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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUL 31 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	)	ORDER ON SHOW CAUSE HEARING
	)	
Case No. 39576	)	WATER RIGHT NO.: 21-12841
	)	
_____	)	

I. PROCEDURAL BACKGROUND

This subcase was originally set for trial to begin on August 13, 2008. Just prior to the time set for trial, a related late claim was filed which the claimant hoped would resolve this subcase as well. *Order Vacating Trial, Setting Continued Pretrial, and Hearing Regarding Representation of Counsel* (August 8, 2008) In addition, counsel for claimant Red Feather Irrevocable Trust was allowed to withdraw as counsel. The court ordered Red Feather Irrevocable Trust to inform the court as to how it would proceed since trusts must usually be represented by counsel. *Order Granting Leave to Withdraw as Attorney of Record* (July 29, 2008) That was never done. A Scheduling Conference was held on June 10, 2009. Red Feather Irrevocable Trust failed to appear at the hearing.

Therefore, this court issued an *Order to Show Cause* requiring Red Feather Irrevocable Trust to appear and show why its *Objection* in 21-12841 should not be dismissed for failure to prosecute. A hearing on the *Order to Show Cause* was held on July 8, 2009. The claimant failed to appear.

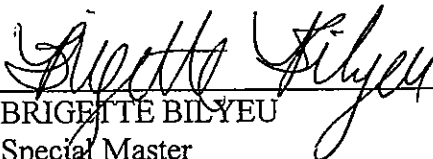
II. ORDER TO SHOW CAUSE

The court previously issued an *Order to Show Cause*. The *Order* gave notice that the claimant was required to appear at the *Show Cause Hearing* to show why its *Objection* should not be dismissed for failure to prosecute. The *Order to Show Cause* also notified Red Feather Irrevocable Trust that if it did not appear, the result would be that a *Special Master's Report and Recommendation* would issue consistent with the *Director's Report*.

Since claimant Red Feather Irrevocable Trust failed to attend the hearing on the *Order to Show Cause*, its *Objection* is **dismissed**. The dismissal of this *Objection* leaves this subcase with no remaining objections.

Therefore, a *Special Master's Report and Recommendation* will issue consistent with the *Director's Report*.

DATED: July 31, 2009.



BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER ON
SHOW CAUSE HEARING was mailed on July 31, 2009, with sufficient
first-class postage to the following:

RED FEATHER IRREVOCABLE TRUST
C/O RITA SIMONSON, TRUSTEE
2346 E IONA RD
IDAHO FALLS, ID 83404
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