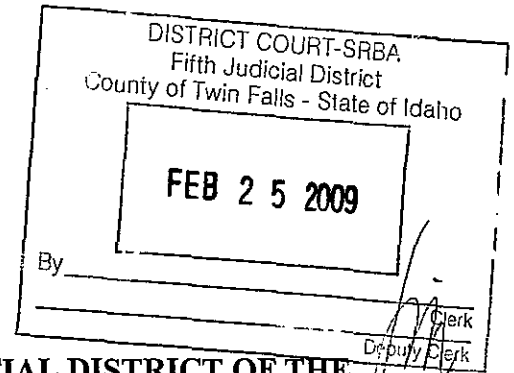


RECEIVED

FEB 26 2009

DEPARTMENT OF
WATER RESOURCES

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

) ORDER RESCINDING ORDER OF
) REFERENCE TO SPECIAL MASTER
) BRIGETTE BILYEU AND ORDER OF
) REFERENCE APPOINTING THEODORE R.
) BOOTH AS SPECIAL MASTER FOR WATER
) RIGHT CLAIM 37-12818D
)

The above-captioned water right claim was included in the general *Order of Reference* appointing Brigitte Bilyeu as special master for all contested claims reported in the *Director's Report, Irrigation and Other Uses, Reporting Area 16*, filed February 21, 2007. The *Order of Reference* is rescinded as to the above-captioned subcase and Theodore R. Booth is appointed as special master to preside over the subcase and issue a report as set forth in *SRBA Administrative Order 1*. The Special Master shall have the authority to: Fix the time and conditions for the filing of supplemental pleadings and amendments to pleadings; schedule and hear dispositive and nondispositive motions of any party; schedule and conduct all pretrial matters, including pretrial, status and scheduling conferences; issue pretrial orders; schedule and limit the scope of discovery; order the discovery of facts known and opinions held by experts; issue protective orders; issue orders compelling discovery; sanction failure to comply with pretrial, trial-related or post-trial orders; summon witnesses and issue subpoenas; take such evidence as may be introduced or deemed necessary; rule on the admissibility of evidence; call witnesses on behalf of the court; and appoint expert witnesses for the court.

The Special Master shall set proceedings in conformity with *SRBA Administrative Order 1*, 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 the Special Master's duties under this *Order*.

IT IS SO ORDERED.

DATED: February 25, 2009

A handwritten signature in dark ink, appearing to read "John M. Melanson", is written over a horizontal line.

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 RESCINDING AND ORDER OF REFERENCE APPOINTING THEODORE R. BOOTH AS SPECIAL MASTER was mailed on February 25, 2009, with sufficient first-class postage to the following:

BILL MOLYNEUX
GERALD BASHAW
GRACE EAKIN
JOHN F STEVENSON
PEPIN CORSO-HARRIS
PETE VAN DER MEULEN
ROCKY SHERBINE
TOM O GARA

Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

BIG WOOD CANAL COMPANY

Represented by:
CRAIG D. HOBDEY
125 5TH AVE
PO BOX 176
GOODING, ID 83330
Phone: 208-934-4429

SINCLAIR OIL CORPORATION

Represented by:
SCOTT L CAMPBELL
101 S CAPITOL BLVD 10TH FLOOR
PO BOX 829
BOISE, ID 83701-0829
Phone: 208-345-2000

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098

MARIANA S PAEN TRUST

990 ALAMEDA BLVD
CORONADO, CA 92118
Phone: 619-437-1901

