

Jean & Harry Emerson  
PO Box 944  
Rathdrum Idaho 83858  
[JEAN.EMERSON922@GMAIL.COM](mailto:JEAN.EMERSON922@GMAIL.COM)

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

IN THE MATTER OF THE PETITIONS  
FILED WITH THE DEPARTMENT  
REGARDING APPOINTMENT OF  
GORDON SYLTE AS A COMMISSIONER  
OF FLOOD CONTROL DISTRICT NO. 17

Case No. P-FCD-2018-01

**NOTICE OF DISCLOSURE OF  
WITNESSES AND OF EXCHANGE OF  
EXHIBITS**

**REQUEST TO TAKE OFFICIAL NOTICE  
AND INCLUDE CERTAIN MATTERS IN  
RECORD OF DECISION**

COMES NOW Jean & Harry Emerson, hereby discloses to parties and the hearing officer, in accordance with the *Initial Notice of Parties; Order Denying Intervention and Setting Intervention Deadline; Notice of Hearing; Order Authorizing Discovery and Scheduling Order*, the following identity of witnesses Jean & Harry Emerson may call to testify at the hearing in this matter:

- (a) Gordon Sylte;
- (b) Debbie Andrews;
- (c) John Andrews;
- (d) Torie Howe;
- (e) Bret Hatrock;
- (f) Amber Hatrock;
- (g) Bob Kuhn;

- (h) Terry La Liberte
- (i) Colby Clark

Jean & Harry Emerson further states that all proposed exhibits, listed here as *Exhibit A*, are being served on opposing counsel and the hearing officer contemporaneously with a copy of this document. Jean & Harry Emerson also reserves the right to seek to introduce into evidence as exhibits any documents or other materials identified, produced or received during discovery, as a result of public records requests, or otherwise.

Pursuant to Rules 602 (Official Notice) and 650 (Record for Decision) of the Department's Rules of Procedure, IDAPA 37.01.01, Jean & Harry Emerson hereby requests that the Hearing Officer take official notice of, and include in the record for decision, the following matters, as contained in the files of the Department:

Docket No. C-RWM-2016-001 (Complaint Regarding Watermaster in Water Dist. 95C);


Docket No. P-DR-2017-001 (Sylte's Petition for Declaratory Ruling);

Sylte v. IDWR, CV-2017-7491 (Judicial Review);

Sylte v. IDWR, Case No. 46062-2018 (Idaho Supreme Court); and

All water right and adjudication records of Gordon Sylte, Sylte Ranch LLC, and Twin Lakes Flood Control District No. 17.

DATED this 22 day of July, 2019.

By   
\_\_\_\_\_  
Jean Emerson

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22 day of July 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.

<p>Gary Spackman- IDWR Hearing Officer          PO Box 837720          Boise ID 83720-0098  <a href="mailto:gary.spackman@idwr.idaho.gov">gary.spackman@idwr.idaho.gov</a></p>	<p><input type="checkbox"/> U.S. First Class Mail, Postage Prepaid  <input type="checkbox"/> U.S. Certified Mail, Postage Prepaid  <input type="checkbox"/> Federal Express  <input checked="" type="checkbox"/> Hand Delivery IDWR Northern Office  <input checked="" type="checkbox"/> Electronic Mail or CM/ECF</p>
<p>Norm Semanko          For Twin Lakes Improvement Association          INC          Parsons Behle &amp; Latimer          800 West Main St Ste 1300          Boise Id 83720  <a href="mailto:nsemanko@parsonsbehle.com">nsemanko@parsonsbehle.com</a></p>	<p><input type="checkbox"/> U.S. First Class Mail, Postage Prepaid  <input type="checkbox"/> U.S. Certified Mail, Postage Prepaid  <input type="checkbox"/> Federal Express  <input type="checkbox"/> Hand Delivery  <input checked="" type="checkbox"/> Electronic Mail or CM/ECF</p>
<p>Gordon D. Sylte          8626 W. Sylte Ranch Road          Rathdrum, ID 83858-6820  <a href="mailto:gordonsylte@icloud.com">gordonsylte@icloud.com</a></p>	<p><input type="checkbox"/> U.S. First Class Mail, Postage Prepaid  <input type="checkbox"/> U.S. Certified Mail, Postage Prepaid  <input type="checkbox"/> Federal Express  <input checked="" type="checkbox"/> Hand Delivery  <input checked="" type="checkbox"/> Electronic Mail or CM/ECF</p>
<p>John L. Andrews          PO Box 384          Rathdrum, ID 83858  <a href="mailto:Finder4@aol.com">Finder4@aol.com</a></p>	<p><input type="checkbox"/> U.S. First Class Mail, Postage Prepaid  <input type="checkbox"/> U.S. Certified Mail, Postage Prepaid  <input type="checkbox"/> Federal Express  <input type="checkbox"/> Hand Delivery  <input checked="" type="checkbox"/> Electronic Mail or CM/ECF</p>
<p>Ronald Cater          628 W. 22nd Ave.          Spokane, WA 99203  <a href="mailto:rcater@peoplepc.com">rcater@peoplepc.com</a></p>	<p><input type="checkbox"/> U.S. First Class Mail, Postage Prepaid  <input type="checkbox"/> U.S. Certified Mail, Postage Prepaid  <input type="checkbox"/> Federal Express  <input type="checkbox"/> Hand Delivery  <input checked="" type="checkbox"/> Electronic Mail or CM/ECF</p>
<p>John Dieckman          45617 South Thor Street          Spokane, WA 99223  <a href="mailto:Dieck3512@gmail.com">Dieck3512@gmail.com</a></p>	<p><input type="checkbox"/> U.S. First Class Mail, Postage Prepaid  <input type="checkbox"/> U.S. Certified Mail, Postage Prepaid  <input type="checkbox"/> Federal Express  <input type="checkbox"/> Hand Delivery  <input checked="" type="checkbox"/> Electronic Mail or CM/ECF</p>



<p>Susan Ellis  P O Box 804  Rathdrum, Idaho 83858  <a href="mailto:Susan_elizabeth_ellis@hotmail.com">Susan_elizabeth_ellis@hotmail.com</a></p>	<p><input type="checkbox"/> U.S. First Class Mail, Postage Prepaid  <input type="checkbox"/> U.S. Certified Mail, Postage Prepaid  <input type="checkbox"/> Federal Express  <input type="checkbox"/> Hand Delivery  <input checked="" type="checkbox"/> Electronic Mail or CM/ECF</p>
<p>Jean &amp; Harry Emerson  PO Box 944  Rathdrum ID 83858  <a href="mailto:Jean.emerson922@gmail.com">Jean.emerson922@gmail.com</a>  <a href="mailto:Harry.emerson@gmail.com">Harry.emerson@gmail.com</a></p>	<p><input type="checkbox"/> U.S. First Class Mail, Postage Prepaid  <input type="checkbox"/> U.S. Certified Mail, Postage Prepaid  <input type="checkbox"/> Federal Express  <input type="checkbox"/> Hand Delivery  <input checked="" type="checkbox"/> Electronic Mail or CM/ECF</p>
<p>Paul Finman  FinmanFarm  764 S. Clearwater Loop  Post Falls, ID 83854  <a href="mailto:pfinman@lcfamps.com">pfinman@lcfamps.com</a></p>	<p><input type="checkbox"/> U.S. First Class Mail, Postage Prepaid  <input type="checkbox"/> U.S. Certified Mail, Postage Prepaid  <input type="checkbox"/> Federal Express  <input type="checkbox"/> Hand Delivery  <input checked="" type="checkbox"/> Electronic Mail or CM/ECF</p>
<p>Barbara Herr  21737 Dellar Bleach Lane  Twin Lakes, ID  <a href="mailto:haspedis@mindspring.com">haspedis@mindspring.com</a></p>	<p><input type="checkbox"/> U.S. First Class Mail, Postage Prepaid  <input type="checkbox"/> U.S. Certified Mail, Postage Prepaid  <input type="checkbox"/> Federal Express  <input type="checkbox"/> Hand Delivery  <input checked="" type="checkbox"/> Electronic Mail or CM/ECF</p>
<p>Berne &amp; Pamela Indahl  4203 E. 17th Avenue  Spokane, WA 99223  <a href="mailto:berneindahl@aol.com">berneindahl@aol.com</a>; <a href="mailto:indahlaw@aol.com">indahlaw@aol.com</a></p>	<p><input type="checkbox"/> U.S. First Class Mail, Postage Prepaid  <input type="checkbox"/> U.S. Certified Mail, Postage Prepaid  <input type="checkbox"/> Federal Express  <input type="checkbox"/> Hand Delivery  <input checked="" type="checkbox"/> Electronic Mail or CM/ECF</p>
<p>Amy &amp; Adam Kremin  22921 Covey Ln  Rathdrum, ID 83858  <a href="mailto:butterscotchkids@yahoo.com">butterscotchkids@yahoo.com</a>  <a href="mailto:akremin90@gmail.com">akremin90@gmail.com</a></p>	<p><input type="checkbox"/> U.S. First Class Mail, Postage Prepaid  <input type="checkbox"/> U.S. Certified Mail, Postage Prepaid  <input type="checkbox"/> Federal Express  <input type="checkbox"/> Hand Delivery  <input checked="" type="checkbox"/> Electronic Mail or CM/ECF</p>
<p>Clint &amp; Patti Marvel  4010 S Wooddruff Rd  Spokane WA 99206  <a href="mailto:clintandpatti@comcast.net">clintandpatti@comcast.net</a>  <a href="mailto:Patti.marvel@northwestfcs.com">Patti.marvel@northwestfcs.com</a></p>	<p><input type="checkbox"/> U.S. First Class Mail, Postage Prepaid  <input type="checkbox"/> U.S. Certified Mail, Postage Prepaid  <input type="checkbox"/> Federal Express  <input type="checkbox"/> Hand Delivery  <input checked="" type="checkbox"/> Electronic Mail or CM/ECF</p>



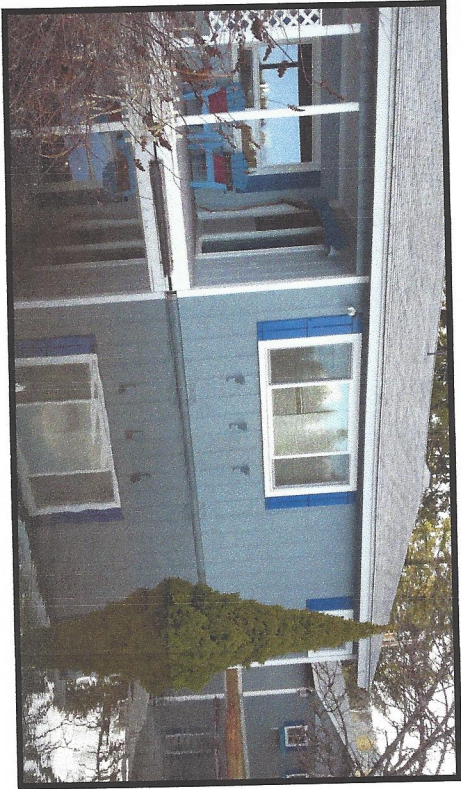
<p>Harold Greenfield Trust c/o Cindy Mathisen,  Sheree Greenfield &amp; Lori Snider  938 S. Ridgewood Ave.  Tacoma, WA 98405  <a href="mailto:Cindymathisen59@gmail.com">Cindymathisen59@gmail.com</a></p>	<p><input type="checkbox"/> U.S. First Class Mail, Postage Prepaid  <input type="checkbox"/> U.S. Certified Mail, Postage Prepaid  <input type="checkbox"/> Federal Express  <input type="checkbox"/> Hand Delivery  <input checked="" type="checkbox"/> Electronic Mail or CM/ECF</p>
<p>Dave Nipp  2700 E Seltice Ste 2  Post Falls, ID 83854  <a href="mailto:dnipp@farmersagent.com">dnipp@farmersagent.com</a></p>	<p><input type="checkbox"/> U.S. First Class Mail, Postage Prepaid  <input type="checkbox"/> U.S. Certified Mail, Postage Prepaid  <input type="checkbox"/> Federal Express  <input type="checkbox"/> Hand Delivery  <input checked="" type="checkbox"/> Electronic Mail or CM/ECF</p>
<p>Travis Roth  20969 N. Cochran Ln  Rathdrum, ID 83858  <a href="mailto:Travis.l.roth@gmail.com">Travis.l.roth@gmail.com</a></p>	<p><input type="checkbox"/> U.S. First Class Mail, Postage Prepaid  <input type="checkbox"/> U.S. Certified Mail, Postage Prepaid  <input type="checkbox"/> Federal Express  <input type="checkbox"/> Hand Delivery  <input checked="" type="checkbox"/> Electronic Mail or CM/ECF</p>
<p>Linda Solan  4721 E. 41st Ct.  Spokane, WA 99223  <a href="mailto:lindaapplesolan@gmail.com">lindaapplesolan@gmail.com</a></p>	<p><input type="checkbox"/> U.S. First Class Mail, Postage Prepaid  <input type="checkbox"/> U.S. Certified Mail, Postage Prepaid  <input type="checkbox"/> Federal Express  <input type="checkbox"/> Hand Delivery  <input checked="" type="checkbox"/> Electronic Mail or CM/ECF</p>
<p>Susan Goodrich  8626 W Sylte Ranch Rd  Rathdrum, ID 83858  <a href="mailto:Sgood5350@frontier.com">Sgood5350@frontier.com</a></p>	<p><input checked="" type="checkbox"/> U.S. First Class Mail, Postage Prepaid  <input type="checkbox"/> U.S. Certified Mail, Postage Prepaid  <input type="checkbox"/> Federal Express  <input checked="" type="checkbox"/> Hand Delivery  <input checked="" type="checkbox"/> Electronic Mail or CM/ECF</p>

Jean Emerson

REGARDING APPOINTMENT OF  
GORDON SYLTE AS A COMMISSIONER  
OF FLOOD CONTROL DISTRICT NO. 17

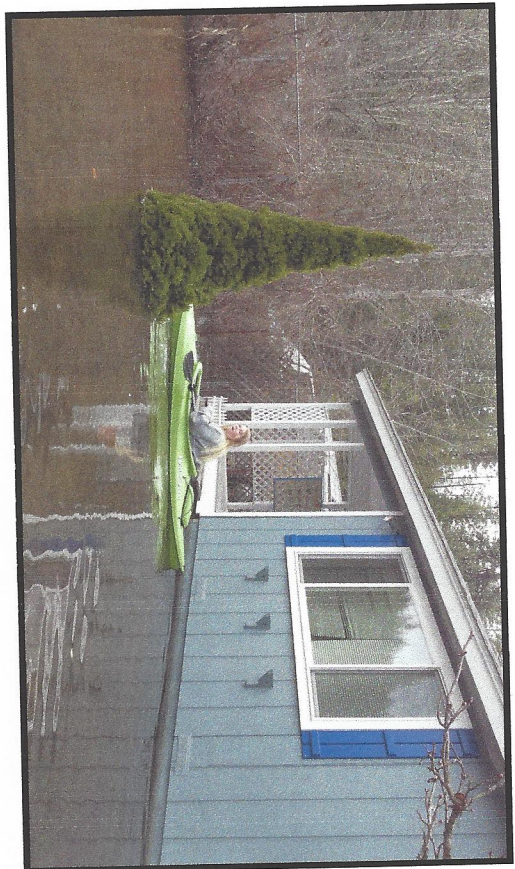
**Exhibit**

1. Flood Pictures of Emerson Property
2. Flood Pictures of North Fish Lake Road Properties
3. Email correspondence re: Flooding on the lake 3/19/2017page 1/1
4. Email correspondence re: Pictures of flooding on the lake 3/19/2017 Pages 1-10



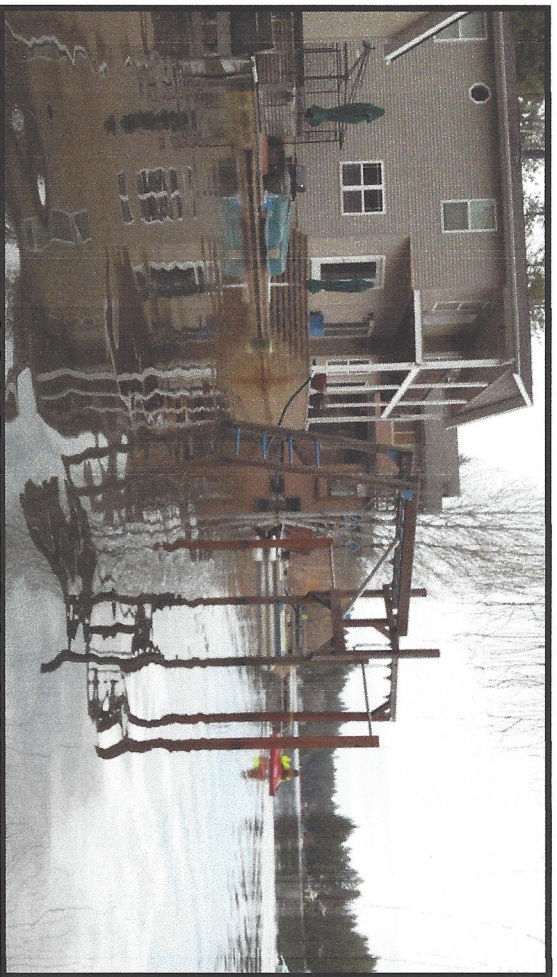
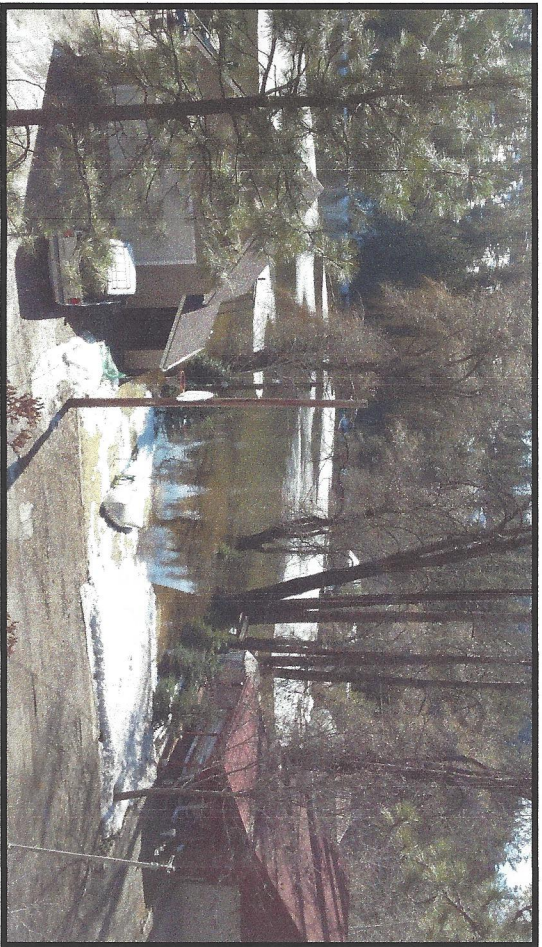
Emerson Property

3/2017



Emerson Property





North Fish Lake Road properties

3/2017



**Subject: Flooding on Lake**  
**Date:** 3/19/2017 10:21:01 AM Pacific Standard Time  
**From:** fordebto@aol.com  
**To:** gorjon@suddenlink.net, sgood5350@frontier.com, bahunsinger@yahoo.com  
**Bcc:** morgan.case@idwr.idaho.gov

Hi Gordon and Gordon

I wanted to contact you both,

I received some calls regarding lake levels and talked with Laurin Scarcello yesterday. He said the lake was at 11'5 and said in talking with Tim Sullivan it may go to 12 ' which is quite a bit over the high water mark. He told me the dam is letting out 330 CSF currently and would be watching down stream for flooding.

In the meantime my husband and I were up checking on a friends property and found they are getting flooded. Further the channel boat launch is flooded 3 - 4 feet out of the lake into the parking lot. I drove further up the road where the pavement ends onto the dirt road headed to Easterday. There are highway signs stating emergency road closed and in another spot before that stating water over road. Water is up 3/4 the way up the fence posts at the upper lake.

I'm concerned about the high water and property damage. As you know Laurin does not have email so he is not included in this email.

I'm sending some pictures I

Took this morning on the drive. I can get others later today if that would help.

Debbie Andrews

TLIA

Sent from my iPhone

**Subject: Pictures of flooding at lake to go with previous e mail**  
Date: 3/19/2017 10:27:32 AM Pacific Standard Time  
From: fordebto@aol.com  
To: gorjon@suddenlink.net, sgood5350@frontier.com, bahunsinger@yahoo.com

Can the creek take a bit more? It seems to have some room since it's not out of its banks and the lake is way over.

Thanks Debbie Andrews  
TLIA

Miss channel boat launch

Mid channel

Channel home

Channel home

Going to Easterday

Rathdrum Creek

Sent from my iPhone

9Attached Images











7/20/2019

Pictures of flooding at lake to go with previous e mail









7/20/2019

Pictures of flooding at lake to go with previous e mail





7/20/2019

Pictures of flooding at lake to go with previous e mail













