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FAX COVER SHEET

Date: January 6, 2006

Time: 9:21 AM

To: Trent Galbrath
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Trent:

I have three rights with a source that is identified as a spring (Morrain Springs) that is tributary to Sheridan Creek: **21-12854, 21-12939 and 21-2054B**. All of these rights are relatively junior. I also hold contracts for storage water that total 60 AF in Island Park Reservoir and 190 AF in Palisades Reservoir. To the extent there has been water master control of my Basin 21 rights in the past, my out-of-priority diversions from Morrain Springs, which is a tributary to Sheridan Creek, have been offset by releases from the two reservoirs. To preserve this practice in the decrees, I propose the following language for these rights to be added to the "other provisions necessary" portion of the decree: **"water may be diverted out of priority under this right when an equivalent amount of water is being provided by storage water."** This language would clearly explain to all how and where the storage water may to be delivered. Thanks for your attention and diligence.

Jim Hagenbarth

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