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JUN 24 2004
Department of Water Resources
Eastern Region

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF)
APPLICATION FOR TRANSFER)
NUMBER 70663, WATER RIGHT)
NO. 35-2391, 35-7777 in the name of)
ANDREW E. POVEY)
_____)

MOTION FOR CONTINUANCE

TWIN FALLS CANAL COMPANY and NORTH SIDE CANAL COMPANY (hereinafter the "Canal Companies"), by and through their attorneys, Barker Rosholt & Simpson, hereby submit this motion for continuance of the hearing set for July 1 and 12, 2004. The Canal Companies have not been provided sufficient time for discovery of facts relative to this application and have been prejudiced in its preparation for this hearing due to the failure of the Applicant to disclose facts and witnesses to be presented at such hearing. The Canal Companies request the hearing be rescheduled, for a date to be agreed upon by all parties, and an adequate schedule be set for discovery and hearing preparation.

DATED this 18th day of June, 2004.

BARKER ROSHOLT & SIMPSON

By: 

John K. Simpson
Amy D. Chestnut

CERTIFICATE OF MAILING

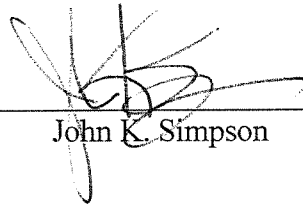
I hereby certify that on this 21st day of June, 2004, I served a copy of the foregoing MOTION FOR CONTINUANCE, by depositing same in the United States mail, postage prepaid, in an envelope, addressed to the following:

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