

1 R.C. Stone
2 Jason R. Naess
3 **PARSONS, SMITH, STONE,**
4 **LOVELAND & SHIRLEY, LLP**
5 137 West 13th Street
6 P.O. Box 910
7 Burley, Idaho 83318
8 (208)878-8382 - Phone
9 (208)878-0146 – Fax
10 Idaho State Bar #1890
11 Idaho State Bar #8407
12 Attorneys for Plaintiff

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

15 -----
16 D.LEVANS BANK,)
17) Case No. CV OC 1317406
18)
19 Plaintiff,)
20)
21 vs.)
22)
23 BALLENTYNE DITCH COMPANY,) STIPULATED EXHIBIT LIST
24 LIMITED; THOMAS MECHAM RICKS;)
25 GARY SPACKMAN, IN HIS OFFICIAL)
26 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.)

COMES NOW the Plaintiff, D.L. Evans, and identifies a list of exhibits to

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which it believes all parties have stipulated for admission at the trial in this matter. Each party will have the opportunity to present other exhibits identified in their respective exhibit lists that are not included below:

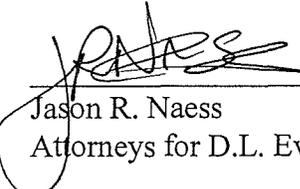
1. Ballentyne Ditch Company Articles of Incorporation (1910).
2. Amendment to Ballentyne Ditch Company Articles of Incorporation (1929).
3. Amendment to Ballentyne Ditch Company Articles of Incorporation (1948).
4. Amendment to Ballentyne Ditch Company Articles of Incorporation (1960).
5. Ballentyne Ditch Company Bylaws (1947).
6. Version 1 Stock Certificate for 71.5 shares of Ballentyne Ditch Company Stock to Thomas M. Ricks.
7. Version 2 Stock Certificate for 71.5 shares of Ballentyne Ditch Company Stock to Thomas Ricks.
8. Promissory Note (Loan No. 2015302921).
9. Deed of Trust 107082317
10. September 17, 2007, Modification of Deed of Trust.
11. October 23, 2007, Modification of Deed of Trust.
12. January 17, 2008, Modification of Deed of Trust.
13. January 22, 2013, Trustee's Deed.
14. January 24, 2013, Correction Trustee's Deed.
15. Partial Decree Water Right 63-00195
16. Partial Decree Water Right 63-00198AA
17. Partial Decree Water Right 63-00258A
18. Partial Decree Water Right 63-00285
19. Partial Decree Water Right 63-31808
20. Partial Decree Water Right 63-00260B
21. Partial Decree Water Right 63-00264
22. Map of the Place of Use Issued by the Snake River Basin Adjudication Court to Ballentyne Ditch Company.
23. Snake River Basin Adjudication Final Unified Decree (August 26, 2014).
24. The History and Development and Current Status of the Carey Act in Idaho.
25. Partial Decree Water Right 63-0303
26. Partial Decree Water Right 63-3613
27. March 19, 2013, email from Dustin Smith to Shaun Bowman.
28. March 22, 2013, email from Joe King to Thomas Ricks.
29. March 22, 2013, email from Thomas Ricks to Joe King.
30. March 23, 2013, email from Joe King to Thomas Ricks.
31. April 12, 2013, email from Joe King to Shaun Bowman, Aaron Ricks, Thomas Ricks, and Steve Snead.

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- 32. April 13, 2013, email from Thomas Ricks to Joe King, Shaun Bowman, Aaron Ricks, and Steve Snead.
- 33. April 13, 2013, email from Steve Snead to Joe King, Shaun Bowman, Aaron Ricks and Thomas Ricks.
- 34. April 13, 2013 email from Aaron Ricks to Joe King, Steve Snead, Shaun Bowman, and Thomas Ricks.
- 35. April 14, 2013, email from Joe King to Aaron Ricks, Steve Snead, Shaun Bowman, and Thomas Ricks.
- 36. April 15, 2013, letter from D.L. Evans Bank to Ballentyne Ditch Company.
- 37. April 22, 2013, letter from D.L. Evans Bank to Ballentyne Ditch Company.
- 38. May 20, 2013, letter from D.L. Evans Bank to Ballentyne Ditch Company.
- 39. SRBA Subcase Summary Report Water Right 63-00195.
- 40. SRBA Subcase Summary Report Water Right 63-00198AA.
- 41. SRBA Subcase Summary Report Water Right 63-00258A.
- 42. SRBA Subcase Summary Report Water Right 63-00260B.
- 43. SRBA Subcase Summary Report Water Right 63-00264.
- 44. SRBA Subcase Summary Report Water Right 63-00285.
- 45. SRBA Subcase Summary Report Water Right 63-31808.
- 46. List of water delivery companies in the Boise River Basin that own water rights and deliver water to their patrons.
- 47. Second Round Service of Commencement Notice for Ada County in Basin 63, including mailing list.
- 48. April 27, 2004, certificate of mailing to D.L. Evans Bank 20205011, Debtor Deniese G. Harris, 376 Falls Avenue, Twin Falls, Idaho, 83301.
- 49. Affidavit of Danni M. Smith regarding Service of Second Round Commencement Notice for Basin 63(Ada County).
- 50. May 16, 2013, Petition from D.L. Evans Bank to IDWR.
- 51. June 12, 2013, Preliminary Order from IDWR in the matter of the Petition Requesting a Determination of the Right to Use Water Under Shares of the Ballentyne Ditch Company, Ltd.

DATED this 18th day of March, 2015.

PARSONS, SMITH, STONE,
LOVELAND & SHIRLEY, LLP



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

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 10th day of March, 2015, I caused a true and correct copy of the Stipulated Exhibit List to be served upon the following person(s) in the following manner:

S. Bryce Farris	___	U.S. Mail
SAWTOOTH LAW OFFICE, PLLC	___	Via Facsimile (208) 629-7559
P.O. Box 7985	___	Via Overnight Carrier
Boise, Idaho 83707	<u> x </u>	Via Hand Delivery
Chris Bromley	___	U.S. Mail
McHugh Bromley, PLLC	___	Via Facsimile (208) 287-0864
380 S 4 th St., Ste 103	___	Via Overnight Carrier
Boise, Idaho 83702	<u> x </u>	Via Hand Delivery
John Homan	___	U.S. Mail
Idaho Department of Water Resources	___	Via Facsimile (208) 287-6700
P.O. Box 83720-0098	___	Via Overnight Carrier
Boise, Idaho 83720	<u> x </u>	Via Hand Delivery

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



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