



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

September 17, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

KENLEY HINRICHS
4695 OLD VALLEY RD
EAGLE ID 83616

RE: TRANSFER #5284 AND APPLICATION #63-12459

Dear Mr. Hinrichs:

This letter serves to acknowledge receipt on September 8, 1998 of your supplemental letter regarding your protests of the above referenced water right filings in the name of Ballentyne Ditch Company and Tim Fease/Kathy Ellensohn, respectively. I agree with you that the topics we discussed during your July 14, 1998 office visit are summarized in your supplemental letter. It is correct to conclude that I did not have all the answers to your questions regarding the details of the applicants' proposals at that time, nor do I have all the details at this time.

This acknowledgement letter neither confirms nor denies the validity of your characterization of our previous meeting nor of any conclusions or characterizations of the applicants' actions or statements as stated in your September 8 letter.

Please be advised that an applicant may, but is not required to, provide the protestant with additional information prior to a pre-hearing conference or a hearing. It has been noted that you will not be available during the month of October with respect to a pre-hearing conference or a hearing in this matter. This office will continue to work with all of the involved parties to schedule such a meeting.

Please let me know if you have any questions in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Steve Lester".

Steve Lester
Water Rights Supervisor

c: Applicants