

MEMORANDUM

Date: July 14, 2022
To: Transfer 86307
From: James Cefalo
Re: Review & Evaluation of Sufficiency of Information

This application proposes to change the point of diversion for water right 74-1061, moving the diversion from the L-42 Diversion on the Lemhi River to the L-40 Diversion. There are many other water rights in the L-42 Diversion. Water right 74-1061 is diverted from the common ditch at the head of the ditch. In a contested case for a separate transfer application, the other water users on the ditch confirmed that they supported moving water right 74-1061 out of the L-42 Ditch. The only other right at the proposed point of diversion is held by the applicant, Daskalos. The applicant is combining his water rights into a single point of diversion to facilitate the installation of a updated water delivery system for the whole ranch.

Authority to File: The current owners of record for water right 74-1061 are Spiro and Annette Daskalos and Mary Ann and Donald Sabatte. However, the backfile for water right 74-1061 includes a Stipulated Decree of Divorce and a Marital Settlement Agreement from 2020, confirming that Spiro Daskalos is the owner of the place of use for water right 74-1061. Place of use will not change. Ownership will be updated after the transfer approval.

Water Right Validity: The SRBA court issued a partial decree for water right 74-1061 in 2007. Aerial imagery shows consistent irrigation of the place of use.

Injury to Other Water Rights: No issues identified. Daskalos owns the only other right at the proposed point of diversion.

Enlargement of Use: No issues identified. Place of use will not change.

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.