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SRBA Form No.42-1409-1 (Internet 2/09)

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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 39576

Ident. Number _____

Date Received: _____

Receipt No: _____

Received By: _____

**NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of Claimant (s) MAGIC WATER COMPANY, INC Phone (208) 543-8904

Mailing Address 4795 N. 700 E. BUHL ID ZIP 83316
Street or Box City State

2. Date of Priority (Only one (1) per claim) MARCH 15, 1987
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (☒) (a) SALMON FALLS CREEK
which is tributary to (b) SNAKE RIVER

4. a. Location of Point of Diversion is: Township 10S, Range 13E, Section 2,
SE, 1/4 of NE, 1/4 Govt. Lot _____, BM., County of TWIN FALLS

Parcel (PIN) no. _____

Additional points of diversion if any: SE NW S2, T10S, R13E

If available, GPS Coordinates _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

ending point is: Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed
and as enlarged and the depth of each well. 9-600 HP PUMPS, 2-200 HP PUMPS AND PIPELINE TO CANAL.

CANAL CARRIES WATER THROUGHOUT PLACE OF USE FOR WATER RIGHT 47-2269 TO HEADGATES

AND DITCHES THAT DELIVER WATER THROUGOUT THE PLACE OF USE FOR 47-2269 AS WELL AS THE

ENLARGEMENT ACRES CLAIMED HEREIN.

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For IRRIGATION purposes from 03/15 to 11/15 amount or

For purposes from to amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) (cfs) and/or (b) (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.)

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic)

in the corresponding place of use below. See instructions for standard symbols. see attached

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	13E	24											40						40
		26													2.6				2.6
		35											40						40
09S	13E	10												28					28

Parcel (PIN) no(s).

Total number of acres irrigated 110.6

10. In which county (ies) are lands listed above as place of use located? TWIN FALLS COUNTY

11. Do you own the property listed above as place of use? Yes () No (✓)

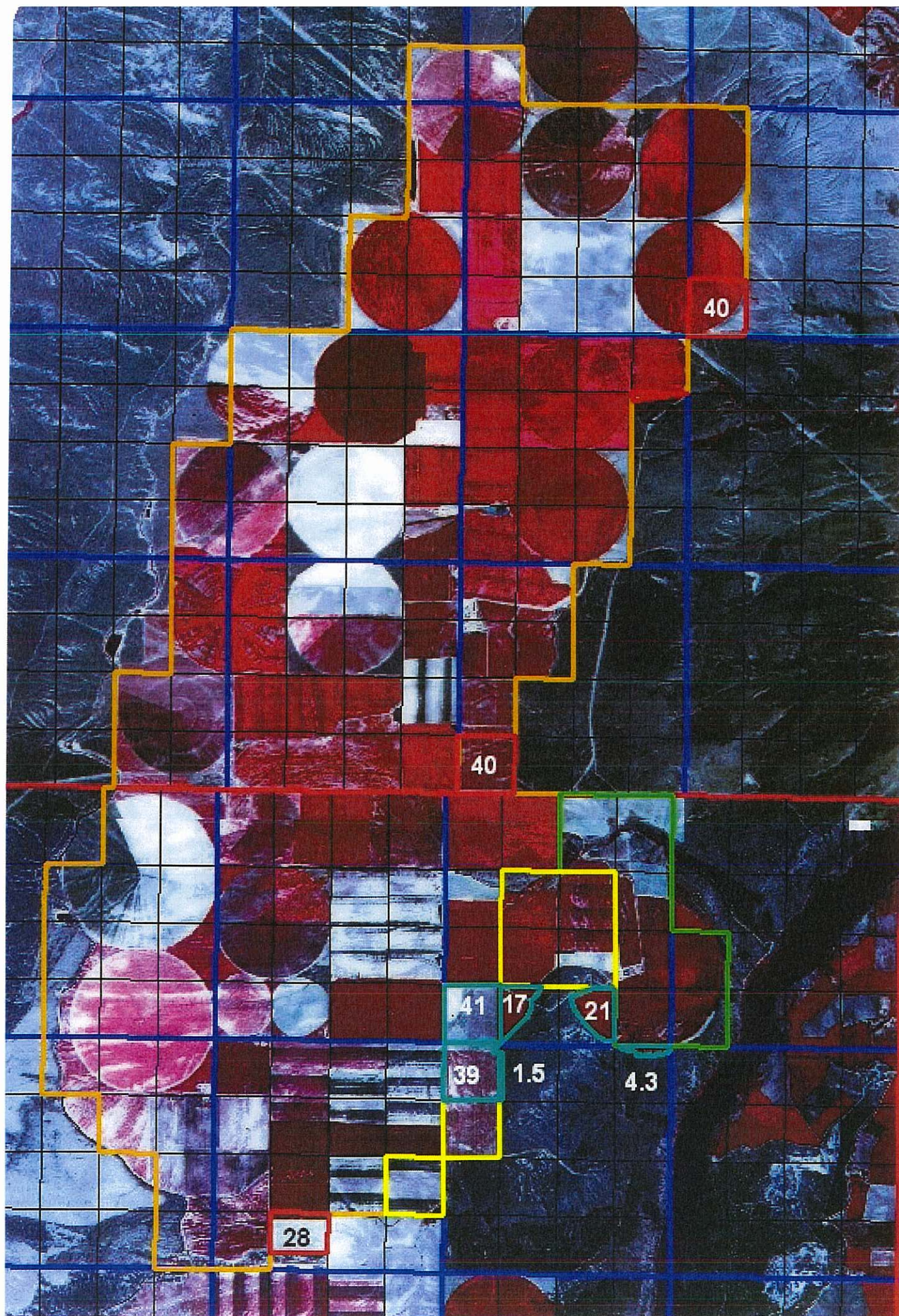
If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

THIS IS AN ENLARGEMENT CLAIM TO WATER RIGHT 47-2269 or None ()

13. Remarks: THIS IS AN ENLARGEMENT CLAIM ON WATER RIGHT 47-2269. MAGIC WATER IS A WATER DISTRIBUTION COMPANY THAT DISTRIBUTES WATER TO ITS WATER USERS THROUGHOUT THE PLACE OF USE DESCRIBED IN WATER RIGHT 47-2269 AND ABOVE. MAGIC WATER DOES NOT OWN THE LAND IN THE PLACE OF USE, BUT DELIVERS THE WATER TO ITS WATER USERS WHO THEN IRRIGATE THE LAND. MAGIC WATER BEGAN DELIVERING WATER TO THESE LANDS PRIOR TO 1987 UNDER WATER RIGHT 47-2269 BUT DID NOT EXCEED THE DIVERSION RATE OF WATER RIGHT 47-2269

Last Name Identification No.



14. Basis of Claim (Check One) Beneficial Use (☒) Posted Notice (☐) License (☐) Permit (☐) Decree (☐)

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 47-17540

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Snake River Basin Adjudication." (b.) I/We do (☐) do not (☒) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

President _____ of Magic Water Company, Inc. _____,

Title

Organization

that I have signed the foregoing document in the space below as

President _____ of Magic Water Company, Inc. _____,

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Kenneth P. Elkin Date 6-14-10

Title and Organization Pres. _____

16. Notice of Appearance:

Notice is hereby given that I, Travis L. Thompson / Paul L. Arrington, will be acting as attorney at law of behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature [Signature] Date 6-14-10

Address P.O. Box 485

Twin Falls, Idaho 83303-0485

Last Name _____ Identification No. _____