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Department of Water Resources

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FILED
TWIN FALLS, IDAHO
ST-SRBA

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 TO SHOW CAUSE AND
	)	SUMMONS TO APPEAR
Case No. 39576	)	
	)	
	)	SUBCASE NO.: 37-07942
	)	

An Initial Hearing for this subcase was held in Shoshone, Idaho at the Lincoln County Courthouse on January 9, 2003. Notice of the Initial Hearing was sent to claimants Donald T. Bray and Lye Lake Ranch, however they failed to appear at the hearing. Objector United States Bureau of Land Management and the Idaho Department of Water Resources appeared at the hearing.

At the hearing, the United States BLM asked for an order to show cause why the Objection by the United States should not be granted in its entirety. The court will also consider whether claimants should be assessed attorneys costs and fees or sanctions deemed appropriate under the circumstances.

Therefore, IT IS HEREBY ORDERED, pursuant to I.R.C.P. 6(c)(2) and I.R.C.P. 6(c)(4) that Donald T. Bray and Lye Lake Ranch shall appear in person at a Show Cause Hearing to determine whether the Objection by the United States BLM should be granted in its entirety.

DATE:	March 19, 2003	Wednesday
TIME:	10:30 a.m.	
LOCATION:	Snake River Basin Adjudication	
	253 3 rd Ave. North	
	Twin Falls, Idaho 83301	

IT IS FURTHER ORDERED THAT, any affidavits from the United States BLM pursuant to I.R.C.P. 6(c)(2) shall be due on or before February 21, 2003.

Donald T. Bray and Lye Lake Ranch are hereby informed that pursuant to Rule 6(c)(4) of the Idaho Rules of Civil Procedure, any party has the right to elect to produce testimony and evidence at the hearing upon the Order to Show Cause, or to cross-examine the adverse party or the adverse party's affiants, by first giving at least twenty four (24) hours notice to the Court and opposing counsel before the show cause hearing.

A copy of this *Order to Show Cause and Summons to Appear* shall be served upon Donald T. Bray and Lye Lake Ranch not less than five (5) days prior to the date set for hearing, upon which those parties are required to appear before this Court and show cause. Service of this *Order* shall be made in accordance with I.R.C.P. 5(b) and 6(c)(2).

APPEARANCE AT THIS HEARING IS MANDATORY. FAILURE TO APPEAR AT THIS HEARING MAY RESULT IN THE DISMISSAL OF THIS WATER CLAIM, OR IN THE GRANTING OF THE OBJECTION, OR IN OTHER SANCTIONS AND/OR COSTS.

Dated: January 10, 2003


BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER TO SHOW CAUSE was mailed on January 10, 2003, with sufficient first-class postage prepaid to the following:

State of Idaho

Represented by:

David J. Barber

Statehouse RM 210

Statehouse Mail

Boise, Idaho 83720-0010

Faulkner Land & Livestock

Represented by:

Josephine P. Beeman

409 West Jefferson St.

Boise, Idaho 83702

USDI BLM

Represented by:

US DEPARTMENT OF JUSTICE

Environment & Natl' Resources

550 West Fort Street, MSC 033

Boise, Idaho 83724

Director of IDWR

P O Box 83720

Boise, Idaho 83720-0098

Donald T. Bray

Lye Lake Ranch

PO Box 156

Bliss, Idaho 83314


Deputy Clerk