

## MEMORANDUM

**Date:** April 05, 2005  
**To:** Transfer 71482  
**From:** kwilson  
**Re:** Evaluation

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This transfer proposes to change the place of use from the NESE Sec 33 and NWSE Sec 34 to a new place of use within the SENW and SESE Sec 28, all in T10S, R36E, to accommodate irrigation with a center pivot. The portion of the rights are represented by shares owned by Norman Lish in the Marsh Center Irrigating Co. This transfer will correct the legal descriptions of the points of diversion to match the adjudication recommendations found in ArcView, and will also correct the combined total number of acres under these water rights.

### Authority to File:

The water rights involved in this transfer have recently been involved in the Snake River Adjudication and are either decreed in the name of Marsh Center Irrigation Co. or are listed as recommended in the adjudication data base under the Marsh Center Irrigation Co. Norman Lish has provided a warranty deed showing that he owns the current and proposed place of use under these rights, and has signed the transfer as president of Marsh Center Irrigation. According to the Secretary of State web site the official name is Marsh Center Irrigating Co. In response to my letter, William A. Egan signed my letter as a Director of Marsh Center Irrigating Co. Therefore the applicant and owner are being considered to be Marsh Center Irrigating Co.

### Water Right Validity:

These water rights have recently been decreed or the rights have been recommended in the Snake River Adjudication. The change in the legal descriptions of the points of diversion reflect the points of diversions identified as recommended by the adjudication by using ArcView in Workflow.

### Injury to Other Water Rights:

No issues identified.

### Enlargement of Use:

This transfer does not constitute an enlargement in the number of total acres under the distribution system of the Marsh Center Irrigating Co.

### Local Public Interest:

On issues identified.

### Beneficial Use Conservation of Water Resources:

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.