

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 12 2026

DEPT. OF WATER RESOURCES
EASTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT

GENERAL INFORMATION AND INSTRUCTIONS

Pursuant to Section 42-222(1), *Idaho Code*, a transfer application may be filed to change the point of diversion, place of use, period of use, or nature of use of all or part of an established water right. Any person proposing to make such a change is required to file a transfer application with the Department. "Such application shall be upon forms furnished by the department and shall describe the [water right] to be changed and the changes which are proposed and shall be accompanied by the statutory filing fee." *Idaho Code* § 42-222(1).

The Department has developed this application form to assist applicants in satisfying the requirements of Section 42-222(1). This application form requests information about the applicant's authority to file (Part 1), information about the current elements of the water right(s) to be changed (Part 2), information about the proposed changes (Part 3), information about the validity of the water right(s) and the effects of the proposed changes (Part 4), and confirmation that the information provided is truthful (Part 5).

The applicant or their representative must provide a response for all applicable questions, any additional information required, and the proper filing fee before this application will be considered complete. If an application is incomplete or more information is required, the Department will notify the applicant or representative and allow time for the application to be completed. An application that remains incomplete will be returned to the applicant and the filing fee will be refunded.

An application for transfer is limited to the changes proposed for a single water distribution system. A proposal to change two or more separate water distribution systems, that will remain separate after the transfer, must be filed as separate applications. Applicants may provide additional pages to supplement their responses to the questions posed on this application form. Supplemental forms for listing additional water rights, points of diversion, or places of use can be found on the Department's website (idwr.idaho.gov). If you need assistance understanding the questions on this form, generating current water right reports, determining legal descriptions, or accessing water measurement records feel free to contact the nearest regional office of the Department.

PART 1 – CONTACT INFORMATION, OWNERSHIP RECORDS, AUTHORITY TO FILE

Name(s) of Applicant(s) Marsh Center Irrigating CompanyMailing Address 13348 N Billy Lane, Pocatello, ID 83202Email* wade.egan7@gmail.com Phone 208-681-3423

Name of Representative (if any) _____

Mailing Address _____

Email* _____ Phone _____

*If an email address is provided, Department staff will use email as the primary method for corresponding with the applicant and representative about the application.

A. Representative. If the representative is authorized to sign or amend the application on behalf of the applicant, attach documents confirming that authority. Label documents as Attachment 1A.

B. Current Owner. If the applicant is not the current owner of record for all water rights included in this application, attach documents showing that the applicant has the authority to make the proposed changes. Label documents as Attachment 1B.

C. Updating Ownership Records. Applicants needing to update the ownership records for any of the water rights included in this application must attach documents supporting the ownership change. Such documents must trace ownership of the subject water rights or the current place of use for the subject water rights from the current owner of record for the water rights to the applicant. Label documents as Attachment 1C.

D. Business Entities. If the applicant is a business entity (corporation, LLC, partnership, trust, etc.), is the entity currently registered with the Idaho Secretary of State?

☒ Yes. If this application is signed by someone other than a person listed on the most recent annual report filed with the Idaho Secretary of State, attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

☐ No. Attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

E. Approval of Irrigation Delivery Entity. Section 42-108, *Idaho Code*, states that a transfer application proposing to change water rights held by an irrigation company or district requires the consent of the irrigation entity. If this application proposes to change water rights held by an irrigation entity, attach a letter of consent from the entity (labeled as Attachment 1E) or have an authorized representative of the entity co-sign the application.

F. Encumbered Properties. If the current place of use for the water rights included in this application is subject to a lien, deed of trust, mortgage, or contract and the application proposes to change the nature of use of the water rights or to move water rights off the current place of use, attach a statement of consent for the change signed by the lien holder, trustee, mortgagor or contract holder. Label documents as Attachment 1F.

G. Legal Access. If the applicant is not the current owner of the proposed point(s) of diversion, conveyance system, or place(s) of use, provide evidence of legal access to the land or infrastructure not owned by the applicant. Label documents as Attachment 1G. For example, an applicant may provide a letter of consent from the owner of the land or conveyance system or may have the owner co-sign the application. For applications proposing to divert water on or convey water across federal land, an applicant is not required to demonstrate legal access to the federal land prior to approval. Instead, if the transfer application is approved, the applicant must obtain access authorization from the relevant federal agency prior to diverting water under the subject water rights.

PART 2 – WATER RIGHTS BEFORE PROPOSED CHANGES

A. Current Water Rights. For each water right proposed to be changed, attach a current water right report obtained from any Department office or from the Department's website (idwr.idaho.gov). Label water right reports as Attachment 2A.

B. Map of Current System. Attach a map of the current point(s) of diversion and place(s) of use for the water rights to be changed. The map should clearly depict the elements of the water rights to be changed. For example, if the application proposes to change the point of diversion for a water right, the map should display the current location of the point of diversion. For irrigation water rights, the map should also identify the location of the irrigated acres to be changed. Label map as Attachment 2B.

C. Current Location of Irrigated Acres. If this application proposes to change the place of use or nature of use for only a portion of an irrigation water right, use the following table to identify the current location of the irrigated acres to be changed. If additional pages are required, label additional pages as Attachment 2C. If this application proposes to change or rearrange the entire place of use for irrigation water right(s), skip to Part 3.

☒ **N/A.** This application does not propose to change the place of use or nature of use of an irrigation water right or this application proposes to change the place of use or nature of use for an entire irrigation right.

Current Location of Irrigated Acres to be Changed

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Irrigated Acres to be Changed: _____

PART 3 – DESCRIPTION OF PROPOSED CHANGES

A. Purpose of Transfer. Section 42-222(1), *Idaho Code*, states that transfer applications may only be filed to change the point of diversion, place of use, period of use, or nature of use of an established water right. Section 42-248(3), *Idaho Code*, authorizes water right ownership changes to be described on a transfer application. Identify the changes proposed in this application:

- | | |
|---|---|
| ☐ Change point(s) of diversion | ☐ Change place of use |
| ☒ Add point(s) of diversion | ☐ Change period of use |
| ☐ Change nature of use | ☐ Update water right ownership records |

B. Proposed Changes. Describe the proposed changes in narrative form:

Company wants to add a point of diversion in order to better capture, control, and measure the water diverted from Hawkins Creek into our pipeline. The new point of diversion will be limited to 2 cfs.

C. Summary of Proposed Changes.

1. Water Rights. Use the following table to list all water rights, or portions thereof, that are proposed to be changed as they would appear after the proposed changes. In the Amount column, list the volume in acre-feet (af) for storage uses or the rate in cubic feet per second (cfs) for all other uses.

All or Part	Right Number	Amount (cfs/af)	Nature of Use	Period of Use	Source
☒ ☐	29-10663	0.33 cfs	Irrigation	4/1 to 10/31	Hawkins Creek
☒ ☐	29-10664	238.9 af	Irrigation storage	1/1 to 12/31	Hawkins Creek
☐ ☐		238.9 af	Irrig from storage	4/1 to 10/31	
☒ ☐	29-10665	641.1 af	Irrigation storage	1/1 to 12/31	Hawkins Creek
☐ ☐		641.1 af	Irrig from storage	4/1 to 10/31	
☒ ☐	29-12058	2.00 cfs	Irrigation	4/1 to 10/31	Hawkins Creek
☐ ☐		0.02 cfs	Stockwater	1/1 to 12/31	
☒ ☐	29-13494	30.00 cfs	Irrigation	4/1 to 10/31	Hawkins Creek
☐ ☐		238.9 af	Irrigation storage	1/1 to 12/31	
☐ ☐		238.9 af	Irrig from storage	4/1 to 10/31	
29-13493 10 cfs IRRIGATION 4/1 10/31 HAWKINS CR					

2. Total Amounts. Calculate the total quantity, in cfs or af, of water rights that are proposed to be changed through this application. For an application proposing to only change the place of use for irrigation rights, the total quantity of water is calculated by comparing the current place of use to the proposed place of use, summing the number of acres increased in each legal subdivision, and quantifying the proportional amount of diversion rate for the increased acres. For an application proposing to change or add points of diversion for irrigation or any other beneficial use, the total amount is the total diversion rate for the changed portion of the right.

Total Amount of Water Rights Proposed to be Changed: 2.00 cfs and/or _____ af.

3. Point(s) of Diversion. Use the following table to list all the proposed points of diversion for the water rights to be changed, including any current points of diversion that will continue to be used as part of the proposed water distribution system.

The legal description for the proposed point(s) of diversion must be to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System (PLSS). PLSS information is typically available from USGS topo maps, property deeds, tax bills or various mapping tools on the Department's website.

For points of diversion within platted subdivisions, list the lot and block number in the "Diversion Name/Number" column. An application proposing an injection into a stream and a re-diversion from that stream must list the source for the original diversion as the source for the injection and re-diversion points. If this application proposes construction of a new diversion structure (for example, a new ground water well or a new pump station on a creek), please indicate the status in the appropriate column.

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☐ N/A. This application does not propose to add or change any points of diversion.

Proposed Points of Diversion

New?	Twp	Rge	Sec	Lot	1/4	1/4	1/4	County	Source	Diversion Name/Number
	10S	35E	35		NW	NE	SE	Bannock	Hawkins Creek	Hawkins Dam
	10S	35E	35			NE	SE	Bannock	Hawkins Creek	
	10S	35E	36			NW	SE	Bannock	S Fk Hawkins Cr	
Y	10S	36E	33			SW	SE	Bannock	Hawkins Creek	
	10S	36E	36			SE	NW	Bannock	Hawkins Creek	

4. Place of Use. The proposed place of use must be described to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System. Government lot numbers can be noted in parenthesis below the approximate quarter-quarter location of the government lot. For water rights held by irrigation districts, municipal providers or irrigation companies, the proposed place of use may be generally described as authorized by Sections 42-202B, 42-219 and 42-222B, *Idaho Code*.

☒ N/A. This application does not propose to change the place of use.

Proposed Place of Use

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Irrigated Acres: _____

5. Map of Proposed System. Attach a map showing the location of the points of diversion, reservoirs, dams, canals, ditches, pipelines and other works proposed to divert and convey water. Also show the location of the place of use, including any lands to be irrigated. The map should delineate the legal subdivisions including townships, ranges, sections, quarter-quarters and government lots. Label map as Attachment 3C.

PART 4 – ADDITIONAL INFORMATION

Section 42-222(1), *Idaho Code*, establishes the criteria used to evaluate transfer applications. An applicant bears the burden of demonstrating that the water right to be changed is a valid right, that the proposed use is a beneficial use, and that the proposed changes will not injure other water rights, will not enlarge the use of the original rights, are in the local public interest, and are consistent with the conservation of water resources within the state of Idaho. To satisfy this burden, an applicant must provide sufficient data and information for the

Department to evaluate the effects of the proposed change. The Department may deny an application if the applicant fails to provide sufficient data and information to determine whether the criteria from Section 42-222(1) are satisfied. In addition to the information requested in Parts 1-3 of this application, the following information must be provided for an application to be considered complete. Department staff may request additional information or clarification as the application is processed.

A. Validity of Water Rights

1. If one or more of the water rights proposed to be changed is a statutory claim, established pursuant to Section 42-248, *Idaho Code*, attach evidence supporting the priority date claimed. Label documents as Attachment 4A-1. For statutory claims, the Department may conduct a field inspection as part of the application review process to evaluate the water right elements listed on the statutory claim.

2. Has any portion of the water right(s) proposed to be changed undergone a period of five or more consecutive years of non-use?

☐ Yes. Attach a statement describing the portion of the right(s) that were not used and the length of time of the non-use. In addition, identify any exception or defense to forfeiture and provide a detailed description as to why the water rights have not been lost and forfeited for non-use. Label documents as Attachment 4A-2. Statutory exceptions or defenses to forfeiture are set forth in Section 42-223, *Idaho Code*.

☒ No.

B. Injury to Other Water Rights

1. Identify any other water right(s) diverted at the current point(s) of diversion.

None

2. Identify any other water right(s) diverted at the proposed point(s) of diversion.

None

3. Is the proposed point of diversion within a state water district? ☒ Yes. Water District # 29H. ☐ No.

4. If already constructed and in use, are the proposed points of diversion equipped with Department-approved measuring devices? ☐ Yes. ☐ No.

5. If this application proposes to divert a surface water right from a ground water well, attach a technical analysis evaluating the hydraulic connection between the proposed ground water point of diversion and the source of water listed on the right to be changed. Label technical analysis as Attachment 4B-5.

6. If this application proposes changing the point of diversion for a ground water right in the Eastern Snake Plain Aquifer (ESPA), attach a technical analysis of the anticipated depletions to reaches of the Snake River that are hydraulically connected to the ESPA using the Department's current ground water model for the ESPA. The technical analysis must evaluate depletion impacts in a time-series format at transient and steady state time steps. To assist applicants in preparing the required technical analysis, the Department has developed a transfer tool interface for the ESPA model. The transfer tool and user instructions can be downloaded from the Department's website (idwr.idaho.gov). If the proposed and current points of diversion are in the same or adjacent model cells, no technical analysis is required, unless specifically requested by the Department. Label technical analysis as Attachment 4B-6.

C. Enlargement in Use

1. Identify any other water rights used at the current place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

Numerous ground water rights, but POU will not be changing.

2. Identify any other water rights used at the proposed place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

Numerous ground water rights, but POU will not be changing.

3. If this application proposes changing the place of use or nature of use for irrigation water rights, will the current place of use, for the portion of the right to be changed, continue to be irrigated?

☐ Yes. Identify the water right(s) to be used for the continued irrigation.

☐ No. The place of use for the portion to be changed will no longer be irrigated.

☒ N/A. The application does not propose to change the place of use for irrigation rights.

4. Unstacking Water Rights for Irrigation. If this application proposes to change the place of use for an irrigation water right that is combined with other irrigation rights at the current place of use but does not propose to change the place of use for all the stacked irrigation rights, attach evidence of the historical consumptive use occurring under all water rights at the current place of use. For irrigation rights, this should include at least five years of diversion data and/or crop data and estimates of evapotranspiration. Label the information as Attachment 4C-4. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

5. If the application proposes to change the nature of use for a water right, attach evidence of the historical consumptive use occurring under the portion of the water right to be changed. For irrigation rights, this should include diversion data, crop data and estimates of evapotranspiration. Label the information as Attachment 4C-5. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

6. If the application proposes to change the nature of use of a water right to municipal use for reasonably anticipated future needs, complete the form titled "Municipal Water Right Application Checklist" found on the Department's website (idwr.idaho.gov). Label the form as Attachment 4C-6.

7. To your knowledge, are any portions of the water rights proposed to be changed:

Yes No

☐

☒

currently leased to the Water Supply Bank?

If yes, complete the form titled "Application for Transfer of Water Right Attachment WSB" found on the Department's website (idwr.idaho.gov). Label the Form as Attachment 4C-7.

☐

☒

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

☐

☒

subject to an agreement not to divert (CREP)?

☐

☒

currently enrolled in a federal set-aside program (CRP)?

D. Local Public Interest

The department must consider whether the proposed changes are in the local public interest as defined in Section 42-202B(3), *Idaho Code*. Some of the local public interest factors that may be considered in conjunction with a transfer application are (1) Recreation, fish, and wildlife impacts, (2) Water quality or contamination concerns, (3) Local and state ordinances, regulations, or policies related to water use, (4) Goals, requirements and limits set forth in the State Water Plan. If you choose to provide information about local public interest factors, label the information as Attachment 4D.

E. Conservation of Water Resources

Describe the diversion works and water delivery system. This may include sizes and dimensions of pumps, pipelines, headgates, ditches, dams, impoundments and irrigation equipment.

We will install a concrete headgate with locking valves and a flow meter at the new point of diversion.

PART 5 – FILING FEE AND SIGNATURE

A. Filing Fee. Filing fees for transfer applications are set forth in Section 42-221.O, *Idaho Code*. A table summarizing the filing fees for transfer applications is also found on the Department's website (idwr.idaho.gov). Any application proposing to change the nature of use for one or more rights requires an additional filing fee of \$250. Applications proposing to update the ownership records for water rights must also include the appropriate filing fee to update the ownership records. For any application relying on the filing fee set forth in Section 42-221.O.8, *Idaho Code*, attach a statement describing how the application qualifies under Section 42-221.O.8. Label documents as Attachment 5A.

B. Affidavit of Applicant or Representative:

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 Representative*

Wade W. Egan

Print Name and Title, if applicable

2-12-26
Date

Signature of Applicant or Representative*

Print Name and Title, if applicable

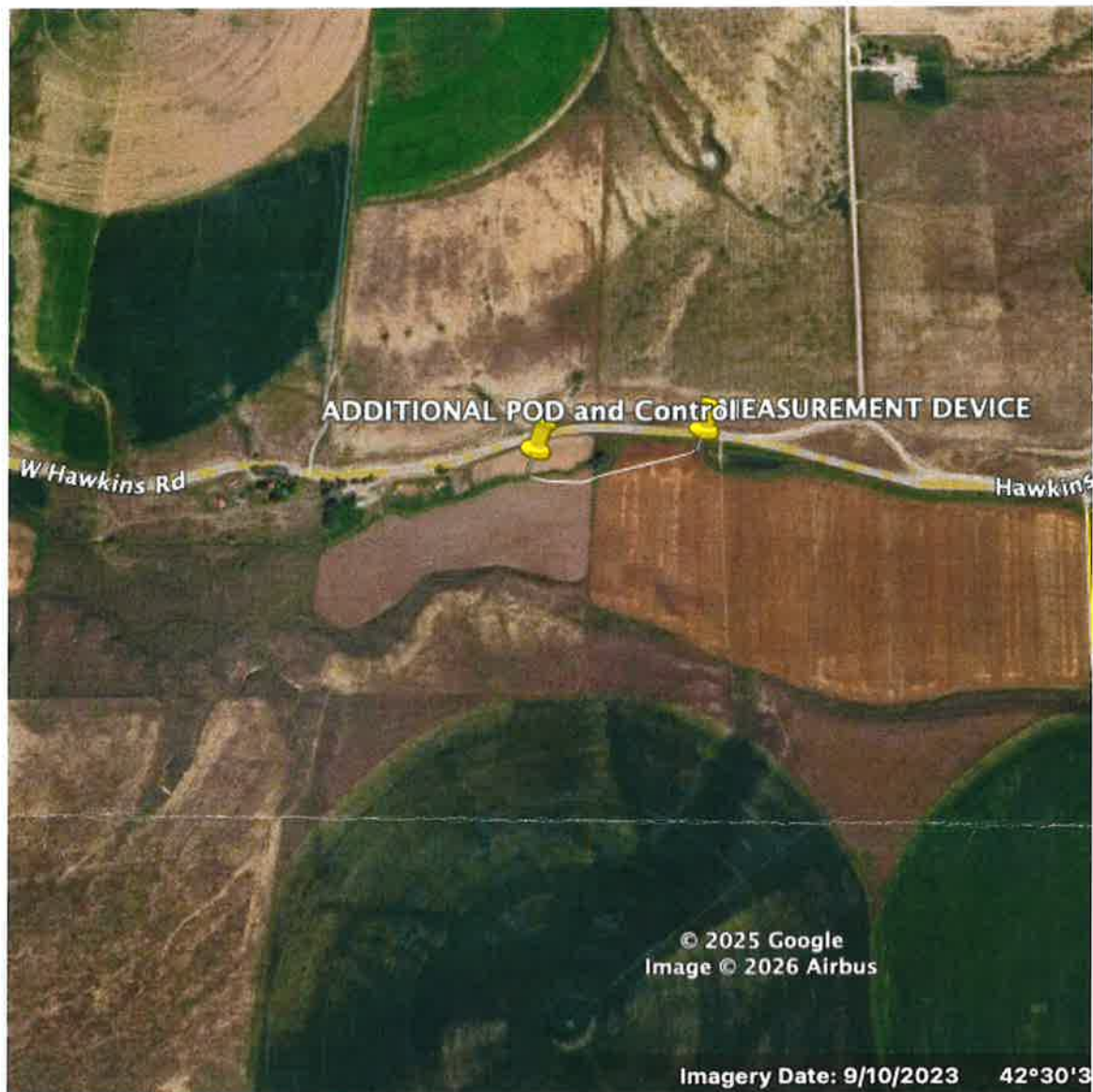
Date

*If water rights included in this application are owned by multiple people or entities, each owner must sign the application form.

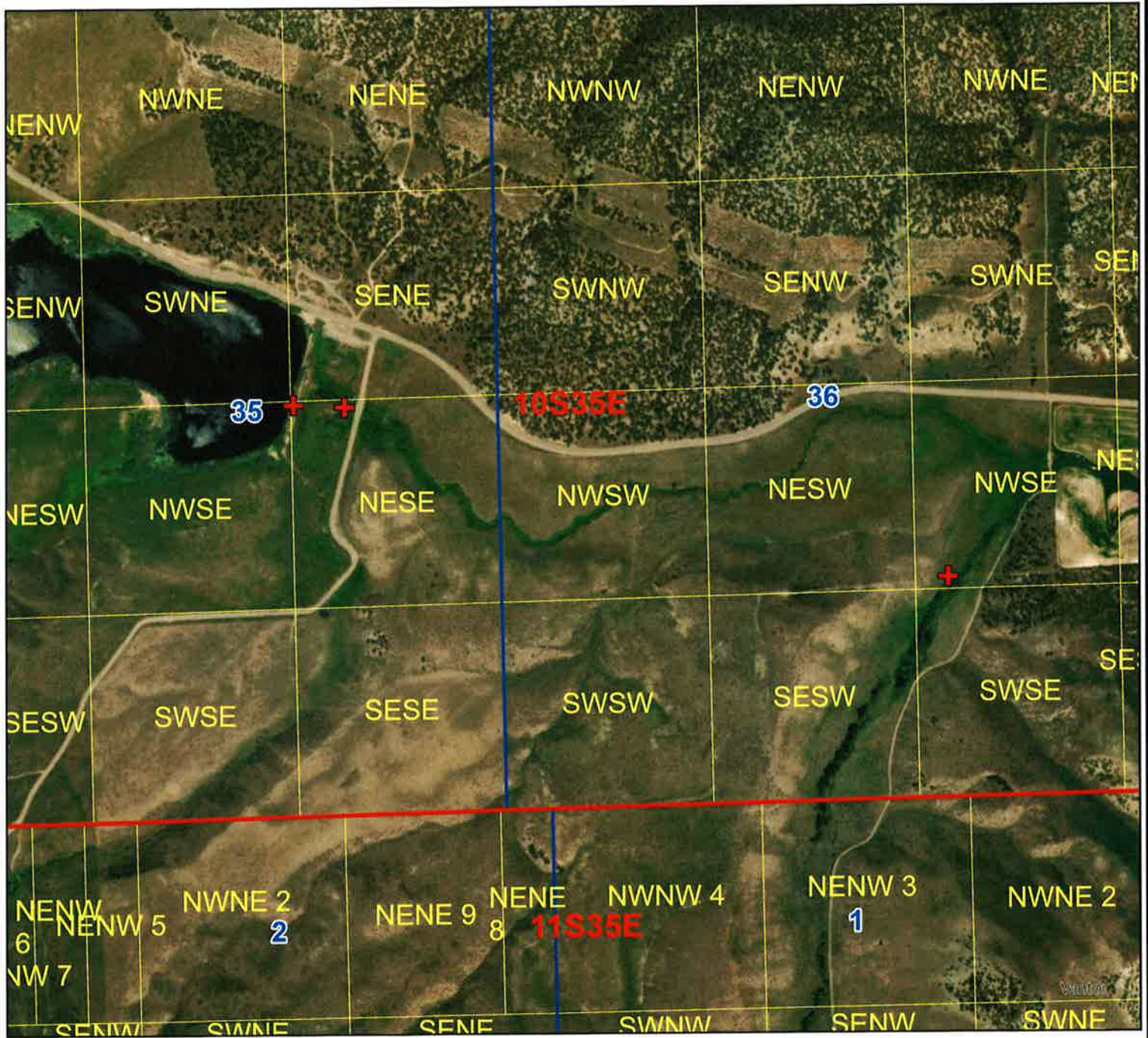
FOR DEPARTMENT USE ONLY

Fee Paid: \$ 580 Receipt #: E051406 Date: 1/27/26 Received by: MP
Add'l Paid: \$ _____ Receipt #: _____ Date: _____ Received by: _____

Transfer No. 89828 Page 8



Transfer 89828
Marsh Center Irrigating Co



Legend

-  point of diversion
-  Township/Range
-  Sections
-  QQ

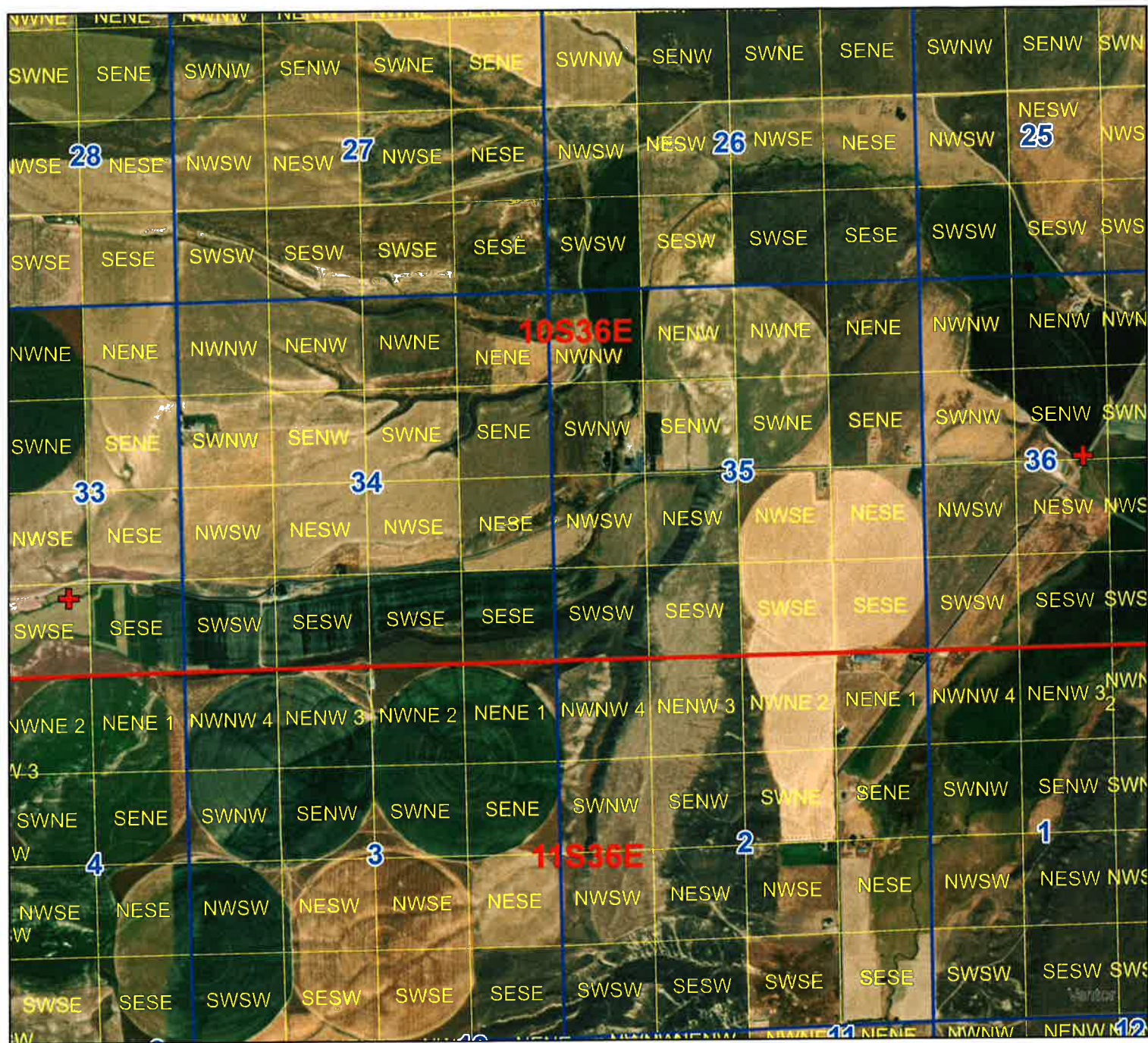
A horizontal number line representing distance in feet. The line starts at 0 on the left and ends at 4,000 on the right. Major tick marks are labeled at 0, 1,000, 2,000, and 4,000. There are 10 equal intervals between 0 and 4,000, with minor tick marks at every 200-foot interval.



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Transfer 89828

Marsh Center Irrigating Co



Legend

- + point of diversion
- Township/Range
- Sections
- QQ

0 2,500 5,000 10,000 Feet



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IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/11/2026

Water Right 29-10663

Owner Type
Current Owner

Name
MARSH CENTER IRRIGATING CO

Priority Date: 4/1/1891

Basis: Decreed

Status: Active

Source
HAWKINS CREEK

Tributary
MARSH CREEK

Beneficial Use
IRRIGATION

From 04/01
To 10/31

Diversion Rate
0.330 CFS

Volume

Total Diversion 0.330 CFS

Source and Point(s) of Diversion:

HAWKINS CREEK NESE
HAWKINS CREEK NWSE
HAWKINS CREEK SENW

Sec. 35, Twp 10S, Rge 35E, BANNOCK County
Sec. 36, Twp 10S, Rge 35E, BANNOCK County
Sec. 36, Twp 10S, Rge 36E, BANNOCK County

Place Of Use:

IRRIGATION within BANNOCK County

Large POU not displayed

Right Acre Limit = 16.5 Total Acres = 3220.2

Conditions of Approval:

1. X27 This right is limited to the irrigation of 16.5 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 29-10663, 29-10664, 29-10665, 29-12058, 29-13493, and 29-13494 when combined shall not exceed the irrigation of 3220.2 acres.
3. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 29H.
4. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. 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 place of use.
6. Point of diversion in the NWSE, Sec 36, T10S, R35E is on South Fork Hawkins Creek.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

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- | | | |
|-----|-----|--|
| 7. | 129 | Place of use is within the area served by Marsh Center Irrigating Company. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary. |
| 8. | 172 | |
| 9. | 004 | This right does not grant any right-of-way or easement across the land of another. |
| 10. | T07 | The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. |
| 11. | 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. |
| 12. | T19 | Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014. |

Dates and Other Information:

Decreed Date: 3/16/2004

State or Federal: S

Water District Number: 29H

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 3.5

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/11/2026

Water Right 29-10664

Owner Type
Current Owner

Name
MARSH CENTER IRRIGATING CO

Priority Date: 6/10/1891

Basis: Decreed

Status: Active

Source
HAWKINS CREEK

Tributary
MARSH CREEK

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION STORAGE	01/01	12/31		238.9 AF
IRRIGATION FROM STORAGE	04/01	10/31		238.9 AF
	Total Diversion			238.9 AF

Source and Point(s) of Diversion:

HAWKINS CREEK	NESE	Sec. 35, Twp 10S, Rge 35E, BANNOCK County(R)
HAWKINS CREEK	NWNESE	Sec. 35, Twp 10S, Rge 35E, BANNOCK County
HAWKINS CREEK	SENW	Sec. 36, Twp 10S, Rge 36E, BANNOCK County(R)

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

Large POU not displayed
Total Acres = 3220.2

Conditions of Approval:

1. X35 Rights 29-10664 and 29-13494 when combined shall not exceed a total annual irrigation storage volume of 238.9 acre-feet.
2. X35 Rights 29-10663, 29-10664, 29-10665, 29-12058, 29-13493, and 29-13494 when combined shall not exceed the irrigation of 3220.2 acres.

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3. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 29H.
4. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. 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 place of use.
6. 129 Place of use for irrigation from storage is within the area served by Marsh Center Irrigating Company.
7. 172 The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
8. D05 Storage capacity of Hawkins Reservoir is 880 AF.
9. 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.
10. Storage water is released into Hawkins Creek below Hawkins Reservoir and rediverted from Hawkins Creek at the headgates of Marsh Center Irrigating Company.
11. 004 This right does not grant any right-of-way or easement across the land of another.
12. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. 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.
14. T19 Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates and Other Information:

Decreed Date: 3/16/2004

State or Federal: S

Water District Number: 29H

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/11/2026

Water Right 29-10665

Owner Type

Current Owner

Name

MARSH CENTER IRRIGATING CO

Priority Date: 4/1/1944

Basis: Decreed

Status: Active

Source

HAWKINS CREEK

Tributary

MARSH CREEK

Beneficial Use

IRRIGATION STORAGE

From

01/01

To

12/31

Diversion Rate

Volume

641.1 AF

IRRIGATION FROM
STORAGE

04/01

10/31

641.1 AF

Total Diversion

641.1 AF

Source and Point(s) of Diversion:

HAWKINS CREEK

NESE

Sec. 35, Twp 10S, Rge 35E, BANNOCK County(R)

HAWKINS CREEK

NWNESE

Sec. 35, Twp 10S, Rge 35E, BANNOCK County

HAWKINS CREEK

SENW

Sec. 36, Twp 10S, Rge 36E, BANNOCK County(R)

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

Large POU not displayed

Total Acres = 3220.2

Conditions of Approval:

1. X35 Rights 29-10663, 29-10664, 29-10665, 29-12058, 29-13493, and 29-13494 when combined shall not exceed the irrigation of 3220.2 acres.
2. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water

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- district. At the time of this approval, this water right is within State Water District No. 29H.
3. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. 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 place of use.
5. 129 Place of use for irrigation from storage is within the area served by Marsh Center Irrigating Company.
6. 172 The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
7. D05 Storage capacity of Hawkins Reservoir is 880 AF.
8. 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.
9. Storage water is released into Hawkins Creek below Hawkins Reservoir and rediverted from Hawkins Creek at the headgates of Marsh Center Irrigating Company.
10. 004 This right does not grant any right-of-way or easement across the land of another.
11. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. 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.
13. T19 Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates and Other Information:

Decreed Date: 3/16/2004

State or Federal: S

Water District Number: 29H

Mitigation Plan: False

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Water Right 29-12058

Owner Type
Current Owner

Name
MARSH CENTER IRRIGATING CO

Priority Date: 12/19/1891

Basis: Decreed

Status: Active

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	10/31	2.000 CFS	
STOCKWATER	01/01	12/31	0.020 CFS	
	<u>Total Diversion</u>		2.000 CFS	

Source and Point(s) of Diversion:

HAWKINS CREEK	NESE	Sec. 35, Twp 10S, Rge 35E, BANNOCK County
HAWKINS CREEK	NWSE	Sec. 36, Twp 10S, Rge 35E, BANNOCK County
HAWKINS CREEK	SENW	Sec. 36, Twp 10S, Rge 36E, BANNOCK County

Place Of Use:

IRRIGATION within BANNOCK County

Large POU not displayed

Right Acre Limit = 100.0 Total Acres = 3220.2

STOCKWATER Same as IRRIGATION

Conditions of Approval:

1. X27 This right is limited to the irrigation of 100 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 29-10663, 29-10664, 29-10665, 29-12058, 29-13493, and 29-13494 when combined shall not exceed the irrigation of 3220.2 acres.
3. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 29H.
4. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. 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

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- the place of use.
6. Point of diversion in the NWSE, Sec 36, T10S, R35E is on South Fork Hawkins Creek.
7. 129 Place of use for irrigation and stockwater is within the area served by Marsh Center Irrigating Company.
8. 172 The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
9. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
10. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
11. 004 This right does not grant any right-of-way or easement across the land of another.
12. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. 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.
14. T19 Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates and Other Information:

Decreed Date: 3/16/2004

State or Federal: S

Water District Number: 29H

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 3.5

Mitigation Plan: False

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Water Right 29-13493

Owner Type

Current Owner

Name

MARSH CENTER IRRIGATING CO

Priority Date: 5/1/1870

Basis: Decreed

Status: Active

Source

HAWKINS CREEK

Tributary

MARSH CREEK

Beneficial Use

IRRIGATION

From

04/01

To

10/31

Diversion Rate

10.000 CFS

Volume

Total Diversion

10.000 CFS

Source and Point(s) of Diversion:

HAWKINS CREEK

NESE

Sec. 35, Twp 10S, Rge 35E, BANNOCK County

HAWKINS CREEK

NWSE

Sec. 36, Twp 10S, Rge 35E, BANNOCK County

HAWKINS CREEK

SENE

Sec. 36, Twp 10S, Rge 36E, BANNOCK County

Place Of Use:

IRRIGATION within BANNOCK County

Large POU not displayed

Right Acre Limit = 500.0 Total Acres = 3220.2

Conditions of Approval:

1. X27 This right is limited to the irrigation of 500 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 29-10663, 29-10664, 29-10665, 29-12058, 29-13493, and 29-13494 when combined shall not exceed the irrigation of 3220.2 acres.
3. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 29H.
4. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. 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 place of use.
6. Point of diversion in the NWSE, Sec 36, T10S, R35E is on South Fork Hawkins Creek.
7. 129 Place of use is within the area served by Marsh Center Irrigating Company.

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- | | | |
|-----|-----|---|
| 8. | 172 | The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary. |
| 9. | 004 | This right does not grant any right-of-way or easement across the land of another. |
| 10. | T07 | The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. |
| 11. | 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. |
| 12. | T19 | Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014. |

Dates and Other Information:

Decreed Date: 3/16/2004

Water District Number: 29H

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 3.5

Mitigation Plan: False

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2/11/2026

Water Right 29-13494

Owner Type
Current Owner

Name
MARSH CENTER IRRIGATING CO

Priority Date: 5/1/1870

Basis: Decreed

Status: Active

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	10/31	30.000 CFS	
IRRIGATION STORAGE	01/01	12/31		238.9 AF
IRRIGATION FROM STORAGE	04/01	10/31		238.9 AF
	<u>Total Diversion</u>		30.000 CFS	

Source and Point(s) of Diversion:

HAWKINS CREEK	NESE	Sec. 35, Twp 10S, Rge 35E, BANNOCK County
HAWKINS CREEK	NWNESE	Sec. 35, Twp 10S, Rge 35E, BANNOCK County
HAWKINS CREEK	NWSE	Sec. 36, Twp 10S, Rge 35E, BANNOCK County
HAWKINS CREEK	SENW	Sec. 36, Twp 10S, Rge 36E, BANNOCK County

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 within BANNOCK County

Large POU not displayed
Total Acres = 3220.2

IRRIGATION FROM STORAGE within BANNOCK County

Large POU not displayed
Total Acres = 3220.2

IDAHO DEPARTMENT OF WATER RESOURCES
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Conditions of Approval:

- | | | |
|-----|-----|---|
| 1. | X35 | Rights 29-10664 and 29-13494 when combined shall not exceed a total annual irrigation storage volume of 238.9 acre-feet. |
| 2. | X35 | Rights 29-10663, 29-10664, 29-10665, 29-12058, 29-13493, and 29-13494 when combined shall not exceed the irrigation of 3220.2 acres. |
| 3. | R05 | Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 29H. |
| 4. | R43 | The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s). |
| 5. | 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 place of use. |
| 6. | | Point of diversion in the NWSE, Sec 36, T10S, R35E is on South Fork Hawkins Creek. |
| 7. | 129 | Place of use for irrigation and irrigation from storage is within the area served by Marsh Center Irrigating Company. |
| 8. | 172 | The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary. |
| 9. | D05 | Storage capacity of Hawkins Reservoir is 880 AF. |
| 10. | 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. |
| 11. | | Storage water is released into Hawkins Creek below Hawkins Reservoir and rediverted from Hawkins Creek at the headgates of Marsh Center Irrigating Company. |
| 12. | 004 | This right does not grant any right-of-way or easement across the land of another. |
| 13. | T07 | The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. |
| 14. | 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. |
| 15. | T19 | Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014. |

Dates and Other Information:

Decreed Date: 4/26/2004

Water District Number: 29H

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 3.5

Mitigation Plan: False

EGAN FARMS LLC
1451 West Hawkins Rd.
Arimo, Idaho 83214

Date: February 13, 2026

Idaho Department of Water Resources (IDWR)
Eastern Region Office

RECEIVED

FEB 13 2026

DEPT. OF WATER RESOURCES
EASTERN REGION

**RE: Landowner Authorization – Concrete Point of Diversion Installation
Marsh Center Irrigating Company**

To Whom It May Concern,

Egan Farms LLC is the fee owner of certain real property located in Bannock County, Idaho, including lands associated with irrigation facilities serving the Marsh Center Irrigating Company system. This letter provides formal landowner consent for Marsh Center Irrigating Company ("MCIC") to construct, install, operate, and maintain a concrete point of diversion, together with any necessary headworks, conveyance improvements, measuring devices, armoring, and appurtenant infrastructure, on property owned by Egan Farms LLC.

Point of Diversion Location Description:

The proposed point of diversion is located on Egan Farms LLC property at approximately Latitude 42.50639° North, Longitude -112.25573° West, Bannock County, Idaho. This coordinate represents the approximate center of the planned concrete diversion structure and is provided for IDWR reference and mapping purposes.

The proposed work is associated with irrigation system improvements intended to enhance water management, efficiency, and long-term system reliability, including improvements connected with the Hawkins Creek irrigation infrastructure and related conservation projects. Egan Farms LLC acknowledges that these improvements may be required to meet Idaho Department of Water Resources (IDWR) standards, NRCS engineering specifications, and applicable Idaho law.

No Enlargement of Water Right:

Egan Farms LLC and Marsh Center Irrigating Company acknowledge that the installation of the concrete point of diversion and related infrastructure is intended solely to improve measurement, stability, and efficiency of existing water delivery and does not constitute an enlargement, expansion, or change in the nature of any existing water right, place of use, or authorized rate of diversion unless separately approved by the Idaho Department of Water Resources.

Egan Farms LLC grants MCIC reasonable access across its property for purposes of surveying, construction, installation, inspection, operation, maintenance, repair, and future

replacement of the point of diversion and related facilities. This authorization is provided to support MCIC's filings, permits, licenses, or approvals with IDWR and other agencies as may be required.

Nothing contained in this authorization conveys ownership of the underlying land or modifies existing water rights, easements, or contractual arrangements except as may be documented in separate written and recorded agreements. This letter is intended solely to confirm landowner consent for the described improvements.

If additional information or clarification is required, please contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read 'Wade W. Egan', written over a horizontal line.

Wade W. Egan
Manager, Egan Farms LLC
1451 West Hawkins Rd.
Arimo, Idaho 83214

JAN 27 2026

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change ☐ Ownership split
- ☐ Transfer is for changes pursuant to [Idaho Code § 42-221.O.8.](#) Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** Marsh Center Irrigating Company Phone 2086813423
 2. **MAILING ADDRESS** 13348 North Billy Lane City Pocatello
 State ID Zip 83202 Email wade.egan7@gmail.com

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
- ☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
- ☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 29-12058

- ☒ Attach a copy of the water right(s) as recorded, available at idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 2 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at idwr.idaho.gov, *Water Rights, Water Right Transfers, Modeling Resources*.

[illegible]



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

February 18, 2026

MARSH CENTER IRRIGATING CO
C/O WADE EGAN
13348 N BILLY LN
POCATELLO, ID 83202

RE: Transfer No. 89828

Water Right No(s). 29-10663, 29-10664, 29-10665, 29-12058, 29-13493, 29-13494

Dear Applicant:

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the IDAHO STATE JOURNAL on 2/25/2026 and 3/4/2026. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Christina Henman
Administrative Assistant

Henman, Christina

From: Henman, Christina
Sent: Wednesday, February 18, 2026 11:44 AM
To: 'legalnotices@postregister.com'
Subject: Legal Notice for Idaho State Journal
Attachments: 89828 Idaho State Journal.docx

LEGAL NOTICE DEPARTMENT
IDAHO STATE JOURNAL
PO BOX 431
POCATELLO, ID 83204-0431

RE: Transfer No. 89828
Water Right No(s). 29-10663, 29-10664, 29-10665, 29-12058, 29-13493, 29-13494

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 3/16/2026. Your cooperation is appreciated.

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 89828**

MARSH CENTER IRRIGATING CO, C/O WADE EGAN, 13348 N BILLY LN, POCATELLO, ID 83202 has filed Application No. 89828 for changes to the following water rights within BANNOCK County(s): Right No(s). 29-10663, 29-10664, 29-10665, 29-12058, 29-13493, 29-13494; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: add point of diversion. Proposed point of diversion from Hawkins Creek for 880 AF of irrigation storage is NWNESE Sec 35 T10S R35E (Hawkins Dam). Proposed points of diversion from Hawkins Creek for irrigation, stockwater, and irrigation from storage are in NESE Sec 35 T10S R35E; and SWSE Sec 33 (new) and SENW Sec 36, T10S R36E. Proposed point of diversion from South Fork Hawkins Creek for irrigation and stockwater is in NWSE Sec 36 T10S R35E. Total diversion rate from all points of diversion is 42.33 cfs.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 3/16/2026. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 2/25/2026 and 3/4/2026