

2004 OCT 20 AM 11:45
DISTRICT COURT - SRBA
TWIN FALLS, 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: 63-05335, 63-05337, 63-05340,
	)	63-05342, 63-15291, 63-15292, 63-05336,
Case No. 39576	)	63-05338, 63-05339.
	)	
	)	ORDER OF REFERENCE APPOINTING
	)	THEODORE R. BOOTH SPECIAL MASTER
	)	

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

An *Order Rescinding Order of Reference* was issued on June 22, 2004. A status conference was held on October 19, 2004. At the status conference, Nick Spencer of the Idaho Department of Water Resources reported that the claims were still being reviewed by IDWR. Mr. Spencer reported that IDWR would require more time because of the large volume of the claims and the nature of the claims. During the hearing, the Court ordered that the above matter be referred to Special Master Theodore Booth, with instructions that another status conference be held within two months.

THEREFORE, IT IS ORDERED that Theodore R. Booth is appointed as special master for the above subcase 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 FURTHER ORDERED that Special Master Booth **hold a further status conference regarding the above subcases no later than January 1, 2005.**

IT IS SO ORDERED.

DATED October 20, 2004.

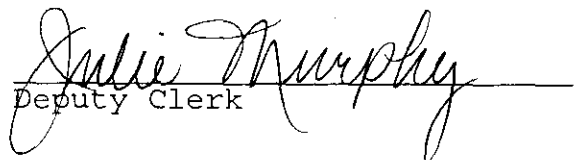

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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 20, 2004, with sufficient first-class postage to the following:

BOISE CASCADE CORP
BOISE CASCADE CORPORATION
Represented by:
BRUCE M. SMITH
225 NORTH 9TH ST, STE 420
BOISE, ID 83702
Phone: 208-331-1800

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

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".