

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION TO	)	ORDER CONTINUING HEARING
AMEND PERMIT NO. 95-9045 IN THE	)	AND ORDER AUTHORIZING
NAME OF BLACK ROCK UTILITIES INC.	)	DISCOVERY
_____	)	

On January 5, 2007, the Idaho Department of Water Resources (IDWR) received a *Request for Continuance and Schedule Adjustment for Discovery* and a *Request for Order Authorizing Discovery*.

The hearing officer cannot determine from the record whether the need for discovery was discussed at the prehearing conference conducted in October 2006. The approximate one-month period between the mailing of the notice of hearing and the date set for the hearing did not allow a time for discovery.

In addition, reorganization within IDWR has placed other administrative duties upon the hearing officer resulting in a significant conflict with the hearing date.

ORDER CONTINUING HEARING

IT IS HEREBY ORDERED that the hearing scheduled for **January 25, 2007**, is **canceled** and **continued** until a later date.

IT IS FURTHER ORDERED that the parties shall mark on the enclosed calendars **unavailable** dates during the weeks of February 18 and February 25, 2007, and return the marked calendars to the Idaho Department of Water Resources, Attn: Deborah Gibson, 322 E Front St., P.O. Box 83720, Boise, ID 83720-0098 on or before January 22, 2007. If a marked calendar is not received from a party by that date, the hearing officer will assume all days are available for a hearing. The hearing officer will schedule the hearing during the last two weeks of February 2007.

ORDER AUTHORIZING DISCOVERY

IT IS HEREBY ORDERED that the parties may engage in discovery. The following deadlines are dates when the documents must be physically received by the person upon whom they are served.

1. General discovery can begin immediately.

2. On or before January 26, 2007, each party must disclose to all other parties, in writing, the identity of all expert witnesses that will or may testify at the hearing.

3. All written discovery requests shall be served on or before January 29, 2007.

4. Written requests for discovery must be either interrogatories or requests for documents. (Requests for admission are not allowed). No more than 10 interrogatories may be served by any party (or the attorney for several parties) on another party, and no more than 10 unanswered interrogatories served by any party (or the attorney for several parties) may be pending.

5. Answers to written discovery must be served on the requesting party on or before February 12, 2007.

6. All depositions shall be complete on or before February 12, 2007.

IT IS FURTHER ORDERED that, on or before February 16, 2007, each party must serve on all other parties, and the IDWR, copies of exhibits that may be offered at the hearing.

Dated this 11th day of January, 2007.



Gary Spackman
Hearing Officer

CERTIFICATE OF SERVICE

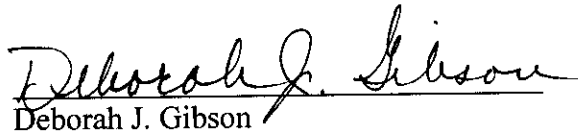
I HEREBY CERTIFY that on this 12th day of January, 2007, a true and correct copy of the above and foregoing documents described below was served by placing a copy of the same in the United States mail, postage prepaid and properly addressed to the following:

Document(s) Served: Order Continuing Hearing and Order Authorizing Discovery

BLACK ROCK UTILITIES
PO BOX 3070
COEUR D' ALENE ID 83816

JOHN R LAYMAN
LAYMAN LAYMAN & ROBINSON
S 601 DIVISION
SPOKANE WA 99202

COALITION FOR POSITIVE RURAL
IMPACT
AT ROCKFORD BAY
C/O JAI NELSON
15192 GATE 7 RIDGE RD
COEUR D ALENE ID 83814


Deborah J. Gibson