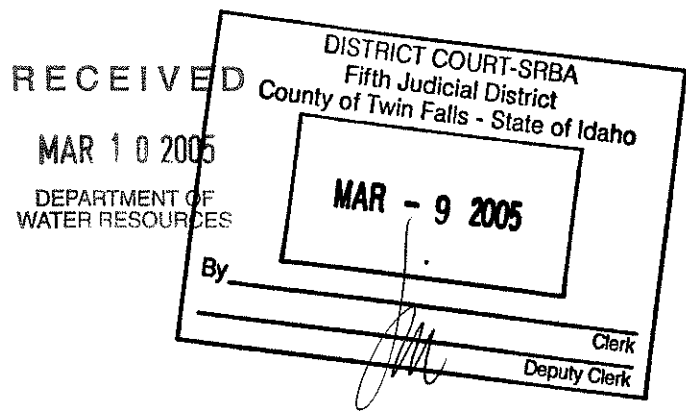




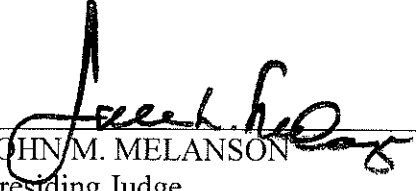
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	SUBCASE: 29-04491 & 29-13557
	)	
Case No. 39576	)	ORDER OF REFERENCE APPOINTING
	)	SPECIAL MASTER BRIGETTE BILYEU
	)	

On June 1, 2004, a *Partial Decree* was issued for water right 29-04491 and on June 28, 2004, a *Partial Decree* was issued for water right 29-13557. On March 9, 2005, a *Motion to Set Aside Partial Decree* was filed by Harry Moon and Debbie Sluder, for the above-captioned water rights.

Therefore, IT IS ORDERED that Special Master Brigitte Bilyeu be appointed to preside over the above-captioned *Motion* and conduct all proceedings necessary to issue a recommendation consistent with AO1, and the authority previously conferred in the *Order of Reference for Basin 29 Domestic and Stock Rights*; as to the *Motion* and to the underlying merits as to how the *Partial Decrees* should be amended, if it is determined that said *Partial Decrees* should be set aside or amended.

Dated March 9, 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 APPOINTING SPEICAL MASTER BRIGETTE BILYEU was mailed on March 09, 2005, with sufficient first-class postage to the following:

CHARLES E & JENNIE L WINTER
CHARLES E WINTER
JENNIE L WINTER

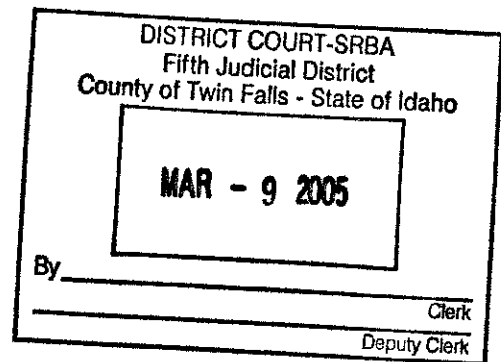
Represented by:
DEBORAH E. NELSON
277 N SIXTH STREET, STE 200
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

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

DEBBIE SLUDER
HARRISON MOON
1750 N INKOM RD
INKOM, ID 83245
Phone: 208-775-3705

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

Debbie Sluder
Harry Moon
1750 N. Inkom Rd
Inkom, ID 83245



March 5, 2005

SRBA District Court
P.O. Box 2705
Twin Falls, ID 83303

To The Court:

We are writing to ask the court to set aside the partial decrees issued for water claim #29-13557 (Debbie Sluder/Harrison Moon) and water claim #29-4491 (Charles Winter/Jennie Winter). The agreement for settlement that was made at the hearing in Pocatello, ID on April 22, 2004 concerning these water right claims was based on advice and information supplied to us by IDWR representatives that has since proved to be inaccurate. These inaccuracies were apparently caused by a failure of the other party to disclose to us, or the IDWR representatives assisting us, all the facts pertinent to the settlement being negotiated. We had also previously requested in writing disclosure of all pertinent information relating to these matters from the Winter's attorney, Deborah E. Nelson, which she refused to supply us with. The end result of these failures to disclose has basically rendered our water rights to be useless.

We apologize for any delay in this request to set aside, but we did not become aware of these circumstances until Nov. 30, 2004 and did not receive any responses to our repeated request for additional information concerning this matter until March 2, 2005.

As per the helpful letter we received from Roger S. Burdick, we understood and believed the goal of the SRBA was to see that our water right(s) were to be decreed by the court as accurately and fairly as possible. As Mr. Burdick's letter strongly encouraged, we did take full advantage, and in good faith, of the fine and courteous services provided by the IDWR. It is unfortunate that these services proved to be in error due to the less than accurate information provided to them.

Sincerely,

Handwritten signatures of Debbie Sluder and Harry Moon. The signature of Debbie Sluder is written above the signature of Harry Moon.

Debbie Sluder
Harry Moon