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FAX TRANSMITTAL

DATE: November 30, 2007

TO: Deborah Gibson
Idaho Department of Water Resources

FAX NO: 208-287-6700

FROM: Doug Rust for Michael A. Ealy, Attorney for Applicant

FAX NO: (208) 664-5884

RE: March 2008 Calendar of Available Dates

NUMBER OF PAGES: 3 (INCLUDING THIS TRANSMITTAL PAGE)

HARD COPY TO FOLLOW: Yes ☐ No ☒

COMMENTS:

Dear Ms. Gibson:

Attached is the March 2008 calendar of available dates for Michael A. Ealy, attorney for Applicant in the matter of Application for Permit No. 96-9253 In The Name of Kootenai Land and Trust, LLC. I have also attached the face page to the Order Granting Continuance in this matter for your reference.

If you have any questions, please don't hesitate to contact Mr. Ealy or me. Thank you

Doug Rust,
Paralegal to Michael A. Ealy

SHOULD ANY PROBLEM OCCUR IN TRANSMISSION,
PLEASE CALL (208) 664-5818

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March 2008

March 2008							April 2008						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7	8	9	10	11	12	13	14
15	16	17	18	19	20	21	22	23	24	25	26	27	28
29	30	31					1	2	3	4	5	6	7

Monday

Tuesday

Wednesday

Thursday

Friday

Sat/Sun

IN THE MATTER OF APPLICATION FOR PERMIT NO. 96-9253 IN THE NAME OF
KOOTENAI LAND AND TRUST, LLC.

CALENDAR OF APPLICANT'S ATTORNEY MICHAEL A. EALY

AVAILABLE

AVAILABLE

AVAILABLE

H2D V. LARSEN
4-DAY TRIAL
JUDGE LISTER

AVAILABLE

GLEASON V. ACCREDITED
8-DAY TRIAL
JUDGE COZZA

AVAILABLE

COPY

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

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 96-9253)
IN THE NAME OF KOOTENAI)
LAND AND TRUST LLC)

**ORDER GRANTING MOTION
FOR CONTINUANCE AND
AUTHORIZING DISCOVERY**

On August 30, 2007, the Idaho Department of Water Resources ("IDWR") conducted a prehearing conference for the above titled contested case.

On October 30, 2007, IDWR served a Notice of Hearing on the applicant and upon the protestant, Kootenai Environmental Alliance ("KEA"). The Notice of Hearing scheduled the hearing for December 19, 2007.

On November 2, 2007, KEA, through its executive director, filed a Request for Order Authorizing Discovery with the IDWR. The applicant did not object to the request.

On November 9, 2007, attorneys Arthur B. Macomber and Scott W. Reed filed a notice of appearance for KEA.

On November 9, 2007, Arthur B. Macomber, attorney for KEA, filed a Motion for Authorization to Conduct Discovery and a Motion for Continuance.

The short time period between the issuance of the Notice of Hearing and the hearing date does not allow sufficient time for discovery. The parties are entitled to a longer period of time for discovery. The discovery period should not unduly delay the hearing, however. A discovery period of approximately ninety days should be sufficient for the completion of discovery. Another two weeks is an appropriate period for hearing preparation, including exchange of exhibits.

ORDER

IT IS HEREBY ORDERED that the hearing scheduled for December 19, 2007, is continued, cancelled, and postponed.

IT IS FURTHER ORDERED that a hearing shall be conducted in March 2008. Each party shall mark out the days it is unavailable on the enclosed March 2008 calendar and return it to Deborah Gibson, Idaho Department of Water Resources, 322 East Front Street, PO Box 83620, Boise, ID 83620, on or before November 30, 2007. If a marked

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