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JUN 11 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUN 10 2009

Clerk

Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

)
) Water Right: 73-12158

) (Martiny)

)
) ORDER OF PARTIAL DECREE
)
)
)

On January 25, 2007, the Idaho Department of Water Resources filed its *Director's Report for Basin 73, Part 1, Reporting Area 23, for Irrigation and Other Water Rights*, which included recommendation for water right 73-00058. No objections were filed and the time period for filing objections has expired.

On June 16, 2008, the Idaho Department of Water Resources filed an *Amended Notice of Completed Administrative and Amended Director's Report* notifying the Court that water right 73-00058 had been split into water rights 73-12158 and 73-12159. No objections were filed to the *Amended Director's Report* and the time period for filing objections has expired.

Therefore, IT IS ORDERED that the above-captioned water right be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED June 10, 2009


JOHN M. MELANSON

Presiding Judge

Snake River Basin Adjudication

ORDER OF PARTIAL DECREE

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 73-12158

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUN 10 2009

Clerk

Deputy Clerk

NAME AND ADDRESS: JIM MARTINY
LISA MARTINY
83 HOOPER LN
MAY, ID 83252

SOURCE: PATTERSON CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 1.48 CFS

PRIORITY DATE: 06/01/1903

POINT OF DIVERSION: T14N R22E S06 LOT 6 (NWSW) Within Lemhi County
LOT 7 (SWSW)
S08 NWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.48 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T14N R21E S01 LOT 1 (NENE) 20.0	LOT 2 (NWNW) 24.0
	SWNE 38.0	SENE 25.0
	NESE 29.0	NWSE 40.0
	R22E S06 LOT 3 (NENW) 28.0	LOT 4 (NWNW) 21.0
	LOT 5 (SNNW) 36.0	SENE 6.0
	LOT 6 (NWSW) 26.0	
	293.0 Acres Total	

Right Nos. 73-12156, 73-12158 and 73-12160 are limited to the
irrigation of a combined total of 293 acres in a single
irrigation season.

This right is limited to the irrigation of 74 acres within the
place of use described above 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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

2009 JUN 10 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA

Case No. 39576

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CERTIFICATE OF MAILING

Water Right(s): 73-12158

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 73-12158 was mailed
on June 10, 2009, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

JIM MARTINY
LISA MARTINY
83 HOOPER LN
MAY, ID 83252

JULIE MURPHY
Chief Deputy Clerk