

RECEIVED

OCT 14 2004

Department of Water Resources

2004 OCT 13 PM 4:47

FILED
TWIN FALLS CO., IDAHO
ST-SRBA

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: See Exhibit A

ORDER OF REFERENCE APPOINTING
THEODORE R. BOOTH SPECIAL MASTER

The subcases listed on Exhibit A were previously assigned to Special Master Thomas R. Cushman who resigned from the SRBA effective June 30, 2004.

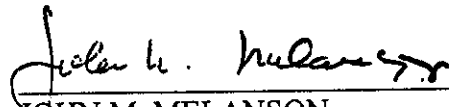
THEREFORE, IT IS ORDERED that Theodore R. Booth is appointed as special master for the subcases listed on Exhibit A attached and shall proceed under *SRBA Administrative Order 1*.

The special master shall preside over subcases and issue reports as set forth in *SRBA Administrative Order 1* and shall have the authority to: fix the time and conditions for the filing of supplemental pleadings and amendments to pleadings; schedule and hear dispositive and nondispositive motions of any party; schedule and conduct all pretrial matters, including pretrial, status and scheduling conferences; issue pretrial orders; schedule and limit the scope of discovery; order the discovery of facts known and opinions held by experts; issue protective orders; issue orders compelling discovery; sanction failure to comply with pretrial, trial-related or post-trial orders; summon witnesses and issue subpoenas; take such evidence as may be introduced or deemed necessary by her; rule on the admissibility of evidence; call witnesses on behalf of the court; and appoint expert witnesses for the court.

Special Master Booth 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 October 13, 2004.

A handwritten signature in dark ink, appearing to read "John M. Melanson", is written over a horizontal line.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

63-00019B
63-00317B
63-00378
63-03422A
63-04810
63-05161C
63-05192
63-05250
63-05251
63-07529
63-31289
63-31328

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF REFERENCE APPOINTING THEODORE R BOOTH SPECIAL MASTER was mailed on October 13, 2004, with sufficient first-class postage to the following:

BOISE PROJECT BOARD OF CONTROL

Represented by:

ALBERT P. BARKER
205 N 10TH ST, STE 520
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

BOISE PROJECT BOARD OF CONTROL

Represented by:

CHESTNUT, AMY D
205 N 10TH ST, STE 520
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

UNITED STATES OF AMERICA

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

MICHAEL C PERRY

TAMI J PERRY
10 COUGAR LN
BOISE, ID 83716
Phone: 208-392-4977

SARA A NICHOLS

WALTER S NICHOLS
12 COUGAR LN
BOISE, ID 83716
Phone: 208-392-2219

K GAIL RICHARDSON

RICHARD A STULL
13 ROBIE CREEK LN
BOISE, ID 83716
Phone: 208-343-1454

THELMA E NICHOLS

WALTER M NICHOLS
14 COUGAR LANE
BOISE, ID 83716
Phone: 208-392-4451

DIRK L MARCUM

14364 E HWY 21
BOISE, ID 83716
Phone: 208-344-0056

JAN BLUM

MARY LOU POTE
WILLIAM WH POTE
27 IDAHO CITY STAGE RD
BOISE, ID 83716

PHILIP SWANSTRUM

ROSEMARY SWANSTRUM
2708 COLUMBUS
BOISE, ID 83705
Phone: 208-343-2855

DEBBIE TURNER

STERLING TURNER
328 ROBIE CREEK RD
BOISE, ID 83716
Phone: 208-342-6703

DAVID STEADMAN

LYNAE STEADMAN
8873 OTTOWA CT
BOISE, ID 83709
Phone: 208-375-3559