

BEFORE THE STATE BOARD OF LAND COMMISSIONERS
STATE OF IDAHO

In the Matter of:)	
)	Case No. PH-2022-NAV-10-001
Encroachment Permit Application)	
No. L-97-S-1081C)	NOTICE OF APPOINTMENT OF
)	HEARING COORDINATOR
Gregory M. Wilson,)	AND SCHEDULING
Applicant.)	CONFERENCE
_____)

NOTICE IS HEREBY GIVEN that pursuant to the Lake Protection Act, Idaho Code Title 58, Chapter 13 (which may be viewed at <https://legislature.idaho.gov/statutesrules/idstat/Title58/T58CH13/>) and the Rules for the Regulation of Beds, Waters, and Airspace over Navigable Lakes in the State of Idaho, IDAPA 20.03.04.000 *et seq.*, (which may be viewed at <https://adminrules.idaho.gov/rules/current/20/0304.pdf>) the Director of the Idaho Department of Lands (“IDL”) has appointed Karen Sheehan, Deputy Attorney General, Fair Hearings Unit, Office of the Attorney General, as “Hearing Coordinator” to conduct a public hearing in the above-captioned matter. The public hearing will be conducted pursuant to Idaho Code § 58-1306(c). The Hearing Coordinator has the scope of authority delineated by IDAPA 20.01.01.413.01 and, as applicable, by IDAPA 20.03.04.030.

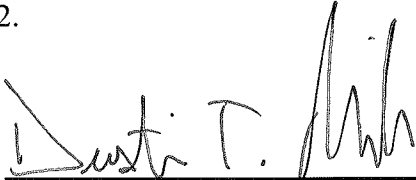
The provisions of Idaho Code § 58-1306 and IDAPA 20.03.04.030 apply to the above-captioned matter and require that a hearing on the application be held within ninety (90) days of the application date. Idaho Code § 58-1306(c) and IDAPA 20.03.04.030.05. In order to comply with this deadline, I delegate initial decision-making authority to the Hearing Coordinator. In accordance with Idaho Code § 67-5245, the Hearing Coordinator shall submit a preliminary order to the Director of IDL, who shall then issue a Final Order no more than thirty (30) days after the conclusion of the hearing.

As provided in Idaho Code § 67-5240, the contested case provisions of the Administrative Procedure Act do not apply where the legislature has directed the use of alternative procedures. Because the Legislature has enacted specific alternative procedures in Idaho Code § 58-1306 that require a final order to be issued within thirty (30) days of the hearing, and leave insufficient time to consider petitions for review of the preliminary order, the procedures of Idaho Code § 67-5245 addressing petitions for review of preliminary orders are not applicable.

NOTICE IS HEREBY GIVEN that a scheduling conference in the above-captioned matter will be conducted in accordance with IDAPA 20.01.01.000 *et seq.* on **Monday, October 17, 2022, at 9:00 a.m. Pacific Time (10:00 a.m. Mountain Time)** via teleconference. To participate, please dial **(877) 820-7831**, and then enter guest code **919939**. The Applicant, Department, and other parties must be prepared to discuss the status of the application, and set a date and time for the hearing of this matter. Public witnesses are welcome to participate in the telephonic scheduling conference; however, the substance and merits of the application will not be discussed during the scheduling conference.

The scheduling conference will be conducted in accordance with the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please email Kourtney Romine at kromine@idl.idaho.gov by the close of business Wednesday, October 12, 2022.

DATED this 3rd day of October 2022.


DUSTIN T. MILLER, Director
Idaho Department of Lands

CERTIFICATE OF MAILING

I hereby certify that on this 4th day of October 2022, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Gregory M. Wilson
PO Box 494
Greenacres, WA 99016
Applicant

- U.S. Mail, postage prepaid
- Hand Delivery
- Email: greg@wilsonlaw.us

William Faloon
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Spokane, WA 99223
Objector

- U.S. Mail, postage prepaid
- Hand Delivery
- Email: billlofspok@aol.com

Mischelle Fulgham
Attorney for Objector

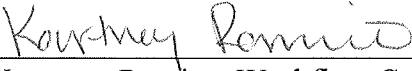
- U.S. Mail, postage prepaid
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Angela Schaer Kaufmann
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Counsel for IDL

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Kourtney Romine *on behalf of*
Karen Sheehan, Hearing Coordinator

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- Email: kromine@idl.idaho.gov



Kourtney Romine, Workflow Coordinator