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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
NOV 28 2006	
By _____	Clerk
_____	Deputy Clerk

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	)	ORDER OF REFERENCE APPOINTING
	)	BRIGETTE BILYEU SPECIAL MASTER
Case No. 39576	)	FOR FURTHER PROCEEDINGS ON
	)	MOTION TO FILE LATE CLAIM
	)	
_____	)	For Water Right Claim(s): 29-13764

This matter came before this Court pursuant to a *Motion to File a Late Claim*, heard November 21, 2006. The claimant appeared through counsel. No party filed an objection or appeared in opposition to the *Motion*. Following a review of the file and after hearing the comments made in open court, the Court finds that the claimant has demonstrated an excuse for the untimely filing of the subject late claim which is an element of the "good cause" standard for filing a late claim as required by *SRBA Administrative Order 1 (AOI)* 4.d.(2)(d) and I.R.C.P. 55(c). However, the issues of meritorious position and the question of prejudice to other parties, if any, that may arise by the late claim was not resolved. In situations such as this the Court's practice is to refer the matter to the special master assigned to the basin in which the late claim is filed to make special findings regarding such issues.

THEREFORE, THE FOLLOWING ARE HEREBY ORDERED;

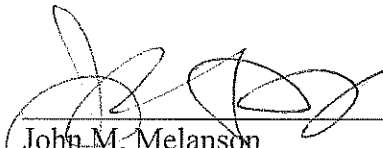
This matter is referred to Special Master Brigitte Bilyeu for further proceedings to determine the degree of prejudice, if any, to other parties on the same claimed source. If the Special Master finds no such prejudice, then to recommend to this Court that the late claim be granted.

Special Master Bilyeu shall set proceedings in conformity with *AOI*, 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 27, 2006



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 BRIGETTE BILYEU SPECIAL MASTER FOR FURTHER PROCEEDINGS ON MOTION TO FILE LATE CLAIM was mailed on November 27, 2006, with sufficient first-class postage to the following:

DIRECTOR OF IDWR
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A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and stylized, with the first name "Julie" being more prominent than the last name "Murphy".