

2004 OCT 19 AM 9:1
DISTRICT COURT-SRE
TWIN FALLS CO., IDAHO
FILED

**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	)	SUBCASES: 61-11377
	)	
Case No. 39576	)	ORDER OF REFERENCE APPOINTING
_____	)	THEODORE R. BOOTH SPECIAL MASTER

Subcase 61-11377 was 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 subcase 61-11377 and shall proceed under *SRBA Administrative Order 1*.

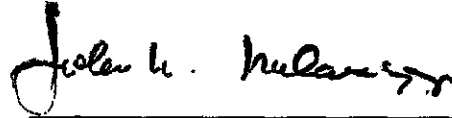
Special Master Booth shall preside over subcases and issue reports as set forth in *SRBA Administrative Order 1* and shall have the authority to: fix the time and conditions for the filing of supplemental pleadings and amendments to pleadings; schedule and hear dispositive and nondispositive motions 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 19, 2004.

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

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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 19, 2004, with sufficient first-class postage to the following:

STATE OF IDAHO

Represented by:
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