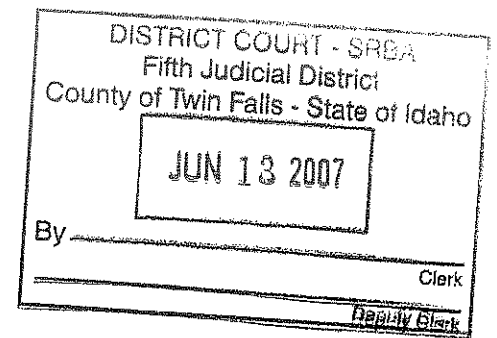




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA) Subcase 63-00146
)
Case No. 39576) ORDER TO SHOW CAUSE
)
_____)

This matter came before this Special Master pursuant to a status conference held June 5, 2007. The New Union Ditch Co. Ltd (hereinafter "Claimant") was notified of the hearing via first class mail sent to its last known address. The Claimant failed to appear at the June 5, 2007, status conference.

On April 21, 2006, the Boise Project Board of Control, by and through its attorney Albert Barker, filed an objection to the *Director's Report* for this water right claim, asserting that the remark under the period of use element of the right should be amended to include the phrase "ground water recharge." Also on April 21, 2006, the United States of America, Department of Interior, Bureau of Reclamation, filed a similar objection. On June 23, 2006, the State of Idaho filed a response.

It is **hereby ordered** that the Claimant shall appear before this Special Master on **July 24, 2007, at 11:00 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 objections should not be granted. The purpose of the show cause hearing is to provide the Claimant with a final opportunity to oppose the objections despite failing to appear.

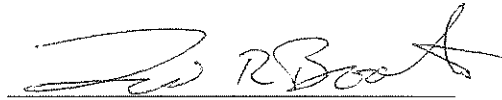
Participation in the show cause hearing is **not mandatory** and failure to appear will not be considered contempt of court. **However, failure to appear will result in the Claimant being deemed to have consented to the remedy sought by the objector.** If the Claimant participates in the hearing, the Claimant will be expected to notify this

Special Master whether it 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 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 Claimant 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 June 23 2007

A handwritten signature in black ink, appearing to read 'Theodore R. Booth', is 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 June 13, 2007, with sufficient first-class postage to the following:

BOISE PROJECT BOARD OF CONTROL

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

STATE OF IDAHO

Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

USDI BUREAU OF RECLAMATION

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

NEW UNION DITCH CO LTD
C/O GEORGE TRANSTAUM
1121 E STATE ST #107
EAGLE, ID 83616

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