

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76106

This is to certify that: JAMES R MARTELL And
 CARMELA M MARTELL
 643 N ELK RANCH DR
 GLENN'S FERRY ID 83623-5040
 (208)366-7250

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 Change

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
2-4008B	WR/Decreed	03/15/1930	0.64 cfs	N/A	N/A	32.0	SNAKE RIVER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
2-4008B	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
2-4008B	2-4008B	0.64 cfs	N/A	N/A	32.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.64 cfs	N/A	N/A	32.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 19th day of March, 20 10


 John Westra, Western Regional Manager

WATER RIGHT NO. 2-4008B
As Modified by Transfer No. 76106

In accordance with the approval of Transfer No. 76106, Water Right No. 2-4008B is now described as follows.

Right Holder: JAMES R MARTELL Or
 CARMELA M MARTELL
 643 N ELK RANCH DR
 GLENN'S FERRY ID 83623-0471

Priority Date: March 15, 1930

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
STOCKWATER	01/01	to 12/31	0.02 CFS
IRRIGATION	03/15	to 11/15	0.64 CFS
			0.64 CFS

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER L5 (NWSW) Sec. 32 Twp 05S Rge 10E ELMORE County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S 10E 31													X			X	
05S 10E 32																L 1	

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	
05S 10E 31													19.0			2.0	21.0
05S 10E 32																L 1	

Total Acres: 32

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

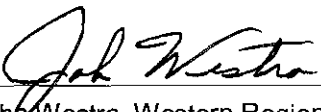
WATER RIGHT NO. 2-4008B
As Modified by Transfer No. 76106

CONDITIONS OF APPROVAL

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 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
7. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

This water right 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.

Dated this 19th day of March, 2010


John Westra, Western Regional Manager