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Attorney for Defendants Ballentyne Ditch Company, Limited, Aaron Ricks, Shaun Bowman, Joe King and Steve Snead

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

D.L. EVANS BANK;

Plaintiff,

vs.

**BALLENTYNE DITCH COMPANY,
LIMITED; THOMAS MECHAM RICKS;
GARY SPACKMAN, IN HIS OFFICIAL
CAPACITY AS DIRECTOR OF THE
IDAHO DEPARTMENT OF WATER
RESOURCES; AARON RICKS,
DIRECTOR OF BALLENTYNE DITCH
COMPANY; SHAUN BOWMAN,
DIRECTOR OF BALLENTYNE DITCH
COMPANY; JOE KING, DIRECTOR OF
BALLENTYNE DITCH COMPANY;
AND STEVE SNEAD, DIRECTOR OF
BALLENTYNE DITCH COMPANY,**

Defendants.

Case No. CV-OC-1317406

**DEFENDANTS' BALLENTYNE DITCH
COMPANY, AARON RICKS, SHAUN
BOWMAN, JOE KING AND STEVE
SNEAD MOTION FOR SUMMARY
JUDGMENT**

COMES NOW Defendants Ballentyne Ditch Company, Limited, Aaron Ricks, Shaun Bowman, Joe King and Steve Snead (hereinafter collectively referred to as "Ballentyne"), by and through their attorneys of record, Sawtooth Law Offices, PLLC, and hereby **MOVES** the Court as follows:

- (1) Pursuant to Rule 56 of the IDAHO RULES OF CIVIL PROCEDURE for entry of an Order granting Ballentyne Summary Judgment as follows: a) dismissing Plaintiff's Amended Complaint and any causes of action against Ballentyne Ditch Company; b) dismissing Plaintiff's Amended Complaint and any causes of action against Ballentyne's Directors, Aaron Ricks, Shaun Bowman, Joe King and Steve Snead; and c) granting Judgment in favor of Ballentyne, and against Plaintiff, for the relief sought by Ballentyne in its Counterclaim/Interpleader.

The basis and grounds for this Motion is set forth in the Memorandum in Support, Statement of Facts in Support submitted herewith and is supported by the Affidavit of Joe King, along with the record and pleadings already on file with the Court.

Ballentyne reserves the right to submit additional affidavits in support of this Motion.

Oral argument on this Motion is respectfully requested.

DATED this 22nd of January, 2015.

SAWTOOTH LAW OFFICES, PLLC

by: 
S. Bryce Farris

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on the following on this 22nd day of January, 2015 by the following method:

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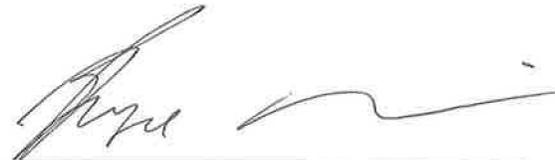
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