

2007 MAY 22 AM 10:14

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED *[Signature]*

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	)	Subcase 74-958 and 74-1839
	)	
Case No. 39576	)	ORDER TO SHOW CAUSE
	)	

This matter came before this Special Master pursuant to a *Notice Setting Subcases for Initial Hearing* issued March 14, 2007. Mark and Melissa McKinney (hereinafter "Claimants") were notified of the hearing via first class mail sent to his/her last known address. The Claimants failed to appear at the May 9, 2007, initial hearing either in person or through counsel.

On June 30, 2006, the United States of America, Bureau of Land Management, filed objections to the *Director's Report* for these water right claims objecting to the place of use.

It is **hereby ordered** that the Claimants shall appear before this Special Master on **August 2, 2007, at 2:30 P.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 654400, to show cause why the objections filed by the United States of America, Bureau of Land Management 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 objections filed by the United States of America, BLM.** If the Claimants participate in the hearing, the Claimants will be expected to notify this Special Master whether he/she intends to oppose the objection, and accordingly a trial date will be set. In such case, no additional evidence or argument

need be presented as subcase(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 May 22, 2007


TERRENCE A. DOLAN
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 May 22, 2007, with sufficient first-class
postage to the following:

UNITED STATES OF AMERICA

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
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