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WATER RESOURCES
WESTERN REGION

Attorneys for Kenley Hinrichs & Lisa O'Toole

BEFORE THE DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

IN THE MATTER OF APPLICATION	)	
FOR PERMIT NO. 63-12459 IN THE NAME	)	
OF TIM FEASE &/OR KATHY	)	
ELLENSOHN, APPLICATION FOR	)	STIPULATION TO EXTEND
TRANSFER OF WATER RIGHT NO.	)	HEARING DATES
63-00289 IN THE NAME OF BALLENTINE	)	
DITCH CO. LTD, AND APPLICATION	)	
FOR PERMIT NO. 63-12384 IN THE NAME	)	
OF KENLEY HINRICH &/OR LISA	)	
<u>O'TOOLE</u>	)	

COMES NOW, RICHARD BURLEIGH, attorney for Tim Fease and Kathy Ellensohn and SUSAN E. BUXTON, attorney for Kenley Hinrichs and Lisa O'Toole, and hereby stipulate and agree that the Idaho Department of Water Resources should extend the dates presently set for November 9, 1998 for a conference for the protests and December 8 and 9, 1998 for a hearing in the above entitled matter to a time convenient with the Department and counsel.

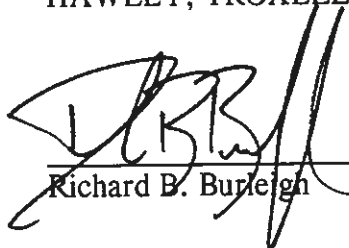
This Stipulation is based on the following facts:

1. The parties are attempting to enter into settlement negotiations in this matter.

2. Both parties need additional time to conduct discovery procedures pursuant to IDWR rules.

Dated this 4th day of November, 1998.

HAWLEY, TROXELL ENNIS & HAWLEY


Richard B. Burleigh

Dated this 3rd day of November, 1998.

MOORE & McFADDEN, CHARTERED

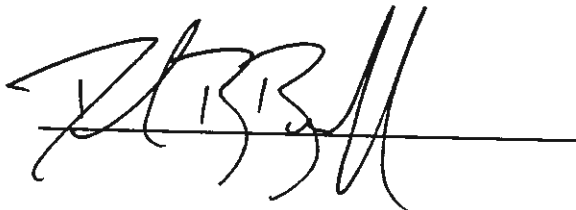

Susan E. Buxton

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 4th day of November, 1998, I caused to be served a true and correct copy of the foregoing document by hand delivering the same to the following:

L. Glen Saxton, Hearing Officer
State of Idaho, Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

and depositing the same in the United States mail, postage prepaid, properly addressed to the following:

A handwritten signature in black ink, appearing to read "L. Saxton", is written over a horizontal line.