

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN 11 2008	
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 Case No. 39576	) Subcase 63-02733B, 63-02733C,) and 63-31123)) ORDER DESIGNATING WATER RIGHT) 63-02733C AS AN UNCONTESTED) OVERLAPPING CLAIM;)) ORDER OF REFERENCE TO SPECIAL) MASTER THEODORE R. BOOTH
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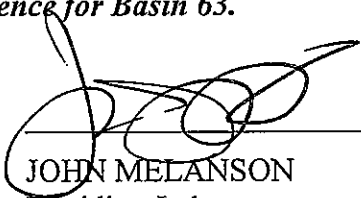
On June 5, 2008, an initial hearing was held before Special Master Theodore R. Booth in Nampa, Idaho in subcases 63-02733B and 63-31123. Participating in the hearing were John M. Marshall, attorney for Southside, Inc. (claimant of water right 63-02733B), and Kim F. Ashworth (claimant of water right 63-31123). Water right claims 63-02733B, 63-02733C, and 63-31123, all stem from a license issued for water right 63-02733. Southside, Inc., has filed an objection to the *Director's Report* for its claim (63-02733B) and to the *Director's Report* for Kim Ashworth's claim (63-31123). Southside Inc., asserts that the portion of water right 63-31123 recommended to Mr. Ashworth should instead belong to Southside, Inc. Because these three water right claims share the same basis, a partial decree for water right 63-02733C (claimed by Mark and Mary Chown) should not be issued until it can be determined that the outcome of the contested subcases will not affect water right claim 63-02733C. Accordingly, Pursuant to Idaho Code § 42-1412(7), IT IS ORDERED that the clerk of the Court shall designate water right claim 63-02733C as an uncontested claim that may be affected by the outcome of a contested matter.

Additionally, IT IS ORDERED that Special Master Theodore R. Booth is appointed to preside over subcase 63-02733C and conduct all proceedings necessary to

ORDER DESIGNATING WATER RIGHT 63-02733C AS AN UNCONTESTED OVERLAPPING CLAIM;
 ORDER OF REFERENCE TO SPECIAL MASTER THEODORE R. BOOTH
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issue a recommendation consistent with SRBA Administrative Order 1, and the authority previously conferred in the *Order of Reference for Basin 63*.

Dated JUNE 12, 2008



JOHN MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER DESIGNATING WATER RIGHT 63-2733C AS AN UNCONTESTED OVERLAPPING CLAIM; ORDER OF REFERENCE TO SPECIAL MASTER was mailed on June 11, 2008, with sufficient first-class postage to the following:

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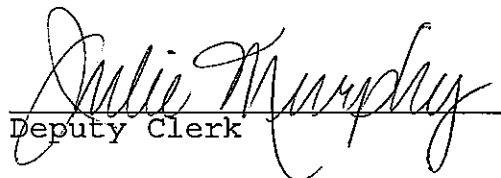
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A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and stylized, with the first name "Julie" being more prominent than the last name "Murphy".