

MEMORANDUM

Date: July 23, 2021
To: Transfer 85051
From: Michelle Watts
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to create a permissible place of use for right 35-7360 and update the shapefile to match current irrigation.

Authority to File:

The applicant, Basic American Inc., is the owner of the water right and property at the place of use and point of diversion. The application has been signed by a member of the Basic American Inc. General Counsel. The applicant is the proper owner of the right and has authority to file the transfer.

Water Right Validity:

Right 35-7360 was decreed to Basic American Foods in 2002. An ownership change from Basic American Foods to Basic American Inc. was completed in 2009. Review of vegetation indices from 2016 to 2020 indicate application of water in the current place of use. Forfeiture is not an issue.

Injury to Other Water Rights:

Other water rights will not be impacted by the proposed transfer. There will be no physical change to the point of diversion. Because the transfer will have no hydrologic impact, public notice will not be required. The proposed changes have been reviewed by the watermaster of WD 120, in which he does not oppose the approval of the application.

Enlargement of Use:

The proposed changes will not result in enlargement because water use will not increase as a result of the transfer. Right 35-7360 is from ground water and is currently stacked with shares from the Riverside Canal Company. This transfer will add 40 acres to the permissible place of use from the NESW, which is outside the boundary of Riverside Canal Company. A letter from the People's Canal and Irrigation Company states Basic American has adequate shares covering all 40 acres in this tract maintaining 35-7360 as a stacked right.

Local Public interest:

No issues identified.

Beneficial Use/Conservation of Water Resources:

No issues identified.

Effect on Economy the Local Area:

No issues identified.

Effect on Agricultural Base of the Local Area:

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.