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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
FEB 26 2009
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 02-51, and 02-10015
Case No. 39576) ORDER TO SHOW CAUSE
_____)

This matter came before this Special Master pursuant to a *Notice Setting Subcase for Initial Hearing* issued January 15, 2009. John Anchustegui (hereinafter "Claimant") was notified of the hearing via first class mail sent to his/her last known address. The Claimant failed to appear at the February 20, 2009, initial hearing either in person or through counsel.

On December 4, 2007, the United States of America, Bureau of Land Management filed an objection to the *Director's Report* for these water right claims, objecting to place of use.

It is **hereby ordered** that the Claimant shall appear before this Special Master on **Thursday, July 23, 2009, 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 objection filed by the United States, BLM, objecting to place of use -- should not be granted. The purpose of the show cause hearing is to provide the Claimant with a final opportunity to argue the objection despite failing to appear at the initial hearing.

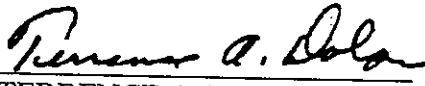
Participation in the show cause hearing is **not mandatory** and failure to appear will not be considered contempt of court. **However, failure to appear will result in the objection being granted.** If the Claimant participates in the hearing, the Claimant will be expected to notify this Special Master 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 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 February 26, 2009


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 February 26, 2009, with sufficient first-class postage to the following:

UNITED STATES OF AMERICA

Represented by:

US DEPARTMENT OF JUSTICE

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