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

STATE OF IDAHO ex rel. TRUE PEARCE,
WASHINGTON COUNTY PROSECUTING
ATTORNEY,

Plaintiff,

vs.

DELTON LARY WALKER,

Defendant.

Case No. CV44-25-0154

**MOTION FOR LEAVE TO FILE
AMENDED COMPLAINT**

Oral Argument Requested

COMES NOW the Plaintiff, State of Idaho, and, pursuant to I.R.C.P. 15, hereby moves the Court for leave to file the proposed Amended Complaint for Writ of Prohibition, attached hereto as Exhibit A. The purposes this motion to amend are as follows:

1. To clarify the nature of Plaintiff's standing to pursue the relief set forth in the Amended Complaint, specifically in his official capacity as the Washington County Prosecuting Attorney. Considering the Court's ruling on Plaintiff's original claim for Usurpation of Office, Plaintiff no longer has statutory authority to pursue this action on behalf of the State of Idaho.
2. To add 47 Ranch Holdings, LLC, as a Defendant in this matter, for the reasons set forth in the proposed Amended Complaint and in conformance with Defendant

Walker's admissions to acting in his capacity as attorney for and manager of 47 Ranch.

3. To narrow Plaintiff's claims for relief to one claim for a Writ of Prohibition, in conformance with the evidence in the record and consistent with the Court's ruling on Plaintiff's original claim for Usurpation of Office.

Plaintiff respectfully requests oral argument on this motion. Plaintiff will prepare and file a Notice of Hearing as soon as practicable after receiving a hearing date from the Court.

DATED this 16th day of March, 2026.



TRUE PEARCE
Washington County Prosecuting Attorney

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 16th day of March, 2026, a true and correct copy of the foregoing MOTION TO AMEND COMPLAINT was forwarded by the method indicated below, to the following person(s):

Lawrence Wasden
Nampa, ID 83686
lgwasden@gmail.com

- | | |
|-------------------------------------|----------------------------|
| ☐ | U.S. Mail, postage prepaid |
| ☐ | Overnight Delivery |
| ☐ | Hand Delivery |
| ☐ | Facsimile |
| ☒ | eFile |

April C. Leija
LEGAL ASSISTANT

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

TRUE PEARCE, in his Official Capacity as
WASHINGTON COUNTY PROSECUTING
ATTORNEY,

Plaintiff,

vs.

DELTON LARY WALKER, an Individual,
and 47 RANCH HOLDINGS, LLC, an Idaho
Limited Liability Company,

Defendants.

Case No. CV44-25-0154

AMENDED COMPLAINT FOR WRIT
OF PROHIBITION

Plaintiff alleges as follows:

PARTIES, JURISDICTION, AND VENUE

1. Plaintiff True Pearce is the duly elected Prosecuting Attorney for Washington County, State of Idaho.
2. Defendant Delton Lary Walker ("Defendant Walker") is an individual residing in Washington County, Idaho.

3. Defendant 47 Ranch Holdings, LLC (“Defendant 47 Ranch” or simply “47 Ranch”) is duly formed limited liability company existing under the laws of the State of Idaho. Defendant 47 Ranch conducts business in the holding and sale of real property.

4. This Court has jurisdiction over this matter pursuant to Idaho Code § 1-705.

5. Venue is proper in Washington County pursuant to Idaho Code § 5-404 because Defendant Walker resides in Washington County and the acts and omissions giving rise to this Complaint occurred in Washington County.

FACTUAL ALLEGATIONS

6. Defendant Walker is a licensed attorney engaged in private practice in Washington County. Defendant formerly served as the elected Prosecuting Attorney for Washington County, from approximately January 2009 until January 13, 2025.

7. Defendant Walker is a manager of and the attorney for Defendant 47 Ranch. Defendant Walker has acted as the attorney for 47 Ranch since its formation in January 2021. Defendant Walker has been a manager of 47 Ranch since at least January 11, 2023. The nature and duration of Defendant Walker’s ownership interest in 47 Ranch, if any, is unknown to Plaintiff at the time of this filing.

8. On or about March 25, 2021, when Defendant Walker was serving as the Washington County Prosecuting Attorney, attorney Gary G. Allen, then a partner at Givens Pursley LLP, tendered a letter (the “Allen Letter”) to the Board of Washington County Commissioners (“the Board”). The Allen Letter was written on behalf of two residents of the County who took issue with what the letter calls the “Subdivision Ordinance.” A copy of the Allen Letter is on file in the record in this matter.

9. The Allen Letter does not expressly define the term “Subdivision Ordinance,” but it refers generally to the County’s historical practice regarding building permits and the division of parcels in the County’s A1 Agricultural zone. It also refers specifically to sections 5-4-1 and 6-2-2 of the Washington County Code (“the Code”).

10. Broadly speaking, the County’s historical practice regarding building permits and the division of A1 parcels involved the applied concept of “original parcels” and the existence of building rights that run with land.

11. On June 21, 2021, Defendant Walker gave legal advice to the Board regarding the Code on the record during a public meeting. Defendant Walker advised the Board that section 5-4-1(B) of the Code authorizes the construction of single-family residences on A1 parcels that have twenty (20) or more acres of lot area. A copy of the minutes from the Board meeting on June 21, 2021, is on file in the record in this matter.

12. In approximately the summer of 2021, the Board, based upon Defendant Walker’s legal advice, allowed a local property investor to split land in the Gentry Lane area into multiple 20-acre parcels, and to sell said parcels to individuals who would then build homes on them. This caused significant controversy within Washington County, which controversy is the subject of ongoing litigation and settlement in Washington County Case No. CV44-25-0273.

13. On or about August 27, 2021, a different partner from Givens Pursley LLP, Christopher Meyer, tendered a “Memorandum of Law” (the “Meyer Memo”) to the Defendant. The Meyer Memo summarizes in detail the provisions of section 5-4-1 of the Code, and how they apply to the construction of residential dwellings on divided A1 parcels. During his time in office, Defendant Walker procured from the Board no less than \$58,000 in County funds to pay Givens Pursley for the advice set forth in the Meyer Memo.

14. The Meyer Memo misconstrues the Code and expressly contradicts the legal advice that Defendant Walker previously gave to the Board on June 21, 2021. Specifically, the Meyer Memo addresses the division or splitting of A1 parcels and creates a distinction between “Non-dwelling splits” and “Dwelling splits,” terms that do not exist in the Code. This distinction stems from and seeks to perpetuate the County’s historical practice regarding “original parcels” and building rights that run with land. A copy of the Meyer Memo is on file in the record in this matter.

15. Defendant Walker and/or Defendant 47 Ranch stand (or believe they stand) to gain financially from the Meyer Memo’s misconstruction of the Code and the County’s historical practice regarding original parcels and building rights that run with land. Specifically, 47 Ranch owns various parcels of real property considered to be original parcels with a supposedly limited number of building rights. 47 Ranch believes its holdings and splits will sell for higher prices if it is able to sell “Dwelling splits” while other landowners in the County are only able to make and sell “Non-dwelling splits.”

16. On or about April 7, 2025, Plaintiff tendered to the Board a Memorandum (the “Plaintiff’s Memorandum”) addressing the issues raised by the Allen Letter, the Meyer Memo, and the County’s historical practice regarding original parcels and building rights that run with land. In relevant part, Plaintiff’s analysis of the Code aligns with Defendant Walker’s June 21, 2021 advice to the Board that section 5-4-1(B) of the Code authorizes the construction of single-family residences on A1 parcels that have twenty (20) or more acres of lot area. However, Plaintiff’s Memorandum expands significantly on the Code’s subdivision restrictions and the nuances of various definitions. A copy of the Plaintiff’s Memorandum is on file in the record in this matter.

17. On or about April 17, 2025, Defendant Walker texted Washington County Commissioner Nate Marvin after hearing from an unidentified individual “about a few things that are going on with the county.” Defendant Walker also emailed Commissioner Marvin a copy of the Meyer Memo. Commissioner Marvin interpreted this email as legal advice, forwarded it to the County Clerk, and noted it as an item of discussion for the next public meeting.

18. From the time that Plaintiff took office on January 13, 2025, until at least July 10, 2025, Defendant Walker had other and further communications with other County officials, including but not limited to former Planning and Zoning Administrator Bonnie Brent-Dowell and former Planning and Zoning Commission Chair Ron Jaeger.

19. In his communications with County officials, Defendant Walker acted in his capacity as attorney for and manager of 47 Ranch. The purpose of these communications was to advocate for the application of the Meyer Memo and the County’s historical practice regarding original parcels and building rights that run with land, to undermine Plaintiff’s advice to the Board and the analysis set forth in the Plaintiff’s Memorandum, and to advance his own pecuniary interests and/or the pecuniary interests of Defendant 47 Ranch.

20. By communicating with Commissioner Marvin and/or Planning and Zoning Administrator Brent-Dowell and/or Planning and Zoning Commission Chair Jaeger and/or other County officials, Defendant Walker improperly tendered legal advice that he procured while serving as the prosecuting attorney, even though all said officials were currently represented by Plaintiff, who was actively providing advice on the same legal issues. In at least one instance, Defendant Walker expressly communicated legal advice or instruction to the P&Z Administrator to deny a building permit on a 20-acre parcel sold by 47 Ranch to private individuals.

21. By and through Defendant Walker as its attorney and manager, Defendant 47 Ranch sought to advocate for the application of the Meyer Memo and the County's historical practice regarding original parcels and building rights that run with land, to undermine Plaintiff's advice to the Board and the analysis set forth in the Plaintiff's Memorandum, and to advance its own pecuniary interests.

22. In their efforts to influence County officials, Defendant Walker and Defendant 47 Ranch utilized methods and materials unavailable to the general public or other private attorneys, and relied on Defendant Walker's undue influence and standing as the formerly elected prosecuting attorney. Defendants' communications with County officials were outside the scope of ordinary legal and public policy advocacy and did not constitute protected political speech.

**FIRST CLAIM FOR RELIEF
(Writ of Prohibition, I.C. § 7-401)**

23. Plaintiff realleges and incorporates paragraphs 1-22.

24. Defendants knowingly and intentionally attempted to undermine Plaintiff's ability to properly fulfill his constitutional and statutory duty to advise the Board on legal issues that affect Defendants' pecuniary interests. Defendants did so for their own gain and outside the ordinary course of legal advocacy, public policy advocacy, and by using materials and methods unavailable to the general public or other private attorneys.

25. By so doing, and by relying on Defendant Walker's undue influence and standing as the formerly elected prosecuting attorney to advance Defendants' pecuniary interests, Defendants proceeded without or in excess of their jurisdiction as a corporation, board, or person.

26. Plaintiff has no plain, speedy, and adequate remedy in the ordinary course of law.

27. Pursuant to Idaho Code § 7-401, Plaintiff is entitled to a Writ of Prohibition as follows:

- a. Prohibiting Defendant Walker from tendering legal advice to County officials for the purpose of undermining Plaintiff's advice and/or advancing his own pecuniary interests and/or the pecuniary interest of Defendant 47 Ranch;
- b. Prohibiting Defendant 47 Ranch from causing or permitting Defendant Walker to utilize undue influence for the purpose of advancing the pecuniary interest of 47 Ranch.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for relief as follows:

1. Pursuant to Idaho Code § 7-401, Plaintiff is entitled to a Writ of Prohibition as follows:
 - a. Prohibiting Defendant Walker from tendering legal advice to County officials for the purpose of undermining Plaintiff's advice and/or advancing his own pecuniary interests and/or the pecuniary interest of Defendant 47 Ranch;
 - b. Prohibiting Defendant 47 Ranch from causing or permitting Defendant Walker to utilize undue influence for the purpose of advancing the pecuniary interest of 47 Ranch.
2. Pursuant to Idaho Code § 12-121, for an award of costs and attorney fees incurred by Plaintiff, to be calculated at a rate and in such manner as determined by the Court.
3. For such other and further relief as the Court may deem equitable and just.

DATED this ____ day of _____, 2026.

TRUE PEARCE
Washington County Prosecuting Attorney

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the _____ day of _____, 2026, a true and correct copy of the foregoing AMEND COMPLAINT FOR WRIT OF PROHIBITION was forwarded by the method indicated below, to the following person(s):

Lawrence Wasden
Nampa, ID 83686
lgwasden@gmail.com

- ☐ U.S. Mail, postage prepaid
- ☐ Overnight Delivery
- ☐ Hand Delivery
- ☐ Facsimile
- ☐ eFile

LEGAL ASSISTANT