

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71482

This is to certify that: MARSH CENTER IRRIGATING CO
 C/O NORMAN LISH
 17340 S COFFIN RD
 ARIMO ID 83214
 (208)897-5113

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
29-10663	WR/Decreed	04/01/1891	0.33 cfs	N/A	16.5	3,220.2	HAWKINS CREEK
29-12058	WR/Decreed	12/19/1891	2.00 cfs	N/A	100.0	3,191.0	HAWKINS CREEK
29-10664	WR/Decreed	06/10/1891	0.33 cfs	N/A	N/A	3,220.2	HAWKINS CREEK
29-10665	WR/Decreed	04/01/1944	0.00 cfs	641.1 af	N/A	3,220.2	HAWKINS CREEK
29-13493	WR/Decreed	05/01/1870	10.00 cfs	N/A	N/A	3,191.0	HAWKINS CREEK
29-13494	WR/Decreed	05/01/1870	30.00 cfs	N/A	N/A	3,220.2	HAWKINS CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
29-10663	NO	YES	YES	NO	NO	NO
29-12058	NO	YES	YES	NO	NO	NO
29-10664	NO	NO	YES	NO	NO	NO
29-10665	NO	NO	YES	NO	NO	NO
29-13493	NO	YES	YES	NO	NO	NO
29-13494	NO	YES	YES	NO	NO	NO

SUPPORT DATA
IN FILE # 29-10663

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71482

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
29-10663	29-10663	0.33 cfs	N/A	16.5	4,747.0		N/A	N/A	N/A	N/A
29-12058	29-12058	2.00 cfs	N/A	100.0	4,747.0		N/A	N/A	N/A	N/A
29-10664	29-10664	N/A	238.9 af	N/A	4,747.0		N/A	N/A	N/A	N/A
29-10665	29-10665	N/A	641.1 af	N/A	4,747.0		N/A	N/A	N/A	N/A
29-13493	29-13493	10.00 cfs	N/A	500.0	4,747.0		N/A	N/A	N/A	N/A
29-13494	29-13494	30.00 cfs	N/A	N/A	4,747.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		42.33 cfs	N/A	3220.2	4,747.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 7th day of October, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-13494
As Modified by Transfer No. 71482

In accordance with the approval of Transfer No. 71482, Water Right No. 29-13494 is now described as follows.

Right Holder: MARSH CENTER IRRIGATING CO
C/O NORMAN LISH
17340 S COFFIN RD
ARIMO ID 83214

Priority Date: May 01, 1870

Source: HAWKINS CREEK

Tributary: MARSH CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION STORAGE	01/01 to	12/31		238.9 AF
IRRIGATION FROM STORAGE	04/01 to	10/31		238.9 AF
IRRIGATION	04/01 to	10/31	30.00 CFS 30.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

HAWKINS CREEK	NWNESE	Sec. 35 Twp 10S	Rge 35E	BANNOCK County
HAWKINS CREEK	NWNWSW	Sec. 31 Twp 10S	Rge 36E	BANNOCK County
HAWKINS CREEK (Rediversion)	NWNWSW	Sec. 31 Twp 10S	Rge 36E	BANNOCK County

CONDITIONS OF APPROVAL

1. Place of use is within the area served by the Marsh Center Irrigating Company
2. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. 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. 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.
6. Rights 29-10663, 29-10664, 29-10665, 29-12058, and 29-13493 are also diverted through the point(s) of diversion described above.

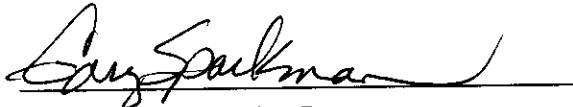
WATER RIGHT NO. 29-13494
As Modified by Transfer No. 71482

CONDITIONS OF APPROVAL

7. 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. 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.
9. 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. Storage water is released into Hawkins Creek below Hawkins Reservoir and rediverted from Hawkins Creek at the headgate of Marsh Center Irrigating Company.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 7th day of October, 2005


Chief, Water Allocation Bureau

WATER RIGHT NO. 29-10663
As Modified by Transfer No. 71482

In accordance with the approval of Transfer No. 71482, Water Right No. 29-10663 is now described as follows.

Right Holder: MARSH CENTER IRRIGATING CO
C/O NORMAN LISH
17340 S COFFIN RD
ARIMO ID 83214

Priority Date: April 01, 1891

Source: HAWKINS CREEK

Tributary: MARSH CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.33 CFS	
			0.33 CFS	

LOCATION OF POINT(S) OF DIVERSION:

HAWKINS CREEK NWNWSW Sec. 31 Twp 10S Rge 36E BANNOCK County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. 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. 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. Place of use is within the area served by the Marsh Center Irrigating Company
5. Rights 29-10664, 29-10665, 29-12058, 29-13493, and 29-13494 are also diverted through the point(s) of diversion described above.
6. 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.
7. This right is limited to the irrigation of 16.5 acres within the place of use described above in a single irrigation season.

WATER RIGHT NO. 29-10663
As Modified by Transfer No. 71482

CONDITIONS OF APPROVAL

8. 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.
9. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 7th day of October, 20 05



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-10664
As Modified by Transfer No. 71482

In accordance with the approval of Transfer No. 71482, Water Right No. 29-10664 is now described as follows.

Right Holder: MARSH CENTER IRRIGATING CO
C/O NORMAN LISH
17340 S COFFIN RD
ARIMO ID 83214

Priority Date: June 10, 1891

Source: HAWKINS CREEK

Tributary: MARSH CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION STORAGE	01/01	to 12/31		238.9 AF
IRRIGATION FROM STORAGE	04/01	to 10/31		238.9 AF
				238.9 AF

LOCATION OF POINT(S) OF DIVERSION:

HAWKINS CREEK NWNESE Sec. 35 Twp 10S Rge 35E BANNOCK County

HAWKINS CREEK NWNWSW Sec. 31 Twp 10S Rge 36E BANNOCK County
(Rediversion)

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. 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. 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. Place of use is within the area served by the Marsh Center Irrigating Company
5. Rights 29-10663, 29-10665, 29-12058, 29-13493 and 29-13494 are also diverted through the point(s) of diversion described above.
6. 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.
7. 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.
8. 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.

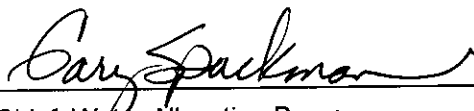
WATER RIGHT NO. 29-10664
As Modified by Transfer No. 71482

CONDITIONS OF APPROVAL

9. 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. Storage water is released into Hawkins Creek below Hawkins Reservoir and rediverted from Hawkins Creek at the headgate of Marsh Center Irrigating Company.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 7th day of October, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-10665
As Modified by Transfer No. 71482

In accordance with the approval of Transfer No. 71482, Water Right No. 29-10665 is now described as follows.

Right Holder: MARSH CENTER IRRIGATING CO
C/O NORMAN LISH
17340 S COFFIN RD
ARIMO ID 83214

Priority Date: April 01, 1944

Source: HAWKINS CREEK

Tributary: MARSH CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION STORAGE	01/01	12/31		641.1 AF
IRRIGATION FROM STORAGE	04/01	10/31		641.1 AF
				641.1 AF

LOCATION OF POINT(S) OF DIVERSION:

HAWKINS CREEK NWNESE Sec. 35 Twp 10S Rge 35E BANNOCK County

HAWKINS CREEK NWNWSW Sec. 31 Twp 10S Rge 36E BANNOCK County
(Rediversion)

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. 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. 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. Place of use is within the area served by the Marsh Center Irrigating Company
5. Rights 29-10663, 29-10664, 29-12058, 29-13493 and 29-13494 are also diverted through the point(s) of diversion described above.
6. 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.
7. 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.
8. 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.

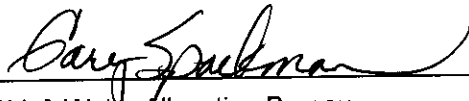
WATER RIGHT NO. 29-10665
As Modified by Transfer No. 71482

CONDITIONS OF APPROVAL

9. 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. Storage water is released into Hawkins Creek below Hawkins Reservoir and rediverted from Hawkins Creek at the headgate of Marsh Center Irrigating Company.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 7th day of October, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-12058
As Modified by Transfer No. 71482

In accordance with the approval of Transfer No. 71482, Water Right No. 29-12058 is now described as follows.

Right Holder: MARSH CENTER IRRIGATING CO
C/O NORMAN LISH
17340 S COFFIN RD
ARIMO ID 83214

Priority Date: December 19, 1891

Source: HAWKINS CREEK

Tributary: MARSH CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	2.00 CFS	
STOCKWATER	01/01	to 12/31	0.02 CFS	
			2.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

HAWKINS CREEK NWNWSW Sec. 31 Twp 10S Rge 36E BANNOCK County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. 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. 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. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
5. Place of use is within the area served by the Marsh Center Irrigating Company
6. Rights 29-10663, 29-10664, 29-10665, 29-13493 and 29-13494 are also diverted through the point(s) of diversion described above.
7. 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. This right is limited to the irrigation of 100 acres within the place of use described above in a single irrigation season.

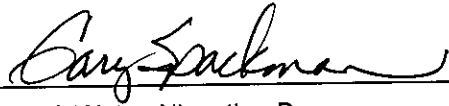
WATER RIGHT NO. 29-12058
As Modified by Transfer No. 71482

CONDITIONS OF APPROVAL

9. 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.
10. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 7th day of October, 20 05



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-13493
As Modified by Transfer No. 71482

In accordance with the approval of Transfer No. 71482, Water Right No. 29-13493 is now described as follows.

Right Holder: MARSH CENTER IRRIGATING CO
C/O NORMAN LISH
17340 S COFFIN RD
ARIMO ID 83214

Priority Date: May 01, 1870

Source: HAWKINS CREEK

Tributary: MARSH CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	10.00 CFS	
			10.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

HAWKINS CREEK NWNWSW Sec. 31 Twp 10S Rge 36E BANNOCK County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. 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. 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. Place of use is within the area served by the Marsh Center Irrigating Company
5. Rights 29-10663, 29-10664, 29-10665, 29-12058, and 29-13494 are also diverted through the point(s) of diversion described above.
6. 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.
7. This right is limited to the irrigation of 500 acres within the place of use described above in a single irrigation season.

WATER RIGHT NO. 29-13493
As Modified by Transfer No. 71482

CONDITIONS OF APPROVAL

8. 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.
9. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 7th day of October, 2005



Chief, Water Allocation Bureau