

MEMORANDUM

Date: March 23, 2026
To: Transfer 89828
From: Michael Holliday
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to add a point of diversion to improve delivery of the Marsh Center Irrigating Company's Hawkins Creek water rights.

Authority to File:

Department records show the applicant as the current owner of the water rights proposed to be changed. The company is currently registered with the State of Idaho as a corporation in good standing. The transfer application was signed by a registered agent of the company. The proposed point of diversion is located on property owned by Egan Farms LLC. The applicant provided a document from Egan Farms LLC granting MCIC access to the new point of diversion location.

Water Right Validity:

These rights were decreed in the SRBA in 2004 and were included in transfer 88794, which was approved in 2024. Post-decree aerial photography shows regular irrigation within the company boundary since the time the partial decree was filed. Forfeiture is not an issue.

Injury to Other Water Rights:

The applicant currently has 3 points of diversion on Hawkins Creek, one of which is the last diversion on the stream. The applicant has the senior-most rights on Hawkins Creek. Adding a point of diversion at the proposed location will not improve the applicant's position relative to other rights on Hawkins Creek.

Enlargement of Use:

This transfer will not result in enlargement of use. Rate, storage volume, and number of acres authorized for irrigation under these rights will not increase.

Local Public Interest:

No issues identified.

Beneficial Use / Conservation of Water Resources:

No issues identified.

Effect on Economy the Local Area:

No issues identified.

Effect on Agricultural Base of the Local Area:

No issues identified.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.