

Fritz, Cooper

From: Fritz, Cooper
Sent: Thursday, July 18, 2024 1:28 PM
To: Carter, Meghan
Subject: Opinion of Forfeiture
Attachments: Transfer 89022.pdf

Greetings Meghan,

I hope this note finds you well! The regional office would like Legal's opinion on forfeiture issues associated with the attached transfer.

Here's an overview:

1. Water Rights:

- Four water rights in total:
 - Two from the Big Lost River (34-14869 and 34-14870)
 - Two groundwater rights (34-14871 and 34-14872)
- These rights were decreed in 2001.

2. Irrigation History:

- There is no evidence of irrigation activity since the 2001 decree.

3. Ownership and Well Access:

- The transfer applicant purchased the property in 2006.
- Upon purchase, the applicant lost access to the existing well.
- The applicant claims financial constraints prevented them from drilling a new well until now.

4. Ditch and Canal Infrastructure:

- The original ditches no longer exist.
- The property is 1.67 miles from the main canal, with all laterals having been destroyed by changes in irrigation practices.

Key Considerations:

- The lack of irrigation since the decree raises concerns about potential forfeiture of the water rights.
- The applicant's inability to afford a new well until recently and the destruction of the ditch infrastructure may be significant factors to consider in assessing the situation?

Thanks, Meghan!