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SEP 14 2010
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
SEP 10 2010	
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

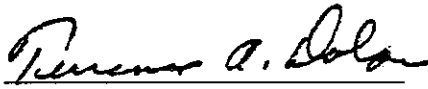
In Re SRBA	)	Subcases 02-2061 and 02-2086
	)	(Snake River Valley II LLC)
Case No. 39576	)	
_____	)	ORDER TO SHOW CAUSE

On October 23, 2009, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding* in the above two subcases for a substitution of party with the new claimant Snake River Valley II LLC, 4508 Pacer Way, Flower Mound, Texas, 75028. Attached are copies of how IDWR recommends the two claims be decreed.

A status/scheduling conference was held on September 20, 2010. Nicholas B. Spencer appeared for IDWR, but no one appeared for the claimant or contacted the Court. Mr. Spencer suggested an order to show cause hearing to resolve the subcases in a reasonable manner.

THEREFORE, IT IS ORDERED that Snake River Valley II LLLC shall appear before the Special Master on **Thursday, September 30, 2010, 2:00 p.m.**, at the SRBA Court, 253 3rd Avenue North, Twin Falls, Idaho, and show cause why the two water rights should not be decreed as described in IDWR's October 23, 2009 *NCAP*. If the claimant fails to appear at the hearing, the Special Master will recommend to the SRBA Presiding Judge that the claims be decreed as IDWR described them, all with no further notice to the claimant.

DATED September 10, 2010.


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 September 10, 2010, with sufficient first-class postage to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

MARC A MYRIN
THOMPSON & KNIGHT LLP
ONE ARTS PLAZA
1722 ROUTH ST, STE 1500
DALLAS, TX 75201
Phone: 214-969-1166

DBSI COBRA 370 LLC
1550 S TECH LN
MERIDIAN, ID 83642
Phone: 208-955-9800

SNAKE RIVER VALLEY II LLC
4508 PACE WY
FLOWER MOUND, TX 75028

WAYNE EDGERTON
4508 PACER WAY
FLOWER MOUND, TX 75028
Phone: 972-539-8530

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED
10/21/2009

2009 OCT 23 AM 10 47

RIGHT NUMBER: 2-2061

NAME AND ADDRESS: SNAKE RIVER VALLEY II LLC
4508 PACER WY
FLOWER MOUND TX 75028

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.350 CFS

Right Nos. 02-2061 and 02-2086 are limited to a total combined diversion rate of 3.28 cfs.

PRIORITY DATE: 01/20/1956

POINT OF
DIVERSION:

T01N R03W S36 SWNW Lot 4 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.350 CFS
The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.		

PLACE OF USE: IRRIGATION in OWYHEE County

T01N R03W S36 Lot 4 NWSW	21.00	T01N R03W S36 Lot 3 SEBW	37.00
T01N R03W S36 Lot 2 SWSE	21.00		

79 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 187 acres in a single irrigation season. Combined Right Nos.: 02-2061, 02-2086, and 57-276.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

The following rights are also diverted through point of diversion described above: 02-2061 and 02-2086.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER 2008 WATER LAW

DISTRICT COURT
TWIN FALLS CO. IDAHO
FILED
2008 OCT 23 AM 10 47

RIGHT NUMBER: 2-2086

NAME AND ADDRESS: SNAKE RIVER VALLEY II LLC
4508 PACER WY
FLOWER MOUND TX 75028

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.930 CFS

Right Nos. 02-2061 and 02-2086 are limited to a total combined diversion rate of 3.28 cfs.

PRIORITY DATE: 01/23/1956

POINT OF
DIVERSION:

T01N R03W S36 NWNWSW Lot 4 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.930 CFS
The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.		

PLACE OF USE: IRRIGATION in OWYHEE County

T01N R03W S36 Lot 4 NWSW	21.00	T01N R03W S36 Lot 3 SESW	47.00
T01N R03W S36 Lot 2 SWSE	40.00	T01N R03W S36 Lot 1 SESE	13.00
T01S R03W S01 Lot 2 NWNE	33.00	T01S R03W S01 Lot 3 NENW	10.00

164 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 187 acres in a single irrigation season. Combined Right Nos.: 02-2061, 02-2086, and 57-276.

This right authorizes the irrigation of 164 total acres.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Use of this right is combined with water from West Reynolds Irrigation District.

The following rights are also diverted through point of diversion described above: 02-2061 and 02-2086.