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FEB 13 2013

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 78434

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Marsh Center Irrigation Co C/O WM Egan Phone 208-897-5066

Mailing address 16580 S Marsh Valley Rd Arimo, ID 83412 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____ Phone _____

Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
- OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
- OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


Signature of Applicant or Authorized Representative

marsh center irrigation
(President)
Lynn Bastian
Print Name and Title if applicable

Feb. 11, 2013
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**. Share holder, Minerva Woodland Trust, is transferring 32 acres from T10S R36E Sec 28 NESE and NWSE to the NWNW. Applicant wishes to change the service boundary to match her transfer.

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

1.	<u>Right Number</u>	<u>Amount (cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source & Tributary</u>
Full or Part					
☒	29-10663	0.33 cfs	Irrigation	4/1 to 10/31	Hawkins Creek/ Marsh Creek
☒	29-10664	238.90 AF	Irrigation	1/1 to 12/31	Hawkins Creek/ Marsh Creek
☒	29-10665	641.10 AF	Irrigation	4/01 to 10/31	Hawkins Creek/ Marsh Creek
☒	29-12058	2.0 cfs	Irrigation	4/1 to 10/31	Hawkins Creek/ Marsh Creek
☒	29-13493	10.0 cfs	Irrigation	4/1 to 10/31	Hawkins Creek/ Marsh Creek
☒	29-13494	30.0 cfs	Irrigation	4/1 to 10/31	Hawkins Creek/ Marsh Creek
☐				to	
☐				to	
☐				to	

Total authorized under rights 42.33 cfs and/or ac-ft

2. Total amount of water proposed to be transferred or changed 0.42 cfs cubic feet per second and/or _____ acre-feet per annum.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

[illegible]

4. Place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

- ☐ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

[illegible]

Total Acres (for irrigation use)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. 78434

Point of Diversion/Place of Use Supplement

Attachment to: ☐ Application for Permit to Appropriate Water ☒ Application for Transfer** ☐ Adjudication Claim
☐ Application for Amendment of Permit ☐ Beneficial Use Field Report ☐ Statutory Claim

Location of points of diversion (POD):

New POD?	Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or well/diversion tag #
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										

Description of place of use (POU):

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	35E	23							X		X	X							
10S	36E	21									X			X					
10S	36E	25										X	X	X					
		26									X	X	X	X	X	X	X	X	
		28			X		X	X		X					X	X	X		
		32			X				X										
		33		X	X		X	X	X	X	X	X	X	X	X	X	X	X	
		34							X	X	X	X	X	X	X	X	X	X	
		35		X	X		X	X	X			X							
		36	X	X	X	X	X	X	X	X	X			X	X	X	X		
	37E	31						X	X			X							
11S	36E	3	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
		4	X	X	X	X					X	X	X	X	X	X	X	X	

**If this supplemental sheet is for an Application for Transfer, insert this page into Part 1B of the application.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. 78434

Point of Diversion/Place of Use Supplement

Attachment to: ☐ Application for Permit to Appropriate Water ☒ Application for Transfer** ☐ Adjudication Claim
☐ Application for Amendment of Permit ☐ Beneficial Use Field Report ☐ Statutory Claim

Location of points of diversion (POD):

New POD?	Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or well/diversion tag #
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										

Description of place of use (POU):

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	36E	5												X			X	X	
11S	36E	8	X	X	X	X	X			X									
11S	36E	9	X	X	X		X	X		X	X					X	X		
11S	36E	10					X	X											

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued**

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future: _____

Hawkins Reservoir on Hawkins Creek. Water is injected into Hawkins Creek below dam for diversion along Hawkins and
rediversion into upper ditch.

- b. Who owns the property at the point(s) of diversion? Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

Acres will be dried up.

- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

☐☒

undergone a period of five or more consecutive years of non-use,

☐☒

currently leased to the Water Supply Bank,

☐☒

currently used in a mitigation plan limiting the use of water under the right, or

☐☒

currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe: _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 29-10663

Current Owner: MARSH CENTER IRRIGATING CO
Priority Date: 4/1/1891
Origin: Water Right
Status: Active
Basis: Decreed

Source

HAWKINS CREEK

Tributary

MARSH CREEK

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

0.33 CFS

0.33 CFS

Annual Volume

Location of Point(s) of Diversion

HAWKINS CREEK

BANNOCK County

NW1/4NW1/4SW1/4

Sec. 31, Twp 10S, Rge 36E B.M.

Place of Use

IRRIGATION Within BANNOCK County

T10S R35E S23	SWNW	T10S R35E S23	NESW
T10S R35E S23	NWSW	T10S R36E S21	NESW
T10S R36E S21	SESW	T10S R36E S25	NWSW
T10S R36E S25	SWSW	T10S R36E S25	SESW
T10S R36E S26	NESW	T10S R36E S26	NWSW
T10S R36E S26	SWSW	T10S R36E S26	SESW
T10S R36E S26	NESE	T10S R36E S26	NWSE
T10S R36E S26	SWSE	T10S R36E S26	SESE
T10S R36E S28	SWNE	T10S R36E S28	SENE
T10S R36E S28	NENW	T10S R36E S28	SENW
T10S R36E S28	NESE	T10S R36E S28	NWSE
T10S R36E S28	SWSE	T10S R36E S28	SESE
T10S R36E S32	SWNE	T10S R36E S32	SWNW
T10S R36E S33	NWNE	T10S R36E S33	SWNE
T10S R36E S33	NENW	T10S R36E S33	NWNW
T10S R36E S33	SWNW	T10S R36E S33	SENW
T10S R36E S33	NESW	T10S R36E S33	NWSW
T10S R36E S33	SWSW	T10S R36E S33	SESW
T10S R36E S33	NWSE	T10S R36E S33	SWSE
T10S R36E S33	SESE	T10S R36E S34	SWNW
T10S R36E S34	SENW	T10S R36E S34	NESW
T10S R36E S34	NWSW	T10S R36E S34	SWSW
T10S R36E S34	SESW	T10S R36E S34	NESE

Page _____ of _____

T10S R36E S34	SWSE	T10S R36E S34	SESE
T10S R36E S35	NWNE	T10S R36E S35	SWNE
T10S R36E S35	NENW	T10S R36E S35	NWNW
T10S R36E S35	SWNW	T10S R36E S35	NWSW
T10S R36E S36	NENE	T10S R36E S36	NWNE
T10S R36E S36	SWNE	T10S R36E S36	SENE
T10S R36E S36	NENW	T10S R36E S36	NWNW
T10S R36E S36	SWNW	T10S R36E S36	SENW
T10S R36E S36	NESW	T10S R36E S36	SESW
T10S R36E S36	NESE	T10S R36E S36	NWSE
T10S R36E S36	SWSE	T10S R37E S31	NWNW
T10S R37E S31	SWNW	T10S R37E S31	NWSW
T11S R36E S3	NENE	T11S R36E S3	NWNE
T11S R36E S3	SWNE	T11S R36E S3	SENE
T11S R36E S3	NENW	T11S R36E S3	NWNW
T11S R36E S3	SWNW	T11S R36E S3	SENW
T11S R36E S3	NESW	T11S R36E S3	NWSW
T11S R36E S3	SWSW	T11S R36E S3	SESW
T11S R36E S3	NESE	T11S R36E S3	NWSE
T11S R36E S3	SWSE	T11S R36E S4	NENE
T11S R36E S4	NWNE	T11S R36E S4	SWNE
T11S R36E S4	SENE	T11S R36E S4	NESW
T11S R36E S4	NWSW	T11S R36E S4	SWSW
T11S R36E S4	SESW	T11S R36E S4	NESE
T11S R36E S4	NWSE	T11S R36E S4	SWSE
T11S R36E S4	SESE	T11S R36E S5	SESW
T11S R36E S5	SWSE	T11S R36E S5	SESE
T11S R36E S8	NENE	T11S R36E S8	NWNE
T11S R36E S8	SWNE	T11S R36E S8	SENE
T11S R36E S8	NENW	T11S R36E S8	SENW
T11S R36E S9	NENE	T11S R36E S9	NWNE
T11S R36E S9	SWNE	T11S R36E S9	NENW
T11S R36E S9	NWNW	T11S R36E S9	SENW
T11S R36E S9	NESW	T11S R36E S9	NWSE
T11S R36E S9	SWSE	T11S R36E S10	NENW
T11S R36E S10	NWNW		

Total Acres: 4747

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Conditions of Approval:

1. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
3. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. 129 Place of use is within the area served by the Marsh Center Irrigating Company
5. X36 Rights 29-10664, 29-10665, 29-12058, 29-13493, and 29-13494 are also diverted through the point(s) of diversion described above.
6. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. X35 Rights 29-10663, 29-10664, 29-10665, 29-12058, 29-13493 and 29-13494 when combined shall not exceed a total diversion rate of 42.33 cfs and the irrigation of 3220.2 acres.
8. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. X27 This right is limited to the irrigation of 16.5 acres within the place of use described above in a single irrigation season.

Decreed Date: 3/16/2004

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 29-10664

Current Owner: MARSH CENTER IRRIGATING CO

Priority Date: 6/10/1891

Origin: Water Right

Status: Active

Basis: Decreed

Source

HAWKINS CREEK

Tributary

MARSH CREEK

Beneficial Use **From** **To**

IRRIGATION STORAGE 01/01 to 12/31

IRRIGATION FROM 04/01 to 10/31
STORAGE

Diversion Rate

Annual Volume

238.9 AF

238.9 AF

Total Diversion

238.9 AF

Location of Point(s) of Diversion

HAWKINS CREEK

NW1/4NE1/4SE1/4

Sec. 35,

Twp 10S,

Rge 35E B.M.

BANNOCK County

HAWKINS CREEK

NW1/4NW1/4SW1/4

Sec. 31,

Twp 10S,

Rge 36E B.M.

BANNOCK County

(Rediversion)

Place of Use

IRRIGATION STORAGE Within BANNOCK County

T10S R35E S35

SWNE

T10S R35E S35

SENE

T10S R35E S35

NENW

T10S R35E S35

NWNW

T10S R35E S35

SENW

T10S R35E S35

NWSE

IRRIGATION FROM STORAGE Within BANNOCK County

T10S R35E S23

SWNW

T10S R35E S23

NESW

T10S R35E S23

NWSW

T10S R36E S21

NESW

T10S R36E S21

SESW

T10S R36E S25

NWSW

T10S R36E S25

SWSW

T10S R36E S25

SESW

T10S R36E S26

NESW

T10S R36E S26

NWSW

T10S R36E S26

SWSW

T10S R36E S26

SESW

T10S R36E S26

NESE

T10S R36E S26

NWSE

T10S R36E S26

SWSE

T10S R36E S26

SESE

T10S R36E S28

SWNE

T10S R36E S28

SENE

T10S R36E S28

NENW

T10S R36E S28

SENW

T10S R36E S28

NESE

T10S R36E S28

NWSE

T10S R36E S28

SWSE

T10S R36E S28

SESE

T10S R36E S32

SWNE

T10S R36E S32

SWNW

Page _____ of _____

T10S R36E S33	NWNE	T10S R36E S33	SWNE
T10S R36E S33	NENW	T10S R36E S33	NWNW
T10S R36E S33	SWNW	T10S R36E S33	SENE
T10S R36E S33	NESW	T10S R36E S33	NWSW
T10S R36E S33	SWSW	T10S R36E S33	SESW
T10S R36E S33	NWSE	T10S R36E S33	SWSE
T10S R36E S33	SESE	T10S R36E S34	SWNW
T10S R36E S34	SENE	T10S R36E S34	NESW
T10S R36E S34	NWSW	T10S R36E S34	SWSW
T10S R36E S34	SESW	T10S R36E S34	NESE
T10S R36E S34	SWSE	T10S R36E S34	SESE
T10S R36E S35	NWNE	T10S R36E S35	SWNE
T10S R36E S35	NENW	T10S R36E S35	NWNW
T10S R36E S35	SWNW	T10S R36E S35	NWSW
T10S R36E S36	NENE	T10S R36E S36	NWNE
T10S R36E S36	SWNE	T10S R36E S36	SENE
T10S R36E S36	NENW	T10S R36E S36	NWNW
T10S R36E S36	SWNW	T10S R36E S36	SENE
T10S R36E S36	NESW	T10S R36E S36	NWSW
T10S R36E S36	NESE	T10S R36E S36	SESW
T10S R36E S36	SWSE	T10S R36E S36	NWSE
T10S R37E S31	SWNW	T10S R37E S31	NWNW
T11S R36E S3	NENE	T10S R37E S31	NWSW
T11S R36E S3	SWNE	T11S R36E S3	NWNE
T11S R36E S3	NENW	T11S R36E S3	SENE
T11S R36E S3	SWNW	T11S R36E S3	NWNW
T11S R36E S3	NESW	T11S R36E S3	SENE
T11S R36E S3	SWSW	T11S R36E S3	NWSW
T11S R36E S3	NESE	T11S R36E S3	SESW
T11S R36E S3	SWSE	T11S R36E S3	NWSE
T11S R36E S4	NWNE	T11S R36E S4	NENE
T11S R36E S4	SENE	T11S R36E S4	SWNE
T11S R36E S4	NWSW	T11S R36E S4	NESW
T11S R36E S4	SESW	T11S R36E S4	SWSW
T11S R36E S4	NWSE	T11S R36E S4	NESE
T11S R36E S4	SESE	T11S R36E S4	SWSE
T11S R36E S5	SWSE	T11S R36E S5	SESW
T11S R36E S8	NENE	T11S R36E S5	SESE
T11S R36E S8	SWNE	T11S R36E S8	NWNE
T11S R36E S8	NENW	T11S R36E S8	SENE
T11S R36E S9	NENE	T11S R36E S8	SENE
T11S R36E S9	SWNE	T11S R36E S9	SENE
T11S R36E S9	NWNW	T11S R36E S9	SENE
T11S R36E S9	NESW	T11S R36E S9	SENE
T11S R36E S9	SWSE	T11S R36E S9	SENE
T11S R36E S10	NWNW	T11S R36E S10	SENE

Total Acres: 4747

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Conditions of Approval:

1. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. 18B The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.
5. X36 Rights 29-10663, 29-10665, 29-12058, 29-13493 and 29-13494 are also diverted through the point(s) of diversion described above.
6. R40 The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
7. Storage water is released into Hawkins Creek below Hawkins Reservoir and rediverted from Hawkins Creek at the headgate of Marsh Center Irrigating Company.
8. 129 Place of use is within the area served by the Marsh Center Irrigating Company
9. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
10. X35 Rights 29-10663, 29-10664, 29-10665, 29-12058, 29-13493 and 29-13494 when combined shall not exceed a total diversion rate of 42.33 cfs and the irrigation of 3220.2 acres.

Decreed Date: 3/16/2004

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 29-10665

Current Owner: MARSH CENTER IRRIGATING CO

Priority Date: 4/1/1944

Origin: Water Right

Status: Active

Basis: Decreed

Source

HAWKINS CREEK

Tributary

MARSH CREEK

Beneficial Use **From** **To**

IRRIGATION STORAGE 01/01 to 12/31

IRRIGATION FROM STORAGE 04/01 to 10/31

Total Diversion

Diversion Rate

Annual Volume

641.1 AF

641.1 AF

641.1 AF

Location of Point(s) of Diversion

HAWKINS CREEK

BANNOCK County

NW1/4NE1/4SE1/4

Sec. 35,

Twp 10S,

Rge 35E B.M.

HAWKINS CREEK

BANNOCK County

NW1/4NW1/4SW1/4

Sec. 31,

Twp 10S,

Rge 36E B.M.

(Rediversion)

Place of Use

IRRIGATION STORAGE Within BANNOCK County

T10S R35E S35 SWNE

T10S R35E S35 NENW

T10S R35E S35 SENW

T10S R35E S35

T10S R35E S35

T10S R35E S35

SENE

NWNW

NWSE

IRRIGATION FROM STORAGE Within BANNOCK County

T10S R35E S23 SWNW

T10S R35E S23 NWSW

T10S R36E S21 SESW

T10S R36E S25 SWSW

T10S R36E S26 NESW

T10S R36E S26 SWSW

T10S R36E S26 NESE

T10S R36E S26 SWSE

T10S R36E S28 SWNE

T10S R36E S28 NENW

T10S R36E S28 NESE

T10S R36E S28 SWSE

T10S R36E S32 SWNE

T10S R35E S23

T10S R36E S21

T10S R36E S25

T10S R36E S25

T10S R36E S26

T10S R36E S26

T10S R36E S26

T10S R36E S26

T10S R36E S28

T10S R36E S28

T10S R36E S28

T10S R36E S28

T10S R36E S32

NESW

NESW

NWSW

SESW

NWSW

SESW

NWSE

SESE

SENE

SENW

NWSE

SESE

SWNW

Page _____ of _____

T10S R36E S33 NWNE
T10S R36E S33 NENW
T10S R36E S33 SWNW
T10S R36E S33 NESW
T10S R36E S33 SWSW
T10S R36E S33 NWSE
T10S R36E S33 SESE
T10S R36E S34 SENW
T10S R36E S34 NWSW
T10S R36E S34 SESW
T10S R36E S34 SWSE
T10S R36E S35 NWNE
T10S R36E S35 NENW
T10S R36E S35 SWNW
T10S R36E S36 NENE
T10S R36E S36 SWNE
T10S R36E S36 NENW
T10S R36E S36 SWNW
T10S R36E S36 NESW
T10S R36E S36 NESE
T10S R36E S36 SWSE
T10S R37E S31 SWNW
T11S R36E S3 NENE
T11S R36E S3 SWNE
T11S R36E S3 NENW
T11S R36E S3 SWNW
T11S R36E S3 NESW
T11S R36E S3 SWSW
T11S R36E S3 NESE
T11S R36E S3 SWSE
T11S R36E S4 NWNE
T11S R36E S4 SENE
T11S R36E S4 NWSW
T11S R36E S4 SESW
T11S R36E S4 NWSE
T11S R36E S4 SESE
T11S R36E S5 SWSE
T11S R36E S8 NENE
T11S R36E S8 SWNE
T11S R36E S8 NENW
T11S R36E S9 NENE
T11S R36E S9 SWNE
T11S R36E S9 NWNW
T11S R36E S9 NESW
T11S R36E S9 SWSE
T11S R36E S10 NWNW

T10S R36E S33 SWNE
T10S R36E S33 NWNW
T10S R36E S33 SENW
T10S R36E S33 NWSW
T10S R36E S33 SESW
T10S R36E S33 SWSE
T10S R36E S34 SWNW
T10S R36E S34 NESW
T10S R36E S34 SWSW
T10S R36E S34 NESE
T10S R36E S34 SESE
T10S R36E S35 SWNE
T10S R36E S35 NWNW
T10S R36E S35 NWSW
T10S R36E S36 NWNE
T10S R36E S36 SENE
T10S R36E S36 NWNW
T10S R36E S36 SENW
T10S R36E S36 SESW
T10S R36E S36 NWSE
T10S R37E S31 NWNW
T10S R37E S31 NWSW
T11S R36E S3 NWNE
T11S R36E S3 SENE
T11S R36E S3 NWNW
T11S R36E S3 SENW
T11S R36E S3 NWSW
T11S R36E S3 SESW
T11S R36E S3 NWSE
T11S R36E S4 NENE
T11S R36E S4 SWNE
T11S R36E S4 NESW
T11S R36E S4 SWSW
T11S R36E S4 NESE
T11S R36E S4 SWSE
T11S R36E S5 SESW
T11S R36E S5 SESE
T11S R36E S8 NWNE
T11S R36E S8 SENE
T11S R36E S8 SENW
T11S R36E S9 NWNE
T11S R36E S9 NENW
T11S R36E S9 SENW
T11S R36E S9 NWSE
T11S R36E S10 NENW

Total Acres: 4747

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Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. X35 Rights 29-10663, 29-10664, 29-10665, 29-12058, 29-13493 and 29-13494 when combined shall not exceed a total diversion rate of 42.33 cfs and the irrigation of 3220.2 acres.
4. X36 Rights 29-10663, 29-10664, 29-12058, 29-13493 and 29-13494 are also diverted through the point(s) of diversion described above.
5. R40 The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
6. Storage water is released into Hawkins Creek below Hawkins Reservoir and rediverted from Hawkins Creek at the headgate of Marsh Center Irrigating Company.
7. 129 Place of use is within the area served by the Marsh Center Irrigating Company.
8. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
9. 18B The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.
10. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Decreed Date: 3/16/2004

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 29-12058

Current Owner: MARSH CENTER IRRIGATING CO

Priority Date: 12/19/1891

Origin: Water Right

Status: Active

Basis: Decreed

Source

HAWKINS CREEK

Tributary

MARSH CREEK

Beneficial Use

IRRIGATION

STOCKWATER

From To

04/01 to 10/31

01/01 to 12/31

Total Diversion

Diversion Rate

2 CFS

0.02 CFS

2 CFS

Annual Volume

Location of Point(s) of Diversion

HAWKINS CREEK

BANNOCK County

NW1/4NW1/4SW1/4

Sec. 31, Twp 10S, Rge 36E B.M.

Place of Use

IRRIGATION Within BANNOCK County

T10S R35E S23	SWNW	T10S R35E S23	NESW
T10S R35E S23	NWSW	T10S R36E S21	NESW
T10S R36E S21	SESW	T10S R36E S25	NWSW
T10S R36E S25	SWSW	T10S R36E S25	SESW
T10S R36E S26	NESW	T10S R36E S26	NWSW
T10S R36E S26	SWSW	T10S R36E S26	SESW
T10S R36E S26	NESE	T10S R36E S26	NWSE
T10S R36E S26	SWSE	T10S R36E S26	SESE
T10S R36E S28	SWNE	T10S R36E S28	SENE
T10S R36E S28	NENW	T10S R36E S28	SENW
T10S R36E S28	NESE	T10S R36E S28	NWSE
T10S R36E S28	SWSE	T10S R36E S28	SESE
T10S R36E S32	SWNE	T10S R36E S32	SWNW
T10S R36E S33	NWNE	T10S R36E S33	SWNE
T10S R36E S33	NENW	T10S R36E S33	NWNW
T10S R36E S33	SWNW	T10S R36E S33	SENW
T10S R36E S33	NESW	T10S R36E S33	NWSW
T10S R36E S33	SWSW	T10S R36E S33	SESW
T10S R36E S33	NWSE	T10S R36E S33	SWSE
T10S R36E S33	SESE	T10S R36E S34	SWNW
T10S R36E S34	SENW	T10S R36E S34	NESW
T10S R36E S34	NWSW	T10S R36E S34	SWSW

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T10S R36E S34	SESW	T10S R36E S34	NESE
T10S R36E S34	SWSE	T10S R36E S34	SESE
T10S R36E S35	NWNE	T10S R36E S35	SWNE
T10S R36E S35	NENW	T10S R36E S35	NWNW
T10S R36E S35	SWNW	T10S R36E S35	NWSW
T10S R36E S36	NENE	T10S R36E S36	NWNE
T10S R36E S36	SWNE	T10S R36E S36	SENE
T10S R36E S36	NENW	T10S R36E S36	NWNW
T10S R36E S36	SWNW	T10S R36E S36	SENW
T10S R36E S36	NESW	T10S R36E S36	SESW
T10S R36E S36	NESE	T10S R36E S36	NWSE
T10S R36E S36	SWSE	T10S R37E S31	NWNW
T10S R37E S31	SWNW	T10S R37E S31	NWSW
T11S R36E S3	NENE	T11S R36E S3	NWNE
T11S R36E S3	SWNE	T11S R36E S3	SENE
T11S R36E S3	NENW	T11S R36E S3	NWNW
T11S R36E S3	SWNW	T11S R36E S3	SENW
T11S R36E S3	NESW	T11S R36E S3	NWSW
T11S R36E S3	SWSW	T11S R36E S3	SESW
T11S R36E S3	NESE	T11S R36E S3	NWSE
T11S R36E S3	SWSE	T11S R36E S4	NENE
T11S R36E S4	NWNE	T11S R36E S4	SWNE
T11S R36E S4	SENE	T11S R36E S4	NESW
T11S R36E S4	NWSW	T11S R36E S4	SWSW
T11S R36E S4	SESW	T11S R36E S4	NESE
T11S R36E S4	NWSE	T11S R36E S4	SWSE
T11S R36E S4	SESE	T11S R36E S5	SESW
T11S R36E S5	SWSE	T11S R36E S5	SESE
T11S R36E S8	NENE	T11S R36E S8	NWNE
T11S R36E S8	SWNE	T11S R36E S8	SENE
T11S R36E S8	NENW	T11S R36E S8	SENW
T11S R36E S9	NENE	T11S R36E S9	NWNE
T11S R36E S9	SWNE	T11S R36E S9	NENW
T11S R36E S9	NWNW	T11S R36E S9	SENW
T11S R36E S9	NESW	T11S R36E S9	NWSE
T11S R36E S9	SWSE	T11S R36E S10	NENW
T11S R36E S10	NWNW		

Total Acres: 4747

STOCKWATER Within BANNOCK County

T10S R35E S23	SWNW	T10S R35E S23	NESW
T10S R35E S23	NWSW	T10S R36E S21	NESW
T10S R36E S21	SESW	T10S R36E S25	NWSW
T10S R36E S25	SWSW	T10S R36E S25	SESW
T10S R36E S26	NESW	T10S R36E S26	NWSW
T10S R36E S26	SWSW	T10S R36E S26	SESW
T10S R36E S26	NESE	T10S R36E S26	NWSE
T10S R36E S26	SWSE	T10S R36E S26	SESE

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T10S R36E S28		SWNE
T10S R36E S28		NENW
T10S R36E S28		NESE
T10S R36E S28		SWSE
T10S R36E S32		SWNE
T10S R36E S33		NWNE
T10S R36E S33		NENW
T10S R36E S33		SWNW
T10S R36E S33		NESW
T10S R36E S33		SWSW
T10S R36E S33		NWSE
T10S R36E S33		SESE
T10S R36E S34		SENW
T10S R36E S34		NWSW
T10S R36E S34		SESW
T10S R36E S34		SWSE
T10S R36E S35		NWNE
T10S R36E S35		NENW
T10S R36E S35		SWNW
T10S R36E S36		NENE
T10S R36E S36		SWNE
T10S R36E S36		NENW
T10S R36E S36		SWNW
T10S R36E S36		NESW
T10S R36E S36		NESE
T10S R36E S36		SWSE
T10S R37E S31	Lot 2	NWNW
T10S R37E S31	Lot 4	SWNW
T11S R36E S3	Lot 1	NENE
T11S R36E S3		SWNE
T11S R36E S3	Lot 3	NENW
T11S R36E S3		SWNW
T11S R36E S3		NESW
T11S R36E S3		SWSW
T11S R36E S3		NESE
T11S R36E S3		SWSE
T11S R36E S4	Lot 2	NWNE
T11S R36E S4		SENE
T11S R36E S4		NWSW
T11S R36E S4		SESW
T11S R36E S4		NWSE
T11S R36E S4		SESE
T11S R36E S5		SWSE
T11S R36E S8	Lot 1	NENE
T11S R36E S8		SWNE
T11S R36E S8		NENW
T11S R36E S9		NENE
T11S R36E S9		SWNE

T10S R36E S28		SENE
T10S R36E S28		SENW
T10S R36E S28		NWSE
T10S R36E S28		SESE
T10S R36E S32		SWNW
T10S R36E S33		SWNE
T10S R36E S33		NWNW
T10S R36E S33		SENW
T10S R36E S33		NWSW
T10S R36E S33		SESW
T10S R36E S33		SWSE
T10S R36E S34		SWNW
T10S R36E S34		NESW
T10S R36E S34		NWSW
T10S R36E S34		NESE
T10S R36E S34		SESE
T10S R36E S35		SWNE
T10S R36E S35		NWNW
T10S R36E S35		NWSW
T10S R36E S36		NWNE
T10S R36E S36		SENE
T10S R36E S36		NWNW
T10S R36E S36		SENW
T10S R36E S36		SESW
T10S R36E S36		NWSE
T10S R37E S31	Lot 1	NWNW
T10S R37E S31	Lot 3	SWNW
T10S R37E S31	Lot 6	NWSW
T11S R36E S3	Lot 2	NWNE
T11S R36E S3		SENE
T11S R36E S3	Lot 4	NWNW
T11S R36E S3		SENW
T11S R36E S3		NWSW
T11S R36E S3		SESW
T11S R36E S3		NWSE
T11S R36E S4	Lot 1	NENE
T11S R36E S4		SWNE
T11S R36E S4		NESW
T11S R36E S4		SWSW
T11S R36E S4		NESE
T11S R36E S4		SWSE
T11S R36E S5		SESW
T11S R36E S5	Lot 7	SESE
T11S R36E S8		NWNE
T11S R36E S8	Lot 2	SENE
T11S R36E S8		SENW
T11S R36E S9		NWNE
T11S R36E S9		NENW

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T11S R36E S9	NWNW	T11S R36E S9	SENW
T11S R36E S9	NESW	T11S R36E S9	NWSE
T11S R36E S9	SWSE	T11S R36E S10	NENW
T11S R36E S10	NWNW		

Conditions of Approval:

1. X27 This right is limited to the irrigation of 100 acres within the place of use described above in a single irrigation season.
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. X35 Rights 29-10663, 29-10664, 29-10665, 29-12058, 29-13493 and 29-13494 when combined shall not exceed a total diversion rate of 42.33 cfs and the irrigation of 3220.2 acres.
6. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
7. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. X36 Rights 29-10663, 29-10664, 29-10665, 29-13493 and 29-13494 are also diverted through the point(s) of diversion described above.
9. 129 Place of use is within the area served by the Marsh Center Irrigating Company
10. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

Decreed Date: 3/16/2004

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 29-13493

Current Owner: MARSH CENTER IRRIGATING CO

Priority Date: 5/1/1870

Origin: Water Right

Status: Active

Basis: Decreed

Source

HAWKINS CREEK

Tributary

MARSH CREEK

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Diversion Rate

10 CFS

Annual Volume

Total Diversion

10 CFS

Location of Point(s) of Diversion

HAWKINS CREEK

NW1/4NW1/4SW1/4

Sec. 31, Twp 10S, Rge 36E B.M.

BANNOCK County

Place of Use

IRRIGATION Within BANNOCK County

T10S R35E S23	SWNW	T10S R35E S23	NESW
T10S R35E S23	NWSW	T10S R36E S21	NESW
T10S R36E S21	SESW	T10S R36E S25	NWSW
T10S R36E S25	SWSW	T10S R36E S25	SESW
T10S R36E S26	NESW	T10S R36E S26	NWSW
T10S R36E S26	SWSW	T10S R36E S26	SESW
T10S R36E S26	NESE	T10S R36E S26	NWSE
T10S R36E S26	SWSE	T10S R36E S26	SESE
T10S R36E S28	SWNE	T10S R36E S28	SENE
T10S R36E S28	NENW	T10S R36E S28	SENW
T10S R36E S28	NESE	T10S R36E S28	NWSE
T10S R36E S28	SWSE	T10S R36E S28	SESE
T10S R36E S32	SWNE	T10S R36E S32	SWNW
T10S R36E S33	NWNE	T10S R36E S33	SWNE
T10S R36E S33	NENW	T10S R36E S33	NWNW
T10S R36E S33	SWNW	T10S R36E S33	SENW
T10S R36E S33	NESW	T10S R36E S33	NWSW
T10S R36E S33	SWSW	T10S R36E S33	SESW
T10S R36E S33	NWSE	T10S R36E S33	SWSE
T10S R36E S33	SESE	T10S R36E S34	SWNW
T10S R36E S34	SENW	T10S R36E S34	NESW
T10S R36E S34	NWSW	T10S R36E S34	SWSW
T10S R36E S34	SESW	T10S R36E S34	NESE

Page _____ of _____

T10S R36E S34	SWSE	T10S R36E S34	SESE
T10S R36E S35	NWNE	T10S R36E S35	SWNE
T10S R36E S35	NENW	T10S R36E S35	NWNW
T10S R36E S35	SWNW	T10S R36E S35	NWSW
T10S R36E S36	NENE	T10S R36E S36	NWNE
T10S R36E S36	SWNE	T10S R36E S36	SENE
T10S R36E S36	NENW	T10S R36E S36	NWNW
T10S R36E S36	SWNW	T10S R36E S36	SENW
T10S R36E S36	NESW	T10S R36E S36	SESW
T10S R36E S36	NESE	T10S R36E S36	NWSE
T10S R36E S36	SWSE	T10S R37E S31	NWNW
T10S R37E S31	SWNW	T10S R37E S31	NWSW
T11S R36E S3	NENE	T11S R36E S3	NWNE
T11S R36E S3	SWNE	T11S R36E S3	SENE
T11S R36E S3	NENW	T11S R36E S3	NWNW
T11S R36E S3	SWNW	T11S R36E S3	SENW
T11S R36E S3	NESW	T11S R36E S3	NWSW
T11S R36E S3	SWSW	T11S R36E S3	SESW
T11S R36E S3	NESE	T11S R36E S3	NWSE
T11S R36E S3	SWSE	T11S R36E S4	NENE
T11S R36E S4	NWNE	T11S R36E S4	SWNE
T11S R36E S4	SENE	T11S R36E S4	NESW
T11S R36E S4	NWSW	T11S R36E S4	SWSW
T11S R36E S4	SESW	T11S R36E S4	NESE
T11S R36E S4	NWSE	T11S R36E S4	SWSE
T11S R36E S4	SESE	T11S R36E S5	SESW
T11S R36E S5	SWSE	T11S R36E S5	SESE
T11S R36E S8	NENE	T11S R36E S8	NWNE
T11S R36E S8	SWNE	T11S R36E S8	SENE
T11S R36E S8	NENW	T11S R36E S8	SENW
T11S R36E S9	NENE	T11S R36E S9	NWNE
T11S R36E S9	SWNE	T11S R36E S9	NENW
T11S R36E S9	NWNW	T11S R36E S9	SENW
T11S R36E S9	NESW	T11S R36E S9	NWSE
T11S R36E S9	SWSE	T11S R36E S10	NENW
T11S R36E S10	NWNW		

Total Acres: 4747

Conditions of Approval:

1. X35 Rights 29-10663, 29-10664, 29-10665, 29-12058, 29-13493 and 29-13494 when combined shall not exceed a total diversion rate of 42.33 cfs and the irrigation of 3220.2 acres.
2. X27 This right is limited to the irrigation of 500 acres within the place of use described above in a single irrigation season.
3. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. 129 Place of use is within the area served by the Marsh Center Irrigating Company
8. X36 Rights 29-10663, 29-10664, 29-10665, 29-12058, and 29-13494 are also diverted through the point(s) of diversion described above.
9. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Decreed Date: 3/16/2004

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 29-13494

Current Owner: MARSH CENTER IRRIGATING CO

Priority Date: 5/1/1870

Origin: Water Right

Status: Active

Basis: Decreed

Source

HAWKINS CREEK

Tributary

MARSH CREEK

<u>Beneficial Use</u>	<u>From To</u>
IRRIGATION STORAGE	01/01 to 12/31
IRRIGATION FROM STORAGE	04/01 to 10/31
IRRIGATION	04/01 to 10/31
	<u>Total Diversion</u>

<u>Diversion Rate</u>	<u>Annual Volume</u>
	238.9 AF
	238.9 AF
30 CFS	
30 CFS	

Location of Point(s) of Diversion

HAWKINS CREEK BANNOCK County	NW1/4NW1/4SW1/4	Sec. 31,	Twp 10S,	Rge 36E B.M.
HAWKINS CREEK BANNOCK County	NW1/4NW1/4SW1/4	Sec. 31,	Twp 10S,	Rge 36E B.M.
		(Rediversion)		
HAWKINS CREEK BANNOCK County	NW1/4NE1/4SE1/4	Sec. 35,	Twp 10S,	Rge 35E B.M.

Place of Use

IRRIGATION STORAGE Within BANNOCK County

T10S R35E S35	SWNE	T10S R35E S35	SENE
T10S R35E S35	NENW	T10S R35E S35	NWNW
T10S R35E S35	SENW	T10S R35E S35	NWSE

IRRIGATION FROM STORAGE Within BANNOCK County

T10S R35E S23	SWNW	T10S R35E S23	NESW
T10S R35E S23	NWSW	T10S R36E S21	NESW
T10S R36E S21	SESW	T10S R36E S25	NWSW
T10S R36E S25	SWSW	T10S R36E S25	SESW
T10S R36E S26	NESW	T10S R36E S26	NWSW
T10S R36E S26	SWSW	T10S R36E S26	SESW
T10S R36E S26	NESE	T10S R36E S26	NWSE
T10S R36E S26	SWSE	T10S R36E S26	SESE
T10S R36E S28	SWNE	T10S R36E S28	SENE
T10S R36E S28	NENW	T10S R36E S28	SENW

Page _____ of _____

T10S R36E S28	NESE	T10S R36E S28	NWSE
T10S R36E S28	SWSE	T10S R36E S28	SESE
T10S R36E S32	SWNE	T10S R36E S32	SWNW
T10S R36E S33	NWNE	T10S R36E S33	SWNE
T10S R36E S33	NENW	T10S R36E S33	NWNW
T10S R36E S33	SWNW	T10S R36E S33	SENW
T10S R36E S33	NESW	T10S R36E S33	NWSW
T10S R36E S33	SWSW	T10S R36E S33	SESW
T10S R36E S33	NWSE	T10S R36E S33	SWSE
T10S R36E S33	SESE	T10S R36E S34	SWNW
T10S R36E S34	SENW	T10S R36E S34	NESW
T10S R36E S34	NWSW	T10S R36E S34	SWSW
T10S R36E S34	SESW	T10S R36E S34	NESE
T10S R36E S34	SWSE	T10S R36E S34	SESE
T10S R36E S35	NWNE	T10S R36E S35	SWNE
T10S R36E S35	NENW	T10S R36E S35	NWNW
T10S R36E S35	SWNW	T10S R36E S35	NWSW
T10S R36E S36	NENE	T10S R36E S36	NWNE
T10S R36E S36	SWNE	T10S R36E S36	SENE
T10S R36E S36	NENW	T10S R36E S36	NWNW
T10S R36E S36	SWNW	T10S R36E S36	SENW
T10S R36E S36	NESW	T10S R36E S36	SESW
T10S R36E S36	NESE	T10S R36E S36	NWSE
T10S R36E S36	SWSE	T10S R37E S31	NWNW
T10S R37E S31	SWNW	T10S R37E S31	NWSW
T11S R36E S3	NENE	T11S R36E S3	NWNE
T11S R36E S3	SWNE	T11S R36E S3	SENE
T11S R36E S3	NENW	T11S R36E S3	NWNW
T11S R36E S3	SWNW	T11S R36E S3	SENW
T11S R36E S3	NESW	T11S R36E S3	NWSW
T11S R36E S3	SWSW	T11S R36E S3	SESW
T11S R36E S3	NESE	T11S R36E S3	NWSE
T11S R36E S3	SWSE	T11S R36E S4	NENE
T11S R36E S4	NWNE	T11S R36E S4	SWNE
T11S R36E S4	SENE	T11S R36E S4	NESW
T11S R36E S4	NWSW	T11S R36E S4	SWSW
T11S R36E S4	SESW	T11S R36E S4	NESE
T11S R36E S4	NWSE	T11S R36E S4	SWSE
T11S R36E S4	SESE	T11S R36E S5	SESW
T11S R36E S5	SWSE	T11S R36E S5	SESE
T11S R36E S8	NENE	T11S R36E S8	NWNE
T11S R36E S8	SWNE	T11S R36E S8	SENE
T11S R36E S8	NENW	T11S R36E S8	SENW
T11S R36E S9	NENE	T11S R36E S9	NWNE
T11S R36E S9	SWNE	T11S R36E S9	NENW
T11S R36E S9	NWNW	T11S R36E S9	SENW
T11S R36E S9	NESW	T11S R36E S9	NWSE
T11S R36E S9	SWSE	T11S R36E S10	NENW

Page _____ of _____

T11S R36E S10 NWNW

Total Acres: 4747

IRRIGATION Within BANNOCK County

T10S R35E S23	SWNW	T10S R35E S23	NESW
T10S R35E S23	NWSW	T10S R36E S21	NESW
T10S R36E S21	SESW	T10S R36E S25	NWSW
T10S R36E S25	SWSW	T10S R36E S25	SESW
T10S R36E S26	NESW	T10S R36E S26	NWSW
T10S R36E S26	SWSW	T10S R36E S26	SESW
T10S R36E S26	NESE	T10S R36E S26	NWSE
T10S R36E S26	SWSE	T10S R36E S26	SESE
T10S R36E S28	SWNE	T10S R36E S28	SENE
T10S R36E S28	NENW	T10S R36E S28	SENW
T10S R36E S28	NESE	T10S R36E S28	NWSE
T10S R36E S28	SWSE	T10S R36E S28	SESE
T10S R36E S32	SWNE	T10S R36E S32	SWNW
T10S R36E S33	NWNE	T10S R36E S33	SWNE
T10S R36E S33	NENW	T10S R36E S33	NWNW
T10S R36E S33	SWNW	T10S R36E S33	SENW
T10S R36E S33	NESW	T10S R36E S33	NWSW
T10S R36E S33	SWSW	T10S R36E S33	SESW
T10S R36E S33	NWSE	T10S R36E S33	SWSE
T10S R36E S33	SESE	T10S R36E S34	SWNW
T10S R36E S34	SENW	T10S R36E S34	NESW
T10S R36E S34	NWSW	T10S R36E S34	SWSW
T10S R36E S34	SESW	T10S R36E S34	NESE
T10S R36E S34	SWSE	T10S R36E S34	SESE
T10S R36E S35	NWNE	T10S R36E S35	SWNE
T10S R36E S35	NENW	T10S R36E S35	NWNW
T10S R36E S35	SWNW	T10S R36E S35	NWSW
T10S R36E S36	NENE	T10S R36E S36	NWNE
T10S R36E S36	SWNE	T10S R36E S36	SENE
T10S R36E S36	NENW	T10S R36E S36	NWNW
T10S R36E S36	SWNW	T10S R36E S36	SENW
T10S R36E S36	NESW	T10S R36E S36	SESW
T10S R36E S36	NESE	T10S R36E S36	NWSE
T10S R36E S36	SWSE	T10S R37E S31	NWNW
T10S R37E S31	SWNW	T10S R37E S31	NWSW
T11S R36E S3	NENE	T11S R36E S3	NWNE
T11S R36E S3	SWNE	T11S R36E S3	SENE
T11S R36E S3	NENW	T11S R36E S3	NWNW
T11S R36E S3	SWNW	T11S R36E S3	SENW
T11S R36E S3	NESW	T11S R36E S3	NWSW
T11S R36E S3	SWSW	T11S R36E S3	SESW
T11S R36E S3	NESE	T11S R36E S3	NWSE
T11S R36E S3	SWSE	T11S R36E S4	NENE
T11S R36E S4	NWNE	T11S R36E S4	SWNE

Page _____ of _____

T11S R36E S4	SENE	T11S R36E S4	NESW
T11S R36E S4	NWSW	T11S R36E S4	SWSW
T11S R36E S4	SESW	T11S R36E S4	NESE
T11S R36E S4	NWSE	T11S R36E S4	SWSE
T11S R36E S4	SESE	T11S R36E S5	SESW
T11S R36E S5	SWSE	T11S R36E S5	SESE
T11S R36E S8	NENE	T11S R36E S8	NWNE
T11S R36E S8	SWNE	T11S R36E S8	SENE
T11S R36E S8	NENW	T11S R36E S8	SENW
T11S R36E S9	NENE	T11S R36E S9	NWNE
T11S R36E S9	SWNE	T11S R36E S9	NENW
T11S R36E S9	NWNW	T11S R36E S9	SENW
T11S R36E S9	NESW	T11S R36E S9	NWSE
T11S R36E S9	SWSE	T11S R36E S10	NENW
T11S R36E S10	NWNW		

Total Acres: 4747

Conditions of Approval:

1. X35 Rights 29-10663, 29-10664, 29-10665, 29-12058, 29-13493, and 29-13494, when combined shall not exceed a total diversion rate of 42.33 cfs and the irrigation of 3220.2 acres.
2. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
3. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 129 Place of use is within the area served by the Marsh Center Irrigating Company
6. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. X36 Rights 29-10663, 29-10664, 29-10665, 29-12058, and 29-13493 are also diverted through the point(s) of diversion described above.
8. 18B The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Storage water is released into Hawkins Creek below Hawkins Reservoir and rediverted from Hawkins Creek at the headgate of Marsh Center Irrigating Company.

Decreed Date: 4/26/2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 78434

MINIMUM REQUIREMENTS CHECKLIST

TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

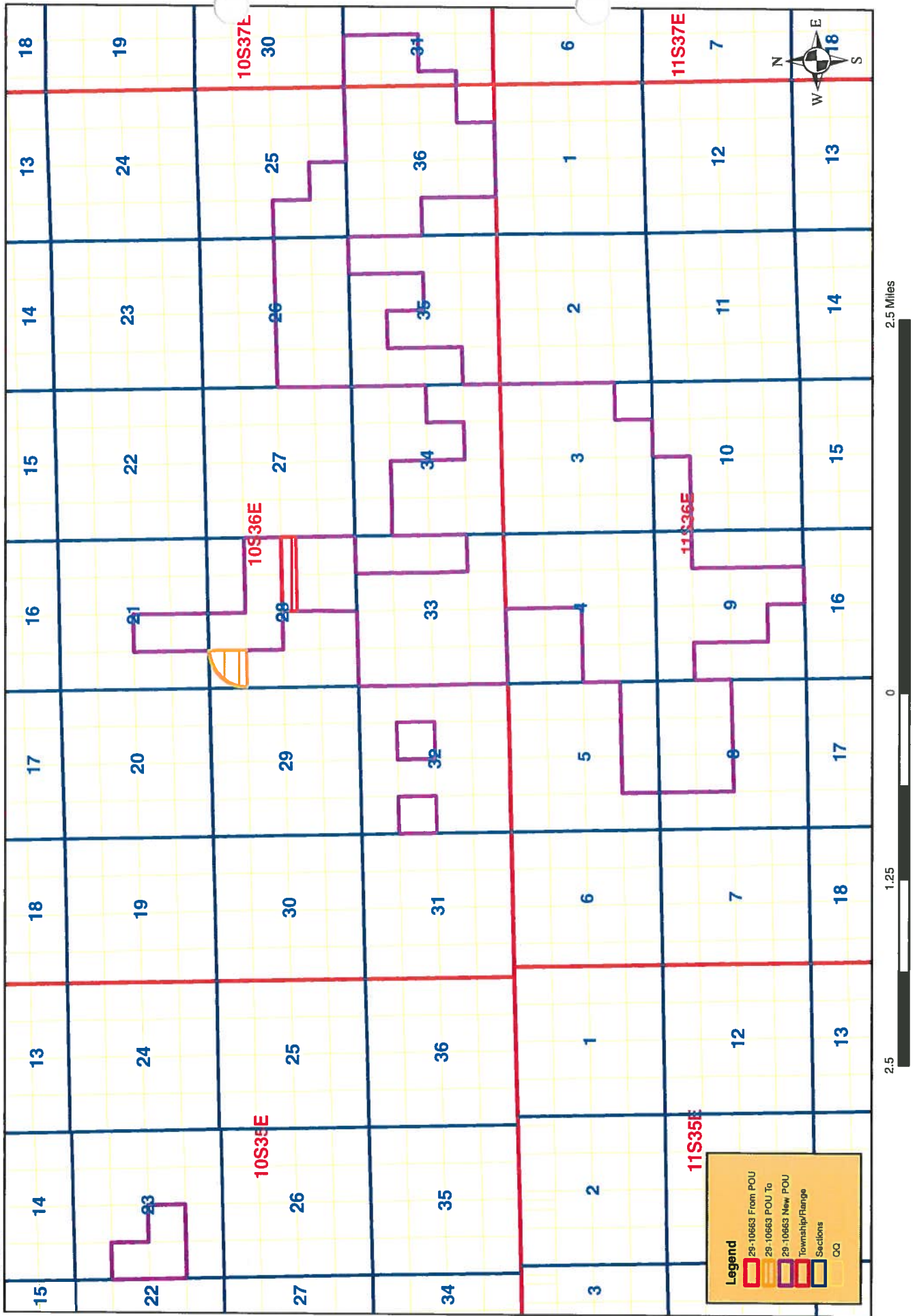
- | Yes | N/A | |
|-------------------------------------|-------------------------------------|--|
| ☒ | ☐ | * Means the item is <u>always required</u> and must be included with the application. |
| ☒ | ☐ | * Completed Application for Transfer of Water Right form, Part 1. |
| ☒ | ☐ | * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative. |
| ☒ | ☐ | * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded. |
| ☐ | ☒ | ☐ Complete and attach an Application for Transfer Part 2B <u>for each water right</u> for which <u>only a portion</u> is proposed to be changed through this transfer application. |
| ☒ | ☐ | * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s). |
| ☒ | ☐ | * Correct fee submitted with transfer application form. (<u>Fee schedule</u> is on website and instructions for application for transfer.) |

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- | | | |
|-------------------------------------|-------------------------------------|--|
| ☐ | ☒ | #1 If the applicant is a business, partnership, organization, or association, and <u>not</u> currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.) |
| ☒ | ☐ | #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner. Additional fee(s) required for water right ownership changes; see fee schedule. |
| ☐ | ☒ | #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Additional fee(s) required for water right ownership changes; see fee schedule. |
| ☐ | ☒ | #3 Documentation of authority to make the change if the applicant is not the water right owner. |
| ☐ | ☒ | #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.) |
| ☐ | ☒ | #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm . |
| ☐ | ☒ | #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.) |
| ☒ | ☐ | * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.) |
| ☒ | ☐ | #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. |
| ☐ | ☒ | #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule. |
| ☐ | ☒ | #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.) |
| ☐ | ☐ | #9 Other. Please describe: _____ |



Proposed Transfer 78434- Marsh Center Irrigation Co



No. C 2810	Due no later than Jun 30, 2012 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. MARSH CENTER IRRIGATING COMPANY WILLIAM A EGAN 1451 W HAWKINS RD ARIMO ID 83214 USA		LYNN S BASTIAN 16580 S MARSH VALLEY RD ARIMO ID 83214			
			3. <u>New</u> Registered Agent Signature:*			
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
DIRECTOR	LYNN S. BASTIAN	16580 S. MARSH VALLEY RD.	ARIMO	ID	USA	83214
DIRECTOR	WILLIAM A EGAN	1451 WEST HAWKINS RD.	ARIMO	ID	USA	83214
DIRECTOR	DAVID BURNHAM	990 SAGE AVE.	POCATELLO	ID	USA	83204
DIRECTOR	JILL BARBER	1567 WEST HAWKINS RD.	ARIMO	ID	USA	83214
SECRETARY	WILLIAM A. EGAN	1451 WEST HAWKINS RD.	ARIMO	ID	USA	83214
PRESIDENT	LYNN S BASTIAN	16580 S. MARSH VALLEY RD.	ARIMO	ID	USA	83214
5. Organized Under the Laws of: ID C 2810		6. Annual Report must be signed.* Signature: William A. Egan Name (type or print): William A. Egan Date: 05/04/2012 Title: Director, Secretary				
Processed 05/04/2012		* Electronically provided signatures are accepted as original signatures.				



IDAHO SECRETARY OF STATE Viewing Business Entity

Ben Ysursa, Secretary of State

[[New Search](#)] [[Back to Summary](#)]

[[Get a certificate of existence for MARSH CENTER IRRIGATING COMPANY](#)]

MARSH CENTER IRRIGATING COMPANY

1451 W HAWKINS RD
ARIMO, ID 83214

Type of Business: CORPORATION, WATER USERS ASSOCIATION

Status: GOODSTANDING, ANREPT SENT 04 Apr 2012

State of Origin: IDAHO

Date of 06 Jun 1896

Origination/Authorization:

Current Registered Agent: LYNN S BASTIAN
16580 S MARSH VALLEY RD
ARIMO, ID 83214

Organizational ID / Filing C2810
Number:

Number of Authorized Stock
Shares:

Date of Last Annual Report: 04 May 2012

Original Filing:

[[Help Me Print/View TIFF](#)]

Filed 06 Jun 1896 INCORPORATION [View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)

Amendments:

[[Help Me Print/View TIFF](#)]

Amendment Filed 04 Aug 1902 STOCK CHANGE [View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)

Amendment Filed 04 Aug 1902 OTHER - INCREASE OF DIRECTORS [View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)

Amendment Filed 24 Dec 1937 REINSTATEMENT

Amendment Filed 12 Mar 1948 REINSTATEMENT [View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)

Amendment Filed 07 Mar 1980 OTHER - RA [View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)

Amendment Filed 11 Dec 1996 REINSTATEMENT [View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)

Amendment Filed 03 May 2002 REINSTATEMENT [View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)

Annual Reports:

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Report for year 2012	ANNUAL REPORT	View Document Online
Report for year 2011	CHNG RA/RO	View Image (PDF format) View Image (TIFF format)
Report for year 2011	ANNUAL REPORT	View Document Online
Report for year 2010	ANNUAL REPORT	View Image (PDF format) View Image (TIFF format)
Report for year 2009	ANNUAL REPORT	View Image (PDF format) View Image (TIFF format)
Report for year 2008	ANNUAL REPORT	View Image (PDF format) View Image (TIFF format)
Report for year 2007	ANNUAL REPORT	View Image (PDF format) View Image (TIFF format)
Report for year 2006	ANNUAL REPORT	View Image (PDF format) View Image (TIFF format)
Report for year 2005	ANNUAL REPORT	View Image (PDF format) View Image (TIFF format)
Report for year 2004	ANNUAL REPORT	View Image (PDF format) View Image (TIFF format)
Report for year 2003	ANNUAL REPORT	View Image (PDF format) View Image (TIFF format)
Report for year 2002	REINSTATEMENT	View Image (PDF format) View Image (TIFF format)
Report for year 1999	ANNUAL REPORT	View Image (PDF format) View Image (TIFF format)
Report for year 1998	ANNUAL REPORT	View Image (PDF format) View Image (TIFF format)
Report for year 1997	ANNUAL REPORT	View Image (PDF format) View Image (TIFF format)
Report for year 1996	REINSTATEMENT	View Image (PDF format) View Image (TIFF format)
Report for year 1995	ANNUAL REPORT	View Image (PDF format) View Image (TIFF format)
Report for year 1994	ANNUAL REPORT	View Image (PDF format) View Image (TIFF format)
Report for year 1993	ANNUAL REPORT	View Image (PDF format) View Image (TIFF format)
Report for year 1992	ANNUAL REPORT	View Image (PDF format) View Image (TIFF format)
Report for year 1991	ANNUAL REPORT	View Image (PDF format) View Image (TIFF format)
Report for year 1990	ANNUAL REPORT	View Image (PDF format) View Image (TIFF format)
Report for year 1989	ANNUAL REPORT	View Image (PDF format) View Image (TIFF format)
Report for year 1988	ANNUAL REPORT	View Image (PDF format) View Image (TIFF format)
Report for year 1987		

To Whom It may concern:

The use of water in Section 28 Township 10S Range 36, as outlined will in no way effect Shareholders in the upper ditch of Marsh Valley Irrigation Co.

Marshall Wheatley
William A. Egan