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DEPARTMENT OF
WATER RESOURCES

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

2007 JAN 30 PM 1 00

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: 63-8118
)
)

) ORDER TO SHOW CAUSE
)
)

This matter came before this Special Master pursuant to a *Notice Setting Subcases for Initial Hearing* issued September 26, 2006. Bonnie Schaeffer and Kevin M. Rogers (hereinafter "Claimants") were notified of the hearing via first class mail sent to their last known address. The Claimants failed to appear at the January 23, 2007, initial hearing either in person or through counsel.

On April 20, 2006, South Boise Water Company, through their attorney of record Ringert Clark, filed an objection to the *Director's Report* for this water right claim asserting that the priority date for the water right should include a remark that allows diversions "only during flood control releases from reservoirs up stream."

It is **hereby ordered** that the Claimants shall appear before this Special Master on **March 6, 2007, at 9 A.M.** Mountain Time, at the Snake River Basin Adjudication Courthouse, 253 3rd Avenue North, Twin Falls, Idaho, or participate by telephone by dialing 1-225-383-1099 participation code 675342, to show cause why the objection filed by South Boise Water Company -- seeking a change to the priority date -- should not be granted. The purpose of the show cause hearing is to provide the Claimants with a final opportunity to oppose the objection despite failing to appear at the initial hearing.

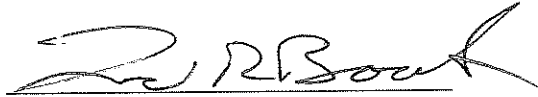
Participation in the show cause hearing is **not mandatory** and failure to appear will not be considered contempt of court. **However, failure to appear will result in the Claimants**

being deemed to have consented to the remedy sought by the objector. If the Claimants participate in the hearing, the Claimants will be expected to notify this Special Master whether they intend to oppose the objection, and accordingly a trial date will be set. In such case, no additional evidence or argument need be presented as subcases(s) will be allowed to proceed to trial as a matter of course. Therefore the parties need not produce testimony or evidence in accordance with I.R.C.P. 6(c)(4).

A copy of this *Order to Show Cause* shall be served upon the Claimants not less than five (5) days prior to the date herein shown, upon which those parties are required to appear before this Special Master and show cause. Service of the *Order to Show Cause* shall be made in accordance with I.R.C.P. 5(b) and 6(c)(2).

IT IS SO ORDERED

Dated January 29, 2007

A handwritten signature in black ink, appearing to read 'T. R. Booth', written over a horizontal line.

THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

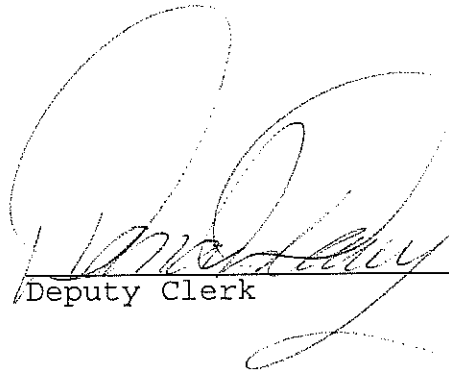
I certify that a true and correct copy of the ORDER TO SHOW CAUSE was mailed on January 30, 2007, with sufficient first-class postage to the following:

SOUTH BOISE WATER CO
PO BOX 6005
BOISE, ID 83707
Phone: 208-887-1385

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

BONNIE SCHAEFFER
KEVIN M ROGERS
150 PARKWAY DR
BOISE, ID 83706

JULIE ENGLAND
WILLIAM MCGLYNN
3058 SELKIRK
BOISE, ID 83702

A large, stylized handwritten signature in dark ink, likely belonging to the Deputy Clerk, is written over a horizontal line. The signature is cursive and flows from left to right, with a large loop at the beginning and end.