

OHLEER BEAN & TINKEY
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Attorneys for Applicant

BEFORE THE IDAHO DEPARTMENT OF LANDS

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

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

Applicant.

AGENCY Case No. PH-2025-NAV-
22-006

OAH Case No. 25-320-08

APPLICANT'S EXHIBIT LIST

Evidentiary Hearing

Date: October 6, 2025

Time: 4:00 p.m. Pacific Time

COMES NOW the Applicant, The Estates at Waterstone HOA, Inc., Jason Garvey (Agent), by and through its counsel, Nathan S. Ohler of Ohler Bean & Tinkey, and submits the following list of exhibits to be considered at the evidentiary hearing scheduled for October 6, 2025, at 4:00 p.m.:

1. The Joint Application for Permits and all attachments thereto which are already in the record and attached hereto as WS-1, Pages 1-19, which may be proffered as exhibits; and
2. Dock Exhibit attached hereto as WS-2, Page 1.
3. Waterstone Aerial with waterfront attached hereto as WS-3, Pages 1-2.
4. Five separate Warranty Deeds identified as follows:
 - a. Warranty Deed recorded July 7, 2025 as Instrument No. 3008142000, records of Kootenai County, Idaho, attached hereto as WS-4, Pages 1-6;

b. Warranty Deed: Riparian Right of Wharfage recorded on July 7, 2025 as Instrument No. 3008143000, records of Kootenai County, Idaho, attached hereto as WS-4, Pages 7-12;

c. Warranty Deed: Riparian Right of Wharfage recorded July 7, 2025 as Instrument No. 3008144000, records of Kootenai County, Idaho, attached hereto as WS-4, Pages 13-18;

d. Warranty Deed: Riparian Right of Wharfage recorded July 7, 2025 as Instrument No. 3008145000, records of Kootenai County, Idaho, attached hereto as WS-4, Pages 19-24; and

e. Warranty Deed: Riparian Right of Wharfage recorded July 7, 2025 as Instrument No. 3008146000, records of Kootenai County, Idaho, attached hereto as WS-4, Pages 25-30.

Applicant reserves the right to supplement its exhibits, mainly with respect to WS-2 and WS-3, to provide additional detail as to the community dock design and its proximity to other encroachments along the Spokane River.

Applicant reserves the right to utilize any and all exhibits identified by the other parties, including without limitation those exhibits identified in their list of exhibits.

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Applicant further reserves the right to add to, delete from, modify or otherwise supplement the foregoing exhibit list.

DATED: September 12, 2025.

OHLER BEAN & TINKEY

/s/ Nathan S. Ohler

By _____
Nathan S. Ohler, Of the Firm
Attorneys for Applicant
The Estates at Waterstone HOA, Inc.,
Jason Garvey (Agent)

CERTIFICATE OF SERVICE

I hereby certify that on September 12, 2025, I served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Leslie M. Hayes
Office of Administrative Hearings
P.O. Box 83720
Boise, ID 83720-0104
(208) 605-4300
Hearing Officer

☐ US Mail
☐ Overnight Mail
☐ Hand Delivered
☒ Email:
Leslie.hayes@oah.idaho.gov

The Estates at Waterstone HOA, Inc.
Jason Garvey, Agent
1386 Northwest Blvd
Coeur d'Alene, ID 83814
(208) 916-3647
Agent for Applicant

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☒ Email: jason@wesslen.com;
caseym@legacylw.com

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

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/s/ Jennifer Escruceria

Jennifer Escruceria