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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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 NOS.: 37-1162 and 37-14273

An Initial Hearing for this subcase was held on September 18, 2008. Notice of the hearing was sent to the claimant, however the claimant 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 reported that it had some contact with the claimant some time ago, but has not heard from them since. IDWR also reported that it has not had any contact with the claimant.

The United States BLM moved for an Order to Show Cause why the United States' *Objection* should not be granted in its entirety and the claimants *Objection* be denied. Therefore, the court issued this Order to Show Cause why the United States BLM's *Objection* should not be granted for failure to prosecute.

Therefore, IT IS HEREBY ORDERED, pursuant to I.R.C.P. 6(c)(2) and I.R.C.P. 6(c)(4) that the claimant shall appear at a Show Cause Hearing to determine whether the *Objection* filed by the United States BLM should be granted.

DATE:	March 11, 2009	Wednesday
TIME:	3:30 pm	
LOCATION:	Snake River Basin Adjudication	
	253 3 rd Ave. North	
	Twin Falls, Idaho 83301	

Parties may participate by phone for this Show Cause Hearing by dialing 1-225-383-1099 and when prompted enter participant code 926509. If you have any questions regarding participating by telephone, please contact the Clerks Office at (208) 736-3011.

IT IS FURTHER ORDERED THAT, any affidavits from the United States pursuant to I.R.C.P. 6(c)(2) shall be due on or before March 4, 2009.

Fish Creek Reservoir Co. Inc. is 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 Fish Creek Reservoir Co. Inc. 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 UNITED STATES BLM'S OBJECTION BEING GRANTED AND THE CLAIMANT'S OBJECTION BEING DENIED.

Dated: September 29, 2008.


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 AND SUMMONS TO APPEAR was mailed on October 02, 2008,
with sufficient first-class postage to the following:

UNITED STATES OF AMERICA

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

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C/O RONALD F PECK
395 AUSTIN RD
CAREY, ID 83320
Phone: 208-823-4405

FISH CREEK RESERVOIR CO INC
PO BOX 282
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DIRECTOR OF IDWR
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