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FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Debbie Gibson	Rachael Paschal Osborn
COMPANY:	DATE:
Idaho Dept. of Water Resources	6/22/2009
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
208-287-6700	3
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
RE:	YOUR REFERENCE NUMBER:
In re North Kootenai Water District Application No. 95-9244	

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Dear Debbie -

Per our discussion this morning, faxed herewith is the revised stipulated motion for dismissal in the above-referenced matter. Hard copy will follow by mail. Please substitute this document for the one sent by Peter Scott last week. They are identical in content except that this one contains a missing signature.

Thank you

~ Rachael Paschal Osborn
Attorney for Protestants

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10 Attorney for Protestants

11 BEFORE THE DEPARTMENT OF WATER RESOURCES
12 FOR THE STATE OF IDAHO

13 IN THE MATTER OF APPLICATION)
14 TO APPROPRIATE WATER, NO. 95-9244,)
15 IN THE NAME OF THE NORTH) **REVISED STIPULATED MOTION**
16 KOOTENAI WATER DISTRICT) **FOR DISMISSAL OF PROTEST**

17 COMES NOW, North Kootenai Water District, Applicant; and Friends
18 of the Aquifer and the Upper Columbia River Group of the Sierra Club,
19 Protestants, (together the parties) by and through their respective
20 counsel of record with this STIPULATED MOTION FOR DISMISSAL OF
21 PROTEST.

22 The parties have negotiated and entered into a Settlement
23 Agreement, a copy of which is attached hereto. Pursuant to paragraphs
24 C and D of the attached Settlement Agreement, Protestants agree to,
25 and move for, an order granting full and final dismissal of the
26 protest filed in this matter upon issuance of a permit that conforms
27 to the terms established, which Applicant agrees to accept
28

1 NOW THEREFORE, subject to the provisions stated above, the
2 parties jointly seek entry of an order dismissing the protest filed in
3 this matter.
4

5
6 DATED this 22nd day of June, 2009.

7
8 By Rachael P. Osborn
9 Rachael Paschal Osborn, WSBA #21618
Counsel for Protestants

10 Rachael Osborn
11 By electronic approval
12 By Richard Eichstaedt
13 Richard Eichstaedt, ISB #5801
Counsel for Protestants

14 Rachael Osborn
15 By electronic approval
16 By Peter G. Scott
17 Peter G. Scott, WSBA #31712
18 Counsel for Applicant
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