

## EXHIBIT 4

### **Notice of Amended Public Hearing**

#### **IDAHO STATE DEPARTMENT OF AGRICULTURE**

#### **LIVESTOCK MARKET CHARTER APPLICATION PUBLIC HEARING**

**AUTHORITY:** Pursuant to Idaho Code §§ 67-5241, 67-5242 and 67-5247, the Idaho State Department of Agriculture ("ISDA") has amended its procedure for conducting the previously-scheduled March 26, 2020, livestock market charter public hearing. Due to the immediate danger to public health resulting from the identification and potential spread of COVID-19 and according to recommendations from public health officials to limit public meetings, the ISDA is narrowing the public hearing procedure to written testimony only.

**DESCRIPTIVE SUMMARY:** On March 04, 2020, the ISDA received an application for a public livestock market charter from Cade K. Carter and Robert K. Remington (hereinafter "Applicants"). The proposed livestock market will be located in Roberts, Idaho with proposed sale days on Tuesdays, Thursdays, and special sales conducted on Saturdays. The proposed sale yard plans to have isolation pens for pregnant heifers, cattle needing health certificates and brand inspections. Offices for brand inspectors and veterinarians will be provided by the sale yard. Applicants anticipate clients from Montana and nearby Idaho communities, including the Salmon/Challis area, Driggs, Rexburg, St. Anthony, Idaho Falls and Blackfoot will utilize the services provided.

**PUBLIC HEARING PROCEDURE:** Pursuant to Idaho Code § 25-1725, the ISDA is required to conduct a hearing upon the receipt of an application for a livestock market charter. The required hearing provides an opportunity for interested parties to provide information or evidence in support or opposition to the proposed livestock market charter. In determining whether the application should be granted or denied, the ISDA will give reasonable consideration to the following:

- (a) The ability of the applicant to comply with the Packers and Stockyards Act (7 U.S.C § 181 *et seq.*; 9 CFR Parts 201 and 203)
- (b) The financial stability, business integrity and fiduciary responsibility of the applicant;
- (c) The livestock industry marketing benefits to be derived from the establishment and operation of the public livestock market proposed in the application;
- (d) The adequacy of the facilities set forth in the application, to permit the performance of market services proposed in the application;
- (e) The present market services elsewhere available to the trade area proposed and to be served;
- (f) Whether the proposed public livestock market would be permanent and continuous;
- (g) The economic feasibility of the proposed market services based on competent evidence in respect to such aspects; and
- (h) Proper facilities for health inspection and testing of livestock.

See Idaho Code § 25-1726.

Written information or evidence will be accepted by mail or email beginning on March 26, 2020, and continuing through April 09, 2020. Information submitted by mail may be sent to the following address:

Bill Barton, DVM  
P.O. Box 7249  
Boise, ID 83707

Comments submitted by mail must be received at ISDA's headquarters in Boise, Idaho on or before the close of business April 09, 2020. Email submissions may be sent to [livestockcharter@isda.idaho.gov](mailto:livestockcharter@isda.idaho.gov) and must be received on or before the close of business April 09, 2020.

The ISDA will provide all interested parties the opportunity to present information or evidence according to the procedure and timeframes outlined above. Information provided will be posted on the ISDA website

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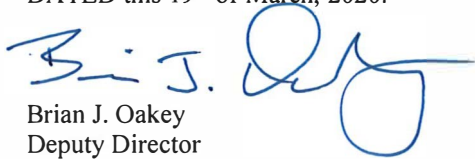
<http://www.agri.idaho.gov/main/animals/livestock-markets>. Any interested parties will have the opportunity to review the information or evidence submitted.

Applicants will have the opportunity to respond to the posted information or evidence provided to the ISDA through April 16, 2020. Applicant's responses will be posted on ISDA's website as they are received.

The process for providing public comment will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the meeting. Requests for accommodation must be submitted to Dr. Bill Barton through the contact information provided below.

**ASSISTANCE ON TECHNICAL QUESTIONS:** For further information concerning this application or questions about how to participate in the amended hearing, contact Dr. Bill Barton, Administrator/State Veterinarian, Division of Animal Industries (208) 332-8540, [bill.barton@isda.idaho.gov](mailto:bill.barton@isda.idaho.gov).

DATED this 19<sup>th</sup> of March, 2020.

A handwritten signature in blue ink, appearing to read "B. J. Oakey", with a large, stylized loop at the end.

Brian J. Oakey  
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