

NOV 03 2014

CHRISTOPHER D. RICH, Clerk  
By SANTIAGO BARRIOS  
DEPUTY

# In the Supreme Court of the State of Idaho

|                                      |             |  |
|--------------------------------------|-------------|--|
| IN THE MATTER OF:<br>CHANGE OF VENUE | )<br>)<br>) | ORDER TO DENY THE<br>CHANGE OF VENUE TO THE<br>FIFTH JUDICIAL DISTRICT |
|--------------------------------------|-------------|--|

On September 19, 2014, an Order was issued by District Judge Lynn G. Norton wherein venue was transferred from ADA County, FOURTH Judicial District to the SNAKE RIVER BASIN ADJUDICATION DISTRICT COURT, in the FIFTH Judicial District in the case listed below:

**D.L. Evans Bank v. Ballentyne Ditch Company, Limited, et al.**  
**Ada County Case No. CV-OC-2013-17406**

WHEREAS, this Court having no jurisdiction to change venue in this proceeding; therefore, IT HEREBY IS ORDERED that the request to change venue in the district court case listed above be, and hereby is, DENIED and all further proceedings in the case SHALL REMAIN IN ADA COUNTY, within the FOURTH JUDICIAL DISTRICT:

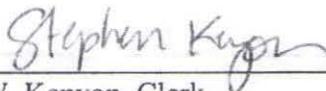
DATED this 20 day of October, 2014.

By Order of the Supreme Court



Roger S. Burdick, Chief Justice

ATTEST:



Stephen W. Kenyon, Clerk

cc: District Court Clerk Christopher J. Rich, Ada County  
District Judge Lynn G. Norton  
District Judge Eric J. Wildman

FILED  
Monday, November 03, 2014 at 04:00 PM  
CHRISTOPHER D. RICH, CLERK OF THE COURT  
**SANTIAGO BARRIOS**  
BY: \_\_\_\_\_  
Deputy Clerk

**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,  
IDAHO DEPARTMENT OF WATER  
RESOURCES,  
AARON RICKS,  
SHAUN BOWMAN,  
JOE KING,  
STEVE SNEAD,  
Defendant.

CASE NO. CV-OC-2013-17406  
CERTIFICATE OF MAILING

I, CHRISTOPHER D. RICH, the undersigned authority, do hereby certify that I have mailed, by United States Mail, one copy of the: **ORDER TO DENY THE CHANGE OF VENUE TO THE FIFTH JUDICIAL DISTRICT** as notice pursuant to Rule 77 (d) I.R.C.P. to each of the parties or attorneys of record in this cause in envelopes addressed as follows:

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Dated: Monday, November 03, 2014

CHRISTOPHER D. RICH  
Clerk of the Court

**SANTIAGO BARRIOS**  
By: \_\_\_\_\_  
Deputy Clerk: Santiago Barrios

**SEAL**