

RICHARD B. BURLEIGH

EMail: RBB@HTEH.COM

July 27, 1999

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WATER RESOURCES
WESTERN REGION

Gary Spackman
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

Re: *Fease/Ellensohn/Hinrichs*

Dear Gary:

This letter is in response to your recent letter to Tim Fease and Kathy Ellensohn regarding their water right permit applications pending before the Department of Water Resources. You indicated an intent to schedule a pre-hearing conference in September of 1999. Please be aware that I have accepted a position with Albertson's Inc. I will be leaving Hawley Troxell Ennis & Hawley LLP on July 30, 1999. My clients are in the process of obtaining new counsel to represent them before the Idaho Department of Water Resources and any scheduling decisions should be made with that individual's participation.

In addition, my clients are currently involved in litigation against Kenley Hinrichs, the objector to the Fease/Ellensohn water right application. That matter goes to trial in February 2000. It may therefore be beneficial to postpone the proceeding on the permit application until resolution of the litigation between Hinrichs and my clients. Again, the decision on how and when to move forward on the water right application should be reviewed with and made with the participation of Fease/Ellensohn's new counsel. I therefore request that you postpone scheduling anything on this matter until contacted by new counsel for Mr. Fease's and Ms. Ellensohn.

Gary Spackman
July 27, 1999
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If you have any questions, please do not hesitate to
contact me.

Sincerely,

HAWLEY TROXELL ENNIS & HAWLEY LLP

A handwritten signature in dark ink, appearing to read "R. B. Burleigh", written in a cursive style.

Richard B. Burleigh

RBB/cap

cc: Tim Fease/Kathy Ellensohn
Susan Buxton