

PARSONS, SMITH, STONE, LOVELAND & SHIRLEY, LLP  
LAWYERS  
BURLEY, IDAHO

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

R.C. Stone  
Jason R. Naess  
**PARSONS, SMITH, STONE,  
LOVELAND & SHIRLEY, LLP**  
137 West 13<sup>th</sup> Street  
P.O. Box 910  
Burley, Idaho 83318  
(208)878-8382 - Phone  
(208)878-0146 – Fax  
Idaho State Bar #1890  
Idaho State Bar #8407  
Attorneys for Plaintiff

RECEIVED  
NOV 14 2014  
DEPARTMENT OF  
WATER RESOURCES

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,	)	Case No. CV OC 1317406
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
BALLENTYNE DITCH COMPANY,	)	REQUEST FOR SCHEDULING
LIMITED; THOMAS MECHAM RICKS;	)	CONFERENCE
GARY SPACKMAN, IN HIS OFFICIAL	)	
CAPACITY AS DIRECTOR OF THE	)	
IDAHO DEPARTMENT OF WATER	)	
RESOURCES; 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;	)	
STEVE SNEAD, DIRECTOR	)	
OF BALLENTYNE DITCH COMPANY	)	
	)	
Defendants.	)	
	)	

---

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

COMES NOW, Plaintiff D.L. Evans Bank, and hereby requests the Court issue an Order for Scheduling Conference in this case.

While this Court entered an Order granting a Motion for Change in Venue and reassignment of case on September 19, 2014, the Supreme Court entered an Order to deny the Change of Venue to the Fifth Judicial District on November 3, 2014, and directed all further proceedings in the case to remain within the Fourth Judicial District in Ada County.

It appears this case is ready for a Scheduling Conference or Stipulation for Scheduling and Planning, and Plaintiff requests the Court issue an Order regarding such matters.

DATED this 12<sup>th</sup> day of November, 2014.

PARSONS, SMITH, STONE,  
LOVELAND & SHIRLEY, LLP

  
\_\_\_\_\_  
Jason R. Naess  
Attorneys for D.L. Evans Bank

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 12<sup>th</sup> day of November, 2014, I caused a true and correct copy of the Request for Scheduling Conference to be served upon the following person(s) in the following manner:

S. Bryce Farris	<u>  x  </u>	U.S. Mail
SAWTOOTH LAW OFFICE, PLLC	___	Via Facsimile
P.O. Box 7985	___	Via Overnight Carrier
Boise, ID 83707	___	Via Hand Delivery

Chris Bromley	<u>  x  </u>	U.S. Mail
McHugh Bromley, PLLC	___	Via Facsimile
380 S 4 <sup>th</sup> St, Ste 103	___	Via Overnight Carrier
Boise, ID 83702	___	Via Hand Delivery

PARSONS, SMITH, STONE, LOVELAND & SHIRLEY, LLP  
LAWYERS  
BURLEY, IDAHO

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

John Homan	<input checked="" type="checkbox"/>	U.S. Mail
Idaho Department of Water Resources	<input type="checkbox"/>	Via Facsimile
P.O. Box 83720-0098	<input type="checkbox"/>	Via Overnight Carrier
Boise, ID 83720	<input type="checkbox"/>	Via Hand Delivery

**PARSONS, SMITH, STONE,  
LOVELAND & SHIRLEY, LLP**

  
\_\_\_\_\_  
Jason R. Naess  
Attorneys for Plaintiff  
P.O. Box 910  
Burley, Idaho 83318