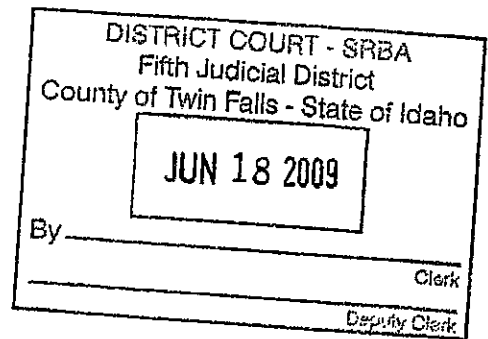


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JUN 19 2009

DEPARTMENT OF
WATER RESOURCES



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) Subcases 47-07138, 47-07457, 47-07592,
Case No. 39576) 47-13364, 47-17382, and 47-17384
_____) ORDER TO SHOW CAUSE

Objections were filed to the *Director's Report* for these water right claims by the Twin Falls Canal Company, asserting that the partial decrees for these right should include the following remark: "The source of this right is waste water originally diverted by the Twin Falls Canal Company. The wasting of water may be discontinued at any time." A hearing was held on June 15, 2009, at which the Claimant, Patrick J. Kueny Living Trust, (hereinafter "Claimant") failed to appear.

It is **hereby ordered** that the Claimant shall appear before this Special Master on **July 28, 2009, at 3:30 P.M.** Mountain Time, at the Snake River Basin Adjudication Courthouse, 253 3rd Avenue North, Twin Falls, Idaho, to show cause why the relief sought in the objections 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**. **However, failure to appear will result in the Claimant being deemed to have consented to inclusion of the above-quoted remark.** If the Claimant participates in the hearing a trial date will be set. Therefore the parties need not produce testimony or evidence in accordance with I.R.C.P. 6(c)(2)(B). Service of the *Order to Show Cause* shall be made in accordance with I.R.C.P. 5(b) and 6(c)(2).

Dated

June 18, 2009

A handwritten signature in black ink, appearing to read 'Theodore R. Booth'.

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 18, 2009, with sufficient first-class
postage to the following:

TWIN FALLS CANAL COMPANY

Represented by:
BARKER, ROSHOLT & SIMPSON LLP
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DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098

PATRICK J KUENY LIVING TRUST

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Phone: 208-731-1006

