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Attorneys for Intervenors-Respondents Twin Lakes Improvement Association, et al.

**IN THE SUPREME COURT OF THE STATE OF IDAHO**

GORDON SYLTE, an individual; SUSAN GOODRICH, an individual; JOHN SYLTE, an individual; and SYLTE RANCH LIMITED LIABILITY COMPANY, an Idaho limited liability company,

Petitioners-Appellants,

vs.

IDAHO DEPARTMENT OF WATER RESOURCES and GARY SPACKMAN, in his capacity as the Director of the Idaho Department of Water Resources,

Respondents-Respondents on Appeal,

And

TWIN LAKES IMPROVEMENT ASSOCIATION, MARY A. ALICE, MARY F. ANDERSON, MARY F. ANDERSON, et al. DEBRA ANDREWS, JOHN ANDREWS, MATTHEW A. BAFUS, CHARLES & RUTH BENAGE, ARTHUR CHETLAIN, JR., CLARENCE & KURT GEIGER FAMILIES, MARY K. COLLINS/BOSCH PROPERTIES, SANDRA COZZETTO, WES CROSBY,

**Supreme Court Docket No. 46062-2018**  
(Kootenai County Case No. CV-2017-7491)

**MEMORANDUM OF COSTS OF INTERVENORS-RESPONDENTS TWIN LAKES IMPROVEMENT ASSOCIATION, ET AL.**

**MEMORANDUM OF COSTS OF INTERVENORS-RESPONDENTS TWIN LAKES IMPROVEMENT ASSOCIATION, ET AL. - 1**

JAMES CURB, MAUREEN DEVITIS, DON ELLIS, SUSAN ELLIS, SCOTT ERICKSON, JOAN FREIJE, AMBER HATROCK, BARBARA HERR, WENDY & JAMES HILLIARD, PAT & DENISE HOGAN, STEVEN & ELIZABETH HOLMES, LEIF HOUKAM, DONALD JAYNE, DOUGLAS I. & BERTHA MARY JAYNE, TERRY KIEFER, MICHAEL KNOWLES, ADAM KREMIN, ROBERT KUHN, RENE LACROIX, JOAN LAKE-OMMEN, LARRY D. & JANICE A. FARIS LIVING TRUST, TERRY LALIBERTE, PATRICK E. MILLER, WILLIAM H. MINARTE, ANGELA MURRAY, DAVID R. NIPP, JOHN NOONEY, STEVE & PAM RODGERS, KIMBERLI ROTH, DAVID & LORI SCHAFFER, DARWIN R. SCHULTZ, MOLLY SEABURG, HAL SUNDAY, TCRV LLC, TWIN LAKES, LLC, RICK & CORRINNE VAN ZANDT, GERALD J. WELLER, BRUCE & JAMIE WILSON, DAVID ZIUCHKOVSKI, PAUL FINMAN, and TWIN LAKES FLOOD CONTROL DISTRICT NO. 17,

Intervenors-Respondents on Appeal.

Intervenors-Respondents, Twin Lakes Improvement Association and for Mary A. Alice, Mary F. Anderson, Mary F. Anderson et al., Debra Andrews, John Andrews, Matthew A. Bafus, Charles and Ruth Benage, Arthur Chetlain Jr., Clarence & Kurt Geiger Families, Mary K. Collins/Bosch Properties, Sandra Cozzetto, Wes Crosby, James Curb, Maureen DeVitis, Don Ellis, Susan Ellis, Scott Erickson, Joan Freije, Amber Hatrock, Barbara Herr, Wendy and James Hilliard, Pat & Denise Hogan, Steven & Elizabeth Holmes, Leif Houkam, Donald Jayne, Douglas I & Bertha Mary Jayne, Terry Kiefer, Michael Knowles, Adam Kremin, Robert Kuhn, Rene Lacroix, Joan Lake-Ommen, Larry D & Janice A Faris Living Trust, Terry LaLiberte,

**MEMORANDUM OF COSTS OF INTERVENORS-RESPONDENTS TWIN LAKES IMPROVEMENT ASSOCIATION, ET AL. - 2**

Patrick E. Miller, William H. Minatre, Angela Murray, David R. Nipp, John Nooney, Steve & Pam Rodgers, Kimberli Roth, David & Lori Schafer, Darwin R. Schultz, Molly Seaburg, Hal Sunday, TCRV LLC, Twin Echo Resort, Upper Twin Lakes, LLC, Rick & Corrinne Van Zandt, Gerald J. Weller, Bruce & Jamie Wilson, Dave Ziuchkovski and Paul Finman (collectively the “Intervenors-Respondents”), by and through their counsel of record, Parsons Behle & Latimer, hereby submit this Memorandum of Costs pursuant to Idaho Appellate Rule 40.

Idaho Appellate Rule 40(a) allows costs “as matter of course to the prevailing party unless otherwise provided by law or order of the Court.” This court granted relief requested by the Intervenors-Respondents when it affirmed the district court’s decision to uphold IDWR’s Final Order and declined to make an award of attorney fees to the Petitioners-Appellants, thereby ordering costs to Intervenors and IDWR on appeal. Intervenors-Respondents are therefore the prevailing parties on Appeal.

Intervenors-Respondents itemize the costs allowed under Idaho Appellate Rule 40(b) as follows:

Transcript	\$ 20.00
<b>TOTAL:</b>	<b><u>\$ 20.00</u></b>

Intervenors-Respondents therefore respectfully request the Court to award them costs in the amount of **\$20.00** pursuant to I.A.R. 40.

DATED June 28, 2019.

PARSONS BEHLE & LATIMER

By /s/ Norman M. Semanko \_\_\_\_\_

Norman M. Semanko

*Attorneys for the Intervenors-Respondents, Twin  
Lakes Improvement Association, et al.*

**MEMORANDUM OF COSTS OF INTERVENORS-RESPONDENTS TWIN LAKES  
IMPROVEMENT ASSOCIATION, ET AL. - 4**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 28th day of June, 2019, I served a true and correct copy of the foregoing document on the parties listed below by their designated method of service as indicated.

Lawrence G. Wasden  
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/s/ Norman M. Semanko  
Norman M. Semanko