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FILED
JUN 25 2004
JANIS H. HARRIS

**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**

**Water Rights 29-10594, 29-13117, 29-13138,
29-13141, 29-11816 and 29-11817**

**ORDER OF REFERENCE TO SPECIAL
MASTER BRIGETTE BILYEU**

On May 24, 2003, this Court received Standard Form 1 Objections filed by Joyce Orders. Each of the Objections indicated the name and address of the claimant to the water rights for which Ms. Orders filed the objection, but no water right numbers were included. After a search of the SRBA data base, the Court has matched the claimant names and addresses to the following water right numbers. Jay and Goldie Anthony, water rights 29-10594 and 29-13117, **Partial Decrees** entered March 22, 2004; Deloy and Marjorie Armstrong, water right 29-13138, **Partial Decree** entered March 22, 2004; Kevin and Sharon Baird, water right 29-13141, **Partial Decree** entered March 22, 2004; and Tim and Brenda Figone water right 29-11816, **Partial Decree** entered March 22, 2004 and water right 29-11817, **Partial Decree** entered December 2, 1998

THE FOLLOWING ARE HEREBY ORDERED

1. That Brigitte Bilyeu is appointed Special Master to preside over the above-captioned water right claims for the following purposes

a. To determine the intended purpose of the Standard Form 1 Objections. For example, the Special Master may determine whether the filing constitutes a motion to set aside a partial decree pursuant to I.R.C.P. 60(b), etc.,

b. To determine whether the filing complies with **SRBA Administrative Order 1 (AO1)** and the Idaho Rules of Civil Procedure or whether additional time should be granted to allow the party to file an appropriate motion with the Special Master and/or to obtain counsel in the matter; whether the matter should be dismissed on its face, or to determine

whether the matter would be more appropriately processed administratively through the Idaho Department of Water Resources:

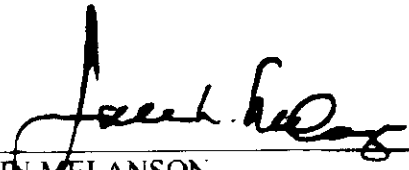
c. If the filing is ultimately deemed a sufficient motion, or in the event a new motion is filed in compliance with the applicable rule(s), the Special Master shall conduct all proceedings necessary to issue a recommendation as to the underlying merits. For example, if the Special Master concludes a partial decree should be set aside or amended, the recommendation should not only include that the partial decree be amended or set aside, but should also include how the elements of the water right should be partially decreed.

2. The original of this *Order* shall be placed in the subcase file and the file transferred to the Special Master for proceedings consistent with this *Order*.

3. The Special Master shall issue a *Special Master's Report and Recommendation* on the matter consistent with *AOI*.

IT IS SO ORDERED.

DATED May 25, 2004



JOHN MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF REFERENCE TO SPECIAL MASTER BRIGETTE BILYEU was mailed on November 13, 2003, with sufficient first-class postage to the following:

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Eastern Regional Office
900 N Skyline Dr
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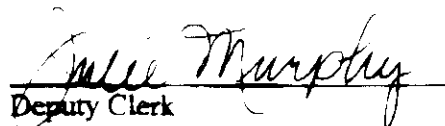
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Kevin Baird
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Tim Figone
Brenda Figone
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Deputy Clerk