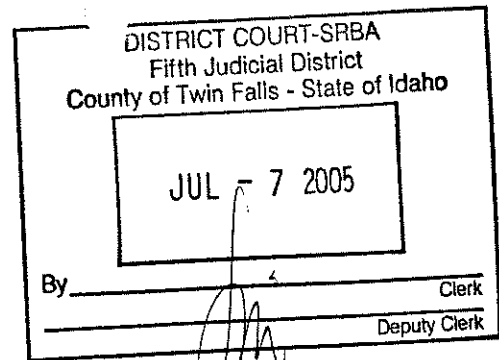




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	Water Right Claims: 65-4213, 65-4214.
	)	
Case No. 39576	)	ORDER OF RECOMMITMENT TO SPECIAL
	)	MASTER THEODORE R. BOOTH.
	)	
	)	

On May 25, 2005, Special Master Theodore Booth issued a *Special Master's Report and Recommendation* for the above water rights. The *Report* stated that after a series of objections to the claims, a settlement had been reached by the parties, and was concurred with by IDWR. The *Report* stated that all the objections were resolved by creating joint ownership of the above rights in the names of Verla Witt, Daryl Hart, Marchelle Hart and Faustino Ramos. An *Amended Notice of Claim* was filed, which also amended the purpose of use. The *Master's Report* stated that the only changes made to the rights were the additional claimants.

On review of the *Master's Report*, the Court noted that along with the addition of claimants, the purpose of use element of the rights had been changed from "irrigation" to "wildlife," presumably through the accomplished transfer provisions of I.C. 42-1428. The Court is concerned that the *Master's Report* may not have provided other claimants proper notice of the change in use or the accomplished transfer in accordance with the rules set forth in *AOI*. Therefore, the Court finds it appropriate to recommit the above claims to Special Master Booth to conduct the following:

THE FOLLOWING ARE HEREBY ORDERED:

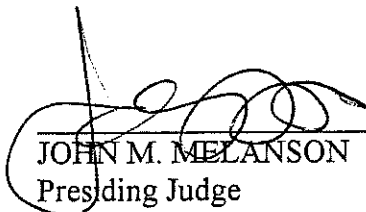
1. That Theodore R. Booth is recommitted as Special Master to preside over the above-captioned water right claims for the following purposes:

a. To issue an *Amended Master's Report and Recommendation*, in a manner consistent with *AOI*, making note of the change in use and the accomplished transfer, and assuring that the accomplished transfer is noted on the face of the decree, and including a remark indicating same in the *Recommendation for Partial Decree*.

b. To conduct all proceedings necessary to issue such a *Recommendation*.

IT IS SO ORDERED.

DATED July 5 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 RECOMMITMENT TO SPECIAL MASTER THEODORE R. BOOTH was mailed on July 07, 2005, with sufficient first-class postage to the following:

STATE OF IDAHO

Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
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USDI BUREAU OF RECLAMATION

Represented by:
US DEPARTMENT OF JUSTICE
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