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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE COURT-SRBA
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
FILED

In Re SRBA) SUBCASE: 78-12027
Case No. 39576) ORDER OF REFERENCE APPOINTING
THEODORE R. BOOTH SPECIAL MASTER

Subcase 78-12027 was previously assigned to Special Master Thomas R. Cushman who resigned from the SRBA effective June 30, 2004.

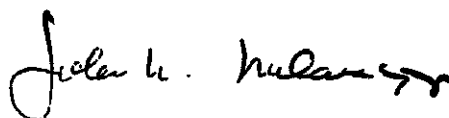
THEREFORE, IT IS ORDERED that Theodore R. Booth is appointed as special master for subcase 78-12027 and shall proceed under *SRBA Administrative Order 1*.

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 November 22, 2004.



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

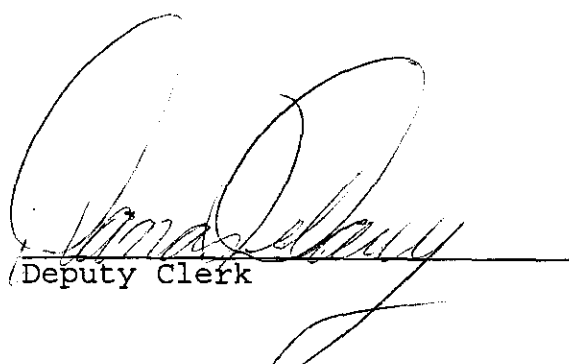
CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF REFERENCE APPOINTING THEODORE R BOOTH SPECIAL MASTER was mailed on November 22, 2004, with sufficient first-class postage to the following:

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

A large, stylized handwritten signature in black ink, likely belonging to the Deputy Clerk mentioned in the footer. The signature is written over a horizontal line.