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Via Email and U.S. Mail

June 30, 2008

Robert G. Haynes
Regional Manager
Idaho Department of Water Resources
7600 Mineral Drive, Suite 100
Coeur d'Alene, ID 83815

Re: *Black Rock Utilities, Inc. – Application for Amendment of a Permit Regarding Water Right No. 95-9045*

Dear Bob:

I am writing on behalf of Black Rock Utilities, Inc., the applicant in the above-referenced *Application for Amendment of a Permit* (the "Application"). On June 23, 2008, protests were filed in this matter by the Coalition for Positive Rural Impact and the Kootenai Environmental Alliance ("Protestants").

This pending Application was filed in accordance with the conditions set out in the *Amendment of Permit* issued on June 4, 2007. The Protestants participated in the hearing leading to that amendment and are fully aware of the conditions mandating the pending Application.

The reasons stated in their respective protests fail to identify any specific legal or factual basis for their protests whatsoever. Instead, the protests identify only broad, generic objections. It appears that the protests are simply an effort to re-hash issues that have been fully aired—at considerable cost to my client and to the Department—in the prior hearing.

Accordingly, I request that the Department schedule a pre-hearing conference and hearing on these protests at the earliest possible dates. Given the clarity of the Department's ruling on the prior permit amendment and the failure of the Protestants to identify any new issue, I believe that such a pre-hearing conference is unlikely to be productive in resolving these protests. However, such a conference may be helpful in setting out the framework for an expedited hearing. If you believe that the pre-hearing conference may be conducted by

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telephone conference or dispensed with altogether, we have no objection and are prepared to move immediately to hearing.

Black Rock will make its team available for prehearing conference and/or hearing at any time from July 7 through July 25. Again, I respectfully request that dates be set at the earliest possible time. Thank you.

Sincerely,



Christopher H. Meyer

cc: Jai K. Nelson, Coalition for Positive Rural Impact
Barry Rosenberg, Kootenai Environmental Alliance
Kyle Capps, Black Rock Development
Scott King, SPF Water Engineering
John Layman, Esq., Layman, Layman & Robinson
Amie Anderson, Esq., Layman, Layman & Robinson
Danette Harrington, The Club at Black Rock

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