

BEFORE THE IDAHO DEPARTMENT OF LANDS

Application for Permit to Install a
Community Dock, Encroachment
L95S6181,

The Estates at Waterstone HOA, Inc.,
Jason Garvey (Agent),

Applicant.

) AGENCY Case No. PH-2025-NAV-22-006
)
) OAH Case No. 25-320-08
)
) **NOTICE OF APPOINTMENT OF**
) **HEARING OFFICER**
)
)
)
)

TO ALL PARTIES AND COUNSEL OF RECORD:

The Chief Administrative Law Judge of the Office of Administrative Hearings, pursuant to their authority under Idaho Code § 67-5282(1)(d), hereby appoints the following administrative law judge as the duly authorized Hearing Officer in this matter:

Leslie M. Hayes
Office of Administrative Hearings
P.O. Box 83720
Boise, ID 83720-0104
(208) 605-4300
leslie.hayes@oah.idaho.gov

This administrative law judge is appointed to conduct a hearing in this matter in accord with all governing statutes and rules, and make appropriate findings of fact, conclusions of law, and preliminary or recommended orders (as may be requested or mandated) to the Director of the Idaho Department of Lands. The administrative law judge is required to comply with the Office of Administrative Hearings' Code of Conduct.

AUTHORITY AS HEARING OFFICER

As Hearing Officer, the administrative law judge has the authority to:

1. Schedule and conduct motion hearings and enter the appropriate orders disposing of all pre-hearing motions, such as motions for notices of proposed default orders, motions on the
- NOTICE OF APPOINTMENT OF HEARING OFFICER
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admissibility of evidence, and motions for continuances.

2. Schedule and conduct any pre-hearing conference and enter the appropriate orders for any purpose recognized by IDAPA 62.01.01.402.

3. Perform other duties assigned by the Board and as authorized by the Idaho Administrative Procedure Act, promulgated at Idaho Code §§ 67-5201 *et seq.*, the Idaho Rules of Administrative Procedure promulgated at IDAPA 62.01.01 *et seq.*, and such other statutes and rules as may govern the proceedings.

4. The Hearing Officer may not engage in *ex parte* communications concerning the substance of this matter, except as provided in Idaho Code § 67-5253 and IDAPA 62.01.01.255.

FILING AND SERVICE OF DOCUMENTS

All documents filed in this matter must be filed by email with the Office of Administrative Hearings at the following email address: filings@oah.idaho.gov

Additionally, all documents filed in this matter must also be served by email upon the Hearing Officer and all other parties to the proceeding at the email addresses listed in the Certificate of Service attached hereto, which list may be updated from time to time by the Hearing Officer.

Original and/or paper documents do not need to be filed with the Office of Administrative Hearings, except upon request by the Hearing Officer. If you are requested to submit original and/or paper documents by the Hearing Officer, submit those documents to the Office of Administrative Hearings at the following address:

Office of Administrative Hearings
General Government Division
P.O. Box 83720
Boise, ID 83720-0104
(208) 605-4300

DATED: August 21, 2025.

OFFICE OF ADMINISTRATIVE HEARINGS

/s/ *Bryan A. Nickels*

Bryan A. Nickels

Chief Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of August, 2025, I caused to be served a true and correct copy of the foregoing by the following method to:

The Estates at Waterstone HOA, Inc.
Jason Garvey, Agent
1386 Northwest Blvd
Coeur d'Alene, ID 83814
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Agent for Applicant

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Concerned Citizens, LLC
11927 W. Span Way Rd
Post Falls, ID 83854
(208) 964-4037
Objector

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Hearing Officer

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/s/ Elaine Maneck
Elaine Maneck, Deputy Clerk
Office of Administrative Hearing