

WN-1

LIMITED DURABLE POWER OF ATTORNEY

FOR

WALTER NEVIN

(IDAHO STATUTORY FORM POWER OF ATTORNEY)

IMPORTANT INFORMATION

This power of attorney authorizes another person (your agent) to make decisions concerning matters with you control for you (the principal). Your agent can make decisions and act with respect to such matters whether or not you are able to act for yourself. The meaning of authority over subjects listed on this form is explained in the uniform power of attorney act, chapter 12, title 15, Idaho Code.

This power of attorney does not authorize the agent to make health care decisions for you.

You should select someone you trust to serve as your agent. The agent's authority will continue until your death unless you revoke the power of attorney or the agent resigns.

Your agent is entitled to reasonable compensation unless you state otherwise in the Special Instructions.

This form provides for designation of one (1) agent.

If your agent is unable or unwilling to act for you, your power of attorney will end unless you have named a successor agent.

This power of attorney becomes effective immediately unless you state otherwise in the Special Instructions.

If you have questions about the power of attorney or the authority you are granting to your agent, you should seek legal advice before signing this form.

DESIGNATION OF AGENT

I, Walter Nevin, name the following person as my agent:

Name of Agent: Wendy Van Orman

Agent's Address: 23308 E Sharp Ave., Liberty Lake, WA 99019

Agent's Phone Number: (509) 220-1557

GRANT OF GENERAL AUTHORITY

I grant my agent general authority to act for me with respect to the following subjects as defined in the uniform power of attorney act, chapter 12, title 15, Idaho Code:

(INITIAL each subject you want to include in the agent's general authority. If you wish to grant general authority over all of the subjects you may initial "All Preceding Subjects" instead of initialing each subject.)

- ☒ Real Property
- ☐ Tangible Personal Property
- ☐ Stocks and Bonds
- ☐ Commodities and Options
- ☐ Banks and Other Financial Institutions
- ☐ Operation of an Entity or Business
- ☐ Insurance and Annuities
- ☐ Estates, Trusts, and Other Beneficial Interests
- ☐ Claims and Litigation
- ☐ Personal and Family Maintenance
- ☐ Benefits from Governmental Programs or Civil or Military Service
- ☐ Retirement Plans
- ☐ Taxes
- ☐ All Preceding Subjects

GRANT OF SPECIFIC AUTHORITY-(OPTIONAL)

My agent(s) MAY NOT do any of the following specific acts for me UNLESS I have INITIALED the specific authority listed below:

(CAUTION: Granting any of the following will give your agent the authority to take actions that could significantly reduce your property or change how your property is distributed at your death. INITIAL ONLY the specific authority you WANT to give your agent.)

- () Create, amend, revoke, or terminate an inter vivos trust
- () Make a gift, subject to the limitations of the uniform power of attorney act, chapter 12, title 15, Idaho Code, and any special instructions in this power of attorney
- () Make a gift without limitations except any special instructions in this power of attorney
- () Create or change rights of survivorship
- () Create or change a beneficiary designation
- () Authorize another person to exercise the authority granted under this power of attorney
- () Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan
- () Exercise fiduciary powers that the principal has authority to delegate

LIMITATION ON AGENT'S AUTHORITY

An agent that is not my ancestor, spouse, or descendant MAY NOT use my property to benefit the agent or a person to whom the agent owes an obligation of support unless I have included that authority in the Special Instructions.

SPECIAL INSTRUCTIONS (OPTIONAL)

On the following lines you may give special instructions:

I grant my agent, Wendy Van Orman, the authority to act on my behalf, in relation to all matters concerning the real property identified as Lots 29 and 30 of Kidd Island Bay, located at 4375 South Vanilla Court, Coeur d'Alene, ID 83814, including the dock, boathouse, and littoral rights appurtenant thereto and in any manner dealing with the Idaho Department of Lands and permits and records.

This Limited Durable Power of Attorney does not authorize my agent to do anything on my behalf, as an individual or Trustee, except as expressly set forth in this Special Instruction.

This Limited Power of Attorney shall be invalid as for five (5) years from the date hereof; September 6, 2029.

This General Durable Power of Attorney is effective immediately.

RELIANCE ON THIS POWER OF ATTORNEY

Any person, including my agent, may rely upon the validity of this power of attorney or a copy of it unless that person knows it is terminated or invalid.

SIGNATURE AND ACKNOWLEDGMENT

(OPTION ONE - IF YOU ARE ABLE TO SIGN ON YOUR OWN)

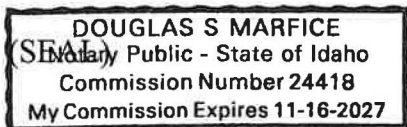
Your Signature: Walter O. Nevin Sr.
Date: _____, 2024
Your Name Printed: Walter Nevin, Sr.
Your Address: WALTER O. NEVIN SR

NOTARY - REQUIRED FOR RECORDING AND FOR REAL PROPERTY

STATE OF IDAHO)
) ss.
County of Kootenai)

On this 6th day of 0 Sept., in the year of 2024, before me the undersigned notary public, personally appeared Walter Nevin known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Douglas S Marfice
Notary Public for Idaho
Residing at CLIA ID
My Commission Expires 11-16-2027



IMPORTANT INFORMATION FOR AGENT AGENT'S DUTIES

When you accept the authority granted under this power of attorney, a special legal relationship is created between you and the principal. This relationship imposes upon you legal duties that continue until you resign or the power of attorney is terminated or revoked. You must:

- (1) Do what you know the principal reasonably expects you to do with the principal's property or, if you do not know the principal's expectations, act in the principal's best interest;
- (2) Act in good faith;
- (3) Do nothing beyond the authority granted in this power of attorney; and
- (4) Disclose your identity as an agent whenever you act for the principal by signing the name of the principal and signing your own name as "agent" in the following manner:

Walter Nevin, by Wendy Van Orman, *as agent*

Unless the Special Instructions in this power of attorney state otherwise, you must also:

- (1) Act loyally for the principal's benefit;
- (2) Avoid conflicts that would impair your ability to act in the principal's best interest;
- (3) Act with care, competence and diligence;
- (4) Keep a record of all receipts, disbursements, and transactions conducted for the principal;
- (5) Cooperate with any person that has authority to make health care decisions for the principal to do what you know the principal reasonably expects or, if you do not know the principal's expectations, to act in the principal's best interest; and
- (6) Attempt to preserve the principal's estate plan if you know the plan and preserving the plan is consistent with the principal's best interest.

TERMINATION OF AGENT'S AUTHORITY

You must stop acting on behalf of the principal if you learn of any event that terminates this power of attorney or your authority under this power of attorney. Events that terminate a power of attorney or your authority to act under a power of attorney include:

- (1) Death of the principal;

- (2) The principal's revocation of the power of attorney or your authority;
- (3) The occurrence of a termination event stated in the power of attorney;
- (4) The purpose of the power of attorney is fully accomplished; or
- (5) A legal action is filed with a court to end your marriage to the principal, or for your legal separation, unless the Special Instructions in this power of attorney state that such an action will not terminate your authority.

LIABILITY OF AGENT

The meaning of the authority granted to you is defined in the act. If you violate the act or act outside the authority granted, you may be liable for any damages caused by your violation.

IF THERE IS ANYTHING ABOUT THIS DOCUMENT OR YOUR DUTIES THAT YOU DO NOT UNDERSTAND, YOU SHOULD SEEK LEGAL ADVICE.

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TITLE**WARRANTY DEED****1505187**

For Value Received DONALD M. JAYNE and DARRIN D. JAYNE, husband and wife

The grantor(s), do(es) hereby grant, bargain, sell and convey unto WALTER O. NEVIN, SR. and WANDA MAE NEVIN, husband and wife

the grantee(s), whose current address is 3816 S. SHERMAN, SPOKANE, WA 99203

the following described premises, in KOOTENAI

County Idaho, to-wit:

See EXHIBIT "A" hereto attached and made a part hereof
Assessor's Parcel No:STATE OF IDAHO }
COUNTY OF KOOTENAI } SS
AT THE REQUEST OF
NORTH IDAHO TITLE INS.

SEP 15 11 10 AM '97

DANIEL J. ENGLISH

DEPUTY

EES

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT current taxes and easements of record or in view

and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated: September 11th, 1997

X Donald M. Jayne
DONALD M. JAYNEX Darrin D. Jayne
DARRIN D. JAYNE

STATE OF

) SS.

COUNTY OF

On this 13th day of September 19 97, before me, the undersigned, a Notary Public in and for said State, personally appeared Donald Jayne and Darrin Jayne

known or identified to me to be the person(s) whose names is/are subscribed to the within instrument and acknowledged to me that he executed the same.

R.H. SL
Notary Public in and for said County and StateResiding at: 133 Broadway Ave E Seattle Wa 98102
Commission Exp: 12/3/00

RECORDING DATA:



Order No. 6586

EXHIBIT "A"

IN THE STATE OF IDAHO, COUNTY OF KOOTENAI

PARCEL 1:

Lots 29 and 30, KIDD ISLAND BAY LOTS, according to the plat recorded in Book "D" of Plats at Page 127, records of Kootenai County, Idaho.

PARCEL 2:

a 2/16 interest in and to a parcel of land laying between Kidd Island bay lots and Lake Coeur d'Alene bounded on the North by the extended North line of Lot 1, Kidd Island Bay Lots and bounded on the South by the extended South line of Lot 39 of Kidd Island Bay Lots as shown on the recorded plat thereof in Book "D" of Plats at Page 127, records of Kootenai County, Idaho, and being a part of the Southwest quarter of Section 35, Township 50 North, Range 4 West of the Boise Meridian, Kootenai County, Idaho.

1505187

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Request for Assignment of Encroachment Permit

Encroachment Permit Assignment Instructions: This form is used by persons seeking to assign the encroachments on Navigable Lakes pursuant to IDAPA 20.03.04. Please complete this form and submit it, along with the non-refundable filing fee of \$300 and required attachments to your local Idaho Department of Lands Supervisory Area Office.

1. In order to process an assignment, both the buyer (Assignee) and seller (Assignor) must submit this joint Assignment Form and nonrefundable \$300 processing fee to IDL.
2. If the last permit holder is not available to sign the form, a chain of title for the property showing all owners beginning with the permit holder to the new property owner must be provided.
3. Assignments can only be transferred to the owner of record on the parcel and must be executed as such.
4. Be sure all encroachments (docks, waterlines, shoreline stabilization, buoys, etc.) are accurately listed on the permit. Property owners should confirm sizes and locations. If the encroachments do not match the permit, the assignment cannot be completed.
5. Submit a copy of the property deed, and an Idaho Secretary of State Certificate of Existence (Only required if Assignee is a business), or Affidavit of Existence (Only required if Assignee is a trust or non-profit).

I/We, Mr. Don Jayne, am/are the current parcel owner(s) of the Idaho Department of Lands encroachment permit listed below. I/We, as Assignor(s), request that the identified permit be assigned to Mr. Walter Nevin, identified below as "Assignee(s)."

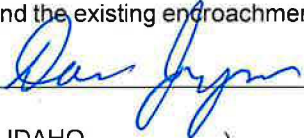
Encroachment Number: 95-S-22A/L-95-S-446A **Body of Water:** Coeur d'Alene Lake, Kidd Island Bay

Property Address: 4375 S Vanilla Ct, Coeur d'Alene, ID 83814 (formerly 1225 Kidd Island Bay Rd. Coeur d'Alene, ID 83814)

County: Kootenai **Parcel/AIN Number:** 04200000029A/128452

ASSIGNOR(S) -- CURRENT PARCEL OWNER(S)

We hereby swear and affirm that the information contained herein is true and correct to the best of our knowledge, and the existing encroachment is in compliance with the permit issued.


Assignor  Assignor _____

STATE OF IDAHO
County of Kootenai

On this 31st day of October, in the year 2024 before me, a notary public in and for said State, personally appeared Don Jayne, known to me to be the Assignor(s)/Permittee(s) that executed the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last above written.

MOLLY O'BRYANT
Notary Public - State of Idaho
Commission Number 20233005
My Commission Expires 07-24-2029

Notary Public: 
Residing at: Coeur d'Alene, Idaho
My Commission Expires: 07-24-2029

Continued on next page

ASSIGNEE(S) -- NEW PERMITEE(S)

I/We accept and agree to comply with the terms and conditions of the permit as issued.
Please complete **Attachment A** for multiple new permittees.

Name(s): Walter D. Nevin Sr
Mailing Address: 3816 S Sherman Ave
Spokane, WA 99203
Email Address: vanormanby5@gmail.com Phone Number: (509) 220-1557
Assignee Signature: Walter D. Nevin Sr Date: 11-6-24

STANLEY F. HAMILTON - DIRECTOR

ENCROACHMENT PERMIT NO. 95-S-22A/L-95-S-446A

Permission is hereby granted to DON JAYNE
of 1627 East Lynn Seattle, WA 98112 to install and maintain
5' x 30' floating dock w/ existing 26' x 30' boat garage & 4' x 20'
approach w/ 3 piling extending 56' waterward OHWM
located: Coeur d'Alene Lake, Kidd Island Bay, Lot 29, Section 35,
Township 50 North, Range 4 West, Boise Meridian, Kootenai County.

1. All applicable provisions of the Rules for Regulation of Beds, Waters, and Airspace over Navigable Lakes and Streams in the State of Idaho are incorporated herein by reference and made a part hereof.
2. Construction will follow details and specifications shown on the approved drawings and data provided by the applicant. Should such information and data prove to be materially false, incomplete and/or inaccurate, this authorization may be modified, suspended, or revoked in accordance with the Administrative Procedures Act, Idaho Code title 67, chapter 52.
3. This permit does not convey the State's title to or jurisdiction or management of lands lying below the natural or ordinary high water mark.
4. Acceptance of this permit constitutes permission by the Permittee for representatives of the Department of Lands to come upon Permittee's lands at all reasonable times to inspect the encroachment authorized by this permit.
5. The Permittee assumes all liability for damages which may result from the exercise of this permit.
6. This permit does not relieve the Permittee from obtaining additional local or federal permits as required.
7. This permit is not valid until the identification number is displayed on the outermost area of the encroachment.
8. If the activity authorized herein is not completed on or before the 11th day of July, 1997 (three years from the date of issuance), this permit shall automatically expire unless it was previously revoked or otherwise extended.

BOARD OF LAND
COMMISSIONERS
CECIL D. ANDRUS
Governor
PETE T. CENARRUSA
Secretary of State
LARRY ECHOHAWK
Attorney General
J.D. WILLIAMS
State Auditor
JERRY L. EVANS
Sup't of Public
Instruction

ENCROACHMENT PERMIT NO. 95-S-22A

July 11, 1994

Page two

9. White bead foam flotation shall be completely encased in a manner that will maintain the structural integrity of the foam. The encasement shall be resistant to the entry of rodents.
10. Removal of any pre-existing facilities is a condition of this permit.
11. This permit supersedes and voids any permit previously issued for this property unless otherwise noted.
12. Creosote or pentachlorophenol (Penta) treated piling and lumber shall not be used on, in, or over the water. Piling and lumber that are in continual contact with lakewaters shall not be treated with protection material. Treated materials not in contact with the water shall be completely dry before use in or near navigable water. Contact Idaho Department of Health and Welfare, Division of Environmental Quality, with questions regarding treated materials.
13. All construction material must be stockpiled landward of the ordinary high water mark.
14. The permittee shall maintain the structure or work authorized herein in a good and safe condition and in accordance with the plans and drawings attached hereto.
15. All construction shall be completed in accordance with descriptions and methods provided unless otherwise specified. Any changes shall be approved in writing by the department prior to construction.
16. Upon transfer of this real property, you are required to inform this office of the subsequent name change.

FOR THE DIRECTOR

By: Carl Washburn
CARL WASHBURN
Navigable Waters Specialist

STATE OF IDAHO)
) ss
COUNTY OF KOOTENAI)

Subscribed and sworn to before me this 11th day of
July, 1994.

Merna Cherry
Notary Public for Idaho
Residing at Post Falls, Idaho
Commission expires: 1/24/98



JOINT APPLICATION FOR PERMIT
U.S. ARMY CORPS OF ENGINEERS
AND
IDAHO DEPARTMENT OF WATER RESOURCES
IDAHO DEPARTMENT OF LANDS

SEPARATE PERMIT DECISIONS MUST
BE RECEIVED FROM BOTH THE STATE
OF IDAHO AND THE CORPS OF
ENGINEERS PRIOR TO START OF
WORK

The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. These laws require permits authorizing structures and work in or affecting navigable waters of the United States and the discharge of dredged or fill material into waters of the United States, including their adjacent wetlands. State permits are required under the State of Idaho, Stream Channel Protection Act (Title 42, Chapter 38, Idaho Code) and the Idaho Lake Protection Act, Section 58-142 et. seq, Idaho Code. This application will meet the requirements of the above agencies.

1. Corps of Engineers # _____ Date Received _____	2. State of Idaho # <u>95-S-22/L-95-S-446A</u> Date Received _____
--	---

PLEASE TYPE OR PRINT

3. Applicant <u>Don Jayne</u> Mailing Address <u>1627 E. Lynn</u> <u>Seattle Wash. 98112</u> Work Phone Area <u>(206) 325-7487</u> Home Area <u>(206) 323 3360</u> Fax Number <u>206 325-0416</u>	4. Authorized Agent <u>John Surrenderer</u> Mailing Address <u>3030 E Nettleton</u> <u>CDP Id 83814</u> Work Phone Area <u>208 6676869</u> Home () Area <u>208-</u>
5. Location where proposed activity exists or will occur. Waterway <u>Coeur d'Alene Lake</u> <u>Coeur d'Alene</u> <u>Kootenia</u> <u>Id</u> In/near city or town County State <u>83814</u> <u>Kootenia</u> Zip Code Local jurisdiction (city or county)	Tributary of: <u>CDP Lake</u> Assessor's Desc. (Tax No. or Subdivision, Lot & Block No.) * <u>128452</u> <u>04200</u> <u>00029</u> *(See instructions) <u>35</u> <u>4W</u> <u>50N</u> or 1/4 1/4 Section Township Range UTM Coordinate Grid _____

6. Describe the proposed activity. Provide a general description of the proposed work including all discharges of fill material and any structures such as piers, floats, boat lifts, bulkheads, and cofferdams.

30x5 Dock

Describe construction methods and equipment: Log Dock construction

List all soil series located at project site, and indicate if any are on the county's hydric soils list:

Length of project along the stream or extension into lake or reservoir: 40 ft

Will material be placed waterward of ordinary high water mark? NO If yes, volume: N/A (cubic yards)
(both temporary and permanent)

Will material be placed in wetlands? NO If yes, area: N/A (acres)

Type and composition of fill material: N/A (i.e. sand, etc.) Material Source: N/A

Will excavation or dredging be required? NO If yes, volume: N/A (cubic yards) Composition: N/A

Disposal site for excavated material: N/A Method of excavation: N/A

Stream gradient: Lake bed

Method of controlling turbidity and/or sedimentation: N/A

7. Size and flow capacity of proposed bridge or culvert and area of drainage served (sq. miles):
(Idaho Department of Water Resources requirement.) N/A

8. Preparation of drawings. One set of original or good quality reproducible drawings must be attached to this application.
NOTE: DRAWINGS NO LARGER THAN 8-1/2 X 11 INCHES IN SIZE. See the instruction pamphlet for instructions and a checklist for completing the drawings. Include photographs of the project site mounted on 8-1/2 x 11 sheets.

9. Purpose and intended use: Commercial _____ Public _____ Private X Other _____ Describe _____

Necessity and justification for project Moorage For Private Use

10. Proposed Starting Date 6-15-94 Estimated Duration 30 Days

11. If any portion of the activity is complete, indicate month and year of completion _____
Indicate the existing work on the drawings.

12. Names, addresses, and telephone numbers of adjoining property owners, lessees, etc., whose property also adjoins the waterway.

Magie & Tom Moss
22603 Irwin
Woodhewn Hills Ca

Gloria Benson
6298 Lancaster Dr
Paradise Ca 95969

☐ Check here if the alteration is located on endowment lands administered by the Idaho Department of Lands

13. LEGAL OWNER IF
OTHER THAN APPLICANT _____

MAILING ADDRESS _____ CITY, STATE, _____
ZIP CODE _____

PHONE _____ AREA _____
WORK() _____ HOME() _____

14. List other applications, approvals, or certifications from other Federal, interstate, state, or local agencies for any structures, constructions, discharges, deposits, or other activities described in the application.

Issuing Agency	Type of Approval	Identification No.	Date of Application	Date of Approval
<u>Dept of Lands</u>	<u>Easement</u>	<u>95522</u>		

15. Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein? Yes _____ No X (If "Yes" explain) _____

16. Remarks or additional information: _____

17. Application is hereby made for a permit or permits to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to come upon the above-described location to inspect the proposed or completed work.

Date

5/28/94

Signature of Applicant (ORIGINAL SIGNATURE REQUIRED)

Donald M. Jorgensen

19. If an authorized agent is to be designated, Item 4 and the following information should be completed.

I hereby designate John Swendener to act as my agent in matters related to this permit application. I understand that if a Federal permit is issued, I must sign the permit.

Date

Original Signature of Authorized Agent

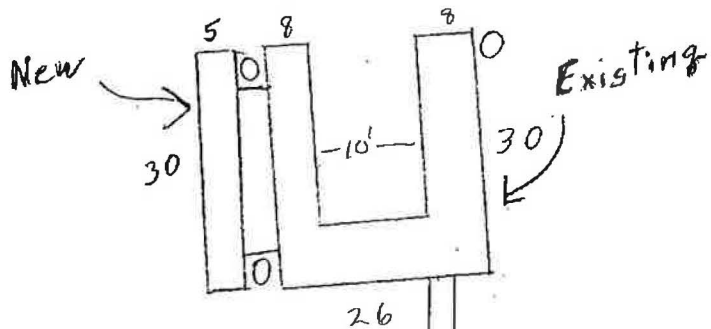
John Swendener

Original Signature of Applicant

Donald M. Jorgensen

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years or both. Do not send a Federal permit processing fee with this application. The appropriate fee will be assessed when a permit is issued.

DO NOT SEND FEDERAL PROCESSING FEE WITH APPLICATION



4X20



VICINITY MAP

From

L. water
H. water

51'

12'

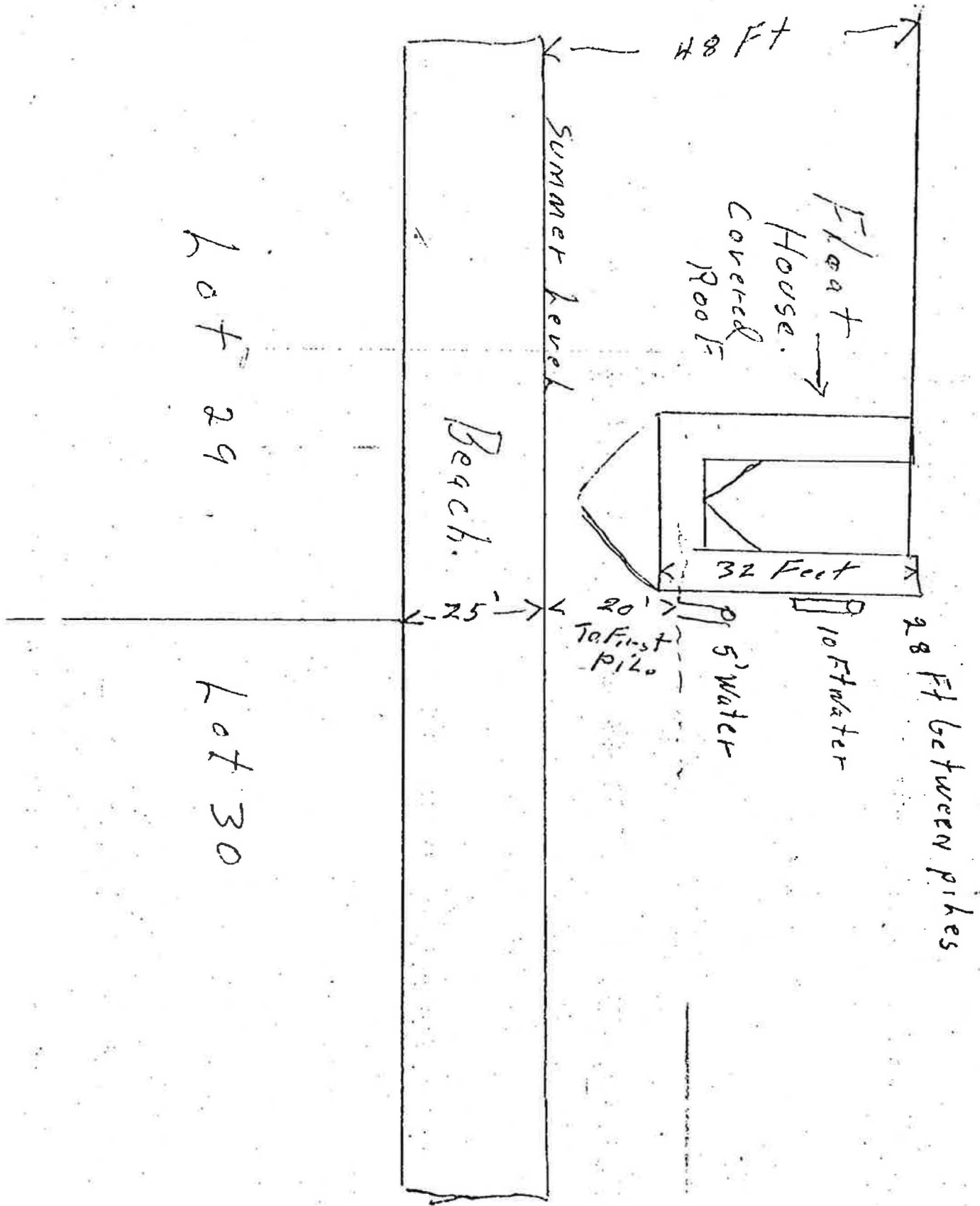
H. water

L. Water

IN
IN/NEAR

COUNTY,

DATE: SHEET 1 OF
APPLICATION BY:



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RAMSDEN, MARFICE, EALY & DE SMET, LLP
700 Northwest Blvd.
P.O. Box 1336
Coeur d'Alene, ID 83816-1336
Telephone: (208) 664-5818
Facsimile: (208) 664-5884
Jack A. Mosby, ISB #10986
jmosby@rmedlaw.com

Attorneys for Applicant

BEFORE THE IDAHO DEPARTMENT OF LANDS

In the Matter of Application to Permit an
Existing Boat Garage on Lake Coeur d'Alene,

Walter Nevin,

Applicant.

AGCY. CASE NO. PH-2024-NAV-22-003

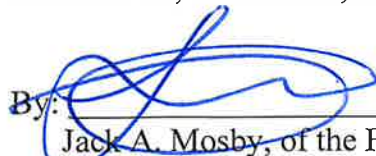
OAH Case No. 24-320-08

NOTICE OF WITHDRAWAL

PLEASE TAKE NOTICE that the undersigned hereby WITHDRAWS the Application
to Permit an Existing Boat Garage on lake Coeur d'Alene, as attorney of record for Applicant,
Walter Nevin, in the above-entitled hearing.

DATED this 4th day of November, 2024.

RAMSDEN, MARFICE, EALY & DE SMET, LLP

By: 

Jack A. Mosby, of the Firm
Attorneys for Applicant

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on the 4th day of November, 2024 I served a true and correct copy of the foregoing by delivering the same to each of the following, by the method indicated below, addressed as follows:

Walter Nevin	<input checked="" type="checkbox"/>	U.S. Mail, postage prepaid
by Wendy Van Orman (agent)	<input type="checkbox"/>	Hand-Delivered
4375 S. Vanilla Ct.	<input type="checkbox"/>	Overnight Mail
Coeur d'Alene, ID 83815	<input type="checkbox"/>	Facsimile
(509) 220-1557	<input checked="" type="checkbox"/>	Email: Vanormanby5@gmail.com

Applicant

John Richards	<input type="checkbox"/>	U.S. Mail, postage prepaid
Idaho Department of Lands	<input type="checkbox"/>	Hand-Delivered
300 N. 6th Street	<input type="checkbox"/>	Overnight Mail
Boise, ID 83720	<input type="checkbox"/>	Facsimile
(208) 334-0200	<input checked="" type="checkbox"/>	Email: jrichards@idl.idaho.gov
<i>General Counsel for IDL</i>		

Marde Messinger	<input type="checkbox"/>	U.S. Mail, postage prepaid
Idaho Department of Lands	<input type="checkbox"/>	Hand-Delivered
300 N. 6th Street	<input type="checkbox"/>	Overnight Mail
Boise, ID 83720	<input type="checkbox"/>	Facsimile
(208) 334-0200	<input checked="" type="checkbox"/>	Email: mmessinger@idl.idaho.gov
<i>IDL Lands Program Manager</i>		

Kourtney Romine	<input type="checkbox"/>	U.S. Mail, postage prepaid
Idaho Department of Lands	<input type="checkbox"/>	Hand-Delivered
PO Box 83720	<input type="checkbox"/>	Overnight Mail
Boise ID 83720-0050	<input type="checkbox"/>	Facsimile (208) 263-0400
(208) 334-0200	<input checked="" type="checkbox"/>	Email: kromine@idl.idaho.gov
<i>IDL Workflow Coordinator</i>		

OAH	<input type="checkbox"/>	U.S. Mail, postage prepaid
General Government Division	<input type="checkbox"/>	Hand-Delivered
P.O. Box 83720	<input type="checkbox"/>	Overnight Mail
Boise, ID 83720-0104	<input type="checkbox"/>	Facsimile (208) 263-0400
Located at: 350 N. 9th., Suite 300	<input checked="" type="checkbox"/>	Email: filings@oah.idaho.gov
(208) 605-4300		

/s/ Amanda Clark
Amanda Clark

WN-5

This space is reserved for recording purposes only



ASSIGNMENT OF ENCROACHMENT PERMIT NO. L95S0446B

Permission is hereby transferred to Walter Nevin of 4375 S Vanilla Ct, Coeur d'Alene, ID, 83815, United States (USA) to install and maintain the following encroachment(s) subject to the terms and conditions of this Permit and the approved application, plans and drawings incorporated herein:

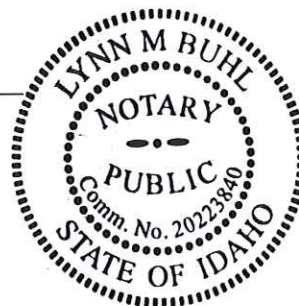
Encroachment	Description		Effective Date	Construction to be completed by
Encroachment: Boat Garage	Master Float: 26'x32' Garage: 20'x28'x13'4"	560 Square Feet	Jul/11/1994	Jul/11/1997
Encroachment: Single Family Dock	4'x18' approach ramp	72 Square Feet	Nov/07/2024	Nov/07/2024

Located on LAKE COEUR D'ALENE in KOOTENAI COUNTY, adjacent to:

Parcel Number	04200000029A
Lot, Block, Subdivision	Kidd Island Bay Lots, Lt 29, 30 & 2/61 in tax 12664
Section, Township, Range	T50N R04W, sec 35, Boise Meridian
Physical Addresses	4375 S Vanilla Ct, Coeur d'Alene, ID, 83815
Tax/Serial Number	12664, AIN 128452

ON BEHALF OF THE DIRECTOR

By: Amidy Fuson
Amidy Fuson, Resource Officer Sr.
Navigable Waterways – Mica Office



11/7/24
Date

STATE OF IDAHO)
KOOTENAI COUNTY) ss

On November 07, 2024, personally appeared before me Amidy Fuson, whose identity is personally known to me and who by me duly affirmed that he/she is the Resource Officer Sr., Navigable Waterways Mica Office of the Idaho Department of Lands, and acknowledged that the foregoing document was signed by him/her on behalf of said state agency by authority of a Resolution of the State Land Board.

Lynn M Buhl
Notary Public for Idaho Department of Lands
My commission expires on 8/8/28



Request for Assignment of Encroachment Permit



Encroachment Permit Assignment Instructions: This form is used by persons seeking to assign the encroachments on Navigable Lakes pursuant to IDAPA 20.03.04. Please complete this form and submit it, along with the non-refundable filing fee of \$300 and required attachments to your local Idaho Department of Lands Supervisory Area Office.

1. In order to process an assignment, both the buyer (Assignee) and seller (Assignor) must submit this joint Assignment Form and nonrefundable \$300 processing fee to IDL.
2. If the last permit holder is not available to sign the form, a chain of title for the property showing all owners beginning with the permit holder to the new property owner must be provided.
3. Assignments can only be transferred to the owner of record on the parcel and must be executed as such.
4. Be sure all encroachments (docks, waterlines, shoreline stabilization, buoys, etc.) are accurately listed on the permit. Property owners should confirm sizes and locations. If the encroachments do not match the permit, the assignment cannot be completed.
5. Submit a copy of the property deed, and an Idaho Secretary of State Certificate of Existence (Only required if Assignee is a business), or Affidavit of Existence (Only required if Assignee is a trust or non-profit).

I/We, Mr. Don Jayne, am/are the current parcel owner(s) of the Idaho Department of Lands encroachment permit listed below. I/We, as Assignor(s), request that the identified permit be assigned to Mr. Walter Nevin, identified below as "Assignee(s)."

Encroachment Number: 95-S-22A/L-95-S-446A Body of Water: Coeur d'Alene Lake, Kidd Island Bay
Property Address: 4375 S Vanilla Ct, Coeur d'Alene, ID 83814 (formerly 1225 Kidd Island Bay Rd. Coeur d'Alene, ID 83814)
County: Kootenai Parcel/AIN Number: 04200000029A/128452

ASSIGNOR(S) -- CURRENT PARCEL OWNER(S)

We hereby swear and affirm that the information contained herein is true and correct to the best of our knowledge, and the existing encroachment is in compliance with the permit issued.

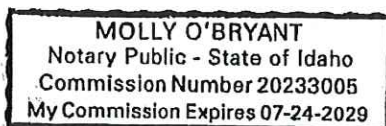
Assignor  Assignor _____


STATE OF IDAHO)

County of Kootenai) ss

On this 31st day of October, in the year 2024, before me, a notary public in and for said State, personally appeared Don Jayne, known to me to be the Assignor(s)/Permittee(s) that executed the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last above written.



Notary Public: 
Residing at: Coeur d'Alene, Idaho
My Commission Expires: 07-24-2029

Continued on next page

ASSIGNEE(S) -- NEW PERMITEE(S)

I/We accept and agree to comply with the terms and conditions of the permit as issued.
Please complete Attachment A for multiple new permittees.

Name(s): Walter D. Nevin Sr
Mailing Address: 3816 S. Sherman Ave
Spokane, WA 99203
Email Address: vandormanby5@gmail.com Phone Number: (509) 220-1557
Assignee Signature: Walter D. Nevin Sr Date: 11-6-24



JOINT APPLICATION FOR PERMITS

U.S. ARMY CORPS OF ENGINEERS - IDAHO DEPARTMENT OF WATER RESOURCES - IDAHO DEPARTMENT OF LANDS

Authorities: The Department of Army Corps of Engineers (Corps), Idaho Department of Water Resources (IDWR), and Idaho Department of Lands (IDL) established a joint process for activities impacting jurisdictional waterways that require review and/or approval of both the Corps and State of Idaho. Department of Army permits are required by Section 10 of the Rivers & Harbors Act of 1899 for any structure(s) or work in or affecting navigable waters of the United States and by Section 404 of the Clean Water Act for the discharge of dredged or fill materials into waters of the United States, including adjacent wetlands. State permits are required under the State of Idaho, Stream Protection Act (Title 42, Chapter 38, Idaho Code and Lake Protection Act (Section 58, Chapter 13 et seq., Idaho Code). In addition the information will be used to determine compliance with Section 401 of the Clean Water Act by the appropriate State, Tribal or Federal entity.

Joint Application: Information provided on this application will be used in evaluating the proposed activities. Disclosure of requested information is voluntary. Failure to supply the requested information may delay processing and issuance of the appropriate permit or authorization. Applicant will need to send a completed application, along with one (1) set of legible, black and white (8 1/2" x 11"), reproducible drawings that illustrate the location and character of the proposed project / activities to both the Corps and the State of Idaho.

See Instruction Guide for assistance with Application. Accurate submission of requested information can prevent delays in reviewing and permitting your application. Drawings including vicinity maps, plan-view and section-view drawings must be submitted on 8-1/2 x 11 papers.

Do not start work until you have received all required permits from both the Corps and the State of Idaho

FOR AGENCY USE ONLY							
USACE NWW-	Date Received:		<input type="checkbox"/> Incomplete Application Returned		Date Returned:		
Idaho Department of Water Resources No	Date Received:		<input type="checkbox"/> Fee Received DATE:		Receipt No.:		
Idaho Department of Lands No. L95S0446B	9/18/24		<input checked="" type="checkbox"/> Fee Received \$1075.00 DATE: 9/19/24		Receipt No.: ch#17706		
INCOMPLETE APPLICATIONS MAY NOT BE PROCESSED							
1. CONTACT INFORMATION - APPLICANT Required:				2. CONTACT INFORMATION - AGENT:			
Name: Mr. Walter Nevin				Name: Wendy Van Orman			
Company:				Company:			
Mailing Address: 4375 S Vanilla Ct				Mailing Address: 23308 E Sharp Ave.			
City: Coeur d'Alene		State: ID	Zip Code: 83815	City: Liberty Lake		State: WA	Zip Code: 99019
Phone Number (include area code):		E-mail:		Phone Number (include area code): 509-220-1557		E-mail: vanorman@5wgroup.com	
3. PROJECT NAME or TITLE: Dock Permit				4. PROJECT STREET ADDRESS: 4375 S Vanilla Ct.			
5. PROJECT COUNTY: Kootenai		6. PROJECT CITY: Coeur d'Alene		7. PROJECT ZIP CODE: 83815		8. NEAREST WATERWAY/WATERBODY: Lake Coeur d'Alene	
9. TAX PARCEL ID# AIN 128452		10. LATITUDE: LONGITUDE		11a. 1/4: 11b. 1/4: 11c. SECTION: 35		11d. TOWNSHIP: 4W 11e. RANGE 50N	
12a. ESTIMATED START DATE: 09/15/2024		12b. ESTIMATED END DATE: 12/15/2024		13a. IS PROJECT LOCATED WITHIN ESTABLISHED TRIBAL RESERVATION BOUNDARIES? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES Tribe:			
12c. IS PROJECT LOCATED IN LISTED ESA AREA? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES				13c. IS PROJECT LOCATED ON/NEAR HISTORICAL SITE? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES			
14. DIRECTIONS TO PROJECT SITE: Include vicinity map with legible crossroads, street numbers, names, landmarks. See EXHIBIT A							
15. PURPOSE and NEED: <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Public <input checked="" type="checkbox"/> Private <input type="checkbox"/> Other Describe the reason or purpose of your project, include a brief description of the overall project. Continue to Block 16 to detail each work activity and overall project. Homeowner wants the permit for the boat garage to be transferred to homeowner, which was not accomplished after purchasing in 1997.							

NWW Form 1145-1/IDWR 3804-B

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SEP 19 2024

Page 1 of 4
ENC 004

By: 

16. DETAILED DESCRIPTION OF EACH ACTIVITY WITHIN OVERALL PROJECT. Specifically indicate portions that take place within waters of the United States, including wetlands. Include dimensions, equipment, construction, methods, erosion, sediment and turbidity controls, hydrological changes: general stream/surface water flows, estimated winter/summer flows; borrow sources, disposal locations etc.

Assignment of previous encroachment permit provided to Don Jayne under Encroachment Permit No. 95-S-22A/L-95-S-446A.

17. DESCRIBE ALTERNATIVES CONSIDERED to AVOID or MEASURES TAKEN to MINIMIZE and/or COMPENSATE for IMPACTS to WATERS of the UNITED STATES, INCLUDING WETLANDS: See Instruction Guide for specific details.

There will be no impact or changes to the dock as it currently stands and with the docks relation to the submerged lands.

18. PROPOSED MITIGATION STATEMENT or PLAN: If you believe a mitigation plan is not needed, provide a statement and your reasoning why a mitigation plan is NOT required. Or, attach a copy of your proposed mitigation plan.

N/A

19. TYPE and QUANTITY of MATERIAL(S) to be discharged below the ordinary high water mark and/or wetlands:

Dirt or Topsoil	_____	cubic yards
Dredged Material:	_____	cubic yards
Clean Sand:	_____	cubic yards
Clay:	_____	cubic yards
Gravel, Rock, or Stone:	_____	cubic yards
Concrete:	_____	cubic yards
Other (describe) _____:	_____	cubic yards
Other (describe) _____:	_____	cubic yards

TOTAL: N/A cubic yards

20. TYPE and QUANTITY of impacts to waters of the United States, including wetlands:

Filling	_____	acres	_____	sq ft	_____	cubic yards
Backfill & Bedding:	_____	acres	_____	sq ft	_____	cubic yards
Land Clearing:	_____	acres	_____	sq ft	_____	cubic yards
Dredging:	_____	acres	_____	sq ft	_____	cubic yards
Flooding:	_____	acres	_____	sq ft	_____	cubic yards
Excavation:	_____	acres	_____	sq ft	_____	cubic yards
Draining:	_____	acres	_____	sq ft	_____	cubic yards
Other:	_____	acres	_____	sq ft	_____	cubic yards

TOTALS: N/A acres _____ sq ft _____ cubic yards

21 HAVE ANY WORK ACTIVITIES STARTED ON THIS PROJECT? ☒ NO ☐ YES If yes, describe ALL work that has occurred including dates.

22 LIST ALL PREVIOUSLY ISSUED PERMIT AUTHORIZATIONS:

Permit from Don Jayne has been in place since Mr. Nowin acquired the property.

23 ☐ YES. Alteration(s) are located on Public Trust Lands, Administered by Idaho Department of Lands

24. SIZE AND FLOW CAPACITY OF BRIDGE/CULVERT and DRAINAGE AREA SERVED _____ Square Miles

25 IS PROJECT LOCATED IN A MAPPED FLOODWAY? ☒ NO ☐ YES If yes, contact the floodplain administrator in the local government jurisdiction in which the project is located. A Floodplain Development permit and a No-rise Certification may be required.

26a. WATER QUALITY CERTIFICATION: Pursuant to the Clean Water Act, anyone who wishes to discharge dredge or fill material into the waters of the United States, either on private or public property, must obtain a Section 401 Water Quality Certification (WQC) from the appropriate water quality certifying government entity. See *Instruction Guide* for further clarification and all contact information.

The following information is requested by IDEQ and/or EPA concerning the proposed impacts to water quality and anti-degradation:

- ☐ NO ☒ YES Is applicant willing to assume that the affected waterbody is high quality?
☒ NO ☐ YES Does applicant have water quality data relevant to determining whether the affected waterbody is high quality or not?
☐ NO ☒ YES Is the applicant willing to collect the data needed to determine whether the affected waterbody is high quality or not?

26b. BEST MANAGEMENT PRACTICES (BMPs): List the Best Management Practices and describe these practices that you will use to minimize impacts on water quality and anti-degradation of water quality. All feasible alternatives should be considered - treatment or otherwise. Select an alternative which will minimize degrading water quality.

N/A

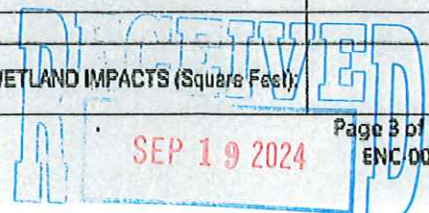
Through the 401 Certification process, water quality certification will stipulate minimum management practices needed to prevent degradation.

27 LIST EACH IMPACT to stream, river, lake, reservoir, including shoreline. Attach site map with each impact location.

Activity	Name of Water Body	Intermittent Perennial	Description of Impact and Dimensions	Impact Length Linear Feet
TOTAL STREAM IMPACTS (Linear Feet):				

28. LIST EACH WETLAND IMPACT include mechanized clearing, fill, excavation, flood, drainage, etc. Attach site map with each impact location.

Activity	Wetland Type: Emergent, Forested, Scrub/Shrub	Distance to Water Body (linear ft)	Description of Impact Purpose: road crossing, compound, culvert, etc.	Impact Length (acres, square ft linear ft)
TOTAL WETLAND IMPACTS (Square Feet):				



By: _____

29. ADJACENT PROPERTY OWNERS NOTIFICATION REQUIREMENT Provide contact information of ALL adjacent property owners below.

Name: Moss-Tiller Timothy Rex, Moss Margaret C

Mailing Address: 47 Tennis Club Dr

City: Rancho Mirage State: CA Zip Code: 92271

Phone Number (include area code): E-mail:

Name: Casey, Steven J.

Mailing Address: 4363 S Vanilla Ct

City: Cosum d'Alene State: ID Zip Code: 83814

Phone Number (include area code): E-mail:

Name:

Mailing Address:

City: State: Zip Code:

Phone Number (include area code): E-mail:

Name:

Mailing Address:

City: State: Zip Code:

Phone Number (include area code): E-mail:

Name:

Mailing Address:

City: State: Zip Code:

Phone Number (include area code): E-mail:

Name:

Mailing Address:

City: State: Zip Code:

Phone Number (include area code): E-mail:

Name:

Mailing Address:

City: State: Zip Code:

Phone Number (include area code): E-mail:

Name:

Mailing Address:

City: State: Zip Code:

Phone Number (include area code): E-mail:

30. SIGNATURES: STATEMENT OF AUTHORIZATION / CERTIFICATION OF AGENT / ACCESS

Application is hereby made for permit, or permits, to authorize the work described in this application and all supporting documentation. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein; or am acting as the duly authorized agent of the applicant (Block 2). I hereby grant the agencies to which this application is made, the right to access/come upon the above-described location(s) to inspect the proposed and completed work/activities.

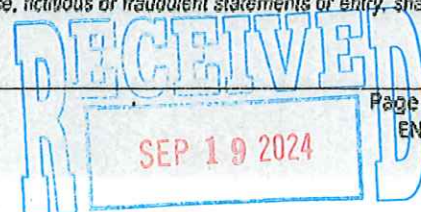
Signature of Applicant: Walter O'Brien Sr

Date: 9-18-24

Signature of Agent: Wendy Van Orman

Date: 9/18/24

This application must be signed by the person who desires to undertake the proposed activity AND signed by a duly authorized agent (see Block 1, 2, 30). Further, 18 USC Section 1001 provides that: "Whoever, in any manner within the jurisdiction of any department of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both".



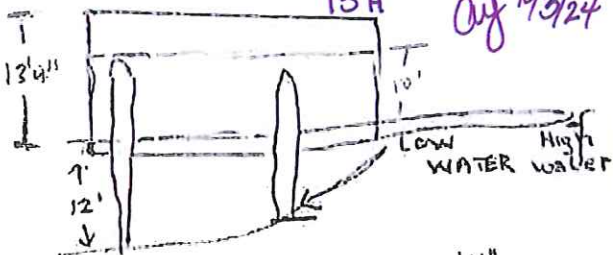
By: _____

N

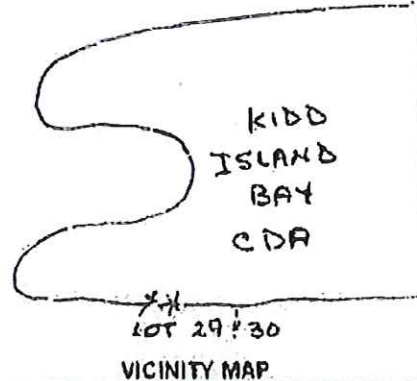


Square footage:

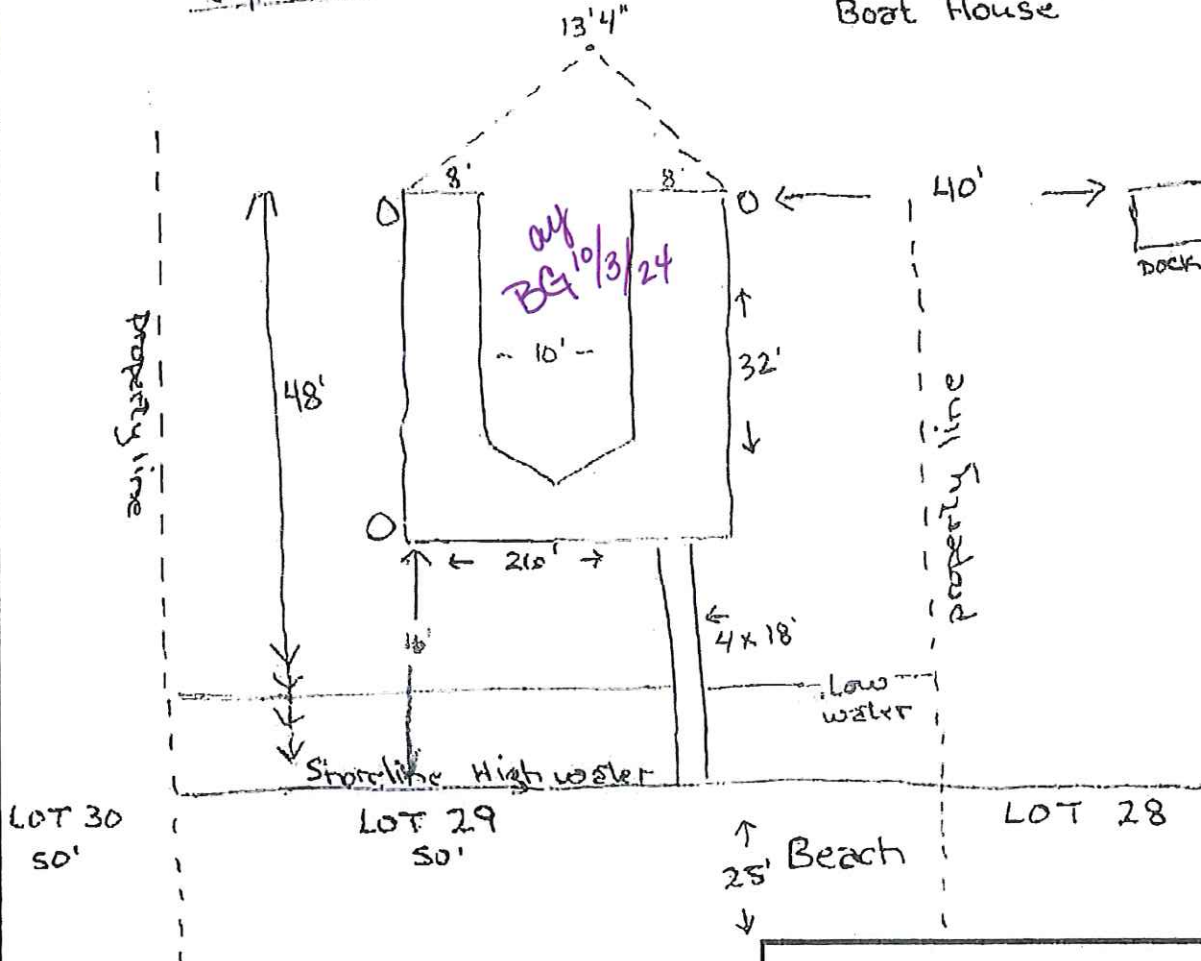
- ① Dock Ramp: $4 \times 18 = 72 \text{ sq. ft.}$
- ② Master float: $26 \times 32 = 832 \text{ sq. ft.}$
- ③ Boat Garage: $28 \times 13.3 = 372.4 \text{ sq. ft.}$
 $20' \times 28' = 560$
 $13' \text{ H}$
Aug 10/3/24



N



Boat House



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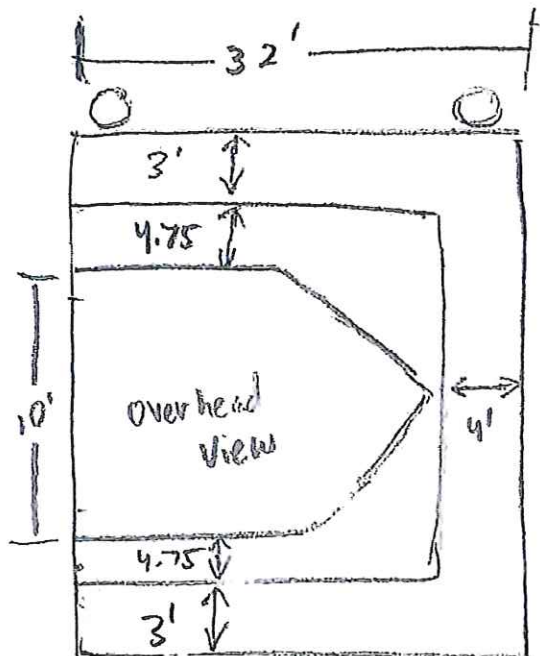
IN
IN/NEAR

COUNTY.

DATE:

SHEET 1 OF

APPLICATION BY:

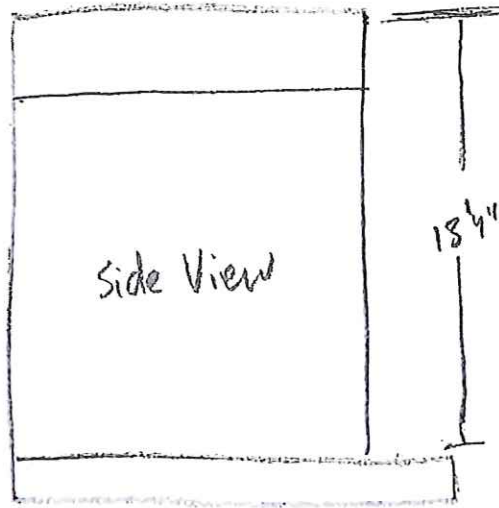
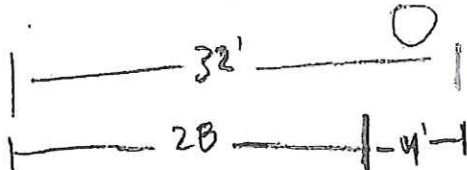


Master Float

26'

Master:
26' X 32'

Garage:
20' X 28' X 13' 4"
dy 10/3/24



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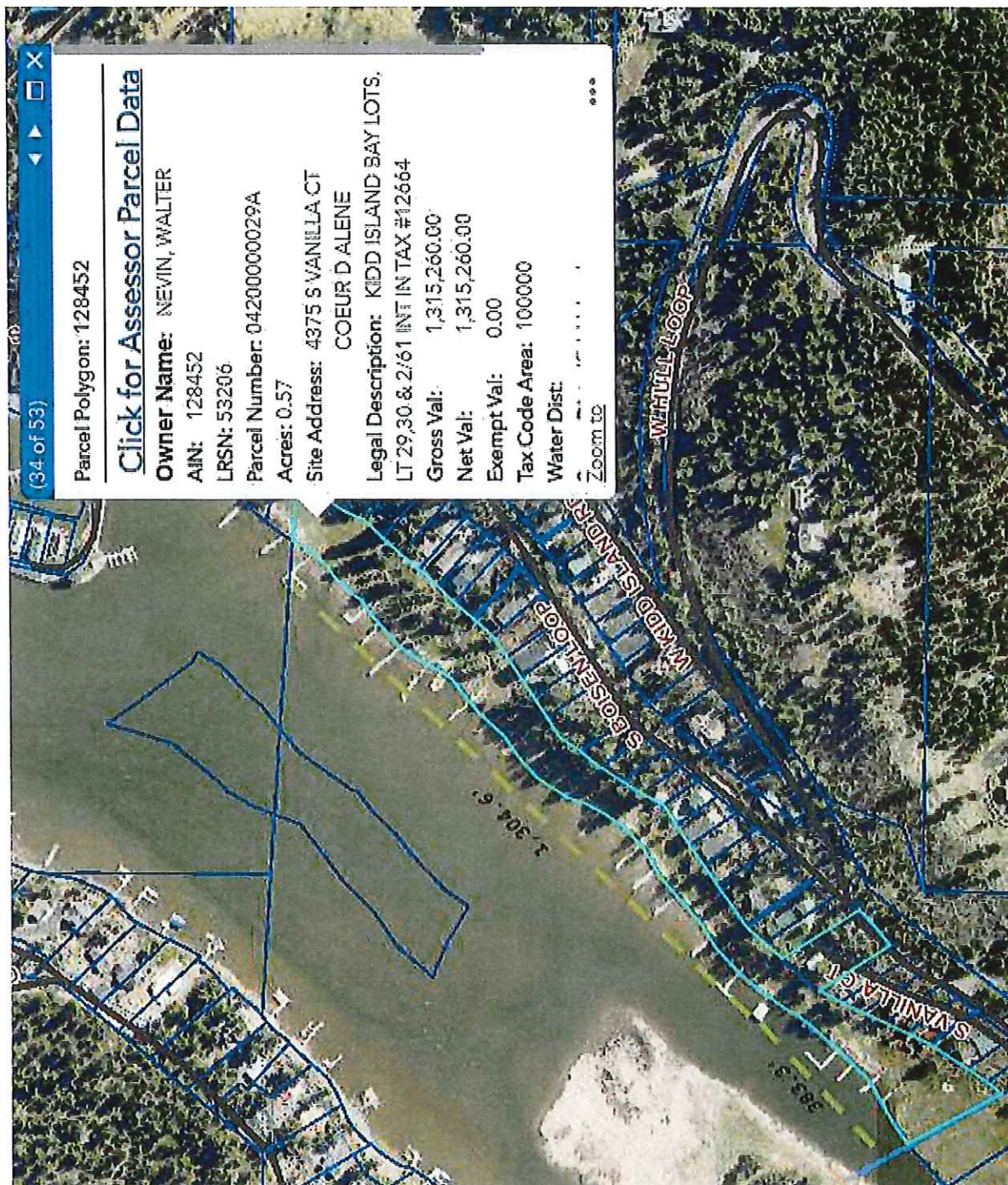
By: _____



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SEP 25 2024

By: _____

[illegible]

General Information

Owner: Nevin Waller O Sr Etux
 Mailing Address: 3816 S Sherman Spokane Wa 99203
 Property Address: 4375 S Vanilla Ct
 Neighborhood: 5012 Wf-Kidd Island/Falls Bay
 District (TCA): 100000

Parcel ID (PIN): 04200000029A
 Alternate ID (AIN): 128452
 Property Class: 537- Imp res rural sub
 Deeded Acres: 0.5730

Last updated: 8/20/2024 01:53:15 AM

Legal Descriptions

Description

KIDD ISLAND BAY LOTS, LT 29,30 & 2/61 INT IN TAX #12664
 35 50N 04W

Net Taxable Value

Tax Year	Value
2024	\$1,315,260.00
2023	\$1,315,260.00
2022	\$1,269,920.00
2021	\$714,890.00
2020	\$552,980.00
2019	\$546,980.00

Value History

Year	Reason	Land Value	Improvement Value	Total Value
2024	Assessment Update	\$1,095,030.00	\$220,230.00	\$1,315,260.00
2023	Assessment Update	\$1,095,030.00	\$220,230.00	\$1,315,260.00
2022	Assessment Update	\$1,094,380.00	\$175,540.00	\$1,269,920.00
2021	Assessment Update	\$583,080.00	\$131,810.00	\$714,890.00
2020	Assessment Update	\$448,530.00	\$104,450.00	\$552,980.00

1 2 3 4 5 5 Items per page

1 - 5 of 25 Items

Exemption History

Effective Year	Exemption Type	Percent	Total Value	Exemption Value	Net Taxable Value
----------------	----------------	---------	-------------	-----------------	-------------------

No modifier data is available for this record.

Land Details

Land Type	Acres
-----------	-------



about:blank

Land Type

Waterfront Vacant Buildable

Acres

Total Value

0.20

\$450,000

Common Area

0.17

\$30

Improvements

Property Record	Improvement ID	Use Code	Description	Year Built	Length (ft.)	Width (ft.)	Area	Area Units
R01	D	DWELL	Dwelling	1967	n/a	n/a	2176	Fin SF
R01	04	PAV	Residential Paving	1980	n/a	n/a	2922	SF
R01	07	RETAIN	Retaining Wall-Resid & Farm	1980	221.00	1.00	221	LF
R01	05	DETGAR	Residential Detached Garage	1969	25.00	24.00	600	SF
R01	06	LEANTO	Lean-to	1969	24.00	13.00	267	SF
R01	09	BOATD	Waterfront Boat Dock	1967	n/a	n/a	500	SF
R01	08	BOATHSE	Waterfront Boat House	1967	28.00	20.00	560	SF

1 20 items per page

1 - 7 of 7 items

Additional Commercial Info.

Property Record	Use Code	Description	Gross Square Footage
No additional commercial improvements data present.			

Permits

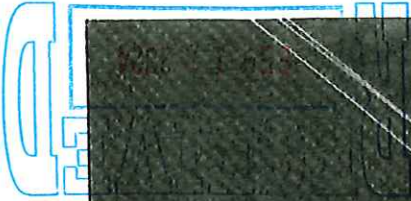
Filing Date	Sq Ft	Permit Description
No permits data is available.		

Sales History

Document Number	Date	Owner	Grantee	Type
	8/1/97			



By: _____

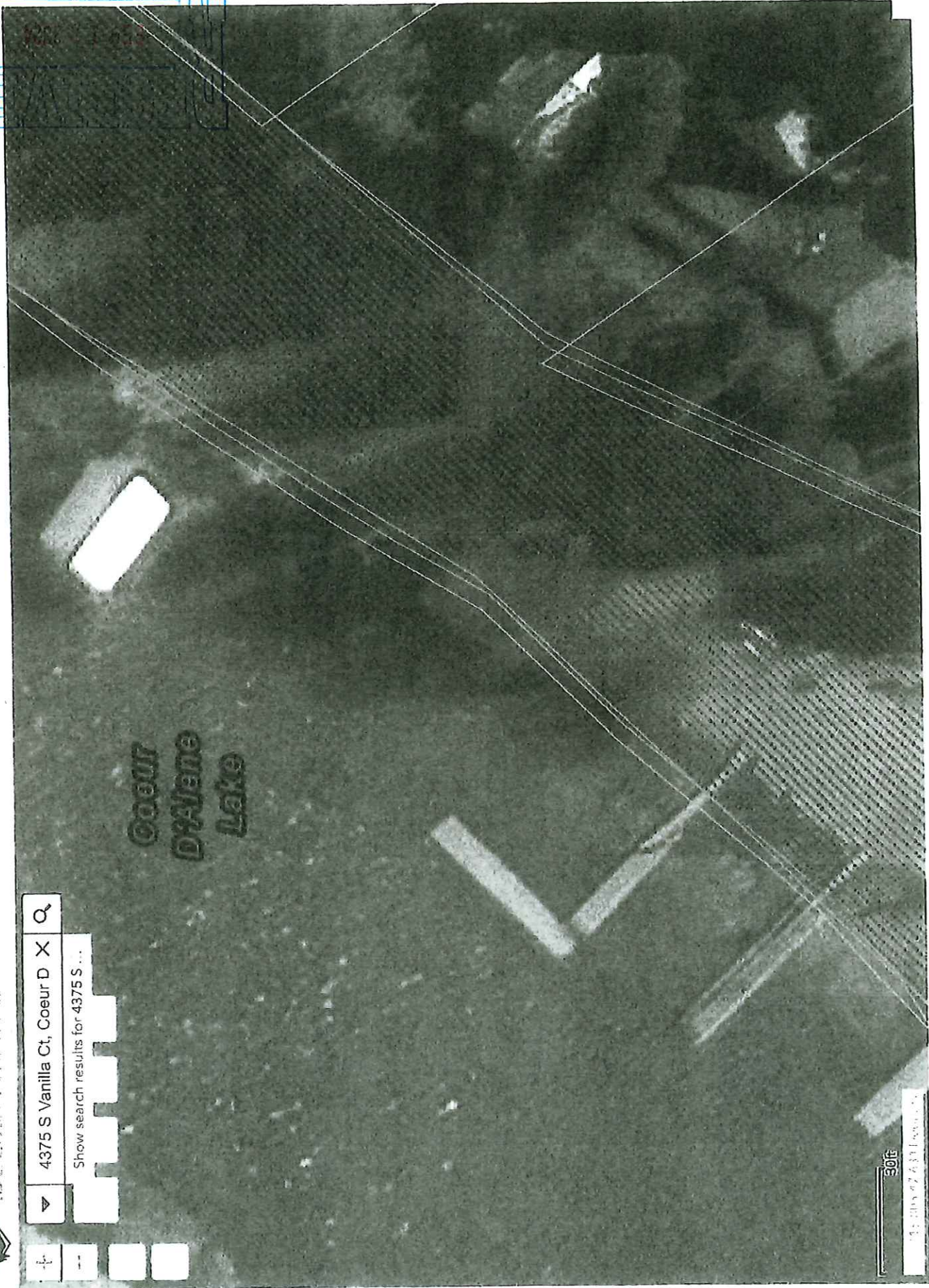


DL Earthworks



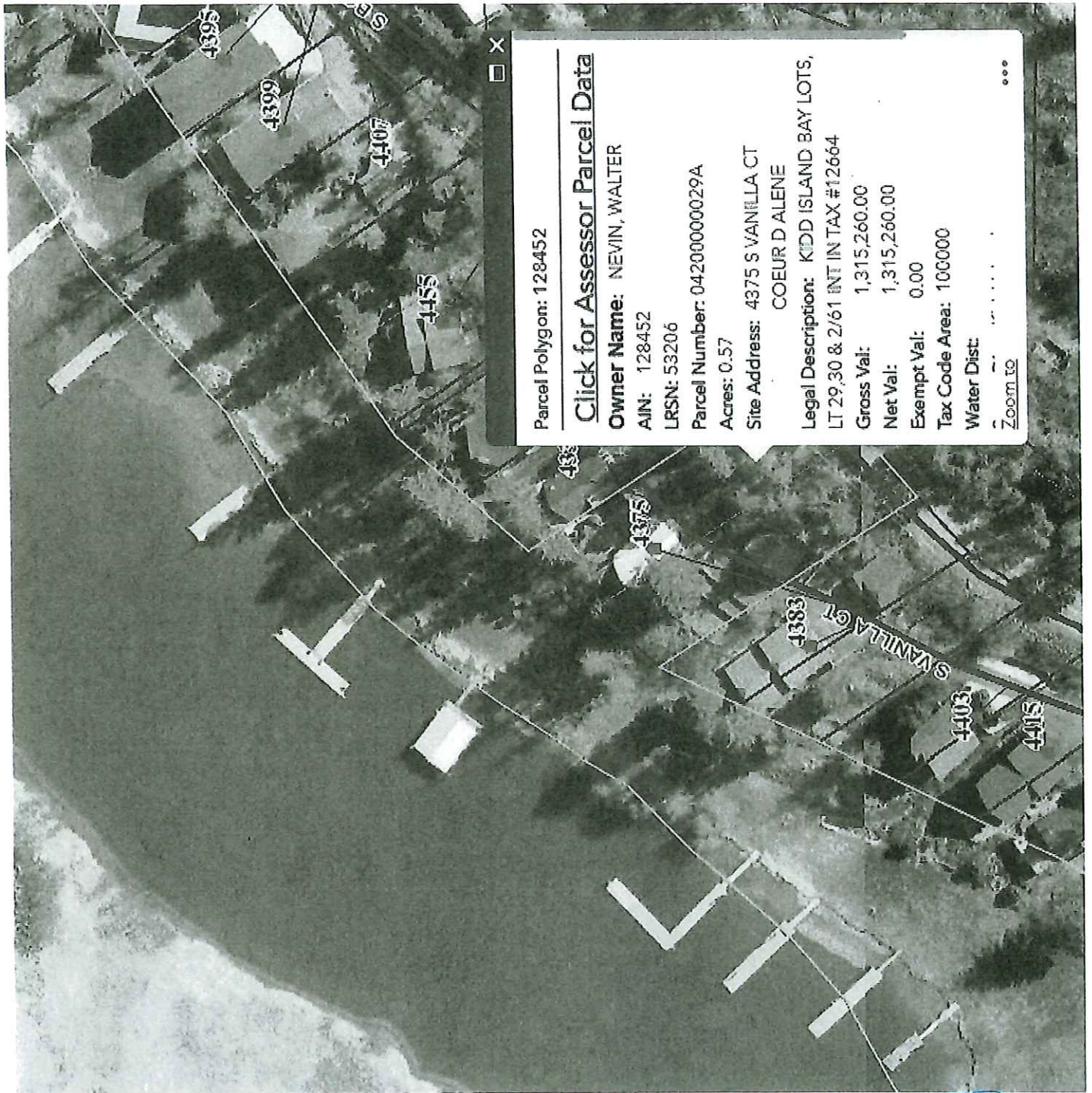
▼ 4375 S Vanilla Ct, Coeur D X Q

Show search results for 4375 S ...



30ft

Map data © 2013 Google



Parcel Polygon: 128452

Click for Assessor Parcel Data

Owner Name: NEVIN, WALTER

AIN: 128452

LRSN: 53206

Parcel Number: 04200000029A

Acres: 0.57

Site Address: 4375 S VANILLA CT
COEUR D'ALENE

Legal Description: KIDD ISLAND BAY LOTS,
LT 29, 30 & 2/61 INT IN TAX #12664

Gross Val: 1,315,260.00

Net Val: 1,315,260.00

Exempt Val: 0.00

Tax Code Area: 100000

Water Dist:

Zoom to

RECEIVED

SEP 19 2024

By: _____

LIMITED DURABLE POWER OF ATTORNEY

FOR

WALTER NEVIN

(IDAHO STATUTORY FORM POWER OF ATTORNEY)

IMPORTANT INFORMATION

This power of attorney authorizes another person (your agent) to make decisions concerning matters with you control for you (the principal). Your agent can make decisions and act with respect to such matters whether or not you are able to act for yourself. The meaning of authority over subjects listed on this form is explained in the uniform power of attorney act, chapter 12, title 15, Idaho Code.

This power of attorney does not authorize the agent to make health care decisions for you.

You should select someone you trust to serve as your agent. The agent's authority will continue until your death unless you revoke the power of attorney or the agent resigns.

Your agent is entitled to reasonable compensation unless you state otherwise in the Special Instructions.

This form provides for designation of one (1) agent.

If your agent is unable or unwilling to act for you, your power of attorney will end unless you have named a successor agent.

This power of attorney becomes effective immediately unless you state otherwise in the Special Instructions.

If you have questions about the power of attorney or the authority you are granting to your agent, you should seek legal advice before signing this form.



DESIGNATION OF AGENT

I, Walter Nevin, name the following person as my agent:

Name of Agent: Wendy Van Orman

Agent's Address: 23308 E Sharp Ave., Liberty Lake, WA 99019

Agent's Phone Number: (509) 220-1557

GRANT OF GENERAL AUTHORITY

I grant my agent general authority to act for me with respect to the following subjects as defined in the uniform power of attorney act, chapter 12, title 15, Idaho Code:

(INITIAL each subject you want to include in the agent's general authority. If you wish to grant general authority over all of the subjects you may initial "All Preceding Subjects" instead of initialing each subject.)

- ☒ Real Property
- ☐ Tangible Personal Property
- ☐ Stocks and Bonds
- ☐ Commodities and Options
- ☐ Banks and Other Financial Institutions
- ☐ Operation of an Entity or Business
- ☐ Insurance and Annuities
- ☐ Estates, Trusts, and Other Beneficial Interests
- ☐ Claims and Litigation
- ☐ Personal and Family Maintenance
- ☐ Benefits from Governmental Programs or Civil or Military Service
- ☐ Retirement Plans
- ☐ Taxes
- ☐ All Preceding Subjects

GRANT OF SPECIFIC AUTHORITY-(OPTIONAL)

My agent(s) MAY NOT do any of the following specific acts for me UNLESS I have INITIALED the specific authority listed below:

(CAUTION: Granting any of the following will give your agent the authority to take actions that could significantly reduce your property or change how your property is distributed at your death. INITIAL ONLY the specific authority you WANT to give your agent.)



- () Create, amend, revoke, or terminate an inter vivos trust
- () Make a gift, subject to the limitations of the uniform power of attorney act, chapter 12, title 15, Idaho Code, and any special instructions in this power of attorney
- () Make a gift without limitations except any special instructions in this power of attorney
- () Create or change rights of survivorship
- () Create or change a beneficiary designation
- () Authorize another person to exercise the authority granted under this power of attorney
- () Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan
- () Exercise fiduciary powers that the principal has authority to delegate

LIMITATION ON AGENT'S AUTHORITY

An agent that is not my ancestor, spouse, or descendant MAY NOT use my property to benefit the agent or a person to whom the agent owes an obligation of support unless I have included that authority in the Special Instructions.

SPECIAL INSTRUCTIONS (OPTIONAL)

On the following lines you may give special instructions:

I grant my agent, Wendy Van Orman, the authority to act on my behalf, in relation to all matters concerning the real property identified as Lots 29 and 30 of Kidd Island Bay, located at 4375 South Vanilla Court, Coeur d'Alene, ID 83814, including the dock, boathouse, and littoral rights appurtenant thereto and in any manner dealing with the Idaho Department of Lands and permits and records.

This Limited Durable Power of Attorney does not authorize my agent to do anything on my behalf, as an individual or Trustee, except as expressly set forth in this Special Instruction.

This Limited Power of Attorney shall be invalid as for five (5) years from the date hereof: September 6, 2029.

This General Durable Power of Attorney is effective immediately.

RELIANCE ON THIS POWER OF ATTORNEY

LIMITED DURABLE POWER OF ATTORNEY
FOR Walter Nevin
Page 3 of 6



By: _____

Any person, including my agent, may rely upon the validity of this power of attorney or a copy of it unless that person knows it is terminated or invalid.

SIGNATURE AND ACKNOWLEDGMENT

(OPTION ONE - IF YOU ARE ABLE TO SIGN ON YOUR OWN)

Your Signature: Walter R. Krasni, Sr.

Date: _____, 2024

Your Name Printed: Walter Nevin, Sr.

Your Address: WALTER O. NEVILL SR

NOTARY - REQUIRED FOR RECORDING AND FOR REAL PROPERTY

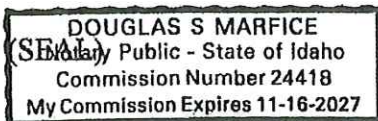
STATE OF IDAHO

) SS.

County of Kootenai

On this 4th day of Sept., in the year of 2024, before me the undersigned notary public, personally appeared Walter Nevin known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Dee Ann S. Martin
Notary Public for Idaho
Residing at CLAY ID
My Commission Expires 11-16-2021



LIMITED DURABLE POWER OF ATTORNEY
FOR Walter Nevin
Page 4 of 6



By: _____

IMPORTANT INFORMATION FOR AGENT AGENT'S DUTIES

When you accept the authority granted under this power of attorney, a special legal relationship is created between you and the principal. This relationship imposes upon you legal duties that continue until you resign or the power of attorney is terminated or revoked. You must:

- (1) Do what you know the principal reasonably expects you to do with the principal's property or, if you do not know the principal's expectations, act in the principal's best interest;
- (2) Act in good faith;
- (3) Do nothing beyond the authority granted in this power of attorney; and
- (4) Disclose your identity as an agent whenever you act for the principal by signing the name of the principal and signing your own name as "agent" in the following manner:

Walter Nevin, by Wendy Van Orman, *as agent*

Unless the Special Instructions in this power of attorney state otherwise, you must also:

- (1) Act loyally for the principal's benefit;
- (2) Avoid conflicts that would impair your ability to act in the principal's best interest;
- (3) Act with care, competence and diligence;
- (4) Keep a record of all receipts, disbursements, and transactions conducted for the principal;
- (5) Cooperate with any person that has authority to make health care decisions for the principal to do what you know the principal reasonably expects or, if you do not know the principal's expectations, to act in the principal's best interest; and
- (6) Attempt to preserve the principal's estate plan if you know the plan and preserving the plan is consistent with the principal's best interest.

TERMINATION OF AGENT'S AUTHORITY

You must stop acting on behalf of the principal if you learn of any event that terminates this power of attorney or your authority under this power of attorney. Events that terminate a power of attorney or your authority to act under a power of attorney include:

- (1) Death of the principal;



- (2) The principal's revocation of the power of attorney or your authority;
- (3) The occurrence of a termination event stated in the power of attorney;
- (4) The purpose of the power of attorney is fully accomplished; or
- (5) A legal action is filed with a court to end your marriage to the principal, or for your legal separation, unless the Special Instructions in this power of attorney state that such an action will not terminate your authority.

LIABILITY OF AGENT

The meaning of the authority granted to you is defined in the act. If you violate the act or act outside the authority granted, you may be liable for any damages caused by your violation.

IF THERE IS ANYTHING ABOUT THIS DOCUMENT OR YOUR DUTIES THAT YOU DO NOT UNDERSTAND, YOU SHOULD SEEK LEGAL ADVICE.





Application Number: _____

Commercial/Community/Non-navigational Encroachment Permit Application

This application and required documents must be completed when submitting an encroachment permit application. Incomplete applications will be returned without processing.

ENCROACHMENT TYPE(S):
(Check all that apply)

- | | |
|--|---|
| <input type="checkbox"/> Community dock | <input type="checkbox"/> Float home |
| <input type="checkbox"/> Commercial marina | <input checked="" type="checkbox"/> Boat garage |
| <input type="checkbox"/> Bank stabilization or Rip Rap | <input type="checkbox"/> Mooring buoy |
| <input type="checkbox"/> Other -- describe: _____ | |

Applicant's Littoral Rights Are:

- ☒ Owned, fee simple title holder
☐ Leased
☐ Signature of littoral rights owner is obtained if Applicant is not the owner of the riparian/littoral rights
☐ Other -- describe: _____

Provide a Copy of Each Required Document on 8 1/2"x14" or Smaller Paper:

- ☒ County plat map showing both neighboring littoral lots.
- ☒ Tax record identifying the owner of the upland parcel(s).
- ☒ Lakebed profile with encroachment and water levels of winter and summer.
- ☒ General vicinity map that allows Department to find the encroachment.
- ☒ Scaled air photo or map showing lengths of nearby encroachments, distances to adjacent encroachments, and location and orientation of the proposed encroachment.

Are Existing Docks or Other Encroachment(s) Permitted On This Parcel(s)?

- ☐ No
☒ Yes. Please attach a current photograph and a "to scale" drawing (see Document Requirements Above)

Permit # 95-S-22A/L-95-S-446A

Date of Construction: _____

What will happen to the existing dock or encroachment if this permit application is approved?

- ☒ Remain unchanged
☐ Complete removal
☐ Modification
☐ Other: _____

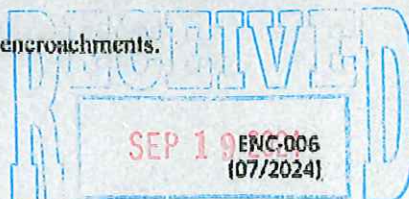
(Please note that old dock materials must be removed from the lake. Discarding these materials creates serious boating safety issues and offenders will be subject to prosecution and penalties.)

How Many Feet Does the Proposed Encroachment(s) Extend Beyond the Ordinary (or Artificial) High Water Mark?

Encroachment Type: _____ feet
Encroachment Type: _____ feet
Encroachment Type: _____ feet

The Proposed Dock Length Is:

- ☒ The same or shorter than the two adjacent docks
☐ Longer than the two adjacent docks
☐ Longer than the two adjacent docks, but within the line of navigability established by the majority of existing docks in the area.
☐ _____ feet and not located near any other docks or encroachments.



By: _____

Application Number:

How many frontage parcel lots does the applicant own?

2 parcels

For Community Docks, Does the Property Have at Least 50 Feet of Littoral Frontage?

☐ No

☒ Yes Total front footage: 100 feet

For Community Docks, Does the Proposed Dock Exceed the Maximum Square Footage of 7 ft² per Littoral Front Foot?

☐ No Total square footage: _____ ft²

☒ Yes 780 ft²

Will any Proposed Docks Exceed the Maximum Width of 10 Feet?

☐ No

☒ Yes If yes, explain why: Boat Garage measures 28' x 30'

Will the Proposed Encroachment (besides riprap) Be Located Closer Than 25 Feet to the Riparian/Littoral Right Lines Established with Your Neighbors?

☒ No

☐ Yes If yes, what are the proposed distances?

Encroachment Type: _____ feet

Encroachment Type: _____ feet

Encroachment Type: _____ feet

☐ Consent of affected neighbor was attained

Determining Riparian/Littoral Right Lines

Littoral right lines are not simple extensions of the upland property lines. Littoral right lines are generally perpendicular, or at right angles, to the shoreline. Curved shorelines or unusual circumstances may require Department Staff, or other professionals, to closely examine littoral right lines and assess the potential for infringement on adjacent littoral property owners.

I hereby certify that I am the applicant or authorized representative of the applicant and that the information contained in this application is true and correct to the best of my knowledge and further acknowledge that falsification or misrepresentation of any information contained herein or provided herewith will be grounds for denial of the application.

Walter D. Nevier Sr.

Applicant Signature

WALTER D. NEVIER SR.

Applicant Name

9-18-24

Date

Applicant Title (if applicable)

Second Applicant (If applicable)

Wanda VanOrman

Applicant Signature

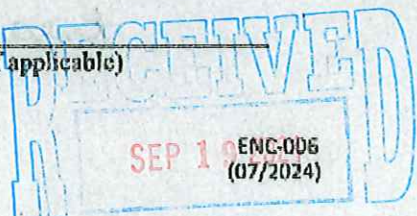
Wanda VanOrman

Applicant Print Name

9/18/24

Date

Applicant Title (if applicable)





New Owner.

Re: 1225 Kidd Island Bay

The Keys to the house, garage & Boat house will be left on the counter inside of the house.

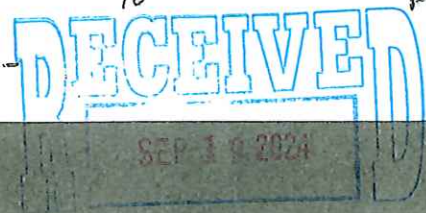
2 sets of house keys + garage keys are enclosed.

Call if you have any questions.

Sincerely -
Karen De Hoog

Utilities Co. 19⁰⁰ Water Dist Carol
Sent 15- OCT 15, 2024 (attn Carol) Kidd Island Water Dist 19⁰⁰
4000 WestWAY DR
1225 Kidd Isl Courtdale - 83814

1225 Kidd Island Bay



Expect the best.®

September 1, 2022

Idaho Department of Lands
300 N. 6th Street, Suite 103
Boise, ID 83720-0050

Regarding: Boat House located on 4375 S Vanilla Ct. Kidd Island Bay

Good Afternoon Jennifer,

Thank you for talking with my daughter, Wendy Van Orman last week regarding getting the permitting for the Boat House located at our lake place.

According to the ruling in August 28, 1987, those docks existing at the time were exempt from the dock policies. Ours was also documented in the HOA dock assignments as existing (#15). (enclosed)

In taking a look at the usg.gov mapping, our boat house has been in existence since before 1974 that according to the information needing a permit, that we are also are exempt. (Enclosed)

We also have the title and original advertisement for the Kidd Island Bay lake home that the boat house connected to electricity was included (enclosed). So no permitting or extra application fee of \$300.00 is necessary. This was part of the purchase price of the property when sold. The boat house will be repaired as necessary to be utilized for years to come.

If you have any further questions, please contact me at (509) 868.2921.

Cordially,



Walter O. Nevin Sr.
PO Box 8662
Spokane, WA 99203

Cc: Land & Waterways Resource Specialist
Jennifer Barker
208.769.1577
lbarker@idl.idaho.gov



By: _____

WATERFRONT CHALET KIDD ISLAND BAY \$229,000



1225 KIDD ISLAND BAY RD.
LAKE COEUR D'ALENE

REDUCED OVER \$30,000 from Sellers purchase price. Fabulous Close-In Waterfront Buy! Tastefully Remodeled & Fully Furnished 1,766 sq.ft. Chalet Style Waterfront Home with its own Slip Boathouse w/power. 100' of Waterfront. Extra Large .573 acres. 2-Loft Beautiful Views of Lake Coeur d'Alene and the Coeur d'Alene Resort. 3-bedrooms (including loft), 2-bathrooms, Large Family Room w/Fireplace. Range/oven, Dishwasher, Refrigerator, Washer & Dryer, cable T.V. 2+Car Garage w/ Bonus Room and R.V. parking. Tram to the Beach (Not That You Need One!) Move-in & enjoy the lake! Ready For A Quick Sale.



(208) 664-1481 BUS., (800) 829-2555
(208) 664-9816 FAX, 772-6262 118 S

PAM JANK
Sales Associate



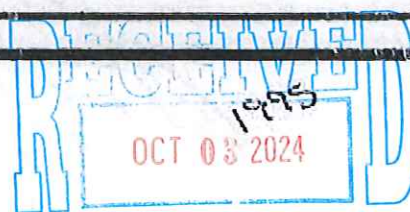
**GOLDWELL BANKER
SCHNEIDMILLER REALTY**
1001 NORTH 1ST AVE
COEUR D'ALENE, ID 83814



(208) 664-1481 EXT. 240 BUSINESS
(208) 664-4810 FAX
444 6304 PAGER, (800) 829-2555

KAREN DeHOOG
RE/MAX

**GOLDWELL BANKER
SCHNEIDMILLER REALTY**
1001 NORTH 1ST AVE
COEUR D'ALENE, ID 83814



By: _____

STANLEY F. HAMILTON - DIRECTOR

ENCROACHMENT PERMIT NO. 95-S-22A/L-95-S-446A

Permission is hereby granted to DON JAYNE
of 1627 East Lynn Seattle, WA 98112 to install and maintain
6' x 30' floating dock w/ existing 26' x 30' boat garage & 4' x 20'
approach w/ 3 piling extending 56' waterward OHWM
located: Coeur d'Alene Lake, Kidd Island Bay, Lot 29, Section 35,
Township 50 North, Range 4 West, Boise Meridian, Kootenai County.

1. All applicable provisions of the Rules for Regulation of Beds, Waters, and Airspace over Navigable Lakes and Streams in the State of Idaho are incorporated herein by reference and made a part hereof.
2. Construction will follow details and specifications shown on the approved drawings and data provided by the applicant. Should such information and data prove to be materially false, incomplete and/or inaccurate, this authorization may be modified, suspended, or revoked in accordance with the Administrative Procedures Act, Idaho Code title 67, chapter 52.
3. This permit does not convey the State's title to or jurisdiction or management of lands lying below the natural or ordinary high water mark.
4. Acceptance of this permit constitutes permission by the Permittee for representatives of the Department of Lands to come upon Permittee's lands at all reasonable times to inspect the encroachment authorized by this permit.
5. The Permittee assumes all liability for damages which may result from the exercise of this permit.
6. This permit does not relieve the Permittee from obtaining additional local or federal permits as required.
7. This permit is not valid until the identification number is displayed on the outermost area of the encroachment.
8. If the activity authorized herein is not completed on or before the 11th day of July, 1997 (three years from the date of issuance), this permit shall automatically expire unless it was previously revoked or otherwise extended.

BOARD OF LAND
COMMISSIONERS
CECIL D. ANDRUS
Governor
PETE T. CENARRUSA
Secretary of State
LARRY ECHOHAWK
Attorney General
J.D. WILLIAMS
State Auditor
JERRY L. EVANS
Sup't of Public
Instruction

ENCROACHMENT PERMIT NO. 95-S-22A

July 11, 1994

Page two

9. White bead foam flotation shall be completely encased in a manner that will maintain the structural integrity of the foam. The encasement shall be resistant to the entry of rodents.
10. Removal of any pre-existing facilities is a condition of this permit.
11. This permit supersedes and voids any permit previously issued for this property unless otherwise noted.
12. Creosote or pentachlorophenol (Penta) treated piling and lumber shall not be used on, in, or over the water. Piling and lumber that are in continual contact with lakewaters shall not be treated with protection material. Treated materials not in contact with the water shall be completely dry before use in or near navigable water. Contact Idaho Department of Health and Welfare, Division of Environmental Quality, with questions regarding treated materials.
13. All construction material must be stockpiled landward of the ordinary high water mark.
14. The permittee shall maintain the structure or work authorized herein in a good and safe condition and in accordance with the plans and drawings attached hereto.
15. All construction shall be completed in accordance with descriptions and methods provided unless otherwise specified. Any changes shall be approved in writing by the department prior to construction.
16. Upon transfer of this real property, you are required to inform this office of the subsequent name change.

FOR THE DIRECTOR

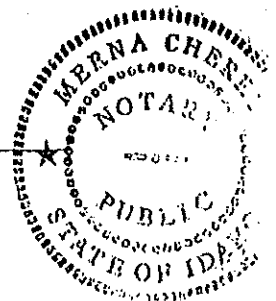
By: Carl Washburn
CARL WASHBURN
Navigable Waters Specialist

STATE OF IDAHO)
) ss
COUNTY OF KOOTENAI)

Subscribed and sworn to before me this 11th day of

July, 1994.

Merna Cherry
Notary Public for Idaho
Residing at Post Falls, Idaho
Commission expires: 1/24/98



JOINT APPLICATION FOR PERMIT
U.S. ARMY CORPS OF ENGINEERS
AND
IDAHO DEPARTMENT OF WATER RESOURCES
IDAHO DEPARTMENT OF LANDS

SEPARATE PERMIT DECISIONS MUST
BE RECEIVED FROM BOTH THE STATE
OF IDAHO AND THE CORPS OF
ENGINEERS PRIOR TO START OF
WORK

The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. These laws require permits authorizing structures and work in or affecting navigable waters of the United States and the discharge of dredged or fill material into waters of the United States, including their adjacent wetlands. State permits are required under the State of Idaho, Stream Channel Protection Act (Title 42, Chapter 38, Idaho Code) and the Idaho Lake Protection Act, Section 58-142 et. seq, Idaho Code. This application will meet the requirements of the above agencies.

1. Corps of Engineers # _____ Date Received _____	2. State of Idaho # <u>95-S-23/L-95-S-446A</u> Date Received _____
--	---

PLEASE TYPE OR PRINT

3. Applicant <u>Don Jayne</u> Mailing Address <u>1627 E. Lynn</u> <u>Seattle Wash. 98112</u> Area Work Phone (206) <u>325-7987</u> Home (206) <u>323 3360</u> Area Fax Number <u>206 325-0416</u>	4. Authorized Agent <u>John Sunderland</u> Mailing Address <u>3030 E Nettleton</u> <u>CDP Id 83814</u> Area Work Phone (208) <u>6676869</u> Home () _____ Area <u>208-</u>
5. Location where proposed activity exists or will occur. Waterway <u>Coeur d'Alene Lake</u> <u>Coeur d'Alene</u> <u>Kootenia</u> <u>Id</u> In/near city or town County State <u>83814</u> <u>Kootenia</u> Zip Code Local Jurisdiction (city or county)	Tributary of: <u>CDP Lake</u> Assessor's Desc. (Tax No. or Subdivision, Lot & Block No.) * <u>12 8452</u> <u>04200</u> <u>00 029</u> *(See instructions) <u>35</u> <u>4W</u> <u>50 N</u> or 1/4 1/4 Section Township Range UTM Coordinate Grid _____

6. Describe the proposed activity. Provide a general description of the proposed work including all discharges of fill material and any structures such as piers, floats, boat lifts, bulkheads, and cofferdams.

30x8 Dock

Describe construction methods and equipment: Log Dock construction

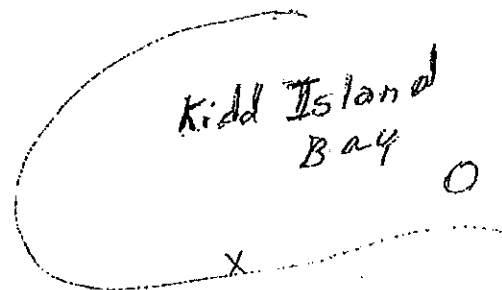
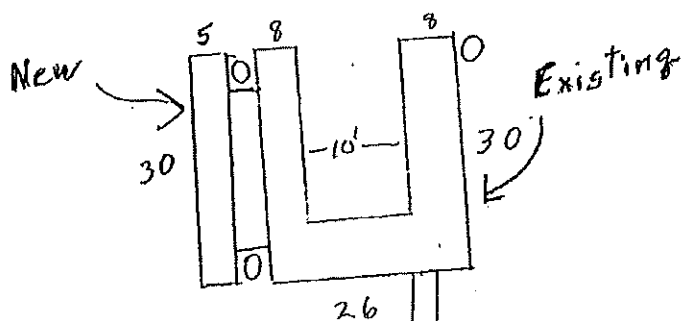
List all soil series located at project site, and indicate if any are on the county's hydric soils list:

Length of project along the stream or extension into lake or reservoir: 40 ft
Will material be placed waterward of ordinary high water mark? NO If yes, volume: N/A (cubic yards)
(both temporary and permanent)
Will material be placed in wetlands? NO If yes, area: N/A (acres)
Type and composition of fill material: N/A (i.e. sand, etc.) Material Source: N/A
Will excavation or dredging be required? NO If yes, volume: N/A (cubic yards) Composition: N/A
Disposal site for excavated material: N/A Method of excavation: N/A
Stream gradient: Lake bed
Method of controlling turbidity and/or sedimentation: N/A

7. Size and flow capacity of proposed bridge or culvert and area of drainage served (sq. miles):
(Idaho Department of Water Resources requirement.) N/A

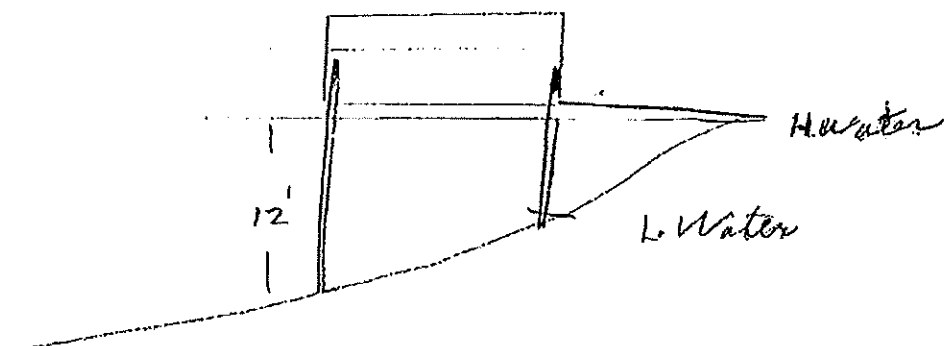
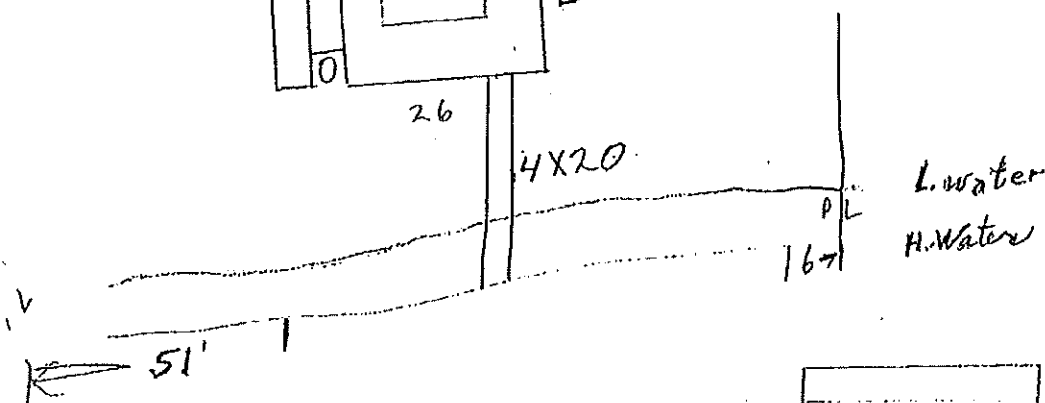
8. Preparation of drawings. One set of original or good quality reproducible drawings must be attached to this application.
NOTE: DRAWINGS NO LARGER THAN 8-1/2 X 11 INCHES IN SIZE. See the instruction pamphlet for instructions and a checklist for completing the drawings. Include photographs of the project site mounted on 8-1/2 x 11 sheets.
9. Purpose and intended use: Commercial _____ Public _____ Private X Other _____ Describe _____
Necessity and justification for project Moorage For Private Boat Use
10. Proposed Starting Date 6-15-94 Estimated Duration 30 Days
11. If any portion of the activity is complete, indicate month and year of completion _____
Indicate the existing work on the drawings.
12. Names, addresses, and telephone numbers of adjoining property owners, lessees, etc., whose property also adjoins the Waterway.
Magie & Tam Moss Gloria Benson
22603 IRwin 6298 Lancaster Dr
Woodhewn Hills Ca Paradise Ca 95469
- ☐ Check here if the alteration is located on endowment lands administered by the Idaho Department of Lands
13. LEGAL OWNER IF OTHER THAN APPLICANT _____
MAILING ADDRESS _____ CITY, STATE, ZIP CODE _____
PHONE _____ AREA WORK() _____ AREA HOME() _____
14. List other applications, approvals, or certifications from other Federal, interstate, state, or local agencies for any structures, constructions, discharges, deposits, or other activities described in the application.
- | Issuing Agency | Type of Approval | Identification No. | Date of Application | Date of Approval |
|----------------------|------------------|--------------------|---------------------|------------------|
| <u>Dept of Lands</u> | <u>Enactment</u> | <u>95522</u> | | |
15. Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein? Yes _____ No X (If "Yes" explain) _____
16. Remarks or additional information: _____
17. Application is hereby made for a permit or permits to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to come upon the above-described location to inspect the proposed or completed work.
Date 5/28/94 Signature of Applicant (ORIGINAL SIGNATURE REQUIRED) Donald M. Ingram
19. If an authorized agent is to be designated, item 4 and the following information should be completed.
I hereby designate John Swendener to act as my agent in matters related to this permit application. I understand that if a Federal permit is issued, I must sign the permit.
Date _____ Original Signature of Authorized Agent John Swendener Original Signature of Applicant Donald M. Ingram
- 18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years or both. Do not send a Federal permit processing fee with this application. The appropriate fee will be assessed when a permit is issued.

DO NOT SEND FEDERAL PROCESSING FEE WITH APPLICATION



VICINITY MAP

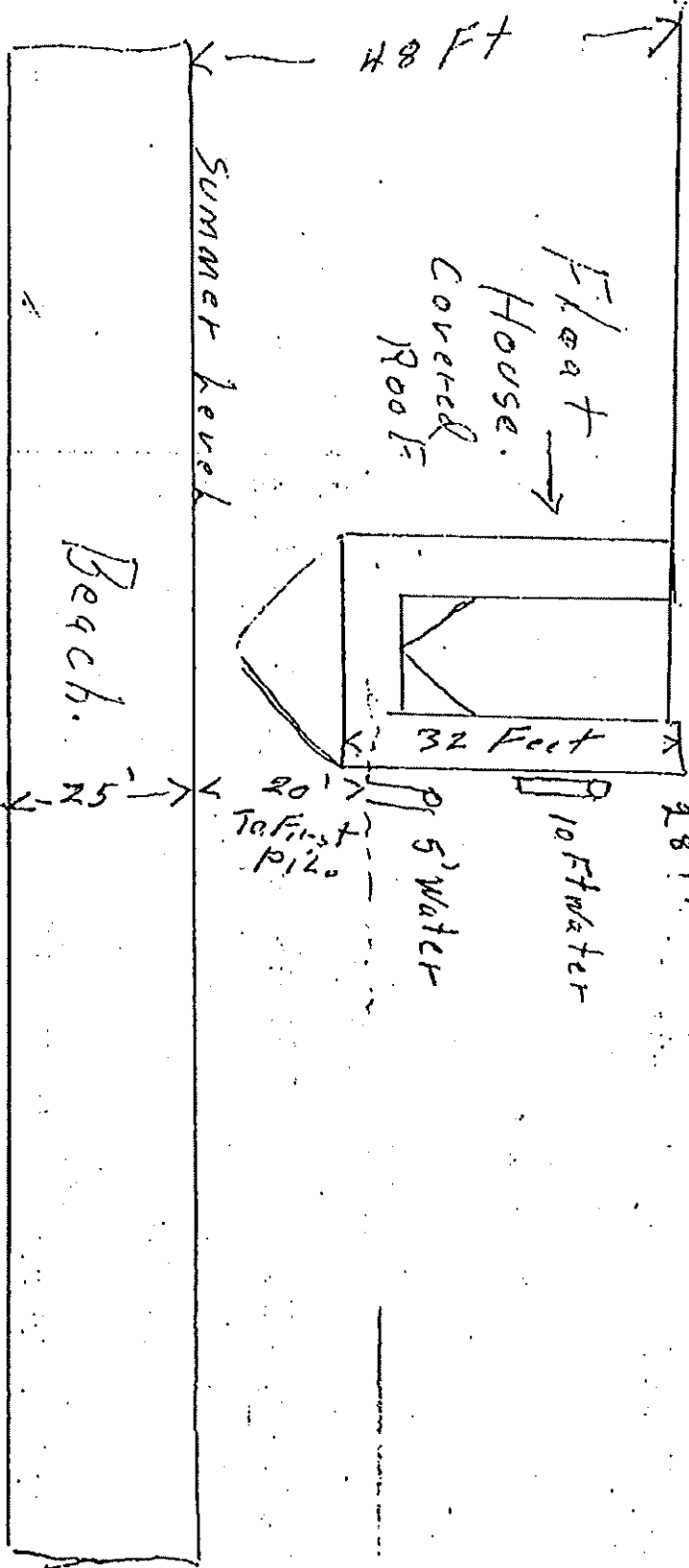
From



IN
IN/NEAR

COUNTY,

DATE: SHEET 1 OF
APPLICATION BY:



WN-6

Fernando Aceves

From: John Richards <jrichards@idl.idaho.gov>
Sent: Wednesday, November 20, 2024 8:42 AM
To: Fernando Aceves; Jack Mosby
Cc: Amanda Clark
Subject: RE: Idaho Boat Garage Question
Attachments: L95S0446B-EncroachmentPermit-2024-11-07.pdf

Good morning Jack and Fernando,

It was good talking with you both yesterday. I reached out to our staff on the outstanding questions and have the following responses.

1. Regarding the assignment to Mr. Nevin, I've been informed that the assignment was complete and mailed out to Mr. Nevin on November 7th. Attached please find a digital copy of the assignment. Can you please confirm whether your client received the original? If not, please let me know and we can try to get that sorted out.
2. Regarding the permit application process for a pre-LPA boat garage, I was correct in that the application is the same but generally more simplified. We'll still require submission of an application containing the typical information we would require (footprint, dimensions, orientation, distance to littoral right lines, etc.) along with "substantial documentation" showing the boat garage is pre-LPA and has not been substantially modified. However, pre-LPA encroachments do not require a filing fee and typically won't require a public hearing. Once the application packet is complete, it can be submitted to the area office like a regular encroachment permit application. Often, an inspection of the structure will be conducted prior to issuing the permit.
 - a. Regarding the "substantial documentation", each submission is evaluated on a case by case basis to determine if it is sufficient to support that the encroachment was constructed prior to 1975. While affidavits will help move the needle, typically the Department has required some additional documentary evidence to show that the encroachment is pre-LPA. Most often this is accomplished through tax records or aerial photos, but any reliable historical information may be considered under I.C. 58-1312.
3. Lastly, you had asked about conducting repairs after a boat garage is permitted. As I mentioned on our call, typically repairs that are not a complete replacement or do not enlarge or expand the encroachment will not require a new permit. It should be noted that under IDL's current IDAPA Rules, we do not accept permits to construct new boat garages, expand the existing footprint, or raise the height unless it is to support local emergency services. IDAPA 20.03.04.015.04(b). However, existing permitted boat garages may be maintained or replaced within the current square footage of their existing footprint and height. *Id.* at (d). I've included a link to our IDAPA rules for encroachments over navigable waterways, in case you are interested. [IDAPA 20 - Department of Lands.book](#)

I hope that this is helpful. Please let me know whether Mr. Nevin received his assignment and if you'd like to discuss any of this further.

Take care,
John

John Richards

General Counsel

Idaho Department of Lands

300 N. 6th Street, Suite 103, Boise, ID 83702

Office: (208) 334-0210

Email: jrichards@idl.idaho.gov

Website: <https://www.idl.idaho.gov>



From: Fernando Aceves <faceves@rmedlaw.com>

Sent: Tuesday, November 19, 2024 3:15 PM

To: John Richards <jrichards@idl.idaho.gov>

Cc: Jack Mosby <jmosby@rmedlaw.com>; Amanda Clark <aclark@rmedlaw.com>

Subject: RE: Idaho Boat Garage Question

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

John,

Thanks for your time today. All very helpful information. On our end we will be on the lookout for some information from you on the following:

- Indication of timing for the approval of the Van Orman assignment, and
- Instructions for what type of permit application is required for the Pre-LPA boat garage (never been permitted).

We appreciate all of your assistance in this.

Regards,

Fernando R. Aceves | Associate Attorney

Ramsden, Marfice, Ealy & De Smet, LLP

700 Northwest Blvd.

P.O. Box 1336

Coeur d'Alene, ID 83816-1336

Telephone: (208) 664-5818

Facsimile: (208) 664-5884

www.rmedlaw.com

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From: John Richards <jrichards@idl.idaho.gov>
Sent: Tuesday, November 12, 2024 8:58 AM
To: Fernando Aceves <faceves@rmedlaw.com>
Subject: RE: Idaho Boat Garage Question

Good morning Fernando,

Apologies for the delayed response. I was traveling last week and am traveling again this week. I likely won't have time to touch base this week but could be available next week on Tuesday or Thursday afternoon. Please let me know if either of those options work for you.

Take care,
John

From: Fernando Aceves <faceves@rmedlaw.com>
Sent: Tuesday, November 12, 2024 9:44 AM
To: John Richards <jrichards@idl.idaho.gov>
Subject: RE: Idaho Boat Garage Question

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Hi Mr. Ricards,

Just getting back on your radar. Let me know if you have some time to connect over a call this week.
Thanks,

Fernando R. Aceves | Associate Attorney
Ramsden, Marfice, Ealy & De Smet, LLP
700 Northwest Blvd.
P.O. Box 1336
Coeur d'Alene, ID 83816-1336
Telephone: (208) 664-5818
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From: Fernando Aceves
Sent: Friday, November 8, 2024 12:05 PM
To: jrichards@idl.idaho.gov
Subject: Idaho Boat Garage Question

Mr. Richards,

We have another matter dealing with a boat garage that we are currently working through. I am wondering if you might have some time early next week to connect over a call and discuss some of the facts. We would like to make sure we deal with it in the most efficient manner possible.

I currently have open availability on Monday and Tuesday of next week. Let me know what works best for you.

Regards,

Fernando R. Aceves | Associate Attorney
Ramsden, Marfice, Ealy & De Smet, LLP
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WN-7

Fernando Aceves

From: Tyler Hinton <tbdockllc@gmail.com>
Sent: Friday, August 29, 2025 4:35 PM
To: Fernando Aceves
Subject: Wendy vanorman, Kidd island bay, log dock rebuild and boat garage rebuild

Tyler Hinton

T&B Dock
3383 w daugharty loop
Hayden, Idaho, 83835
2086915373
Tbdockllc@gmail.com

8/29/2025

To:
Idaho Department of Lands
and Other Concerned Parties

Re: Log Dock Rebuild with Boat Garage – Compliance with Permit and Grandfathered Conditions

Dear Idaho Department of Lands and Concerned Parties,

I am writing on behalf of T&B Dock regarding the planned rebuild of an existing log dock and boat garage. I want to take this opportunity to outline the scope of work and to reaffirm our commitment to full compliance with the conditions set forth by the Department of Lands and any related authorities.

From the outset, the plan for this project has always been a **full rebuild**, with all materials being replaced with new except for the log foundation, which will remain in place. In our experience, we have successfully completed many similar log dock rebuilds by **re-using the logs** while replacing the 6x6 structural members, stringers, and decking with new treated materials. We also add floatation, when needed, to improve the buoyancy of the logs while ensuring the structure remains sound.

We understand clearly that altering the footprint of the dock or removing the logs would affect its **grandfathered status**. Therefore, our rebuild plan does not involve any footprint changes, nor does it include removal or replacement of the existing logs.

For this project, our vision is as follows:

- The **logs will remain in place**.
- A new **treated 6x6 structural framework** will be installed.
- New **treated lumber stringers** will be used.
- **Composite decking** will be installed.
- The boat garage will be rebuilt with **new studs, trusses, siding, and roofing**, matching the **exact same dimensions and footprint** as previously permitted.

To further ensure the long-term integrity of the dock, the logs will be secured with new structural lumber, and floatation will be added as necessary to assist buoyancy without changing the dock's permitted size or configuration.

It is my understanding, based on prior correspondence between Wendy Vanorman and the Department of Lands, that replacement of damaged and deteriorated materials—including siding, decking, stringers, and 6x6 members—was considered **maintenance** under the existing permit. This understanding has guided our approach to this rebuild.

In conclusion, our goal is to rebuild the dock and boat garage to modern standards while fully respecting the grandfathered conditions and maintaining the same permitted footprint. We remain committed to transparency and compliance at every step of this project.

Thank you for your consideration, and please feel free to contact me with any questions or for clarification.

Sincerely,

Tyler Hinton
T&B Dock

WN-8

From: Tyler Hinton <tbdockllc@gmail.com>
Sent: Friday, August 29, 2025 4:39 PM
To: Fernando Aceves <faceves@rmedlaw.com>
Subject: Previous successful log dock rebuilds

Here are some pictures of other log dock rebuilds I've done without changing the footprint or dimensions at all. Just replace old rotten falling apart material with new.



After







WN-9

4



Darren & Wendy Van Orman <vanormanby5@gmail.com>

Boat garage letter

Tyler Hinton <tbdockllc@gmail.com>
To: Darren Wendy Van Orman <vanormanby5@gmail.com>

Thu, Aug 21, 2025 at 3:23 PM

Boat garage letter

T&B Dock
3383 W Daugherty loop
Hayden, Idaho
8/21/25

To the [HOA Board],

I am writing on behalf of **T&B Dock** regarding the rebuild of the log dock with an attached boat garage. We understand the concerns raised by the HOA regarding the structural reliability of the log system; however, I want to clarify that these concerns can be fully addressed through proper support methods.

While logs are the traditional foundation for this type of dock, they do not need to carry the entire structural load by themselves. We have multiple proven methods to ensure stability and buoyancy, including the use of float tanks, sealed barrels, and small log poly floats. These systems work in conjunction with the existing logs to provide more than adequate support for both the dock and the boat garage.

It is also important to note that the rebuild will **not expand or alter the footprint** of the previous dock. The size, dimensions, and layout of both the dock and boat garage will remain identical to the structure that was removed. The project is strictly a rebuild, not an expansion, and will comply with all dimensional standards previously in place.

We are committed to delivering a safe, long-lasting, and structurally sound dock for the homeowner while maintaining the character and integrity of the waterfront as valued by the HOA. T&B Dock has extensive experience with waterfront construction, and we are confident that this project will meet both engineering standards and community expectations.

Please let us know if you would like further technical details, including buoyancy calculations, design drawings, or examples of comparable projects we have successfully completed.

Thank you for your time and consideration.

Sincerely,
Tyler Hinton
Owner/Builder
T&B Dock

WN-10

August 24, 2025

Idaho Department of Lands

Attention: Amidy Fuson & Mike Ahmer

Dear Amidy Fuson
Mike Ahmer,

I met with the Board for KIBHA on Saturday, August 23, 2025. We discussed the boat garage rebuild Application for Encroachment, the opposition of the letter given by KIBHA and information that cleared up much of the misinformation. Once I presented the documentation, the concerns with the structure rebuild with a letter from the Tyler Hinton, owner of T & B Docks, the board stated that they will be happy to sign off on the Boat Garage Encroachment Application rebuild as long as they receive in writing on what was presented during the meeting on June 30, 2025.

You addressed many of the concerns regarding the private (grandfathered) docks and community docks.

1. The private structures existing, built prior to the lawsuit in 1987, as long as the same footprint as the original structure and will not be enlarged.
2. The square footage of all the private (grandfathered) docking facility (docks & boathouse) would be subtracted from the total footage allocated to KIBHA community docks.
3. Each private (grandfathered) docking facility would be processed through the IDL to match the original encroachment permit and be presented through your process including the approval of the KIBHA. Community docks would be processed through the KIBHA, all documentation will be held and still needing approval through the IDL.
4. That each docking facility both community and private (grandfathered) would need signs posted for (both water way and land) to identify
 - a. Private or Community Dock
 - b. Dock #
 - c. Kidd Island Bay
 - d. Lots #'s
 - e. Encroachment # (3" tall)

Map of all the docks (both community and Grandfathered/private) are completed. Please let them know when you would like them to present it to you.

The following (7) dock facility assignments for the Grandfathered/Private Docks & Boat House are:

- #3 Wanda Ritter
- #8 Mike Bahr
- #9 Russ & Ruby Niles
- #10 Jim Watters
- #14 Tim & Maggie Moss-Tiller
- #15 Walter & Wanda Nevin Sr.
- #18 Don Jr & Eileen Sharp

Thank you for your time. I understand we have a hearing scheduled for September 15, 2025. With the KIBHA as the only objector, my hope is that this hearing will not be necessary. If it is, I will be ready with the necessary documentation to present.

Warm Regards,

Walter Nevin Sr, by
Wendy Van Orman
as Agent

Walter Nevin Sr, by Wendy Van Orman as agent