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OCT 05 2006

DEPARTMENT OF
WATER RESOURCES

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

IN THE MATTER OF APPLICATION FOR)
AMENDMENT FOR WATER RIGHT NOS.)
75-7052 AND 75-7589 IN THE NAME OF)
WILLIAMS LAKE RECREATIONAL)
WATER & SEWER DISTRICT)

**ORDER CONTINUING
HEARING**

On or about September 13, 2006, Milton A. Slavin, attorney for Williams Lake Recreational Water & Sewer District ("Williams Lake District"), filed a motion to continue the hearing for the above contested case, scheduled for September 26 and 27, 2006. The Idaho Department of Water Resources (IDWR) conducted a telephonic prehearing conference for the motion on September 14, 2006 at 5:00 pm. IDWR attempted to notify all of the parties by telephone and/or electronic mail. The following parties participated in the prehearing conference: Williams Lake District, Kathleen Gliksman, Gary C. Hawkins, James Edward Kingston, Gary M. Mulkey, Leslie May Shumate, and Thomas James Thompson. William and Valeea Steinbruegge did not participate.

Each of the participating parties attending verbally expressed support for or opposition against the motion for continuance.

The tests for determining whether a continuance should be granted are (1) Whether there is good cause for the continuance; and (2) Whether a delay in the hearing will have a substantial prejudicial effect on one of the parties.

Milton A. Slavin established that a trial in Idaho district court conflicts with the hearing dates. Slavin also established that the district court trial was scheduled prior to IDWR's service of a notice of hearing.

IDWR did not mail the original notice of hearing and prehearing order until August 21, 2006. Although the parties had been granted approximately three months for informal discovery, the August 21, 2006 prehearing order only granted approximately three weeks for formal discovery. A dispute is presently pending about whether Williams Lake District adequately responded to requests for discovery from the protestants. It is likely that the parties would not have exchanged all information needed for hearing preparation prior to September 26, 2006.

May 2007

GARY Mulkey

May 2007

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June 2007

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April 2007

GARY Mulkey

April 2007

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May 2007

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March 2007

GARY mulkey

March 2007						
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April 2007						
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