

RECEIVED

AUG 21 2003

Department of Water Resources

DISTRICT COURT-SRBA  
Fifth Judicial District  
County of Twin Falls - State of Idaho

AUG 19 2003

By  Clerk  
Deputy Clerk

**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**

**Case No. 39576**

) **Subcases in Attached Exhibit A**  
)  
) **ORDER OF REFERENCE TO SPECIAL**  
) **MASTER THOMAS CUSHMAN**

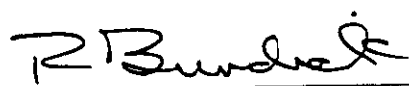
On August 13, 2003, a *Motion to Set Aside Partial Decrees* was filed regarding the above-captioned water right claims. The *Motion* alleges that the *Partial Decrees* for the above-captioned water rights were issued in error because there were still outstanding objections in each of the subcases.

Therefore, THE FOLLOWING ARE HEREBY ORDERED:

1. That Special Master Thomas Cushman is appointed Special Master to preside over the above-captioned water right claims for the following purposes:
  - a. To preside over and make a recommendation to the Court as concerns setting aside and/or amending the above-referenced *Partial Decrees*;
  - b. In the event it is determined that said *Partial Decrees* should be set aside or amended; then to issue an amended *Special Master's Report and Recommendation* regarding the elements of each of the above-captioned water rights.
2. Special Master Cushman shall set proceedings in conformity with *SRBA Administrative Order 1*, section 9, notwithstanding the provisions of I.R.C.P. 53(d)(1), and exercise the power to regulate all proceedings in every hearing and to do all acts and take all measures necessary or proper for the efficient performance of his duties under this Order.

IT IS SO ORDERED.

DATED August 19, 2003



Presiding Judge  
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

51-11969  
51-11971  
51-11972  
51-11974  
51-11975  
51-11976  
51-12013  
51-12079  
51-12349  
51-12350  
51-12372  
51-12374  
51-12433  
51-12434  
51-12436  
51-12442  
51-12443  
51-12448  
51-12502

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF REFERENCE TO SPECIAL MASTER THOMAS CUSHMAN was mailed on August 20, 2003, with sufficient first-class postage to the following:

BRACKETT LIVESTOCK INC  
BRACKETT RANCHES LTD  
BRACKETT, BERT  
C E BRACKETT CATTLE CO

Represented by:  
CRAIG A. PRIDGEN  
221 MAIN ST, 16TH FLOOR  
SAN FRANCISCO, CA 94105  
Phone: 415-905-0200

STATE OF IDAHO

Represented by:  
NATURAL RESOURCES DIV CHIEF  
STATE OF IDAHO  
ATTORNEY GENERAL'S OFFICE  
PO BOX 44449  
BOISE, ID 83711-4449

BERT BRACKETT  
BRACKETT LIVESTOCK INC  
BRACKETT RANCHES LTD  
C E BRACKETT CATTLE CO

Represented by:  
ROGER D LING  
PO BOX 396  
RUPERT, ID 83350  
Phone: 208-436-4717

USDI BLM

Represented by:  
US DEPARTMENT OF JUSTICE  
ENVIRONMENT & NATL' RESOURCES  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

