

S. BRYCE FARRIS (ISB #5636)  
RINGERT CLARK CHARTERED  
455 S. Third, P. O. Box 2773  
Boise, Idaho 83701-2773  
Telephone: (208) 342-4591  
Facsimile: (208) 342-4657

RECEIVED  
MAR 14 2008  
DEPARTMENT OF  
WATER RESOURCES

Attorneys for Hart-Davis Ditch Company, Inc.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

)  
) SUBCASE NOS. 63-134, 63-132, 63-133,  
) 63-134A, 63-134B, 63-186A, 63-186B,  
) 63-17205 and 63-31772

)  
) HART DAVIS DITCH COMPANY'S  
) MOTION OF SUMMARY JUDGMENT  
)  
)

COMES NOW Hart Davis Ditch Company (hereinafter "Hart Davis"), by and through its counsel of record, Ringert Clark, Chartered, moves this Court, pursuant to Rule 56 of the Idaho Rules of Civil Procedure and pursuant to the Second Supplemental Trial Scheduling Order filed December 21, 2007, for entry of summary judgment in favor of Hart Davis and dismissing the State of Idaho's objection to water right no. 63-134.

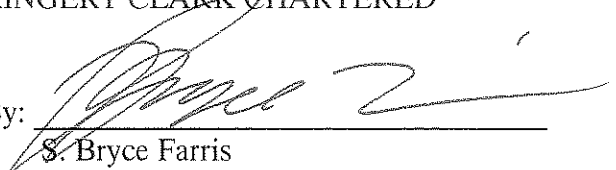
This Motion is based upon: Hart Davis Ditch Company's Memorandum in Support of Motion for Summary Judgment, the Affidavit of S. Bryce Farris, Affidavit of Ron Rippey, the claim of Hart Davis and the pleadings and documents on file with this Court.

Oral argument is requested.

DATED this 13<sup>th</sup> day of March, 2008.

COPY

RINGERT CLARK CHARTERED

By: 

S. Bryce Farris

Attorney for Hart-Davis Ditch Company

**CERTIFICATE OF SERVICE**

I hereby certify that on this 3<sup>rd</sup> day of March, 2008, I served a true and correct copy of the foregoing document by U.S. mail, postage pre-paid to the following:

United States Department of Justice  
Environment and Natural Resource Div.  
550 West Fort Street, MSC 033  
Boise, Idaho 83724

David J. Barber  
State of Idaho  
P.O. Box 44449  
Boise, Idaho 83711-4449

IDWR Document Depository  
P.O. Box 83720  
Boise, Idaho 83720-0098

Idaho Department of Parks  
and Recreation  
5657 Warm Springs Avenue  
Boise, Idaho 83716

Ron Sali & Ron Sali Properties  
Ron Sali Properties, Inc.  
Represented by:  
Michael C. Creamer  
Givens Pursley  
P.O. Box 2720  
Boise, Idaho 83701-2720

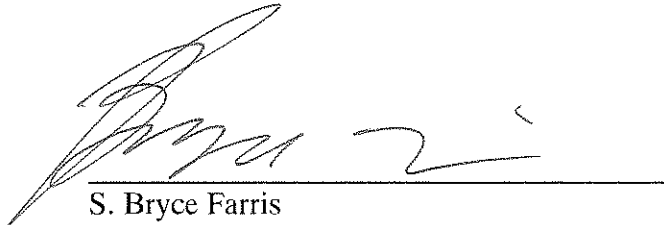
Ron Sali  
P.O. Box 448  
Boise, Idaho 83701-0488

Ron Sali  
919 South Linden Road  
Eagle, Idaho 83616

Ron Sali Properties, Inc.  
Profit Sharing Plan  
100 N. 9<sup>th</sup> Street, Ste. 200  
Boise, Idaho 83702-5700

Chief of Natural Resource Division  
Office of the Attorney General  
State of Idaho  
P.O. Box 44449  
Boise, Idaho 83711-4449

Mace Catlin Ditch Company  
c/o Bob Kell  
1820 Mace Road  
Eagle, Idaho 83616

  
S. Bryce Farris