

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 71482

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Marsh Center IRRIGATION Co ^{ING} (208) 897-5113
Post Office address % Norman Lish, 17340 S Coffin Rd. Arimo Id 83214

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 the reason for the proposed changes Change place of use to accommodate irrigation using center pivots. Changing place of use on a total of 80 acres for a total of 1.39 cfs. CORRECT Legal descriptions of Points of Diversion

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|--|----------|-----------------------|------------------|----------------|
| <u>SEE ATTACHED LIST #1 of WATER RIGHTS</u> | | | | |
| | | | | _____ to _____ |
| | | | | _____ to _____ |
| | | | | _____ to _____ |
| | | <u>42.33</u> | | _____ to _____ |
| 2. Total amount of water being transferred <u>~~56.00~~</u> cubic feet per second and/or _____ acre-feet per annum. | | | | |
| 3. Source of water <u>Hawkins Creek</u> tributary to <u>Marsh Creek</u> | | | | |
| 4. Point(s) of Diversion: <u>SEE</u> | | | | |

[illegible]

5. Lands irrigated or place of use: SEE ATTACHED LIST # 2

[illegible]

Total acres 3226.2

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PART 1

6. General Information:

- a. Description of diversion system Hawkins Reservoir on Hawkins Creek
water is injected into Hawkins Creek below dam for diversion along
Hawkins and rediversion into upper ditch.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
will be dry farmed
- d. Remarks:
Change made at request of Norman Lish stockholder in Marsh Center
Irrigation Co.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

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LIST #1

PART 1

B.1

Basin	Sequence	Basis	Priority Date	Rate(cfs)	Volume(af)	Water Use(s)	Version	Source Table
29	13494	Decreed	1870-05-01	30.00		IRRIGATION	1	wrAdjudicationRecommendation
					238.9	IRR STORAGE		
					238.9	IRR FROM STORAGE		
29	10663	Decreed	1891-04-01	0.33		IRRIGATION		wrWaterRight
29	10664	Decreed	1891-06-10	~~0.33~~	238.9	IRR STORAGE		wrWaterRight
						IRR FROM STORAGE		
29	10665	Decreed	4/1/1944	0	641.1	IRR FROM STORAGE, IRR STORAGE		wrWaterRight
29	12058	Decreed	1891-12-19	2.00		IRRIGATION		wrWaterRight
				0.02		STOCKWATER		
29	13493	Decreed	1870-05-01	10.00		IRRIGATION		wrWaterRight

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B.4 Point(s) of DiversionLIST #2

HAWKINS CREEK	NWNESE	10S	35E	35	BANNOCK	
HAWKINS CREEK	NWNESE	10S	35E	35	BANNOCK	(Injection)
HAWKINS CREEK	NWNWSW	10S	36E	31	BANNOCK	(Rediversion)

B.5 PLACE OF USE: IRRIGATION

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	X					
10S 36E 26									X	X	X	X	X	X	X	X	
10S 36E 28			X	X	X			X					X	X	X	X	
10S 36E 32			X				X										
10S 36E 33		X	X		X	X	X	X	X	X	X	X		X	X	X	
10S 36E 34							X	X	X	X	X	X	X	X		X	
10S 36E 35		X	X		X	X	X		X								
10S 36E 36	X	X	X	X	X	X	X	X	X			X	X	X	X		
10S 37E 31							X	X		X							
							L2	L4			L6						
11S 36E 3	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
	L1	L2			L3	L4											
11S 36E 4	X	X	X	X					X	X	X	X	X	X	X	X	
	L1	L2															
11S 36E 5												X			X	X	
																L7	
11S 36E 8	X	X	X	X	X			X									
	L1			L2													
11S 36E 9	X	X	X		X	X		X	X					X	X		
11S 36E 10					X	X											

TOTAL ACRES = 3220.2

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
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Transfer No. 71482
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Current Water Right No. 29-13494

Priority Date: 05/01/1870

Origin: Adjudication Recommendation

Basis: Decreed

Status: Active

Source: HAWKINS CREEK

Tributary to: MARSH CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION STORAGE	01/01 12/31		238.9 AFA	
IRRIGATION FROM STORAGE	04/01 10/31		238.9 AFA	
IRRIGATION	04/01 10/31	30.00 CFS	238.9 AFA	
Total Diversion		30.00 CFS		

Source and Point(s) of Diversion:

HAWKINS CREEK	NWNWSW	10S	36E	31 BANNOCK	(Rediversion)
HAWKINS CREEK	NWNESW	10S	35E	35 BANNOCK	(Injection)
HAWKINS CREEK	NWNESW	10S	35E	35 BANNOCK	

PLACE OF USE: IRRIGATION

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					
10S 36E 26									X	X	X	X	X	X	X	X	
10S 36E 28			X		X			X					X	X	X		
10S 36E 32			X				X										
10S 36E 33		X	X		X	X	X	X	X	X	X	X	X	X	X	X	
10S 36E 34							X	X	X	X	X	X	X	X	X	X	
10S 36E 35		X	X		X	X	X			X							
10S 36E 36	X	X	X	X	X	X	X	X	X			X	X	X	X		
10S 37E 31						X	X			X							
						L2	L4			L6							
11S 36E 3	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
	L1	L2			L3	L4											
11S 36E 4	X	X	X	X					X	X	X	X	X	X	X	X	
	L1	L2															
11S 36E 5												X			X	X	
																L7	
11S 36E 8	X	X	X	X	X			X									
	L1			L2													
11S 36E 9	X	X	X		X	X		X	X					X	X		
11S 36E 10					X	X											

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

Transfer No. 71482
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Current Water Right No. 29-13494

Conditions/Remarks:

1. Place of use is within the area served by the Marsh Center Irrigation Company
2. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3220.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13493, 29-13494, 29-10663, 29-10664, 29-10665, 29-12058.
5. POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM HAWKINS CREEK.

Documentation of Ownership of the Current Place of Use *Bannock Co Tax Lots + Schedule A of Deed
Ownership of Marsh Center Irrigation Co shares by Norman Lisk*

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances? *NO.
Water right used on lands of stockholders*

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer *WILL Be dryfarmed*

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use? *NO*

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**IDAHO DEPARTMENT OF WATER RESOURCES
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PART 2**

Current Water Right No. 29-10663

Priority Date: 04/01/1891
Origin: Water Right
Basis: Decreed
Status: Active

Source: HAWKINS CREEK **Tributary to:** MARSH CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	0.33 CFS	238.9 AFA	
	Total Diversion	0.33 CFS		

Source and Point(s) of Diversion:

HAWKINS CREEK NWNWSW 10S 36E 31 BANNOCK

PLACE OF USE: IRRIGATION

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					
10S 36E 26									X	X	X	X	X	X	X	X	
10S 36E 28			X		X			X					X	X	X		
10S 36E 32			X				X										
10S 36E 33		X	X		X	X	X	X	X	X	X	X	X	X	X	X	
10S 36E 34							X	X	X	X	X	X	X	X	X	X	
10S 36E 35		X	X		X	X	X			X							
10S 36E 36	X	X	X	X	X	X	X	X	X			X	X	X	X		
10S 37E 31						X	X			X							
						L2	L4			L6							
11S 36E 3	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
	L1	L2			L3	L4											
11S 36E 4	X	X	X	X					X	X	X	X	X	X	X	X	
	L1	L2															
11S 36E 5												X			X	X	
																L7	
11S 36E 8	X	X	X	X	X			X									
	L1			L2													
11S 36E 9	X	X	X		X	X		X	X					X	X		
11S 36E 10					X	X											

Conditions/Remarks:

- Place of use is within the area served by the Marsh Center Irrigation Company
- RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 56.0 CFS. COMBINED RIGHT NOS.: 29-13493, 29-13494, 29-10663, 29-10664, 29-10665, 29-12058.
- USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3220.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13493, 29-13494, 29-10663, 29-10664, 29-10665, 29-12058.

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Current Water Right No. 29-10663

Conditions/Remarks:

7. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-13493, 29-13494, 29-10663, 29-10664, 29-10665, 29-12058
8. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 16.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Documentation of Ownership of the Current Place of Use *Bannock Co. Tax Lots, Schedule A of Deed*
Represented by shares owned by Norman Lish

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances? *no*

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer *will be dry farmed*

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use? *no*

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Transfer No. 71482
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Current Water Right No. 29-10664

Priority Date: 06/10/1891
Origin: Water Right
Basis: Decreed
Status: Active

Source: HAWKINS CREEK **Tributary to:** MARSH CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION STORAGE	01/01 12/31	0.33 CFS	238.9 AFA	
IRRIGATION FROM STORAGE	04/01 10/31	0.33 CFS	238.9 AFA	

Total Diversion 0.33 CFS

Source and Point(s) of Diversion:

HAWKINS CREEK	NWNESE	10S	35E	35 BANNOCK	(Injection)
HAWKINS CREEK	NWNWSW	10S	36E	31 BANNOCK	(Rediversion)
HAWKINS CREEK	NWNESE	10S	35E	35 BANNOCK	

PLACE OF USE: IRRIGATION FROM STORAGE

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	X					
10S 36E 26									X	X	X	X	X	X	X	X	
10S 36E 28			X		X			X					X	X	X		
10S 36E 32			X				X										
10S 36E 33		X	X		X	X	X	X	X	X	X	X	X	X	X	X	
10S 36E 34							X	X	X	X	X	X	X	X	X	X	
10S 36E 35		X	X		X	X	X			X							
10S 36E 36	X	X	X	X	X	X	X	X	X			X	X	X	X		
10S 37E 31						X	X			X							
						L2	L4			L6							
11S 36E 3	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
	L1	L2			L3	L4											
11S 36E 4	X	X	X	X					X	X	X	X	X	X	X	X	
	L1	L2															
11S 36E 5												X			X	X	
															L7		
11S 36E 8	X	X	X	X	X			X									
	L1			L2													
11S 36E 9	X	X	X		X	X		X	X					X	X		
11S 36E 10					X	X											

Current Water Right No. 29-10664

Conditions/Remarks:

- Place of use is within the area served by the Marsh Center Irrigation Company
- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 56.0 CFS. COMBINED RIGHT NOS.: 29-13493, 29-13494, 29-10663, 29-10664, 29-10665, 29-12058.
- USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3220.2 AC IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13493, 29-13494, 29-10663, 29-10664, 29-10665, 29-12058.
- THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-13494, 29-10663, 29-10664, 29-10665, 29-12058

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Documentation of Ownership of the Current Place of Use Bannock Co Tax Lots, Schedule A of Deed
and ownership of Marsh Center Irrigation Shares by Norman Lish

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances? NO
Shares used on land of stockholders

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer
Dry farmed

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use? NO

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Current Water Right No. 29-10665

Priority Date: 04/01/1944
Origin: Water Right
Basis: Decreed
Status: Active

Source: HAWKINS CREEK

Tributary to: MARSH CREEK

Beneficial Use From To Diversion Rate Volume Subuse Code
IRRIGATION FROM 04/01 10/31 10.00 CFS 641.1 AFA
STORAGE

Total Diversion 0.00 CFS 641.1 AFA

Source and Point(s) of Diversion:

HAWKINS CREEK	NWNESE	10S	35E	35 BANNOCK	
HAWKINS CREEK	NWNWSW	10S	36E	31 BANNOCK	(Rediversion)
HAWKINS CREEK	NWNESE	10S	35E	35 BANNOCK	(Injection)

PLACE OF USE: IRRIGATION

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					
10S 36E 26									X	X	X	X	X	X	X	X	
10S 36E 28			X		X			X					X	X	X		
10S 36E 32			X				X										
10S 36E 33		X	X		X	X	X	X	X	X	X	X	X	X	X	X	
10S 36E 34							X	X	X	X	X	X	X	X	X	X	
10S 36E 35		X	X		X	X	X			X							
10S 36E 36	X	X	X	X	X	X	X	X	X			X	X	X	X		
10S 37E 31							X	X		X							
						L2	L4			L6							
11S 36E 3	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
	L1	L2			L3	L4											
11S 36E 4	X	X	X	X					X	X	X	X	X	X	X	X	
	L1	L2															
11S 36E 5												X			X	X	
																L7	
11S 36E 8	X	X	X	X	X			X									
	L1			L2													
11S 36E 9	X	X	X		X	X		X	X					X	X		
11S 36E 10					X	X											

Conditions/Remarks:

1. Place of use is within the area served by the Marsh Center Irrigation Company
2. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. STORAGE CAPACITY 880.0 AF.

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Current Water Right No. 29-10665

Documentation of Ownership of the Current Place of Use *Bannock Co. Tax Lots, Schedule A warranty deed Norman Lish shares in Marsh Center Irr Co.*

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances? *No*

shares used on lands of stockholders

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Dry farmed

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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

Current Water Right No. 29-12058

Priority Date: 12/19/1891
Origin: Water Right
Basis: Decreed
Status: Active

Source: HAWKINS CREEK **Tributary to:** MARSH CREEK

Beneficial Use	From To	Diversion Rate	Volume	Subuse Code
IRRIGATION	04/01 10/31	2.00 CFS	641.1 AFA	
STOCKWATER	01/01 12/31	0.02 CFS	641.1 AFA	
Total Diversion		2.00 CFS		

Source and Point(s) of Diversion:

HAWKINS CREEK	NWNESW	10S	35E	35 BANNOCK	(Injection)
HAWKINS CREEK	NWNESW	10S	35E	35 BANNOCK	
HAWKINS CREEK	NWNWSW	10S	36E	31 BANNOCK	(Rediversion)

PLACE OF USE: IRRIGATION

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	X					
10S 36E 26									X	X	X	X	X	X	X	X	
10S 36E 28			X		X			X					X	X	X		
10S 36E 32			X				X										
10S 36E 33		X	X		X	X	X	X	X	X	X	X	X	X	X	X	
10S 36E 34							X	X	X	X	X	X	X	X	X	X	
10S 36E 35		X	X		X	X	X		X								
10S 36E 36	X	X	X	X	X	X	X	X	X			X	X	X	X		
10S 37E 31						X	X		X								
						L2	L4			L6							
11S 36E 3	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
	L1	L2			L3	L4											
11S 36E 4	X	X	X	X					X	X	X	X	X	X	X	X	
	L1	L2															
11S 36E 5												X			X	X	
																L7	
11S 36E 8	X	X	X	X	X			X									
	L1			L2													
11S 36E 9	X	X	X		X	X		X	X					X	X		
11S 36E 10					X	X											

Conditions/Remarks:

- Place of use is within the area served by the Marsh Center Irrigation Company
- This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
- USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3220.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-12058, 29-13493, 29-13494, 29-10663, 29-10664, 29-10665.
- THIS RIGHT IS LIMITED TO THE IRRIGATION OF 100 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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Current Water Right No. 29-12058

5. THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
6. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Documentation of Ownership of the Current Place of Use *Bannock Co Tax lots, Schedule A warranty deed Norman Lish shares in Marsh Center Irr Co*

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances? *NO*
shares used on lands of stockholder

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Dry farmed

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use? *NO*

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Page 1

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

Transfer No. 71482
Receipt No. _____

Current Water Right No. 29-13493

Priority Date: 05/01/1870
Origin: Water Right
Basis: Decreed
Status: Active

Source: HAWKINS CREEK **Tributary to:** MARSH CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	10.00 CFS	641.1 AFA	
Total Diversion		10.00 CFS		

Source and Point(s) of Diversion:

HAWKINS CREEK NWNWSW 10S 36E 31 BANNOCK

PLACE OF USE: IRRIGATION

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	X					
10S 36E 26									X	X	X	X	X	X	X	X	
10S 36E 28			X		X			X					X	X	X		
10S 36E 32			X				X										
10S 36E 33		X	X		X	X	X	X	X	X	X	X	X	X	X	X	
10S 36E 34							X	X	X	X	X	X	X	X	X	X	
10S 36E 35		X	X		X	X	X		X								
10S 36E 36	X	X	X	X	X	X	X	X	X			X	X	X	X		
10S 37E 31						X	X			X							
						L2	L4			L6							
11S 36E 3	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
	L1	L2			L3	L4											
11S 36E 4	X	X	X	X					X	X	X	X	X	X	X	X	
	L1	L2															
11S 36E 5												X			X	X	
																L7	
11S 36E 8	X	X	X	X	X			X									
	L1			L2													
11S 36E 9	X	X	X		X	X		X	X					X	X		
11S 36E 10					X	X											

Conditions/Remarks:

- Place of use is within the area served by the Marsh Center Irrigation Company
- RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
- USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3191 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13493, 29-13494, 29-10663, 29-10664, 29-10665, 29-12058.
- THIS RIGHT IS LIMITED TO THE IRRIGATION OF 500 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
- THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-430.

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

Transfer No. 71482
Receipt No. _____

Current Water Right No. 29-13493

Conditions/Remarks:

Documentation of Ownership of the Current Place of Use Bannock Co Tax lots, Schedule A warrants Deed
Norman Lish shares in Marsh Center Irr Co.

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances? NO

Shares used on lands of stockholders

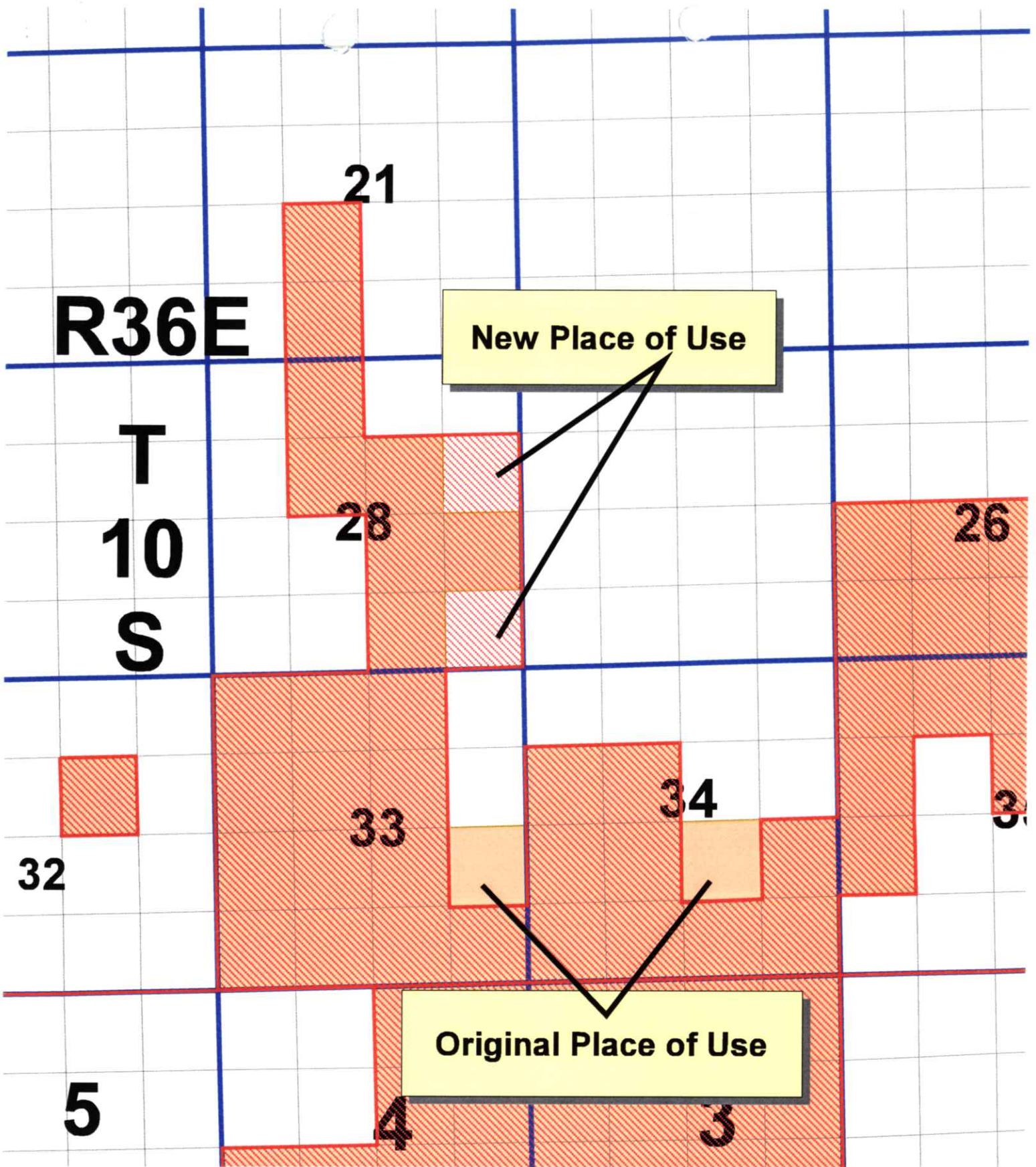
Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Dry farmed

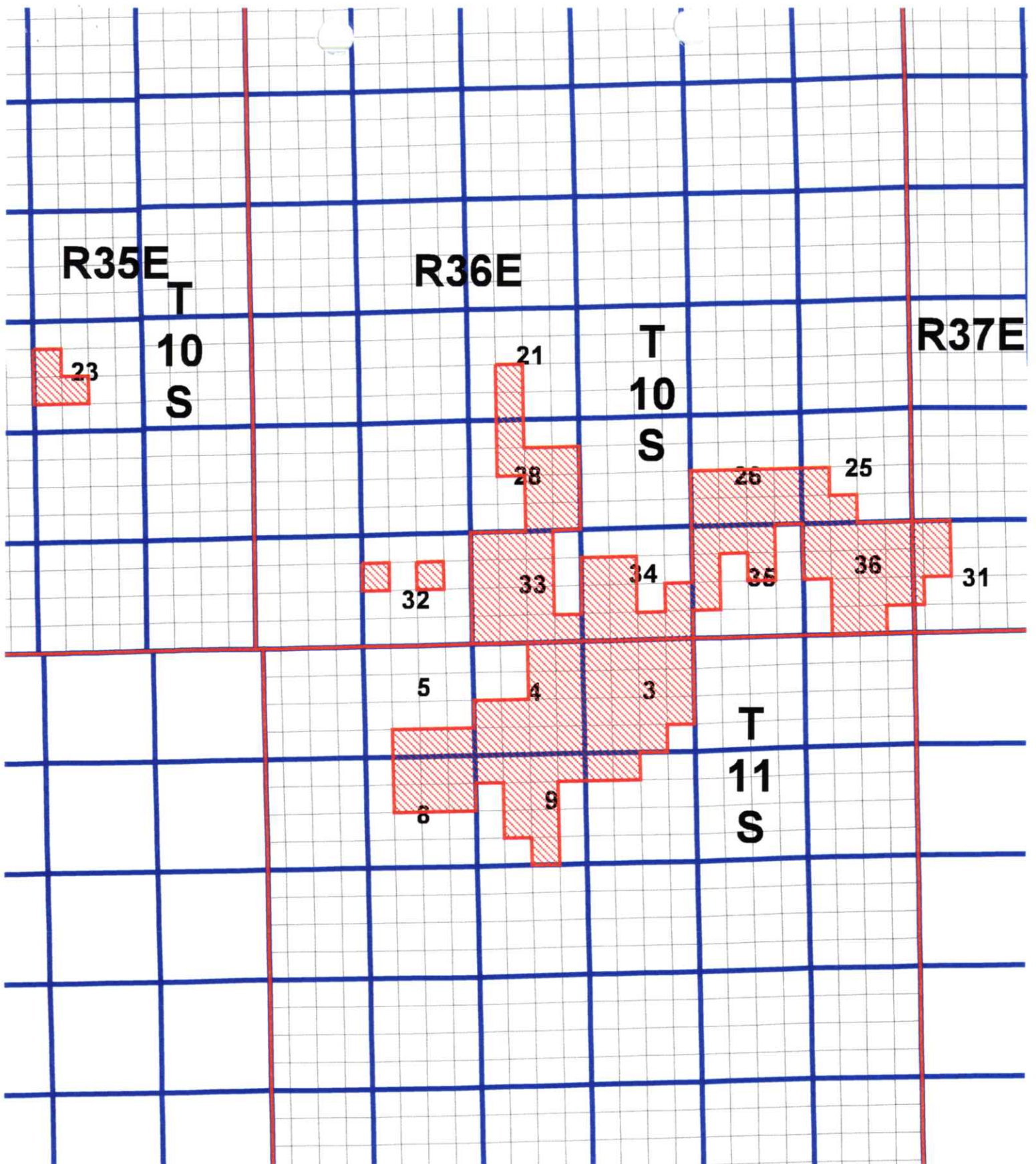
To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

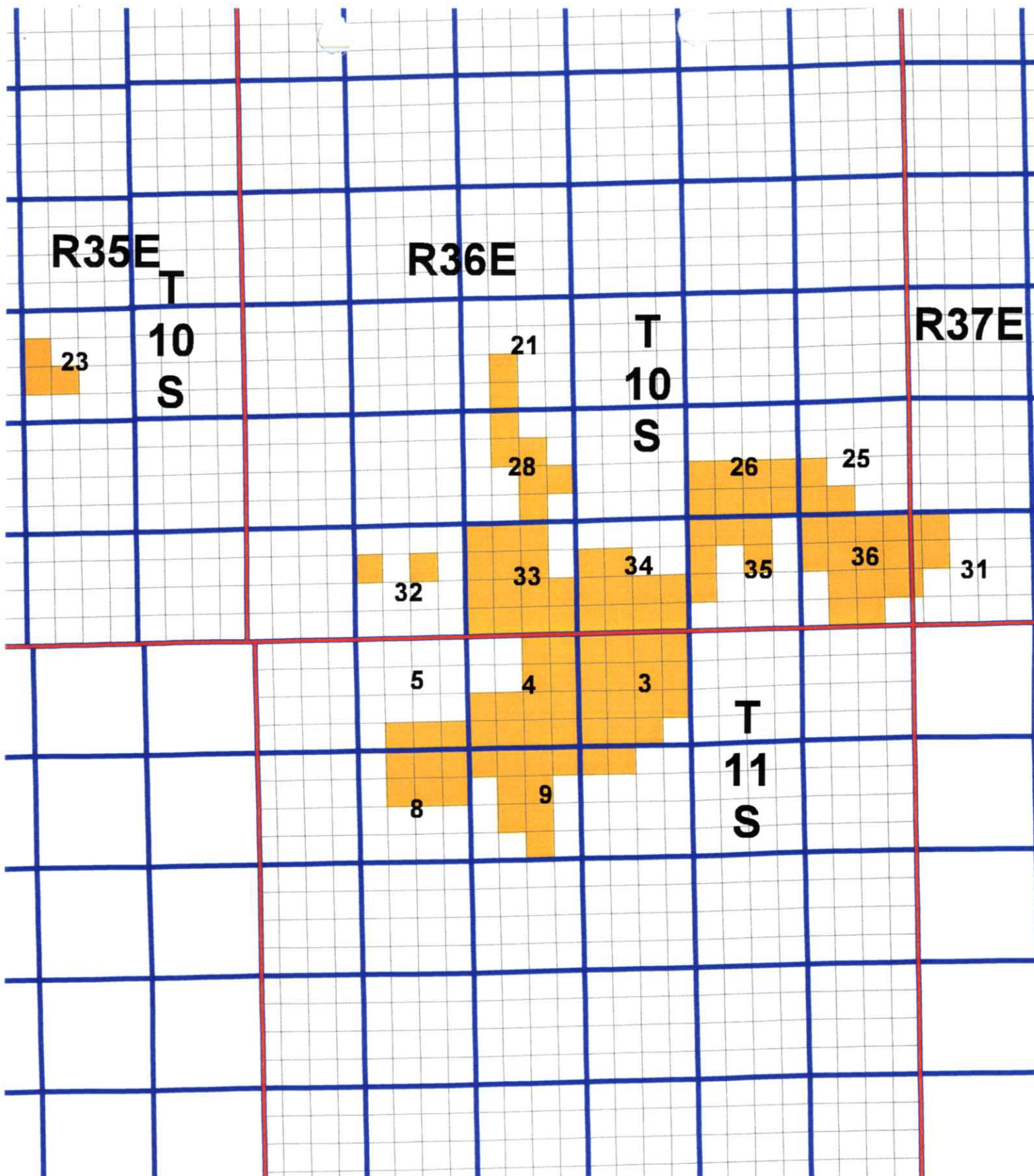
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Marsh Center Irrigation Co. Change



Marsh Center Irrigation Co. New Place of Use



Marsh Center Irrigation Co. Original Place of Use

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PART 3**B. CHANGES IN NATURE OF USE**N/A

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.

Subscribed and sworn to before me this 6th day of July, 19 2004

Norman J. Lisk (Pres)
(Signature of Applicant)

Becky Sorensen
(Notary Public)

My commission expires 11/4/2008

FOR DEPARTMENT USE ONLYTransfer contains 20 pages and 2 attachmentsReceived by KCW Date 7/6/04 Protest filed by _____Prelim. check by KCW Fee 290⁰⁰ E030027Received by KCW Date 7/6/04Published in Idaho State Journal Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

Marsh Center Irrigation Company

Stockholders:	Preferred Shares (10 hours per share)		Common Shares (8 hours per share)		Combined	
	<u>shares</u>	<u>%</u>	<u>shares</u>	<u>%</u>		
Richard Larsen	1	0.008413	1	0.008393	18	0.008404
Alva and Bill Egan	16.9	0.142184	14.02	0.117677	281.16	0.131278
Ed Warren	0.71	0.005973	11.99	0.100638	103.02	0.048102
Austin Marley	1.77	0.014891	3.5	0.029377	45.7	0.021338
Norman Lish	6.1	0.051321	6.6	0.055397	113.8	0.053135
Diamond T Ranch LLC	35.1	0.295305	36.28	0.304516	641.24	0.299404
Fred Burmester	7	0.058893	9.25	0.07764	144	0.067236
Henry Miner	9.99	0.084048	8	0.067148	163.9	0.076527
Wheatley's Ranch	22.25	0.187195	12.5	0.104919	322.5	0.15058
Merlin Bastian	14.6	0.122834	13	0.109115	250	0.116729
Dr. Wallace	<u>3.44</u>	<u>0.028942</u>	<u>3</u>	<u>0.02518</u>	<u>58.4</u>	<u>0.027268</u>
Total	118.86	100%	119.14	100%	2141.72	100%

Tributaries Water upstream from Hawkins' Reservoir	
Leonard Neilson	0.25
Jack McDaniel	1
David Burnham	0.87
Conrad Hawkes (Donna Hadley)	<u>0.25</u>
	121.23

SCHEDULE "A"

TERRELL, GREEN,
SERVICE & GASSER
Attorneys at Law
P. O. Box 4883
Pocatello, Idaho
83201
(208) 232-4471

PARCEL 1:

TOWNSHIP 10 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, BANNOCK COUNTY,
STATE OF IDAHO.

SECTION 29: SE $\frac{1}{4}$ SW $\frac{1}{4}$

SECTION 32: NE $\frac{1}{4}$ NW $\frac{1}{4}$

SECTION 34: NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and ALSO THE FOLLOWING: BEGINNING
AT THE NORTHWEST CORNER OF THE NE $\frac{1}{4}$ SW $\frac{1}{4}$ OF SAID SECTION 34; THENCE
SOUTH 1220 FEET: THENCE 450 FEET EAST: THENCE 585 FEET NORTH
57° EAST: THENCE 920 FEET SOUTH 86° EAST: THENCE 800 FEET NORTH
80° EAST: THENCE 815 FEET NORTH: THENCE 2640 FEET WEST TO THE POINT
OF BEGINNING.

PARCEL 2:

TOWNSHIP 10 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, BANNOCK COUNTY,
IDAHO.

SECTION 27: S $\frac{1}{4}$ SW $\frac{1}{4}$ AND SW $\frac{1}{4}$ SE $\frac{1}{4}$

SECTION 33: NE $\frac{1}{4}$ SE $\frac{1}{4}$ AND SE $\frac{1}{4}$ NE $\frac{1}{4}$

PARCEL 3:

TOWNSHIP 10 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, BANNOCK COUNTY
IDAHO.

SECTION 28: SE $\frac{1}{4}$ SE $\frac{1}{4}$

SECTION 33 NE $\frac{1}{4}$ NE $\frac{1}{4}$

PARCEL 4:

TOWNSHIP 10 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, BANNOCK COUNTY,
IDAHO.

SECTION 27: N $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ NW $\frac{1}{4}$

SECTION 28: SE $\frac{1}{4}$ NE $\frac{1}{4}$

PARCEL 5:

THAT PORTION OF THE NW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 26 AND THE N $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION
27, TOWNSHIP 10 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, BANNOCK
COUNTY, IDAHO, LYING NORTH AND WEST OF MCDANIELS ROAD...

SUBJECT TO:

Taxes for the year 1976 and ensuing years; utilities easement
of record; right, title and interest of the public, in and to
those portions of the above described premises falling within the
bounds of roads or highways; right of way for Virginia Hawkins Road
The effect and conditions contained in that certain Oil and Gas
Lease Agreement between George H. Henrichs and Maurine D. Henrichs
husband and wife, and Rio Vista Oil, LTD, Dated May 24, 1973,
recorded July 3, 1973, in Book 260, No. 510806, assigned to Arjay
Oil Company.

The effect and conditions contained in that certain Oil and Gas
Lease Agreement between Ada L. Parris, a widow and Bonnie Jean
Parris Dahlke, Lessors, and J. E. Pace, Lessee, Dated July 28, 1955
recorded October 24, 1955, Book 5, No. 135.

I do hereby acknowledge that I own the land described;
Norman J. Lusk

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