

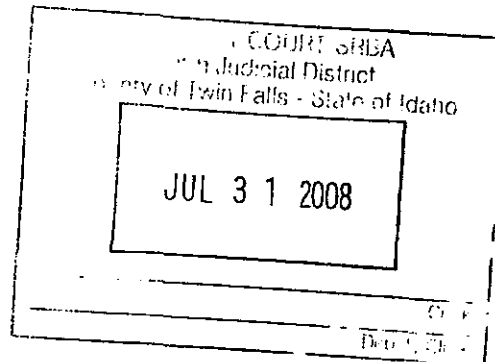
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re: SRBA

Case No. 39576

)
) Case No.: 63-7539

)
) **MOTION FOR SUMMARY JUDGMENT**



DISPOSITIVE MOTION

IN RE SRBA RE 63-7539

THIS WATER RIGHT SHOULD NOT
EXIST ON THIS WELL BECAUSE
IT HAS BEEN CLAIMED IN
TRESPASS

BECAUSE OF THE SUPREME COURT
CASE RABIDO ET AL V. FUREY IDAHO
1920 SAYS THAT "A VALID WATER
RIGHT CANNOT BE INITIATED BY USING
ANOTHERS DITCH AGAINST HIS WILL, OR
BY ANY OTHER TRESPASS"

CRAGT, WHITTED
7144 WARREN SPR RD
MELBA IDAHO 83641.5228

DATE 07.31.2008

Craig T. Whitted