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Department of Water Resources

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Attorneys for Claimant Magic West, Inc.

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 Nos.: 61-07189 and 61-02248B
	)	
Case No. 39576	)	PROPOSED CHANGES TO REMARKS
	)	IN RECOMMENDED PARTIAL DECREES
_____	)	

As requested at oral argument on Batruel's motion to alter or amend in the above-captioned subcases on May 11, 2000, Magic West, Inc., proposes that the following remarks be added to the Special Master's recommended partial decrees for these two water rights.

Other Provisions Necessary for Definition or Administration of this Water Right:

Right no. 61-07724 is subject to completion of the appropriation in accordance with the laws of the State governing the appropriation of water and the terms of the license to appropriate water that is ultimately issued.

The director retains jurisdiction over right no. 61-07724 to take action authorized by the conditions contained in the permit or license or by applicable law.

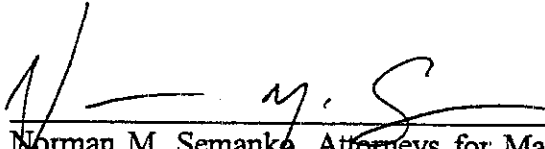
In addition, the existing reference to "61-07224" in the remark under the quantity element should be changed to "61-07724" in both recommended partial decrees.

Consistent with its previous briefing and oral argument in this matter, Magic West requests that all other portions of the recommended partial decrees remain unchanged from the

Special Master's original recommendations, as issued on February 3, 2000.

Dated this 18th day of May, 2000.

ROSHOLT, ROBERTSON & TUCKER


Norman M. Semanko, Attorneys for Magic West,
Inc.

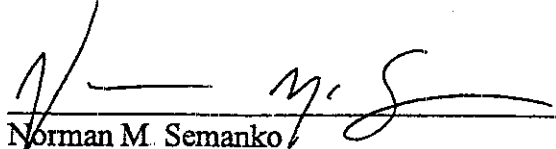
CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of May, 2000, I caused a true and correct copy of the foregoing PROPOSED CHANGES TO REMARKS IN RECOMMENDED PARTIAL DECREES to be served upon the following persons in the following manner:

Peter Ampe	☐	Hand Deliver
Office of the Attorney General	☒	U.S. Mail
State of Idaho	☐	Overnight Courier
P.O. Box 44449	☐	Facsimile Transmission
Boise, ID 83711-4449		

Matt J. Howard	☐	Hand Deliver
Attorney at Law	☒	U.S. Mail
2402 W. Jefferson	☐	Overnight Courier
Boise, ID 83702	☐	Facsimile Transmission

Idaho Department of Water	☐	Hand Deliver
Resources	☒	U.S. Mail
P.O. Box 83720	☐	Overnight Courier
Boise, ID 83720-0098	☐	Facsimile Transmission


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