

MEMORANDUM

Date: April 13, 2022
To: Transfer 85879
From: Brian Normandeau
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes changing the place of use of water rights 73-40, 73-41, 73-136, 73-139A, 73-139C and 73-12033 to create a common 402.1-acre POU. The proposed changes will represent the area currently being irrigated with these rights.

Authority to File:

The transfer applicant is Moen Ranch LLC, and the application was signed by Kent Moen. Mr. Moen is the registered agent for Moen Ranch LLC. The land and appurtenant water rights at the current and proposed places of use are owned by Moen Ranch LLC, except for one 40-acre parcel and its respective water right which are owned by Kent and Marty Moen.

Water Right Validity:

The rights involved in this transfer were decreed 3/12/2010. Review of aerial imagery does not indicate any forfeiture concerns due to nonuse. The acres being irrigated since the rights were decreed does not align exactly with the place of use legal description, which is the reason for this transfer; however, it is evident these rights have been used to irrigate the full number of acres authorized. No issues identified.

Injury to Other Water Rights:

The changes proposed are to the place of use only, and do not appear to impact any other water users. The watermaster for Water District 73 did not provide comment on the proposed changes. No issues identified.

Enlargement of Use:

The diversion rate and total irrigated acres authorized by these rights are not changed by this transfer. An equivalent number of irrigated acres on the southern flood-irrigated portion of the farm have been retired to accommodate the use of pressurized irrigation systems while remaining within the authorized acre limitations. No issues of enlargement identified.

Rights 73-252 and 73-257 overlap a portion of the POU for the transferred rights. The place of use applied for would have resulted in an "unstacking" of three acres of the overlapping places of use, which presented an enlargement concern. The transfer approval does not authorize the movement of these three acres to ensure there are no changes to the overlapping areas that may have resulted in enlargement of the rights.

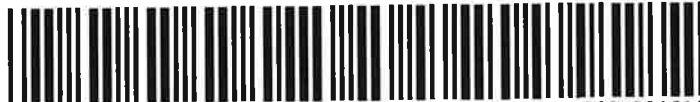
Local Public interest:

No issues identified.

Beneficial Use/Conservation of Water Resources:

No issues identified.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.



0004331510

**STATE OF IDAHO**

Office of the secretary of state, Lawrence Denney

ANNUAL REPORT

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
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File #: 0004331510

Date Filed: 7/3/2021 2:39:18 PM

Entity Name and Mailing Address:

Entity Name:

MOEN RANCH, LLC

The file number of this entity on the records of the Idaho Secretary
of State is:

0000111066

Address

42 MOEN DR
MAY, ID 83253-2800

Entity Details:

Entity Status

Active-Existing

This entity is organized under the laws of:

IDAHO

If applicable, the old file number of this entity on the records of the
Idaho Secretary of State was:

W32745

The registered agent on record is:

Registered Agent

KENT L MOEN
Registered Agent
Physical Address
42 MOEN DRIVE
May, ID 83253
Mailing Address

Limited Liability Company Managers and Members

Name	Title	Business Address
Marty Moen	Manager	42 MOEN DRIVE MAY, ID 83253
☒ Rebecca Varney	Member	345 ROD & GUN CLUB CHALLIS, ID 83226
Trent Moen	Member	42 MOEN DRIVE MAY, ID 83253
Valerie Moen	Member	42 MOEN DRIVE MAY, ID 83253

The annual report must be signed by an authorized signer of the entity.

Job Title: Manager

Marty Moen07/03/2021

Sign Here

Date