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Attorneys for Black Rock Utilities, Inc.

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION
TO AMEND PERMIT NO. 95-9045
IN THE NAME OF BLACK ROCK
UTILITIES

OBJECTION TO PROTESTANTS EXHIBIT
DOCUMENTS AND PROTESTANTS
ADDITIONAL EXHIBIT DOCUMENTS

BLACK ROCK UTILITIES, INC., by and through its counsel of record JOHN R. LAYMAN of LAYMAN, LAYMAN & ROBINSON, PLLP, hereby submits these objections to *Protestants Exhibit Documents* and *Protestants Additional Exhibit Documents* pursuant to the following:

EXHIBIT #	DESCRIPTION OF EXHIBIT	OBJECTION
A	DEPOSITION OF JAI K. NELSON, MEDICAL CONDITION DATED FEBRUARY 16, 2007.	SUBMITTED UNTIMELY.
B	INTEREST OF PETITIONERS, BASIS OF PETITION AND RELIEF SOUGHT	NONE.
C	SELECTED DOCUMENTS FROM FILE OF PERMIT 95-9045	INCOMPLETE.
D	BLACK ROCK PUD APPLICATION NOTIFICATION, OCTOBER 19, 1999	RELEVANCE.
E	BLACK ROCK NORTH PUD NOTICE OF PUBLIC HEARING	SUBMITTED UNTIMELY, RELEVANCE.
F	THE CLUB AT BLACK ROCK NARRATIVE	RELEVANCE.
G	THE CLUB AT BLACK ROCK WEBSITE	RELEVANCE.
H	COEUR D'ALENE PRESS ARTICLE DATED AUGUST 17, 2005.	RELEVANCE, HEARSAY, OPINION.
I	IDWR REQUEST FOR WATER MORATORIUM DATED JANUARY 20, 2007.	RELEVANCE.
D-1	E-MAIL FROM MARY E. REINHART TO	RELEVANCE, HEARSAY.

OBJECTION TO PROTESTANTS
EXHIBIT DOCUMENTS AND
PROTESTANTS ADDITIONAL
EXHIBIT DOCUMENTS -1-

	JUNE BERGQUIST DATED DECEMBER 14, 2006	
D-2	LETTER FROM GARY GAFFNEY OF DEQ TO KYLE CAPPS DATED DECEMBER 4, 2006.	RELEVANCE, HEARSAY.
D-3	E-MAIL BETWEEN JUNE BERGQUIST OF DEQ AND KYLE CAPPS DATED OCTOBER 30, 2006.	RELEVANCE, HEARSAY.
D-4	LETTER FROM CAROL J. GARRISON TO GEORGE SCHILLINGER DATED OCTOBER 4, 2006.	RELEVANCE, HEARSAY.
D-5	LETTER FROM MAT HANEKE OF ACI TO GARY GAFFNEY OF DEQ DATED SEPTEMBER 1, 2006.	RELEVANCE, HEARSAY.
D-6	MEMORANDUM OF JUNE BERGQUIST OF DEQ DATED DECEMBER 15, 2005.	RELEVANCE, HEARSAY.
D-7	E-MAIL BETWEEN JUNE BERGQUIST OF DEQ AND KYLE CAPPS DATED OCTOBER 11, 2005.	RELEVANCE, HEARSAY.
D-8	NOTE FROM JUNE BERGQUIST OF DEQ RE TELEPHONE CONVERSATION WITH JOE HASSELL OF INC. DATED OCTOBER 5, 2005.	RELEVANCE, HEARSAY.
D-9	E-MAIL AMONG MEMBERS OF DEQ DATED OCTOBER 5, 2005.	RELEVANCE, HEARSAY.
D-10	E-MAIL FROM JUNE BERGQUIST TO KYLE CAPPS DATED OCTOBER 4, 2005.	RELEVANCE, HEARSAY.
D-11	LETTER FROM GARY GAFFNEY OF DEQ TO GEORGE SCHILLINGER DATED AUGUST 15, 2005.	RELEVANCE, HEARSAY.
D-12	LETTER FROM GARY GAFFNEY OF DEQ TO GEORGE SCHILLINGER DATED JULY 29, 2005.	RELEVANCE, HEARSAY.
D-13	LETTER FROM MAT HANEKE OF ACI TO DEQ DATED MAY 6, 2005.	RELEVANCE, HEARSAY.
D-14	LETTER FROM MAT HANEKE OF ACI TO DEQ DATED APRIL 01, 2005.	RELEVANCE, HEARSAY.
D-15	E-MAIL FROM JOHN TINDALL TO GARY GAFFNEY OF DEQ DATED MARCH 31, 2005.	RELEVANCE, HEARSAY.
D-16	E-MAIL FROM GARY GAFFNEY OF DEQ TO JUNE BERGQUIST OF DEQ DATED JULY 12, 2004.	RELEVANCE, HEARSAY.
D-17	NEWSPAPER REVIEW ARTICLE	RELEVANCE, HEARSAY,

		OPINION.
D-18	E-MAIL FROM JUNE BERGQUIEST TO GARY GAFFNEY DATED SEPTEMBER 30, 2003.	RELEVANCE, HEARSAY
D-19	E-MAIL FROM JUNE BERGQUIEST TO GREGG A. RAYNER DATED SEPTEMBER 03, 2003.	RELEVANCE, HEARSAY.
D-20	IDAHO DEPARTMENT OF HEALTH AND WELFARE DIVISION OF ENVIRONMENTAL QUALITY COMPLAINT FORM DATED JULY 11, 2001.	RELEVANCE, HEARSAY
E-1	LETTER FROM EPA TO DEQ DATED DECEMBER 5, 2006.	RELEVANCE, HEARSAY.
E-2	LETTER FROM EPA TO KYLE CAPPS DATED DECEMBER 5, 2006.	RELEVANCE, HEARSAY.
E-3	PHOTOGRAPH	RELEVANCE, LACK OF AUTHENTICATION.
E-4	PHOTOGRAPH	RELEVANCE, LACK OF AUTHENTICATION.
E-5	LETTER FROM EPA TO BLACK ROCK DEVELOPMENT, INC. DATED JANUARY 28, 2004.	RELEVANCE, HEARSAY.
E-6	E-MAIL FROM DEQ TO EPA DATED SEPTEMBER 22, 3003.	RELEVANCE, HEARSAY.
E-7	LETTER FROM EPA TO BLACK ROCK DEVELOPMENT, INC. DATED JUNE 10, 2003.	RELEVANCE, HEARSAY.
CR-1	LETTER FROM MARY ROGERS TO DEQ DATED DECEMBER 18, 2006.	RELEVANCE, HEARSAY.
CR-2	IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY COMPLAINT FORM DATED OCTOBER 11, 2006.	RELEVANCE, HEARSAY.
CR-3	LETTER FROM GORDON DECKER TO DEQ DATED JANUARY 9, 2006.	RELEVANCE, HEARSAY.
CR-4	ROCKFORD BAY SUMMER HOMES ASSOCIATION INC. MINUTES OF ANNUAL MEETING DATED NOVEMBER 21, 2004.	RELEVANCE, HEARSAY.
CR-5	NOTES FROM TERRENCE AND ELIZABETH MOSELY.	RELEVANCE, HEARSAY.
CR-6	NOTES AND ROCKFORD BAY SEASONAL STREAM FLOW PICTURES DATED OCTOBER 9, 2006.	RELEVANCE, HEARSAY, LACK OF AUTHENTICATION.

Black Rock Utilities, Inc. requests that the above exhibits be excluded from the record based upon the foregoing objections.

DATED this 26th day of February, 2007.

LAYMAN, LAYMAN & ROBINSON, PLLP



JOHN R. LAYMAN
Attorneys for Black Rock Utilities, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of February, 2007, I caused to be served a true and correct copy of the foregoing document by the method indicated below, and addressed to the following:

Jai Nelson
Coalition for Positive Rural Impact at
Rockford Bay and Loffs Bay
15192 Gate 7 Ridge Road
Coeur d'Alene, ID 83814
Fax: (208) 667-9739

☒	Hand-delivered
☐	Regular mail
☐	Certified mail
☐	Overnight mail
☐	Facsimile
☐	Interoffice Mail

Gary Spackman, Hearing Officer
Idaho Department of Water Resources
P.O. Box 83720
322 E. Front St.
Boise, ID 83720
Fax: (208) 287-6700

☒	Hand-delivered
☐	Regular mail
☐	Certified mail
☐	Overnight mail
☐	Facsimile
☐	Interoffice Mail

BY: _____


JOHN R. LAYMAN