

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

c. If the correspondence 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(s)* should be set aside or amended, the recommendation should not only include that the *Partial Decree(s)* 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 January 6, 2005.



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 TO SPECIAL MASTER TERRENCE A. DOLAN was mailed on January 06, 2005, with sufficient first-class postage to the following:

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

CHESTER R NOH
MARY E NOH
RT 1 3669N 1500E
BUHL, ID 83316
Phone: 208-543-4837

Kirk & April Loomis
3669 N 1500 E
Buhl, ID 83316-6337

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line.

LODGED

To whom it may concern:
1-5-2005

775 JAN -6 AM 10: 27

This letter is a motion to set aside the water right # 47-10704. We (Kirk & April Loomis) received a letter saying that the Warranty Deed that we submitted when we bought the property in November 2003 that was conveyed by Bob & Pauline Eastman was not the correct description. The letter states that the QQ (SENE) of the description is different from the QQ (NESE) of the place of use of water right # 47-10704. The letter also states that the decree might be in error.

The letter said to contact Danni Smith with any questions at #287-4910. She told us that some one probable made an error entering the information into the computer. She told us to write this letter explaining what we know. She also said it may take a while for this matter to be resolved.

Please if you have any questions please contact us at # 543-5449 and we will be glad to help in any way that we can.

Thank You,
Kirk & April Loomis