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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUL - 2 2008

By _____

Clerk
Deputy Clerk

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 63-05013

Case No. 39576

) ORDER TO SHOW CAUSE

This matter came before this Special Master pursuant to an initial hearing held June 20, 2008. Frank Churruca, Jr., (hereinafter "Claimant") was notified of the hearing via first class mail sent to his last known address. The Claimant failed to appear at the initial hearing.

On June 18, 2007, the Wilder Irrigation District, through its attorney Albert P. Barker, (hereinafter "Objector") filed an objection to the *Director's Report* for this water right claim, asserting that the source of the water right is waste water, and that the water right should not exist.

It is **hereby ordered** that the Claimant shall appear before this Special Master on **July 22, 2008, at 1:30 P.M.** Mountain Time, at the Snake River Basin Adjudication Courthouse, 253 3rd Avenue north, Twin Falls, Idaho, to show cause why the objection filed by the Wilder Irrigation District should not be granted. Parties may participate by telephone by dialing 225-383-1099 and when prompted entering the code 675342.

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 Wilder Irrigation District, including disallowance of the water right.** If the Claimant participates in the hearing, he will be expected to notify this Special Master whether he intends to prosecute the case, and accordingly a trial date will be set. In such event, no additional evidence or argument need be presented as the subcase will be allowed to

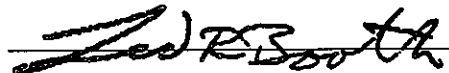
proceed to trial as a matter of course. Therefore the parties need not produce testimony or evidence in accordance with I.R.C.P. 6(c)(2)(B).

A copy of this *Order to Show Cause* shall be served upon the Claimant and the Objector not less than five (5) days prior to the date herein shown. 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

July 2, 2008



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 July 02, 2008, with sufficient first-class postage to the following:

WILDER IRRIGATION DISTRICT

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

USDI BUREAU OF RECLAMATION

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

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098

FRANK CHURRUCA JR

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PHOENIX, AZ 85020
Phone: 602-943-3953

ORDER

Page 1 7/02/08

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Deputy Clerk

