

HEARING FOR MARC BRINKMEYER, RILEY CREEK LUMBER CO. & PRIEST RIVER LAND CO.

Applications for Permit: 96-9683, 96-9685, & 96-9686

Date: June 19, 2019

Presiding Officer: Shelley Keen

Assisted by: Cherie Palmer & Adam Frederick

NAME	PHONE NUMBER ADDRESS, CITY, ZIP	EMAIL ADDRESS	REPRESENTING
Brett Evans	208 946 1706 PO Box 111 Down ID 83825		
Mich Becker	208-255-9253 13717 West Pine St Sandpoint ID 83864		Robert Beten
RYAN FOSBES	418 E Lakeside Ave LA 83814		Applicant
	278 Horseshoe Ln		
Paul Curless	Sandpoint ID 83864		
Dreier			
David P. Dreier	1050 Hornby Crk Rd Sandpoint		
	208-290-7000		
Loyal Amstutz	81 HORNBY CR NOVI 83825		

If you are the applicant or the protestant, you can sign in and add your phone number. If you are not the protestant or the applicant, please fill in all the address information. PLEASE MAKE SURE TO ALWAYS PUT YOUR PHONE NUMBER AND EMAIL, IF POSSIBLE.

Thank you, IDWR.

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NAME	PHONE NUMBER ADDRESS, CITY, ZIP	EMAIL ADDRESS	REPRESENTING
Brinkmeyer m. Shobe ↓	1085 Horony Creek Rd		Self
Mark Kubiak	13874 W Pine St SANDPOINT, ID 241 Lakeshore Dover ID		Self
Adam K. Ednie	13352 W. Pine St.	Alednie@gmail.com	Logan Ednie Self

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TESTIMONY LOG

IN THE MATTER OF APPLICATION FOR PERMIT) HEARING
 96-9683, 96-9685, & 96-9686 Marc Brinkmeyer) Conducted by Shelley Keen
 Priest River Land Co., & Riley Creek Lumber Co) June 19, 2019

TIME/ TRACK	COUNTER	TESTIMONY DESCRIPTION
11:35	4:00.00	Shelley Keen Hearing Officer intro
11:42	7:00.00	Swear in → Marc Brinkmeyer Testimony
		~~Cross examine~~ Brinkmeyer by Keen Questions
12:11	35:30	Cross examine by Curless
12:13	37:13	Cross " by Evans
12:14	38:32	Questions from Keen on irrigation
12:16	40:22	Cross examine by Kubiak
12:19	43:00	Completes testimony by Brinkmeyer
12:19	44:00	Keen notes he was not listed as Witness
	44:41	No Objections to testimony
12:20	45:00	Swear in - Fobes for Testimony
12:21	45:40	Brinkmeyer requests measuring, W Rights etc...
12:22	47:03	Keen Requests Professional Expertise & Applications
12:23	47:40	Ryan Fobes Testimony
12:29	53:43	Keen Clarification - land owned by Priest River Land
12:30	54:34	Fobes Testimony
12:35	59:30	Keen Questions Fobes
12:40	1:05:15	Brinkmeyer Questions to Fobes for Clarification
12:44	1:09:13	OPEN TO CROSS EXAMINE by Keen
12:45	1:09:45	Cross examine by Evans
12:51	1:15:21	Keen has question for Fobes
12:54	1:18:30	Fobes leaves Witness Stand
12:54	1:19:00	Keen stops for lunch Break
12:55	1:19:45	Pause / STOP
14:11	#5	Keen opening
14:11	00:40	Swear in Mitchell Becker
14:18	7:00	Question from Brinkmeyer

TIME/ TRACK	COUNTER	TESTIMONY DESCRIPTION
14:19	7:59	Questions from Curless
14:19	8:43	Witness Complete
14:20	~~9:29~~	Curless takes oath gives testimony
14:36	25:15	Brinkmeyer Cross examines Curless
14:40	29	Keen Questions Curless ~~on~~
14:41	30:20	Curless excused
14:42	30:30	Evans swear in Testimony
14:52	40:45	Brinkmeyer cross examine Evans
15:52	50:02	Witness Evans complete
15:01	50:25	Swear in Kubiak & Testimony
15:09	58:08	Brinkmeyer cross examines Kubiak
15:11	1:00:54	Curless comments on walking ditch to Hornby Crk
15:13	1:02:10	Evans cross examines Kubiak
15:15	1:03:51	Shobe cross examines Kubiak
15:16	1:05:05	Questions for Kubiak from Keen
15:17	1:06:25	Witness Kubiak Complete
15:18	1:06:45	Swear in Shobe & Testimony
15:27	1:15:43	Evans cross examines Shobe
15:27	1:16:25	Shobe added info to testimony
15:28	1:17:35	Witness Shobe Complete
15:29	1:17:45	Final statement Brinkmeyer
15:30	1:19:00	Curless Final Comments
15:31	1:19:43	Closing Testimony Keen
15:31	1:20:00	Curless request time before final Decision
15:38	1:27:	Brinkmeyer wants a decision
15:40	1:29:49	Exhibits entered
15:42	1:31:14	Closed Hearing

HEARING EXHIBIT LIST

IN THE MATTER OF APPLICATIONS FOR)
 PERMIT NOS. 96-9683, 96-9685, & 96-9686) **June 19, 2019**
 MARC BRINKMEYER, PRIEST RIVER) **Hearing Officer: Shelley**
Keen
LAND CO & RILEY CREEK LAND CO)

EXHIBIT NUMBER	EXHIBIT DESCRIPTION	STATUS OF	EVIDENCE
		INTRODUCED	ADMITTED
201	AGREEMENT FOR SHERWOOD, HORNBY & CHICHESTER MAY 1940		
202	NOTICE OF WATER RIGHT FOR LINSTROM & LEAF JUNE 1899		
203	CONTRACT FOR SHERWOOD & DOVER LUMBER CO APRIL 1936		?
204	LETTER REGARDING SHERWOOD – BALLOU ACCESS ROAD JUNE 1991		✓
205	NOTICE OF WATER RIGHT FOR LINDSTROM & LEAF FOR COLD SPRINGS CREEK		
206	CLAIM TO A WATER RIGHT SHERWOOD, CURLESS, SHERWOOD, SHERWOOD JUNE 1978		
207	NOTICE OF A WATER RIGHT FOR LINDTROM & LEAF DOR RINERS CREEK NOVEMBER 1927		
208	NOTICE OF LOCATION OF WATER RIGHT FOR LEAF & LINDSTROM MAY 1899		
300	PICTURES FROM SPRING 2019 ON CARR CREEK		
301	PERMIT TO APPROPRIATE WATER NO. 96-9138 CHARLES & MARSELLA SHOBE AUGUST 2003		
302	LETTER TO IDWR FROM CHARLES SHOBE MAY 2019		✓
500	MAP OF HORNBY CREEK		
501	PICTURES		
502	PICTURES WITH MEASURES		
503	PICTURES WITH MEASURES		✓

HEARING WITNESS LIST

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LAND CO & RILEY CREEK LAND CO)

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