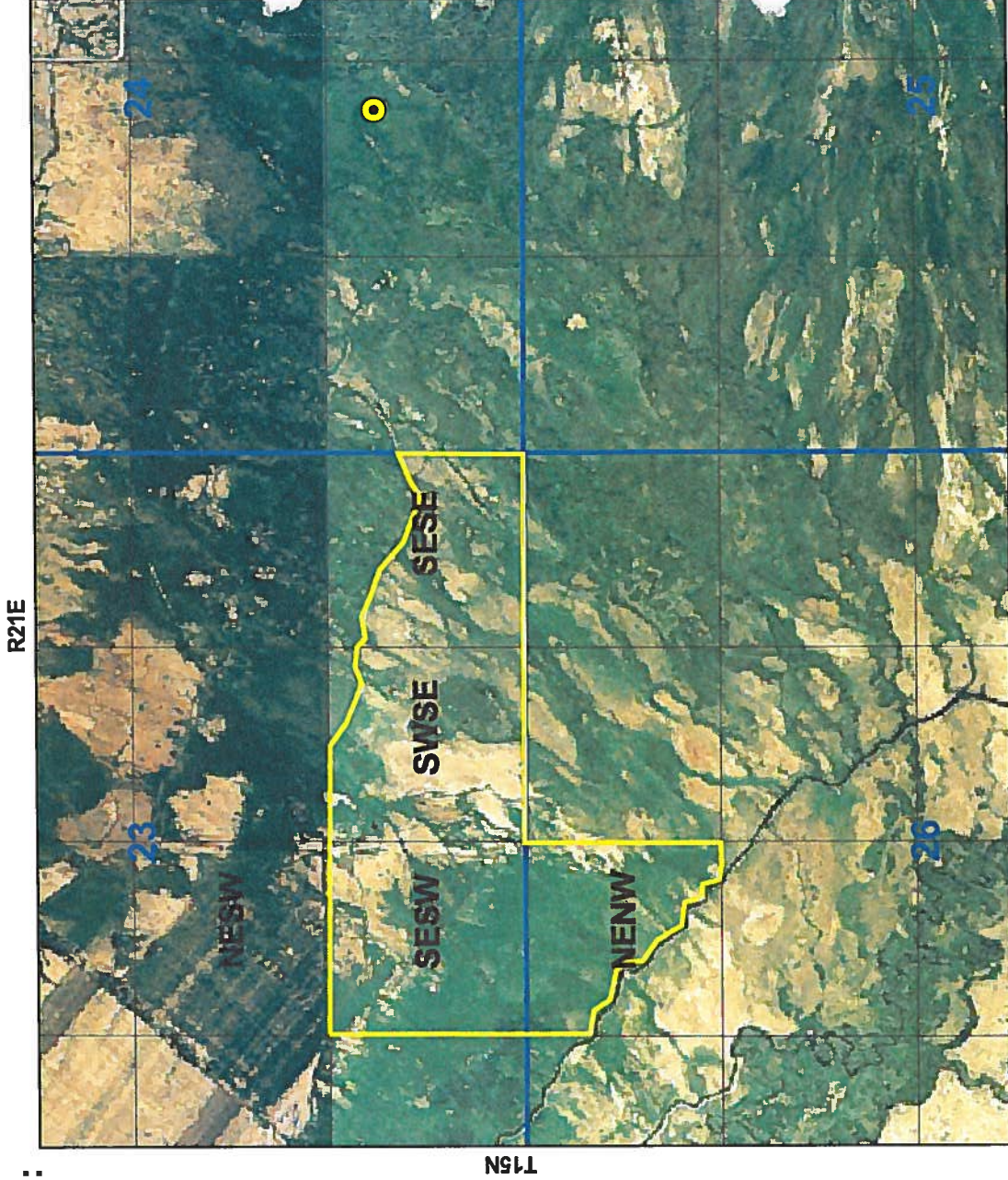
73-252, 73-257

Legend

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



Lemhi County
IDWR Basin 73



Prepared by R. Brown
On Tuesday, August 22, 2006
1987/88 Aerial Photography

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 73-252
Date Received: 6/11/1990
Receipt No: E014815
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: 04/01/1890

3. Source: BERNARD DITCH , BIG SPRINGS , POTATO CREEK , ROSE SPRINGS , SPRINGS
Trib. to: SINKS , BERNARD DITCH

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
15N	21E	24	NE SE SW	LEMHI	
15N	21E	24	NE SE SW	LEMHI	
15N	21E	24	NE SE SW	LEMHI	
15N	21E	24	NE SE SW	LEMHI	
15N	21E	24	NE SE SW	LEMHI	

5. Description of diverting works:

BERNARD DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	1.8	

7. Total Quantity Appropriated is:

1.8 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	23	SE	SW	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
					Section Acres	120
15N	21E	26	NE	NW	IRRIGATION	40
					Section Acres	40
					Total Acres	160

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

SOURCES ARE BERNARD DITCH & ITS TRIBUTARIES.

WATERS OF POTATO CREEK, ROSE SPRINGS, GROUP SPRINGS, BIG SPRINGS, & ALL OTHER SPRINGS (EXCEPT SPRINGS FOR RT. NO. 73-02540) IN DECREE ARE TO BE DIVERTED INTO BERNARD DITCH. P/D IS DESCRIBED FROM BERNARD DITCH WHICH IS DECLARED BY DECREE TO BE A NATURAL CHANNEL.

SHALL MAINTAIN PROPER HEADGATES & MEASURING DEVICE AT P/D AND PLACED UNDER THE JURISDICTION OF THE WATERMASTER.

See remarks for additional conditions of approval.

15. Basis of Claim: Decreed