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OCT 21 2011
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
OCT 20 2011
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 TO SHOW CAUSE AND
	)	SUMMONS TO APPEAR
Case No. 39576	)	
	)	SUBCASE NO.: 37-11654D
_____	)	

Status Conferences were held on September 28, 2011 and October 12, 2011 to resolve this water right. Notice of the hearings was sent to the claimant, however the claimant failed to appear at the hearings.

At the hearings, the Idaho Department of Water Resources reported that this right may need some additional language to clarify its relationship with overlapping rights. The claimant was not at the hearings and has had no contact with IDWR.

Therefore, the court issued this Order to Show Cause why this water right should not be recommended consistent with the attached proposed Partial Decree.

Therefore, IT IS HEREBY ORDERED, pursuant to I.R.C.P. 6(c)(2) and I.R.C.P. 6(c)(4) that the claimant shall appear at a Show Cause Hearing to show why the court should not recommend this right consistent with the attached proposed Partial Decree.

DATE: December 7, 2011 Wednesday
TIME: 10:30 am
LOCATION: Snake River Basin Adjudication
253 3rd Ave. North
Twin Falls, Idaho 83301

Parties may participate by telephone for this Show Cause Hearing by dialing 1-215-446-0193 and when prompted enter participant code 926509. If you have any questions regarding telephone participation, please contact the Clerks Office at (208) 736-3011.

IT IS FURTHER ORDERED THAT, any affidavits pursuant to I.R.C.P. 6(c)(2) shall be due on or before December 2, 2011.

Coyote Bluff Homeowners Association Inc. is hereby informed that pursuant to Rule 6(c)(4) of the Idaho Rules of Civil Procedure, any party has the right to elect to produce testimony and evidence at the hearing upon the Order to Show Cause, or to cross-examine the adverse party or the adverse party's affiants, by first giving at least twenty four (24) hours notice to the Court and opposing counsel before the show cause hearing.

A copy of this *Order to Show Cause and Summons to Appear* shall be served upon Coyote Bluff Homeowners Association Inc. not less than five (5) days prior to the date set for hearing, upon which those parties are required to appear before this Court and show cause. Service of this *Order* shall be made in accordance with I.R.C.P. 5(b) and 6(c)(2).

APPEARANCE AT THIS HEARING IS MANDATORY. FAILURE TO APPEAR AT THIS HEARING MAY RESULT IN THIS WATER RIGHT BEING RECOMMENDED AND DECREED CONSISTENT WITH THE ATTACHED PROPOSED PARTIAL DECREE.

Dated: October 20, 2011.



BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

10/20/2011

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

RIGHT NUMBER: 37-11654D

NAME AND ADDRESS: COYOTE BLUFF HOMEOWNERS ASSN INC
PO BOX 2063
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.360 CFS

PRIORITY DATE: 03/24/1883

POINT OF
DIVERSION: T03N R18E S20 SWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	0.360 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S33	NWSW	3.40	T03N R18E S33	SWSW	12.90
16.3 ACRES TOTAL					

Right No. 37-11654D, combined with any other water right appurtenant to the property, is limited to the irrigation of a combined total of 16.3 acres in a single irrigation season.

~~Right Nos. 37-2507A and 37-11654D are limited to the irrigation of a combined total of 16.3 acres in a single irrigation season.~~

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 - Decreed

This right is a split from former right 37-0577BM.

Proposed Recommendation

37-11654D

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER TO
SHOW CAUSE AND SUMMONS TO APPEAR was mailed on October 20, 2011,
with sufficient first-class postage to the following:

COYOTE BLUFF HOMEOWNERS
ASSN INC
PO BOX 2063
KETCHUM, ID 83340
Phone: 208-788-0126

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