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DEC 29 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
DEC 28 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

Case No. 39576

) ORDER ON SHOW CAUSE HEARING

) WATER RIGHT NOS.: 22-13900,
) 22-13904, and 22-13908
)
)
)
)

I. PROCEDURAL BACKGROUND

An Initial Hearing was held on August 19, 2008. The claimants, W. Reid and Marjean Brower Family Trust failed to appear at the hearing. The Idaho Department of Water Resources reported that *Standard Forms 5* settlement documents had been mailed to the W. Reid and Marjean Brower Family Trust on February 17, 2009, listing the elements of the claims which IDWR believes are accurate. The *Standard Form 5* was signed and returned for 22-13900. However, the forms for 22-13904 and 22-13908 were not returned.

The court ordered a *Show Cause Hearing* for these subcases on November 20, 2009. The purpose of the hearing was to determine why the court should not recommend these rights pursuant to the proposed *Standard Forms 5* which sets forth the agreement of the parties. The claimants failed to attend the hearing and thus failed to show why 22-13094 and 22-13908 should not be recommended consistent with the proposed *Standard Forms 5*.

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 the court should not recommend these rights pursuant to the proposed *Standard Forms 5*.

The claimant did not attend the hearing on the *Order to Show Cause*. Therefore, the court will issue a *Special Master's Report and Recommendation* with elements consistent with the proposed *Standard Forms 5* described by IDWR.

DATED: December 28, 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 December 28, 2009, with sufficient
first-class postage to the following:

W REID AND MARJEAN BROWER
FAMILY TRUST
881 HWY 32
TETONIA, ID 83452

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