

MEMORANDUM

Date: July 20, 2018
To: Transfer 82468
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion for right 34-2477G. Existing POD is located 1/2 mile north of proposed POD. Ground water was injected into the Big Lost River and re-diverted through the Darlington Ditch, located 2.5 miles upstream of the point of injection. Transfer proposes to eliminate the interface with the Big Lost River. Proposed POD is a ground water well to be drilled at the existing POU.

Authority to File:

The applicant, Ronald Krishnek, has the authority to file. At the time of transfer submittal, the water right was in the name of Wesley Watson. Applicant provided a warranty deed from Watson for the existing place of use. The ownership documentation is also applicable to overlapping Big Lost River rights 34-519B and 34-915B. Ownership of those rights was updated separately.

Water Right Validity:

The water right is valid. It was decreed in 2002. Aerial photos do not show any use in recent years. Application states that the right went through a period of non-use in excess of five years, because Krishnek and Watson did not own the property on which the existing point of diversion was located. Custer County taxlot data confirms that Krishnek does not own the property where the existing point of diversion is located. Department does not have clear and convincing evidence of forfeiture. Overlapping Big Lost River rights 34-519B and 34-915B may have been lost to forfeiture.

Injury to Other Water Rights:

No other water rights will be injured as a result of this transfer. The transfer was advertised and no protests were received. The Watermaster for Water District 34 was notified of the transfer and did not oppose it. Point of diversion is only moving 0.5 miles to the south.

Enlargement of Use:

No issues identified.

Local Public Interest / Conservation:

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.