

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

|                                         |   |                         |
|-----------------------------------------|---|-------------------------|
| <b>IN THE MATTER OF APPLICATION FOR</b> | ) | <b>FOURTH NOTICE OF</b> |
| <b>PERMIT TO APPROPRIATE WATER NO.</b>  | ) | <b>HEARING</b>          |
| <b>95-9244 IN THE NAME OF NORTH</b>     | ) |                         |
| <b>KOOTENAI WATER DISTRICT</b>          | ) |                         |
|                                         | ) |                         |

On September 15, 2008, the Department issued an Order Authorizing Discovery and Prehearing Order that established schedule for discovery and identified hearing dates for the above-entitled matter.

**NOTICE OF HEARING**

**PLEASE TAKE NOTICE** that a hearing is set to begin on **January 28, 2009**, beginning at 9:00 a.m. and may continue through **January 30, 2008** if the parties and the Department deem it appropriate. The hearing will be conducted at the Idaho Department of Water Resources offices located at 7600 Mineral Dr., Suite 100, Coeur d'Alene, Idaho (Telephone: 208-762-2800).

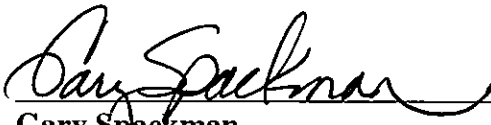
If you plan to offer exhibits for the record at the hearing, note that Rule 606 of the department's Rules of Procedure requires that a copy be provided to each party and to the presiding officer.

The presiding officer at the hearing will be Gary Spackman.

The hearing will be held in accordance with the provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, Idaho Code, and the adopted Rules of Procedure of the department. IDAPA 37.01.01. A copy of the rules is available on the Department's website, [www.idwr.idaho.gov](http://www.idwr.idaho.gov), or may be obtained from the department upon request.

The hearing will be conducted in accordance with the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please advise the department no later than 10 days prior to the hearing. Inquires about scheduling, hearing facilities, etc., should be directed to Deborah Gibson, Administrative Assistant, Idaho Department of Water Resources, P.O. Box 83720, Boise, ID 83720-0098, telephone (208)287-4942, fax (208) 287-6700.

Dated this 15<sup>th</sup> day of December, 2008.

  
\_\_\_\_\_  
Gary Spackman  
Hearing Officer

## CERTIFICATE OF SERVICE

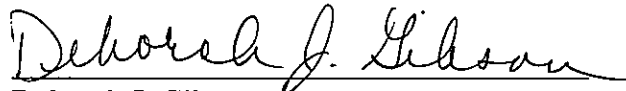
I HEREBY CERTIFY that on this 16<sup>th</sup> day of December, 2008, a true and correct copy of the above and foregoing document was served on the following by placing a copy of the same in the United States mail, certified with return receipt, postage prepaid and properly addressed to the following

Document(s) Served: Fourth Notice of Hearing

NORTH KOOTENAI WATER DIST  
C/O PETER G SCOTT  
GOUGH SHANAHAN JOHNSON &  
WATERMAN  
PO BOX 1715  
HELENA MT 59624-1715

RACHAEL PASCHAL OSBORN  
25 WEST MAIN STE 234  
SPOKANE WA 99201

RICHARD K EICHSTAEDT  
CENTER FOR JUSTICE  
35 W MAIN STE 300  
SPOKANE WA 99201

  
Deborah J. Gibson  
Administrative Assistant