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Attorneys for Case Credit Corp.

UNITED STATES COURTS
DISTRICT OF IDAHO

JUN 5 - 1998

M. REC'D _____
LODGED _____ FILED _____



IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF IDAHO

IN RE:)
)
HIPWELL, TERRY,) Bankruptcy No. 96-02095
)
) MOTION FOR RELIEF FROM STAY
Debtors.)
_____)

COMES NOW Case Credit Corporation ("Movant"), and pursuant to 11 U.S.C. Section 1201(c); Rule 4001(a), Federal Rules of Bankruptcy Procedure; and Rule 4001.2, Local Bankruptcy Rules, moves the court for an order granting relief from the automatic stay with respect to certain farm machinery described below ("the Collateral"). In support of this motion, Movant states to the court the following:

1. The Collateral that is the subject of this motion is farm machinery described as follows:

Case IH 7140 Magnum Tractor, Serial No. JJA0025885.

2. Movant seeks relief from the stay to allow it to repossess and/or to foreclose its interest in the Collateral as Seller under a Retail Installment Sale Contract that is in default.

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3. Movant is a secured party under the Debtor's Confirmed Chapter 12 Plan. A payment under the Plan was due January 10, 1998. However, no portion of that installment has been made.

4. Apparently the Debtors are in default of their Plan payments. Essentially the balance of Debtors' farm equipment already has been sold at a recent auction.

5. The amount owed to Movant by the Debtors is \$38,166.29, plus additional attorney fees incurred by Movant as a result of Debtors' default. The same auctioneer who sold the rest of Debtor's equipment could not assure the undersigned that the auction would bring sufficient money to cover the contract balance, even without charging a sale commission.

6. This Collateral is not necessary for a reorganization. There is no equity in the Collateral.

NOTICE

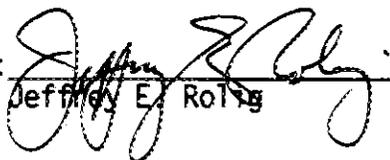
Any party in interest may oppose this motion by filing and serving on the undersigned a written objection at least five days prior to the preliminary hearing. The objection shall reasonably identify those matters contained in this Motion which are at issue, and any other basis for opposition to the Motion. Absent the filing of a timely objection, the court may grant the relief sought without a hearing. However, no written objection need be filed if the preliminary hearing on this motion is set for less than twenty (20) days after the filing of this Motion; but the opposing party must be prepared to present the information required above at the preliminary hearing.

YOU ARE FURTHER NOTIFIED that thirty (30) days after the date of this Motion for Relief From the Automatic Stay imposed by 11 U.S.C. Section 362(a), such stay will terminate with respect to the Movant, unless the court, after

notice and a hearing, orders such stay continued in effect pending the conclusion of, or as a result of, a final hearing and determination of this Motion pursuant to 11 U.S. C. Section 1201.

DATED This 1st day of June, 1998.

ROLIG & PETERSON, L.L.P.

By: 
Jeffrey E. Rolig

CERTIFICATE OF MAILING

I, the undersigned, hereby certify that I am a resident attorney of the State of Idaho and that on the 1st day of June, 1998, I served a copy of the foregoing document upon the following:

Office of the U.S. Trustee
P.O. Box 110
Boise, ID 83707

United States Trustee
Ronald D. Schoen
P.O. Box 216
Payette, ID 83661

Terry Hipwell
30932 Shelton
Parma, ID 83660

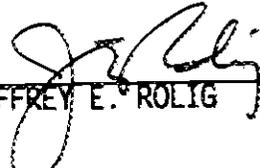
John D. Harrington
WHITE, PETERSON, PRUSS,
MORROW & GIGRAY, P.A.
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Nampa, ID 83653-0247

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by depositing a true copy thereof in the United States mail, postage prepaid.



JEFFREY E. ROLIG