

Filed April 8, 2015 P  
BETTY J. THOMAS 9:45a M.  
Clerk District Court

By Charles Sloan Deputy

**IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF WASHINGTON**

WASHINGTON COUNTY, a political  
subdivision of the State of Idaho,

Plaintiff / Counterdefendant,

vs.

ROY BILBAO, RAY BILBAO, and BILBAO  
LAND AND CATTLE LLC,

Defendants / Counterclaimants.

Case No. CV 2014-1854

**JUDGMENT**

**JUDGMENT IS ENTERED AS FOLLOWS:**

1. The Court hereby declares that Cow Creek Road within Washington County is a public road with a right-of-way that is fifty feet in width.
2. Each and all of the Defendants are affirmatively enjoined forthwith to remove any and all unlawful encroachments they or any of them has caused, allowed, or authorized to be placed upon or within the fifty-foot right-of-way of Cow Creek Road anywhere within Washington County. This includes all gates (whether locked or unlocked, open or closed), boulders, trees, or other obstacles, as well as any manipulation or impairment of the road surface or damage or removal of cattle guards in such a way as to interfere with use of the road. Properly maintained cattle guards that conform to applicable law and ordinances do not constitute unlawful encroachments.

**JUDGMENT**

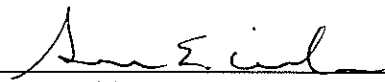
proposed judgment with monetary award (final 4-7-2015) / 10862-3

3. Each and all of the Defendants are enjoined from placing any further unlawful encroachments of any kind upon or within the fifty-foot right-of-way of Cow Creek Road anywhere within Washington County.

4. The Defendants' counterclaim is dismissed with prejudice.

5. The County is awarded \$50,000 against the Defendants, jointly and severally.

DATED this 8<sup>th</sup> day of April, 2015.

  
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Honorable Susan E. Weibe  
District Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 8th day of April, 2015,  
the foregoing was served as follows:

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