



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

May 9, 2008

Clerk of the District Court
SRBA District Court
253 3rd Ave. N.
PO Box 2707
Twin Falls, ID 83303-2707

Re: Amended Claim/Director's Report in Accordance with Rule 10.f

Dear Clerk:

Please find attached an Amended Director's Report for water right no. 73-12075. As the initial hearings for Basin 73 have not already occurred, an amended claim was filed with the Idaho Department of Water Resources by the claimant in accordance with Rule 10.f of Administrative Order 1. The attached Amended Director's Report takes into consideration the amended claim. A copy of the Amended Claim has also been enclosed for your convenience.

Please set objection and response deadlines for the attached Amended Director's Report as the original objection and response deadlines set in Basin 73 have already run.

If you have any questions regarding this Amended Director's Report, do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Donald V. Shaff', is written over a horizontal line.

Donald V. Shaff
Adjudication Bureau Chief

Enclosures

cc: Virginia Martiny

05/08/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-12075

NAME AND ADDRESS: VIRGINIA K MARTINY
159 HOOPER LN
MAY ID 83253

SOURCE: PATTERSON CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 0.880 CFS

PRIORITY DATE: 02/10/1893

POINT OF
DIVERSION:

T14N R22E S8 SWNNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 05/14	0.630 CFS
	05/15 07/09	0.880 CFS
	07/10 10/31	0.440 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T14N R22E S06	NESW	39.00	T14N R22E S06	NWSW	26.00
T14N R22E S06	SWSW	17.30			

82.3 ACRES TOTAL

Right Nos. 73-12069 and 73-12075 are limited to the irrigation of a combined total of 82.3 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

This right is a split from former right 73-43.

Source is also known as Spring Creek.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 73-12075
Date Received:
Receipt No:
Received By:

AMENDED NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
APR 16 2008
DEPARTMENT OF
WATER RESOURCES

1. Name of Claimant(s)

Name: Virginia K. Martiny
Address: 159 Hooper Ln.
May, ID 83253

Daytime Phone: (208) 850-3235

2. Date of Priority: February 10, 1893

3. Source: Patterson Creek Trib. to: Pahsimeroi River

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
14N	22E	8	NW NW	Lemhi	

5. Description of diverting works: pump to mainline and sprinklers

6. Water is used for the following purposes:

Purpose	From	To	cfs	(or) A.F.A
IRRIGATION	04/01	05/14	0.63	
IRRIGATION	05/15	07/09	0.88	
IRRIGATION	07/10	10/31	0.44	

7. Total Quantity Appropriated is:
0.88 cfs

8. Total consumptive use: n/a

9. Non-irrigation uses: none

10. Place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	22E	6									39	26	17.3						82.3

11. Place of use in counties: Lemhi

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used: 73-12069

14. Remarks: The point of diversion is also known as PBSC-8.

15. Basis of Claim: Decreed

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

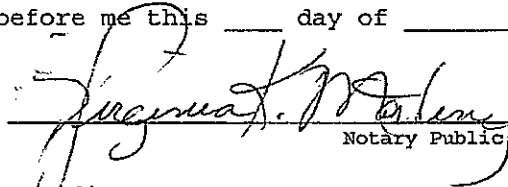
For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

State of Idaho)
) SS.
County of _____)

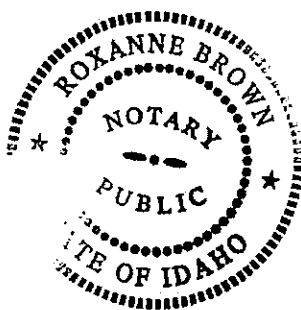
Subscribed and sworn (or affirmed) before me this _____ day of _____, 2008



Notary Public

Residing at _____

My commission Expires _____



*Subscribed and sworn before me
this 16TH day of April, 2008.*

*Roxanne Brown
Residing at Boise, ID
my commission expires 5/16/2014*

- PBSC-8 point of diversion
- TTTTT PBSC-8 ditch
- 73-12075 place of use



Virginia Martiny
 Amended Claim 73-12075
 2006 NAIP Photography

SPF Water Engineering, LLC
 water resource consultants
 600 E. Kuyper Ave., Suite 100
 St. Louis, MO 63105

0.2
 Miles

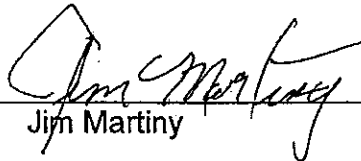
IN THE MATTER OF: Civil Case 39576

Snake River Basin Adjudication
Evidence of Change in Place of Use
State of Idaho

County of Custer

AFFIDAVIT

I, Jim Martiny, leased and farmed the land that is the subject of Claim No. 73-12075 from my parents, Grace and Gilman Martiny. In 1984, I installed the pump in the PBSC-8 ditch as shown on the attached map and used mainlines and sprinklers to irrigate the land as described in the amended claim of Virginia Martiny.


Jim Martiny

Subscribed and sworn before me this 16TH day of April, 2008.


(Signature of Notary)

Residing at Boise, ID

My commission expires May 16, 2014