

RECEIVED

AUG 01 2007

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO,
FILED

2007 JUL 31 AM 6 41

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	)	Subcases: 03-07009, 03-07034, 03-10010, 03-
	)	10198, 67-02320, 67-04291, 67-04412, 67-10971,
Case No. 39576	)	67-10975, and 67-14129 (City of Weiser)
	)	
	)	ORDER OF REFERENCE APPOINTING
	)	TERRENCE DOLAN SPECIAL MASTER
	)	FOR FURTHER PROCEEDINGS ON
	)	MOTIONS (1) TO CONSOLIDATE THE
	)	CITY'S SUBCASES IN BASINS 03 AND 67,
	)	AND (2) FOR RECONSIDERATION OF
	)	PARTIAL DECREE FOR WATER RIGHT
	)	No. 03-7009
	)	
	)	ORDER RESCINDING ORDER OF
	)	REFERENCE TO SPECIAL MASTER
	)	THEODORE BOOTH FOR WATER RIGHT
	)	CLAIMS 67-02320, 67-04291, 67-04412, 67-
	)	10971, 67-10975, and 67-14129

This matter came before this Court pursuant to a *Motion for Expedited Hearing, Motion to Consolidate and Motion for Recommendation* filed on July 27, 2007. The claims in Basin 03 have been referred to Special Master Terrence Dolan and are proceeding on the objections. Water right claim 03-7009 has been partially decreed. The claims in Basin 67 have been referred to Special Master Booth. The objection period has not expired for the claims in Basin 67.

THEREFORE, this matter is referred to Special Master Terrence Dolan for the following:

- (1) To determine whether the subcases should be consolidated or alternatively heard by the same special master;
- (2) To determine whether the *Partial Decree* issued for claim 03-7009 should be set aside and amended;
- (3) To conduct proceedings on the underlying merits if the Special Master concludes that the subcases should be consolidated or heard by the same special master;

- (4) If the Special Master concludes that subcases should not be consolidated or heard by the same special master then to issue a recommendation that the claims in Basin 67 be referred back to Special Master Theodore Booth.

The Special Master 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 her duties under this *Order*.

It is further hereby ordered that the *Order of Reference* previously issued assigning claims 67-02320, 67-04291, 67-04412, 67-10971, 67-10975, and 67-14129 to Special master Theodore Booth is rescinded.

IT IS SO ORDERED.

DATED: July 31, 2007


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 TERRENCE DOLAN SPECIAL MASTER AND ORDER RESCINDING ORDER OF REFERENCE TO SM THEODORE BOOTH was mailed on July 31, 2007, with sufficient first-class postage to the following:

CITY OF WEISER

Represented by:
JOSEPHINE P BEEMAN
409 W JEFFERSON ST
BOISE, ID 83702
Phone: 208-331-0950

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

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".