

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 89828**

This is to certify that: MARSH CENTER IRRIGATING CO  
C/O WADE EGAN  
13348 N BILLY LN  
POCATELLO, ID 83202

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 Changes**

| <u>Water Right</u> | <u>Origin/Basis</u> | <u>Priority Date</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 29-10663           | WR/DECREED          | 4/1/1891             | 0.330 cfs             | N/A                     | 16.5              | N/A                | HAWKINS CREEK |
| 29-10664           | WR/DECREED          | 6/10/1891            | N/A                   | 238.9 af                | N/A               | N/A                | HAWKINS CREEK |
| 29-10665           | WR/DECREED          | 4/1/1944             | N/A                   | 641.1 af                | N/A               | N/A                | HAWKINS CREEK |
| 29-12058           | WR/DECREED          | 12/19/1891           | 2.000 cfs             | N/A                     | 100.0             | N/A                | HAWKINS CREEK |
| 29-13493           | WR/DECREED          | 5/1/1870             | 10.000 cfs            | N/A                     | 500.0             | N/A                | HAWKINS CREEK |
| 29-13494           | WR/DECREED          | 5/1/1870             | 30.000 cfs            | N/A                     | N/A               | N/A                | 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           | NO         | NO         | YES            | NO                   | NO                   |
| 29-10664              | NO           | NO         | NO         | YES            | NO                   | NO                   |
| 29-10665              | NO           | NO         | NO         | YES            | NO                   | NO                   |
| 29-12058              | NO           | NO         | NO         | YES            | NO                   | NO                   |
| 29-13493              | NO           | NO         | NO         | YES            | NO                   | NO                   |
| 29-13494              | NO           | NO         | NO         | YES            | NO                   | NO                   |

**Summary Of Water Rights After the Approved Change**

| <u>Existing Right</u>  | <u>New No. (Changed Portion)</u> | <u>Transfer Rate</u> | <u>Transfer Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>New No. (remaining portion)</u> | <u>Remaining Rate</u> | <u>Remaining Volume</u> | <u>Remaining Acre Limit</u> | <u>Remaining Total Acres</u> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 29-10663               | 29-10663                         | 0.330 cfs            | N/A                    | 16.5              | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 29-10664               | 29-10664                         | 0.000 cfs            | 238.9 af               | N/A               | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 29-10665               | 29-10665                         | 0.000 cfs            | 641.1 af               | N/A               | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 29-12058               | 29-12058                         | 2.000 cfs            | N/A                    | 100.0             | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 29-13493               | 29-13493                         | 10.000 cfs           | N/A                    | 500.0             | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 29-13494               | 29-13494                         | 30.000 cfs           | N/A                    | N/A               | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED TOTALS</b> |                                  | <b>42.330 cfs</b>    | <b>N/A</b>             | <b>3220.2</b>     | <b>3220.2</b>      |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

Transfer No. 89828

**Support Data  
In File # 29-10663**

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT  
TRANSFER NO. 89828

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 8<sup>th</sup> day of Apr. 1, 2026.

  
Water Resources Program Manager



Transfer No. 89828

Support Data  
In File # 29-10663

**WATER RIGHT NO. 29-10663**  
**As Modified by Transfer No. 89828**

In accordance with the approval of Transfer No. 89828, Water Right No. 29-10663 is now described as follows:

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

**Priority Date:** 4/1/1891

**Source:** HAWKINS CREEK

**Tributary:** MARSH CREEK

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u>  |
|-----------------------|-------------|-----------|------------------------|
| IRRIGATION            | 04/01       | to 10/31  | 0.330 cfs<br>0.330 cfs |

**LOCATION OF 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 | SWSE | Sec 33 Twp 10S Rge 36E | BANNOCK County |
| HAWKINS CREEK | SENW | Sec 36 Twp 10S Rge 36E | BANNOCK County |

**CONDITIONS OF APPROVAL**

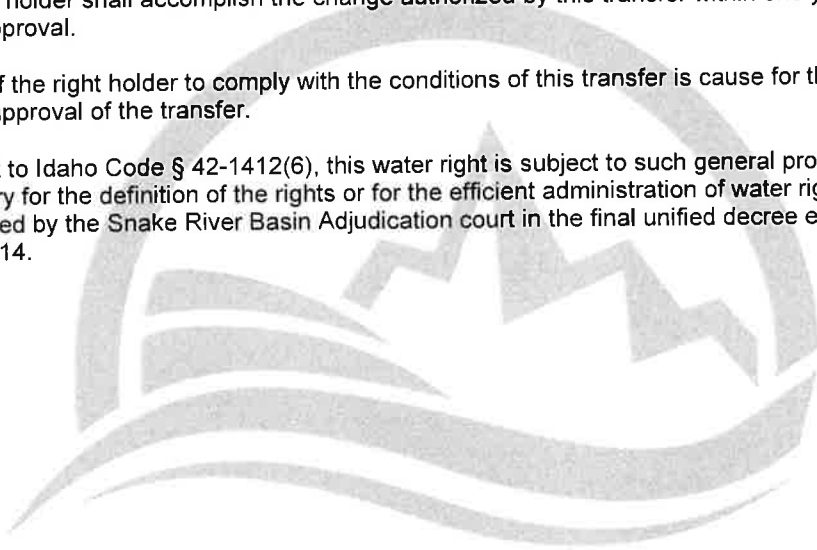
1. This right is limited to the irrigation of 16.5 acres within the authorized place of use in a single irrigation season.
2. Rights 29-10663, 29-10664, 29-10665, 29-12058, 29-13493, and 29-13494 when combined shall not exceed the irrigation of 3220.2 acres.
3. Use of water under this right may be regulated 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. 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. 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. Diversion of water from the additional point of diversion authorized under Transfer 89828 located in SWSE, Sec. 33, T10S, R36E shall not exceed a total combined maximum diversion rate of 2 cfs.
7. Point of diversion in the NWSE, Sec 36, T10S, R35E is on South Fork Hawkins Creek.
8. Place of use is within the area served by Marsh Center Irrigating Company.

Transfer No. 89828

**WATER RIGHT NO. 29-10663**  
**As Modified by Transfer No. 89828**

**CONDITIONS OF APPROVAL**

9. 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.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. 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. 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.



**WATER RIGHT NO. 29-13494****As Modified by Transfer No. 89828**

In accordance with the approval of Transfer No. 89828, Water Right No. 29-13494 is now described as follows:

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

**Priority Date:** 5/1/1870

**Source:** HAWKINS CREEK

**Tributary:** MARSH CREEK

| <b>BENEFICIAL USE</b>   | <b>From</b> | <b>To</b> | <b>Diversion Rate</b> | <b>Diversion Volume</b> |
|-------------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION              | 04/01       | to 10/31  | 30.000 cfs            |                         |
| IRRIGATION FROM STORAGE | 04/01       | to 10/31  |                       | 238.9 af                |
| IRRIGATION STORAGE      | 01/01       | to 12/31  | 30.000 cfs            | 238.9 af                |

**LOCATION OF 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 | SWSE   | Sec 33 Twp 10S Rge 36E | BANNOCK County |
| HAWKINS CREEK | SENE   | Sec 36 Twp 10S Rge 36E | BANNOCK County |

**PLACE OF USE: IRRIGATION STORAGE**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 10S | 35E | 35  |    |    | X  | X  | X  | X  |    | X  |    |    |    |    |    | X  |    |    |        |

**CONDITIONS OF APPROVAL**

1. Rights 29-10664 and 29-13494 when combined shall not exceed a total annual irrigation storage volume of 238.9 acre-feet.
2. 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. 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. 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).

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**WATER RIGHT NO. 29-13494**  
**As Modified by Transfer No. 89828**

**CONDITIONS OF APPROVAL**

5. 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. Diversion of water from the additional point of diversion authorized under Transfer 89828 located in SWSE, Sec. 33, T10S, R36E shall not exceed a total combined maximum diversion rate of 2 cfs.
7. Point of diversion in the NWSE, Sec 36, T10S, R35E is on South Fork Hawkins Creek.
8. Place of use for irrigation and irrigation from storage is within the area served by Marsh Center Irrigating Company.
9. 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.
10. Storage capacity of Hawkins Reservoir is 880 AF.
11. 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.
12. Storage water is released into Hawkins Creek below Hawkins Reservoir and rediverted from Hawkins Creek at the headgates of Marsh Center Irrigating Company.
13. This right does not grant any right-of-way or easement across the land of another.
14. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. 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.

**WATER RIGHT NO. 29-10664****As Modified by Transfer No. 89828**

In accordance with the approval of Transfer No. 89828, Water Right No. 29-10664 is now described as follows:

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

**Priority Date:** 6/10/1891

**Source:** HAWKINS CREEK

**Tributary:** MARSH CREEK

| <b>BENEFICIAL USE</b>   | <b>From</b> | <b>To</b> | <b>Diversion Rate</b> | <b>Diversion Volume</b> |
|-------------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION FROM STORAGE | 04/01       | to 10/31  |                       | 238.9 af                |
| IRRIGATION STORAGE      | 01/01       | to 12/31  |                       | 238.9 af                |

**LOCATION OF 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 | SWSE   | Sec 33 Twp 10S Rge 36E | BANNOCK County | (R) |
| HAWKINS CREEK | SENW   | Sec 36 Twp 10S Rge 36E | BANNOCK County | (R) |

**PLACE OF USE: IRRIGATION STORAGE**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 10S | 35E | 35  |    |    | X  | X  | X  | X  |    | X  |    |    |    |    |    | X  |    |    |        |

**CONDITIONS OF APPROVAL**

1. Rights 29-10664 and 29-13494 when combined shall not exceed a total annual irrigation storage volume of 238.9 acre-feet.
2. 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. 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. 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).

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**WATER RIGHT NO. 29-10664**  
**As Modified by Transfer No. 89828**

**CONDITIONS OF APPROVAL**

5. 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. Diversion of water from the additional point of rediversion authorized under Transfer 89828 located in SWSE, Sec. 33, T10S, R36E shall not exceed a total combined maximum diversion rate of 2 cfs.
7. Place of use for irrigation from storage is within the area served by Marsh Center Irrigating Company.
8. 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. Storage capacity of Hawkins Reservoir is 880 AF.
10. 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. This right does not grant any right-of-way or easement across the land of another.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. 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. 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.

**WATER RIGHT NO. 29-10665**  
**As Modified by Transfer No. 89828**

In accordance with the approval of Transfer No. 89828, Water Right No. 29-10665 is now described as follows:

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

**Priority Date:** 4/1/1944

**Source:** HAWKINS CREEK

**Tributary:** MARSH CREEK

| <b>BENEFICIAL USE</b>   | <b>From</b> | <b>To</b> | <b>Diversion Rate</b> | <b>Diversion Volume</b> |
|-------------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION FROM STORAGE | 04/01       | to 10/31  |                       | 641.1 af                |
| IRRIGATION STORAGE      | 01/01       | to 12/31  |                       | 641.1 af                |
|                         |             |           |                       | 641.1 af                |

**LOCATION OF 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 | SWSE   | Sec 33 Twp 10S Rge 36E | BANNOCK County | (R) |
| HAWKINS CREEK | SENE   | Sec 36 Twp 10S Rge 36E | BANNOCK County | (R) |

**PLACE OF USE: IRRIGATION STORAGE**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 10S | 35E | 35  |    |    | X  | X  | X  | X  |    | X  |    |    |    |    |    | X  |    |    |        |

**CONDITIONS OF APPROVAL**

1. 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. 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.
3. 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. 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.

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**WATER RIGHT NO. 29-10665**  
**As Modified by Transfer No. 89828**

**CONDITIONS OF APPROVAL**

5. Diversion of water from the additional point of redirection authorized under Transfer 89828 located in SWSE, Sec. 33, T10S, R36E shall not exceed a total combined maximum diversion rate of 2 cfs.
6. Place of use for irrigation from storage is within the area served by Marsh Center Irrigating Company.
7. 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. Storage capacity of Hawkins Reservoir is 880 AF.
9. 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 redirected from Hawkins Creek at the headgates of Marsh Center Irrigating Company.
11. This right does not grant any right-of-way or easement across the land of another.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. 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. 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.

**WATER RIGHT NO. 29-12058**

**As Modified by Transfer No. 89828**

In accordance with the approval of Transfer No. 89828, Water Right No. 29-12058 is now described as follows:

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

**Priority Date:** 12/19/1891

**Source:** HAWKINS CREEK

**Tributary:** MARSH CREEK

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> |
|-----------------------|-------------|-----------|-----------------------|
| IRRIGATION            | 04/01       | to 10/31  | 2.000 cfs             |
| STOCKWATER            | 01/01       | to 12/31  | 0.020 cfs             |
|                       |             |           | 2.000 cfs             |

**LOCATION OF 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 | SWSE | Sec 33 Twp 10S Rge 36E | BANNOCK County |
| HAWKINS CREEK | SENW | Sec 36 Twp 10S Rge 36E | BANNOCK County |

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 100 acres within the authorized place of use in a single irrigation season.
2. 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. 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. 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. 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. Diversion of water from the additional point of diversion authorized under Transfer 89828 located in SWSE, Sec. 33, T10S, R36E shall not exceed a total combined maximum diversion rate of 2 cfs.
7. Point of diversion in the NWSE, Sec 36, T10S, R35E is on South Fork Hawkins Creek.

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**WATER RIGHT NO. 29-12058**  
**As Modified by Transfer No. 89828**

**CONDITIONS OF APPROVAL**

8. Place of use for irrigation and stockwater is within the area served by Marsh Center Irrigating Company.
9. 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.
10. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
11. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
12. This right does not grant any right-of-way or easement across the land of another.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. 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. 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.

**WATER RIGHT NO. 29-13493**  
**As Modified by Transfer No. 89828**

In accordance with the approval of Transfer No. 89828, Water Right No. 29-13493 is now described as follows:

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

**Priority Date:** 5/1/1870

**Source:** HAWKINS CREEK

**Tributary:** MARSH CREEK

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u>    |
|-----------------------|-------------|-----------|--------------------------|
| IRRIGATION            | 04/01       | to 10/31  | 10.000 cfs<br>10.000 cfs |

**LOCATION OF 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 | SWSE | Sec 33 Twp 10S Rge 36E | BANNOCK County |
| HAWKINS CREEK | SENW | Sec 36 Twp 10S Rge 36E | BANNOCK County |

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 500 acres within the authorized place of use in a single irrigation season.
2. 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. 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. 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. 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. Diversion of water from the additional point of diversion authorized under Transfer 89828 located in SWSE, Sec. 33, T10S, R36E shall not exceed a total combined maximum diversion rate of 2 cfs.
7. Point of diversion in the NWSE, Sec 36, T10S, R35E is on South Fork Hawkins Creek.
8. Place of use is within the area served by Marsh Center Irrigating Company.

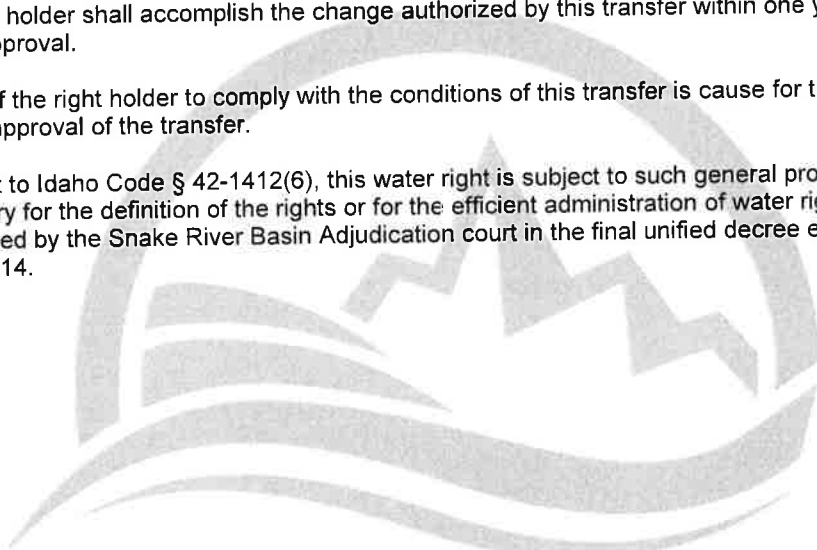
Transfer No. 89828

**WATER RIGHT NO. 29-13493**

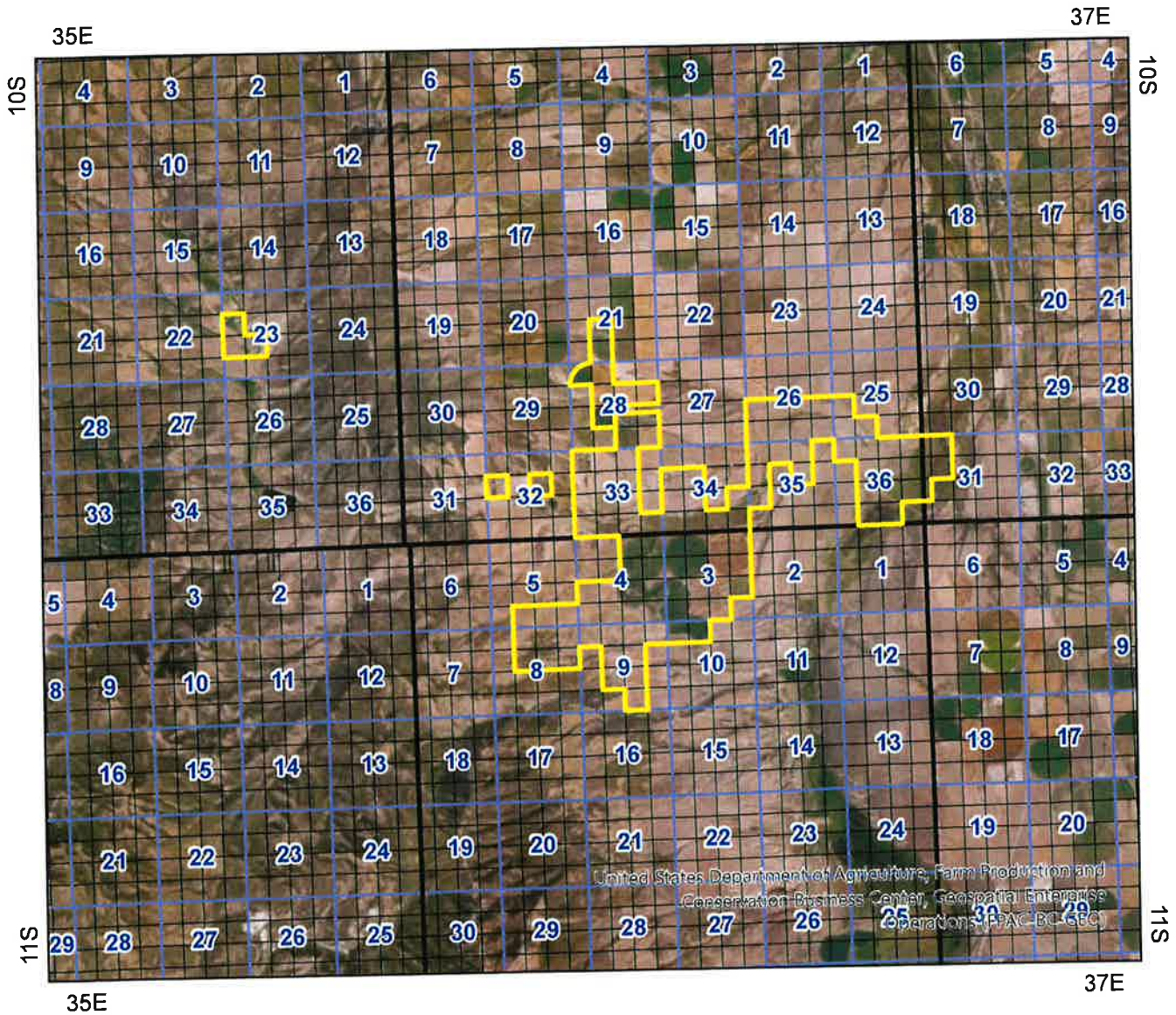
**As Modified by Transfer No. 89828**

**CONDITIONS OF APPROVAL**

9. 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.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. 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. 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.



State of Idaho  
Department of Water Resources  
**Transfer of Water Rights**  
**Transfer No. 89826**  
Irrigation Service Boundary for  
Marsh Center Irrigation Co.



- Place Of Use Boundary
- Sections
- State Outline
- Quarter Quarters
- Townships

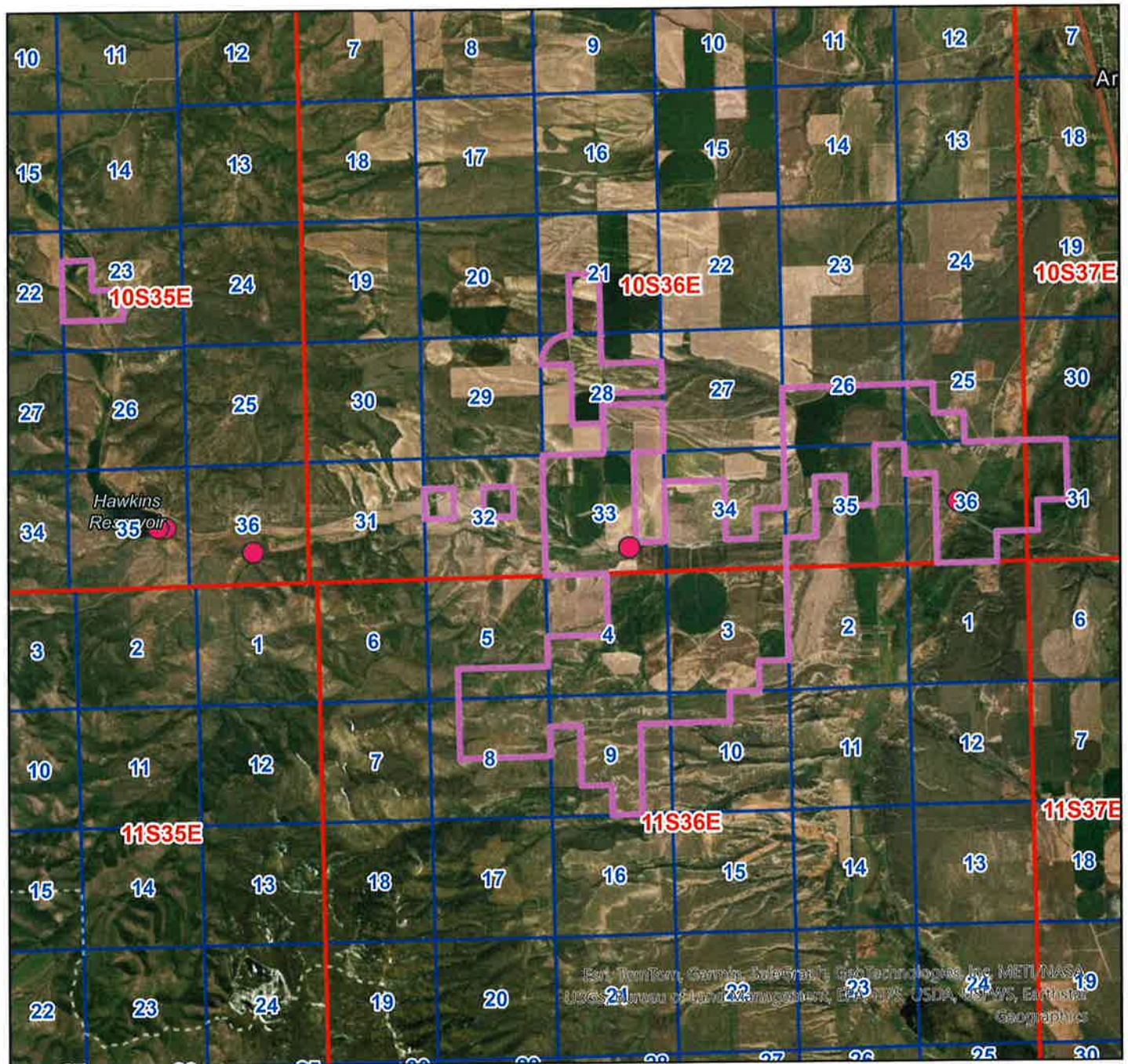


0 1.5 3 4.5 6 Miles



# Attachment to Transfer Approval 89828

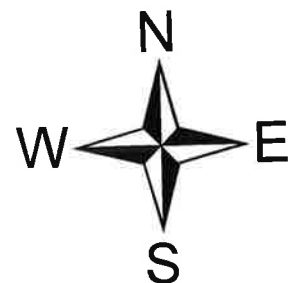
This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



## Legend

- Water Right POD
- Water Right POU
- Township/Range
- Sections

0 1 2 4 Miles



Date: 4/8/2026



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](mailto:easterninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

**Governor Brad Little**

**Director Mathew Weaver**

April 08, 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

**Transfer Approval Notice**

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 525-7161.

Sincerely,



Christina Henman  
Administrative Assistant

Enclosure

CC:

STATE OF IDAHO  
IDAHO WATER RESOURCE BOARD 322 E FRONT ST  
PO BOX 8  
BOISE ID 83720-0098

## **CERTIFICATE OF SERVICE**

I hereby certify that on April 08, 2026 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

**Re: Transfer No.: 89828**

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

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

**STATE OF IDAHO  
IDAHO WATER RESOURCE BOARD 322 E FRONT ST  
PO BOX 8  
BOISE ID 83720-0098**



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**Christina Henman  
Administrative Assistant**

## EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

The accompanying document is a “**Preliminary Order**” issued by the Idaho Department of Water Resources (“Department”) pursuant to Idaho Code § 67-5243. **This preliminary order can and will become a final order without further action of the Department, unless a party petitions for reconsideration, petitions for review, or requests a hearing as further described below:**

### **PETITION FOR RECONSIDERATION**

(See Idaho Code § 67-5243(3))

Any party may file a petition for reconsideration of this preliminary order with the Department within fourteen (14) days of the service date of this order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The presiding officer will issue a written order disposing of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law.

### **PETITION FOR REVIEW (EXCEPTIONS)**

(See Idaho Code § 67-5245)

Within fourteen (14) days after: (a) the service date of this preliminary order, (b) the service date of a denial of a petition for reconsideration of this preliminary order, or (c) the failure of the presiding officer to dispose of a petition for reconsideration of this preliminary order within twenty-one (21) days, any party may petition the Director in writing to review any part of this preliminary order by filing exceptions, and any supporting brief, with the Department.<sup>1</sup> Any parties opposing the exceptions shall have fourteen (14) days from the service date of the exceptions to file a brief. If the Director determines that oral argument is necessary, the Director will provide reasonable notice to the parties of the place, date, and hour for the argument.

The Director will issue a final order on exceptions within fifty-six (56) days of receipt of the final written brief or oral argument, whichever is later, unless extended for good cause. The Director may remand the matter for or hold an evidentiary hearing if further factual development of the record is necessary before issuing a final order.

### **REQUEST FOR HEARING**

(See Idaho Code § 42-1701A(3))

Unless the right to a hearing before the Director or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order,

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<sup>1</sup> The Director may decide to review this preliminary order upon his own motion. Should the Director decide to do so, the Director will provide written notice to the parties within the period the parties are allowed to petition the Director for review of the preliminary order.

or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the Director to contest the action. The person shall file with the Director, within fifteen (15) days after receipt of written notice of the action issued by the Director, or receipt of actual notice, a written petition stating the grounds for contesting the action by the Director and requesting a hearing. **Note: The request must be received by the Department within this fifteen (15) day period.**

**CERTIFICATE OF SERVICE**

(See IDAPA 37.01.01.053, 37.01.01.202)

All documents filed with the Department in connection with a petition for reconsideration, petition for review, or a request for hearing of this preliminary order shall be served on all other parties to the proceeding in accordance with Rules 53 and 202 of the Department's Rules of Procedure.