

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



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

June 24, 2025

Kidd Island Bay Homeowners Cooperative Assoc., INC.  
Atten Tim Moss  
4323 Vanilla Ct  
Coeur d'Alene ID 83814

CERTIFIED LETTER

Re: Courtesy Notification of Application for Encroachment **L95S0446C**

To Whom it Concerns:

This letter serves as formal notice that **Walter Nevin**, a co-owner of your shared community waterfront parcel on **Lake Coeur d'Alene**, has applied to the Idaho Department of Lands (IDL) **to rebuild an existing permitted boat garage** located on the shared property.

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

Because the project is located on jointly owned land per the Miller et al. v. Kidd Island Bay Dev. Co. et al. 1987 Decision (attached), all co-owners (represented by Kidd Island Bay Homeowners Cooperative Association, INC.) **are required to respond by completing and returning the attached form.**

If you do not object to the proposed project after reviewing the materials, please complete the form by **signing Box 1** and return it to our office as soon as possible.

If you **object** to the proposed project and wish to request a public or contested case hearing, please complete the form by **signing Box 2** and submit it along with a **\$75 fee** to cover the cost of publishing notice of the hearing. Pursuant to IDAPA 20.03.04.030.04, both the written objection and the fee must be received by the Department no later than **July 28, 2025**, which is 30 days from the first date of public notice in the local newspaper.

Should you choose to submit an objection, it is helpful to include comments specifically on how the proposed project may affect the site in terms of navigation, environmental impacts, recreation, water quality, aesthetics, or property use. Please include your phone number and email address so we can follow up with you if necessary.

If you have questions about the application or the response process, please feel free to contact me directly.

Sincerely,

Amidy Fuson  
Lands Resource Specialist-Navigable Waters  
[afuson@idl.idaho.gov](mailto:afuson@idl.idaho.gov)  
Enclosures

OBJ-2A

**STATE OF IDAHO DEPARTMENT OF LANDS  
ADJACENT NEIGHBOR ATTACHMENT FOR ENCROACHMENT**

**NON-NAVIGATIONAL REQUIREMENTS AND SETBACKS**

1. Boat Garage. A structure with one (1) or more slips that is completely enclosed with walls, roof, and doors, but no temporary or permanent residential area.
2. Boat garages are considered nonnavigational encroachments.
3. Applications for permits to construct new boat garages, expand the total square footage of the existing footprint, or raise the height will not be accepted unless the application is to support local emergency services.
4. Presumed Adverse Effect. It will be presumed, subject to rebuttal, that single-family and two-family navigational encroachments will have an adverse effect upon adjacent littoral rights if located closer than ten (10) feet from adjacent littoral right lines, and that commercial navigational encroachments, community docks or nonnavigational encroachments will have a like adverse effect upon adjacent littoral rights if located closer than twenty-five (25) feet to adjacent littoral right lines. Written consent of the adjacent littoral owner or owners will automatically rebut the presumption. All boat lifts and other structures attached to the encroachments are subject to the above presumptions of adverse affects.

Please check one and initial:

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

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

\*IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT AMIDY FUSON [AFUSON@IDL.IDAHO.GOV](mailto:AFUSON@IDL.IDAHO.GOV) AS SOON AS POSSIBLE.

7-12-25  
Date  
Kidd Island Bay Homeowners Association KIBHA  
Name  
PO Box 263, Coeur d'Alene ID 83816  
Address City State Zip  
board.kibha@gmail.com  
Phone Number Email Address

KIBHA Board Members  
John Boisen - Vice President  
Judy Bauer - treasurer  
Carol Royf - Member at Large  
Matt Boisen - Road Master

**OBJ-2B**

July 12, 2025

Kidd Island Bay Homeowners Association (KIBHA)  
PO Box 263  
Coeur d'Alene, Idaho 83814  
[board.kibha@gmail.com](mailto:board.kibha@gmail.com)

Idaho Department of Lands (DOL)  
3258 W. Industrial Loop  
Coeur d'Alene, Idaho 83815

Amidy Fuson,

The KIBHA received your Certified Letter, dated June 24, 2025, regarding Encroachment L95S0446C, "to rebuild an existing permitted boat garage located on the shared property."

This Certified Letter was presented to our Board Meeting on Saturday, July 12, 2025. Six Board Members were present. Two of the Board Members recused themselves. By unanimous vote, the Board Members OBJECTED the application for the following reasons;

1. Many of the Board Members have witnessed the boat garage disintegrate into disrepair over the past 25 years. The owners of the boat garage did not appear to have an interest in the boat garage, nor with their fellow members. It is unknown how much of the boat garage is laying at the bottom of the lake.
2. The proposed boat garage has not been identified by the DOL as a private dock or a community dock, in writing.
3. The KIBHA Board is greatly concerned that the square footage used for the boat garage will be subtracted from the total square footage of the KIBHA.
4. The Joint Application for Permits states, "Logs to remain. Logs to remain as the floatation of the dock." This is unacceptable. The logs are old, water-logged, sinking and disintegrating. The entire floatation

OBJ - 2 C

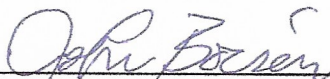
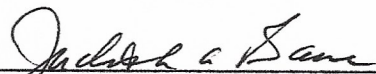
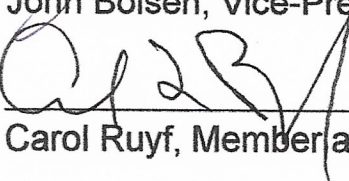
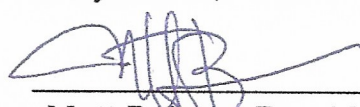
structure must be replaced to ensure that the boat house does not sink and create a navigational problem.

5. The KIBHA has written at least two letters to your office, requesting information regarding the status of the boat garage and your office has not responded. Nor, acknowledged that your office received the letters.
6. The owners of the boat garage had contacted an attorney, September 2024, who sent a lengthy letter dismissing KIBHA as having any authority/control regarding the boat garage.
7. The owners of the boat garage have not submitted a request to rebuild their boat garage to the KIBHA. The Board Members do not know how the DOL is processing their request without approval from the KIBHA.
8. Lastly, the Board Members do not understand how another members' request for lengthening their dock has been pending and the boat garage's request has been granted.

We look forward to a hearing to have all of our questions answered.

If you have any questions, please contact our website listed above.

Sincerely,

 _____ John Boisen, Vice-President	 _____ Judy Bauer, Treasurer
 _____ Carol Ruyf, Member at Large	 _____ Matt Boisen, Road Master

OBJ-2D

KIDD ISLAND BAY HOMEOWNER'S

PO BOX 263  
COEUR D'ALENE, ID 83816-0263

1088

DATE 7-15-2025

CHECK AMOUNT

PAY TO THE ORDER OF

Dept. of Lands

\$ 45.00

DOLLARS

Photo Deposit Envelope



Columbia Bank

Coeur d'Alene  
877.272.3678  
columbiabank.com

FOR Best Garage Hearing Appl.

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Induct. Serv.

OBJ-2E