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Department of Water Resources

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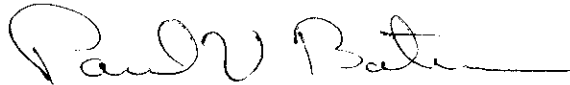
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA) SUBCASE NUMBER 61-11921
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 stockwater place of use which was neither claimed by the claimant nor recommended by IDWR. Specifically, the Special Master's Recommendation lists the place of use for stockwater as "same as domestic," rather than "same as irrigation," as claimed by the Batruels in their notice of claim, and as recommended by IDWR and concurred by the parties on the above captioned subcase's Standard Form 5 on September 19, 2002. 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. 61-11921, listing the correct place of use for stockwater as "same as irrigation."

DATED this 15 day of July, 2003.



PAUL BATRUEL

CERTIFICATE OF SERVICE

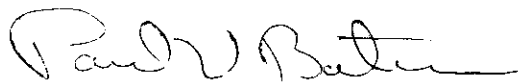
I certify that on this 15 day of July, 2003, I served copies of this document, including all attachments, by U.S. Mail to the following:

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