

RECEIVED

MAR 27 2009

DEPARTMENT OF
WATER RESOURCES

Norman M. Semanko [ISB No. 4761]
ROSE LAW GROUP BORTON
6223 N. Discovery Way, Suite 200
Boise, Idaho 83713
Office: (208) 323-5393
Fax: (208) 658-2371
www.roselawgroup.com

Attorneys for Applicant Nevid LLC

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

IN THE MATTER OF APPLICATION
FOR PERMIT NO. 61-12090 IN THE
NAME OF NEVID LLC

**APPLICANT'S MOTION FOR EXTENSION
OF TIME TO EXCHANGE EXHIBIT**

COMES NOW the above-named Applicant, by and through its counsel of record Norman M. Semanko of the firm Rose Law Group Borton, and pursuant to the Department's Rules of Procedure, hereby moves to extend by one (1) business day the deadline to exchange one (1) exhibit with the Protestant, which exhibit shall also be provided to the Hearing Officer in this matter, as required by the Rules of Procedure and the Notice of Hearing in this matter.

The Applicant asks that the deadline for this single exhibit, a report by Christian Petrich, be extended from Friday, March 27, 2009 to Monday, March 30, 2009. All other exhibits and witnesses will be exchanged or disclosed by the existing deadline of March 27, 2009.

The grounds for this request are that the Applicant's expert, Christian Petrich of SPF Engineering, needs one (1) additional business day to finalize his expert report.

This report includes an evaluation and response to the Department's February 24, 2009 staff memorandum in this matter and associated materials, which was received by the Applicant on March 4, 2009. Mr. Petrich informed the Applicant this morning of the need for one (1) additional business day to finalize his report.

The benefits of providing an extension of one (1) business day for the disclosure of this single exhibit include additional information upon which the Hearing Officer and the Director will be able to make their recommendation and decision regarding the above-referenced application. There is no appreciable prejudice to the Protestant as the exhibit will be disclosed on Monday, March 30, 2009, more than a week in advance of the April 7, 8, 9 hearing scheduled in this matter.

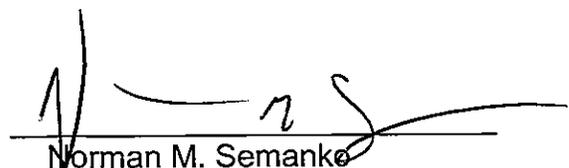
Counsel for the Applicant informed counsel for the Protestant of this request this morning, immediately after Mr. Petrich informed Counsel for the Applicant of the need for additional time. Counsel for the Protestant has not indicated whether the Protestant opposes the motion. Given the circumstances, it was not possible for the Applicant to file this motion sooner than today's date and the Applicant therefore asks that this motion be considered on an expedited basis.

For these reasons, the Applicant respectfully requests that the motion be granted, allowing the Applicant one (1) additional business day, or until March 30, 2009, to disclose the report of Christian Petrich in this matter.

DATED this 27th day of March, 2009.

ROSE LAW GROUP BORTON

By



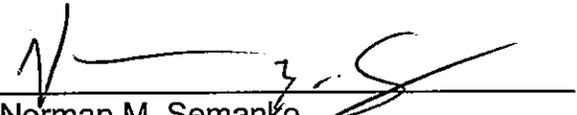
Norman M. Semanko

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 27th day of March, 2009, I served a true and correct copy of the foregoing by delivering the same to each of the following individuals by the method indicated below, addressed as follows:

Dana L. Hofstetter
Hofstetter Law Office LLC
608 W. Franklin Street
Boise, ID 83702

<input checked="" type="checkbox"/>	U.S. Mail	U.S. Mail
<input checked="" type="checkbox"/>	Facsimile	Facsimile
<input type="checkbox"/>	Overnight Mail	Overnight Mail
<input checked="" type="checkbox"/>	Hand Delivery	Hand Delivery


Norman M. Semanko