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September 1, 2005

VIA FACSIMILE 733-9343
and U.S. Mail

Patrick D. Brown
Hutchinson & Brown, LLP
P.O. Box 207
Twin Falls, ID 83303-0207

RE: Millenkamp/Application for Transfer No. 71604

Dear Pat:

For a week I have been asking that you provide me available times for our respective experts to hold a conference call as required by the Department's Order. Yesterday morning, on the day of the deadline pursuant to the Department's Order, was the first response I have heard from you regarding that request. During that phone conversation, you indicated that you would e-mail to me a list of the information your expert was requesting and call me back with a time for the conference call. Based on your representation and lack of specific time for the call, I had Dr. Brockway keep his schedule open the entire day. Not only did I not receive the list of information as promised, but you waited until approximately 3:30 p.m. to call me back regarding the conference call. As I was in a meeting with clients at that time, Jayna, my secretary, returned your phone call and was only able to speak to your secretary. She informed Jayna that you were out of the office at that time and she did not know what was going on regarding the conference call. Needless to say, the conference call did not take place.

Notwithstanding the events of the last week, I have already contacted Brockway regarding his availability for the remainder of this week. While he is in Boise all day today and unavailable, I will see what I can do about setting something up for tomorrow. However, in an effort to not waste any more of my client's, Brockway's or my time, I would appreciate a confirmation from you that your expert will be available.

Yours truly,

TIMOTHY J. STOVER

TJS:jl

Encls.

cc: Lee Halper (via fax and U.S. Mail 324-4422)
Gary Spackman (via fax and U.S. Mail 208- 287-6700)
Allen Merritt, IDWR(via fax 736-3037)
Charles Brockway