

AMENDED

State of Idaho  
Department of Water Resources  
**Water Right License**

AMENDED

WATER RIGHT NO. 63-11336

Priority: March 30, 1990

Maximum Diversion Rate: 1.42 CFS

It is hereby certified that MARTELL FARMS INC  
C/O CAROLYN MARTELL  
PO BOX 210  
HUSTON ID 83630 has complied with the terms and conditions of the  
permit, issued pursuant to Application for Permit dated March 30, 1990; and has submitted Proof of  
Beneficial Use on September 29, 1995. An examination confirms water is diverted from:

**SOURCE**

GROUND WATER

and a water right has been established as follows:

**BENEFICIAL USE**

IRRIGATION

**PERIOD OF USE**

03/01 to 11/15

**DIVERSION RATE**

1.42 CFS

**LOCATION OF POINTS OF DIVERSION:**

GROUND WATER NW1/4SE1/4 Sec. 12, Twp 03N, Rge 04W, B.M., CANYON County

GROUND WATER NW1/4SE1/4 Sec. 12, Twp 03N, Rge 04W, B.M., CANYON County

**PLACE OF USE:** IRRIGATION

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE   |      |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|------|------|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE   | NW   | SW | SE |        |
| 03N 04W 12  |    |    |    |    |    |    |    |    |    |    |    |    | 34.0 | 37.0 |    |    | 71.0   |

Total Acres: 71

**CONDITIONS OF APPROVAL**

1. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
2. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 319.5 af at the field headgate for the place of use.

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4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 17 day of February, 2012.

  
JOHN WESTRA  
Western Regional Manager