

MICA
SUPERVISORY AREA
3258 W. Industrial Loop
Coeur d'Alene, ID 83815
Phone (208) 769-1577



STATE BOARD OF LAND COMMISSIONERS
Brad Little, Governor
Phil McGrane, Secretary of State
Raúl R. Labrador, Attorney General
Brandon D Woolf, State Controller
Debbie Critchfield, Sup't of Public Instruction

July 22, 2025

George & Kay Cherokee
831 Cindy Jo Ct
Medical Lake WA 99022-5017

Re: Courtesy Notification of Application of Encroachment L95S3071A

To Whom it May Concern:

This letter is to inform you as a courtesy that your adjacent neighbor, FRED FINNEY / DBA FINNEY BOAT WORKS INC., has applied for a permit with Idaho Department of Lands to permit existing commercial dock and piling on the Spokane River. The enclosed applications with site diagrams show the location and indicate dimensions and distances to your mutual property/riparian boundary.

If you **do not** have concerns about the proposed project after reviewing the application packet, and you **do not** wish to object to the application, please complete the attached form (sign box 1) and return to our office as quickly as possible.

If you object to the proposed application and would like to request a public hearing, please complete the attached form (sign box 2) and return it to our office as quickly as possible. State law IDAPA 20.03.04.030.04 requires you submit your written objection (specifically asking for a public hearing) and a \$75 fee to cover the cost of publishing notice of hearing **within thirty (30) days of the first date of publication** (the first date it appears in the local newspaper advertising the application). Please ensure the Department receives this information by **August 26, 2025**. It would be helpful if your comments addressed effects on navigation, fish and wildlife habitat, aquatic life, recreation, water quality, aesthetic beauty, and/or protection of property. Please include your phone number and e-mail address with your correspondence so that I can respond to you in a timely manner.

Sincerely,

Amidy Fuson
Lands Resource Specialist-Navigable Waters
afuson@idl.idaho.gov

Enclosures

STATE OF IDAHO
DEPARTMENT OF LANDS
ATTACHMENT FOR ENCROACHMENT

COMMERCIAL REQUIREMENTS AND SETBACKS

General requirements are as follows:

- 1) **Commercial Marina.** A commercial navigational encroachment whose primary purpose is to provide moorage for rental or for free to the general public.
- 2) Commercial marinas must have a minimum of fifty percent (50%) of their moorage available for use by the general public on either a first come, first served basis for free or rent, or a rent or lease agreement for a period of time up to one (1) year. Moorage contracts may be renewed annually, so long as a renewal term does not exceed one (1) year. Moorage for use by the general public may not include conditions that result in a transfer of ownership of moorage or real property, or require membership in a club or organization.
- 4) Length of Community Docks and Commercial Navigational Encroachments. Docks, piers, or other works may extend to a length that will provide access to a water depth that will afford sufficient draft for watercraft customarily in use on the particular body of water, except that no structure may extend beyond the normal accepted line of navigability established through use unless additional length is authorized by permit or order of the director. If a normally accepted line of navigability has not been established through use, the director may from time to time as he deems necessary, designate a line of navigability for the purpose of effective administration of these rules.
- 5) It will be presumed, subject to rebuttal, that single-family and two-family navigational encroachments will have an adverse effect upon adjacent littoral rights if located closer than ten (10) feet from adjacent littoral right lines, and that commercial navigational encroachments, community docks or nonnavigational encroachments will have a like adverse effect upon adjacent littoral rights if located closer than twenty-five (25) feet to adjacent littoral right lines. Written consent of the adjacent littoral owner or owners will automatically rebut the presumption. All boat lifts and other structures attached to the encroachments shall be subject to the above presumptions of adverse effects.

Please check one and initial:

☐

I have reviewed the application, including the scope and location of the proposed encroachment as depicted. **I consent** to the application and do not wish to participate in a public hearing. _____ (initial)

☐

I have reviewed the application, including the scope and location of the proposed encroachment as depicted. **I object to the application and request a Public Hearing** in which I will be named as an objecting party. I have attached a summary of my objection to this form on a separate page **and a \$75 publication fee**. I UNDERSTAND THAT I AM REQUIRED TO SUBMIT MY CONTACT INFORMATION (NAME, PHONE NUMBER, EMAIL ADDRESS) IN ORDER TO SET A HEARING DATE. _____ (initial)

*IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT AMIDY FUSON AFUSON@IDL.IDAHO.GOV AS SOON AS POSSIBLE.

Date

Name

Address City State Zip

Phone Number Email Address

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July 22, 2025

Ross Schlotthauer
6980 E Maplewood Ave
Post Falls ID 83854

Re: Courtesy Notification of Application of Encroachment L95S3071A

To Whom it May Concern:

This letter is to inform you that your adjacent neighbor, **Fred Finney / DBA Finney Boat Works Inc.**, has submitted an application to the Idaho Department of Lands for **a permit to authorize an existing commercial dock and pilings on the Spokane River.**

Enclosed you will find the submitted application materials, including site diagrams that illustrate the proposed location, structure dimensions, and distances in relation to the shared riparian boundary.

The proposed structure lies within the **25-foot side setback area**, which, under current administrative rules, carries a presumed adverse impact on neighboring properties unless that presumption is formally rebutted. As such, **written consent from the adjacent landowner** is required for the Department to continue processing this application.

Please review the enclosed materials carefully and submit this form by **August 26, 2025**.

If you **do not have any concerns** and **do not object** to the proposed encroachment, complete **Box 1** on the attached response form and return it to our office at your earliest convenience.

If you **do have concerns** and **believe the encroachment will adversely affect** your property, please complete **Box 2** on the same form and return it. In this case, the Department will proceed with scheduling a **public hearing**, as required under the applicable rules.

Should you have any questions or require additional information, please don't hesitate to contact our office.

Sincerely,



Amidy Fuson
Lands Resource Specialist-Navigable Waters
afuson@idl.idaho.gov

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***IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT AMIDY FUSON AFUSON@IDL.IDAHO.GOV AS SOON AS POSSIBLE.**

Date

Name

Address

City

State

Zip

Phone Number

Email Address