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Department of Water Resources

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	) SUBCASE NUMBER 61-00303B
	)
Case No. 39576	) MOTION TO ALTER OR AMEND SPECIAL
	) MASTER'S RECOMMENDATION
_____	)

Paul Batruel, Mary Batruel, and Batruel Dairy ("Batruels"), claimants of the water right in the above captioned subcase, hereby move this Court, pursuant to SRBA Administrative Order No. 1 § 13.a., to alter or amend its Special Master's Recommendation issued in the above captioned subcase on June 17, 2003. The grounds for this Motion are that the Special Master's Recommendation contains an error regarding the names of the claimants to water right number 61-00303B. Specifically, the Special Master's Recommendation lists the following claimants: "Mary Batruel, Paul Batruel, Peter Batruel." However, Peter Batruel can no longer be a claimant to the above captioned water right since he is deceased. The correct list of claimants to this water right was listed in the Batruels' Amended Notice of Claim filed with IDWR March 15, 2000, and in IDWR's Amended Director's Report issued December 28, 2000, and was concurred in the

above captioned subcase's Standard Form 5 on September 19, 2002. The correct list of names for the claimants is: "Mary Batruel, Paul Batruel, Batruel Dairy." Due to this error in the Special Master's Recommendation, the Batruels hereby request that a new Special Master's Recommendation be issued for water right no. 61-00303B, reflecting the correct names of the claimants.

DATED this 15 day of July, 2003



PAUL BATRUEL

CERTIFICATE OF SERVICE

I certify that on this 15 day of July, 2003, I served copies of this document, including all attachments, by U.S. Mail to the following:

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