

**OTHER CASE TRANSMITTAL SHEET – ADJUDICATION, ARBITRATION, or  
MEDIATION pursuant to I.C. § 67-5280(2)(b)**

State of Idaho - Office of Administrative Hearings

TO: **OFFICE OF ADMINISTRATIVE HEARINGS** (email: Bryan.Nickels@oah.idaho.gov)

DATE: August 13, 2024

FROM: Idaho Department of Lands (Referring Agency/Board)

AGENCY CASE/PROCEEDING NO.: PH-2024-NAV-20-002

**\*Please attach a copy of:**

- **Petition/order/notice giving rise to the proceeding**
- **Order assigning this matter to the OAH (if applicable)**

**AGENCY REQUEST:**



Adjudication

If adjudication, order requested: ☒ Preliminary ☐ Recommended



Arbitration



Mediation



Other (Please explain below)

**PARTY/ATTORNEY:**

Name: Idaho Department of Lands

Address: 300 N. 6th Street, Suite 103, Boise, ID 83720

Email: mmensinger@idl.idaho.gov; jwinters@idl.idaho.gov

Phone Number: 208-334-0200

**PARTY/ATTORNEY:**

Name: Will Haberman

Firm: Valiant Idaho, LLC, and Valiant Idaho II, LLC

Address: 151 Clubhouse Way, Sandpoint, ID 83864

Email: wh@theidahoclub.com

Phone Number: 407-973-7875

SHORT STATEMENT OF THE NATURE OF THIS CASE (e.g., "Suspension of license based on following grounds: ..."):

Valiant Idaho, LLC and Valiant Idaho II, LLC have applied for an encroachment permit to remove an existing marina near the north branch of Trestle Creek on Lake Pend Oreille and construct a new commercial public marina, a pump out station, a pedestrian bridge, a breakwater, conduct excavation, and install bank stabilization. Per IDL's statutory discretion, IDL is requesting a public hearing.

ARE THERE SPECIFIC STATUTORY/REGULATORY RULES ON THE TIME FOR HEARING OR DECISION?

YES: ☒ NO: ☐

[OAH typically sets hearings based on parties' availability and agreement, with written decision no later than the end of the month following the month the hearing was held]

If yes:

Deadline for hearing: October 23, 2024

Deadline for decision: 30 Days after the hearing

Statute(s)/Rule(s) citation: Idaho Code 58-1306 and IDAPA 20.03.04.030

DO ANY HEARING PROCEDURAL RULES, OTHER THAN THE IDAHO RULES OF ADMINISTRATIVE PROCEDURE OF THE ATTORNEY GENERAL, APPLY TO THIS PROCEEDING?

YES: ☒ NO: ☐

If yes, statute(s)/rule(s) citation: Idaho Code 58-1306 and IDAPA 20.03.04.030

- OAH will confirm that the agency has a current MOU in place for the requested service(s); if not, OAH will contact the agency to set up the needed MOU.
- Unlike contested case proceedings arising from the appeal of an agency order, OAH's provision of mediation, arbitration, and adjudication services are subject to acceptance by OAH. If OAH is unable to accept a request for mediation, arbitration, or arbitration services in a matter, OAH will still endeavor to assist the agency in identifying an alternative service provider.