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DEPARTMENT OF
WATER RESOURCES

Rachael Paschal Osborn attorney at law
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June 25, 2009

Debbie Gibson
Idaho Department of Water Resources
322 E. Front St.
Boise, ID 83720-0098

Re: North Kootenai Water District, No. 95-9244

Dear Ms. Gibson,

Enclosed for filing please find a Revised Stipulated Motion for Dismissal for the above-referenced matter, a copy of which was faxed to you earlier this week. Please substitute this document for the one sent to your offices on June 18. This one differs only in the signature block. Please also return a conformed copy to me in the enclosed envelope.

Thanks for your assistance.

Yours truly,



Rachael Paschal Osborn
Attorney for Protestants

enclosures

cc: Rick Eichstaedt
Peter Scott
IDWR Coeur d'Alene Regional Office

1 Rachael Paschal Osborn
2 25 W. Main, Suite 234
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4 509-209-2899

5 Richard Eichstaedt
6 Center for Justice
7 35 W. Main, Suite 300
8 Spokane, WA 99201
9 509-835-5211

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**
KOOTENAI WATER DISTRICT) **FOR DISMISSAL OF PROTEST**

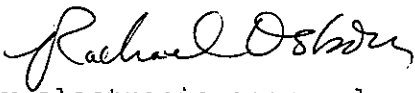
16 COMES NOW, North Kootenai Water District, Applicant; and Friends
17 of the Aquifer and the Upper Columbia River Group of the Sierra Club,
18 Protestants, (together the parties) by and through their respective
19 counsel of record with this STIPULATED MOTION FOR DISMISSAL OF
20 PROTEST.

21 The parties have negotiated and entered into a Settlement
22 Agreement, a copy of which is attached hereto. Pursuant to paragraphs
23 C and D of the attached Settlement Agreement, Protestants agree to,
24 and move for, an order granting full and final dismissal of the
25 protest filed in this matter upon issuance of a permit that conforms
26 to the terms established, which Applicant agrees to accept
27
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 DATED this 22nd day of June, 2009.
6

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

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

14 
15 By electronic approval
16 By Peter G. Scott, WSBA #31712
17 Counsel for Applicant
18
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28