

JUL 28 2014

CHRISTOPHER D. RICH, Clerk
By STACEY LAFFERTY
DEPUTY

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12 Attorneys for Plaintiff

LYNN G. NORTON

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

13 D.L.EVANS BANK,
14 Plaintiff,

15 vs.

16 BALLENTYNE DITCH COMPANY,
17 LIMITED; THOMAS MECHAM RICKS;
18 GARY SPACKMAN, IN HIS OFFICIAL
19 CAPACITY AS DIRECTOR OF THE
20 IDAHO DEPARTMENT OF WATER
21 RESOURCES; IDAHO DEPARTMENT
22 OF WATER RESOURCES; AARON
23 RICKS, DIRECTOR OF BALLENTYNE
24 DITCH COMPANY; SHAUN BOWMAN,
25 DIRECTOR OF BALLENTYNE DITCH
26 COMPANY; JOE KING, DIRECTOR
OF BALLENTYNE DITCH COMPANY;
STEVE SNEAD, DIRECTOR
OF BALLENTYNE DITCH COMPANY

Defendants.

Case No. CV OC 1317406

SUMMONS

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

1 **NOTICE: YOU HAVE BEEN SUED BY THE ABOVE-NAMED PLAINTIFF(S). THE**
2 **COURT MAY ENTER JUDGMENT AGAINST YOU WITHOUT FURTHER NOTICE**
3 **UNLESS YOU RESPOND WITHIN 20 DAYS.**

4 **READ THE INFORMATION BELOW.**

5 **TO: GARY SPACKMAN , IN HIS OFFICIAL CAPACITY AS DIRECTOR OF THE**
6 **IDAHO DEPARTMENT OF WATER RESOURCES**

7 You are hereby notified that in order to defend this lawsuit, an appropriate written response
8 must be filed with the above designated court within 20 days after service of this Summons on
9 you. If you fail to so respond the court may enter judgment against you as demanded by the
10 plaintiff(s) in the Complaint.

11 A copy of the Complaint is served with this Summons. If you wish to seek the advice of or
12 representation by an attorney in this matter, you should do so promptly so that your written
13 response, if any, may be filed in time and other legal rights protected.

14 An appropriate written response requires compliance with Rule 10(a)(1) and other Idaho Rules
15 of Civil Procedure and shall also include:

- 16 1. The title and number of this case.
- 17 2. If your response is an Answer to the Complaint, it must contain admissions or denials of the
18 separate allegations of the Complaint and other defenses you may claim.
- 19 3. Your signature, mailing address and telephone number, *or* the signature, mailing address and
20 telephone number of your attorney.
- 21 4. Proof of mailing or delivery of a copy of your response to plaintiff's attorney, as designated
22 above.

23 To determine whether you must pay a filing fee with your response, contact the Clerk of the
24 above-named court.

25 DATED this 28 day of July, 2014.

26 **CLERK OF THE DISTRICT COURT**

CHRISTOPHER D. RICH

By: **STACEY LAFFERTY**

Deputy Clerk
200 W Front St
Boise, ID 83702-7300
(208) 287-6900

SEAL