

From: greg@wilsonlaw.us
To: [Kourtney Romine](#); hearing.officer@ag.idaho.gov; [Angela Kaufmann](#); mischelle@fulghamlawpllc.com
Subject: Additional Exhibit For 1081C
Date: Monday, December 19, 2022 08:32:27 AM
Attachments: [IDL 6.29.22 Site Inspection Tarp email Wilson to Ahmer.pdf](#)

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IDL Hearing Document Submission Case No. PH-2022-NAV-10-001

Kourtney: Please add this exhibit to the case numbered above. I believe it would be Exhibit "O".

Sincerely, Greg Wilson

From: [Mike Ahmer](#)
To: [Gregory M. Wilson](#)
Cc: ["Erik A. Kukuk"](#); ["Tyler Wilson"](#)
Subject: RE: For the record...Correction of IDL error
Date: Thursday, August 25, 2022 10:46:00 AM
Attachments: [image001.png](#)

Term #3 in your encroachment permit L-97-S-1081A states "Acceptance of this permit constitutes permission by the Permittee for representatives of the Idaho Department of Lands to come upon Permittee's lands at all reasonable times to inspect the encroachment authorized by this permit". We were not trying to deny you constitutional property rights, we were trying to just get the inspection done so we could try and move forward. This issue has taken up our time for over two years now.

To my knowledge there is no index of pre-LPA encroachment permits. As you are likely aware, not every encroachment in the lake is properly permitted. We do the best job we can with the resources that are available to us. Typically, we issue notices of non-compliance following neighbor complaints/disputes or when properties sell. We have made an effort the past few years to inspect encroachments that recently ended their sunset period to ensure they are being built to the standards submitted with their applications.

If you would like to request all Faloon emails that contain attachments, I can fulfill that request for you.

Thanks,



Mike Ahmer
Resource Supervisor – Navigable Waters
Idaho Department of Lands
3258 Industrial Loop, Coeur d'Alene, ID 83815
Office: (208) 769-1577
Email: mahmer@idl.idaho.gov
<https://www.idl.idaho.gov>

From: Gregory M. Wilson <greg@wilsonlaw.us>
Sent: Thursday, August 25, 2022 10:25 AM
To: Mike Ahmer <mahmer@idl.idaho.gov>
Cc: 'Erik A. Kukuk' <eak@paineamblen.com>; 'Tyler Wilson' <tyler@wilsonlaw.pro>
Subject: For the record...Correction of IDL error

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Mike:

I just received a copy of your offices June 29, 2022 inspection report as a result of my formal public document request. I should have been notified that IDL intended to make an administrative search of my property. I should have been permitted to attend the inspection. Why was I denied this right? Why was this report, with its errors, withheld from me? Am I the bad guy here trying to protect my constitutional property rights?

I was fully prepared to defend the placement of the tarp which is the subject of apparent undisclosed Faloon complaint generated report. This complaint was not included in my public records request even though it was crystal clear that I was looking for all Faloon related correspondence.

I placed the tarp over the beach on May 27, 2022 as you can see from the above Adobe file. Note the date stamp May 27, 2022. At the time of the placement, the lake level was 2,438 ft above MSL, or above IDL's jurisdictional threshold. I took a photograph of the beach tarp placement on May 27 showing the USGS Priest lake data on the day of placement. Note the date on the USGS Adobe file above May 27. You will observe that the "redline" on the USGS document is "summer pool" (3.0) which existed only on May 27, 2022. In fact this is the only day in 2022 when the lake was at 2,438 (3.0). The lake has been held at 3.2 most of the Summer in order to maintain the requisite Priest River flow rate.

Ryan Zandhuisen's report is wrong. The tarp and rocks were above 2,438ft on May 27. Between May 27 and June 29 the lake rose 6 inches and covered the tarp and rocks. When covered on June 29 they were not below 2,438.

I am going to make another public records request. I would ask for your cooperation. Does IDL index lake encroachment permits issued for Pre-LPA encroachments, or do I need to inspect every lake permit on Priest Lake? In Diamond Park alone there are at least 26 so called jetties or barbs similar to or larger than mine. Have any of these been given Pre-LPA approval?

Sincerely, Greg Wilson

Gregory M. Wilson

Attorney at Law

Mailing Address:

P.O. Box 494

Spokane Valley, WA 99016

Tel. (509) 991-8575

Email: greg@wilsonlaw.us

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-- or --

Begin date

2022-05-2

End date

2022-05-2

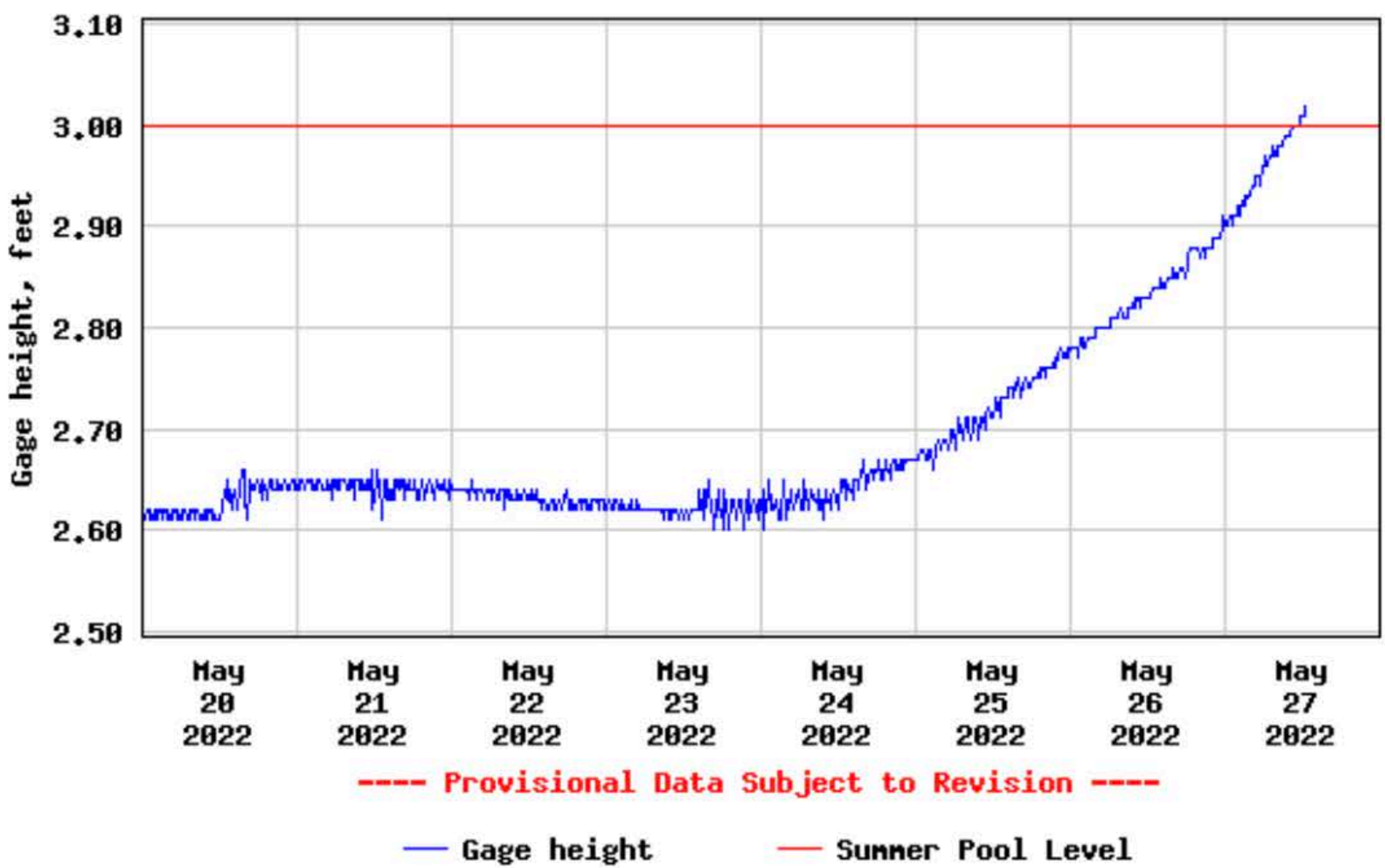
[Summary of all available data for this site](#)

[Instantaneous-data availability statement](#)

Gage height, feet

Most recent instantaneous value: 3.02 05-27-2022 12:30 PDT

USGS 12393000 PRIEST LAKE AT OUTLET NR COOLIN ID



Add up to 2 more sites and replot for "Gage height, feet"

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Enter up to 2 site numbers separated by a comma. A site number consists of 8 to 15 digits

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