

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"x11"), 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

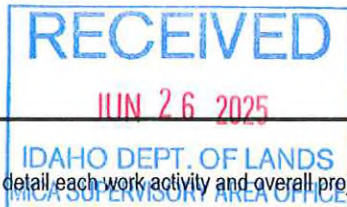
FOR AGENCY USE ONLY

USACE NWW-	Date Received:	☐ Incomplete Application Returned	Date Returned:
Idaho Department of Water Resources No.	Date Received:	☐ Fee Received DATE:	Receipt No.:
Idaho Department of Lands No. L 95S 3071A	Date Received: 06/26/2025	☒ Fee Received \$2,075.00 DATE: 06/26/2025	Receipt No.: 9563

INCOMPLETE APPLICANTS MAY NOT BE PROCESSED

1. CONTACT INFORMATION - APPLICANT Required:			2. CONTACT INFORMATION - AGENT:		
Name: Fred Finney			Name:		
Company: Finney Boat Works Inc.			Company:		
Mailing Address: 7014 E. Maplewood Ave.			Mailing Address:		
City: Post Falls	State: ID	Zip Code: 83854	City:	State:	Zip Code:
Phone Number (include area code): (208) 755-5690	E-mail: finneydianek@gmail.com	Phone Number (include area code):	E-mail:		
3. PROJECT NAME or TITLE:			4. PROJECT STREET ADDRESS: 7000 E. Maplewood Ave.		
5. PROJECT COUNTY: Kootenai	6. PROJECT CITY: Post Falls	7. PROJECT ZIP CODE: 83854	8. NEAREST WATERWAY/WATERBODY: Spokane River		
9. TAX PARCEL ID#: 165525	10. LATITUDE: LONGITUDE:	11a. 1/4: 11b. 1/4: 11c. SECTION: 8	11d. TOWNSHIP: 50N	11e. RANGE: 4W	
12a. ESTIMATED START DATE: N/A	12b. ESTIMATED END DATE: N/A	13a. IS PROJECT LOCATED WITHIN ESTABLISHED TRIBAL RESERVATION BOUNDARIES? ☒ NO ☐ YES Tribe:			
13b. IS PROJECT LOCATED IN LISTED ESA AREA? ☐ NO ☐ YES		13c. IS PROJECT LOCATED ON/NEAR HISTORICAL SITE? ☐ NO ☐ YES			

14. DIRECTIONS TO PROJECT SITE: Include vicinity map with legible crossroads, street numbers, names, landmarks.



15. PURPOSE and NEED: ☒ Commercial ☐ Industrial ☐ Public ☐ Private ☐ 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.

Permit existing Commercial dock
 2 piling ~~positioned~~ ^{placed} upriver of neighboring dock to stabilize boats/barges as they are positioned onto cart that carries them onto dry dock. This stabilizing is necessary due to river current.

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.:

2 Steel piling installed summer 2016 with pile driver and barge to a depth of 10'

Commercial dock is existing, already in place, no new construction

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.

Considered applying for a temporary permit for piling each time a boat/barge is brought to drydock to be pulled from water, but getting a pile driver and barge onto location is only possible during high water, which is only a few months of the year. This would severely limit use of drydock facility.

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: _____ 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: _____ acres _____ sq ft. _____ cubic yards

IDL-1 Page 2

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

2 piling placed on downriver (west) side of dock - summer 2014
Commercial dock already installed

22. LIST ALL PREVIOUSLY ISSUED PERMIT AUTHORIZATIONS:

L9553071

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 (BMP's): 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



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):				

Name: Ross SchlotthauerMailing Address: 6980 E. Maplewood Ave.City: Post FallsState: ID Zip Code: 83854

Phone Number (include area code):

E-mail:

Name: George CherokeeMailing Address: 831 Cindy Jo CtCity: Medical LakeState: WA Zip Code: 99022

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

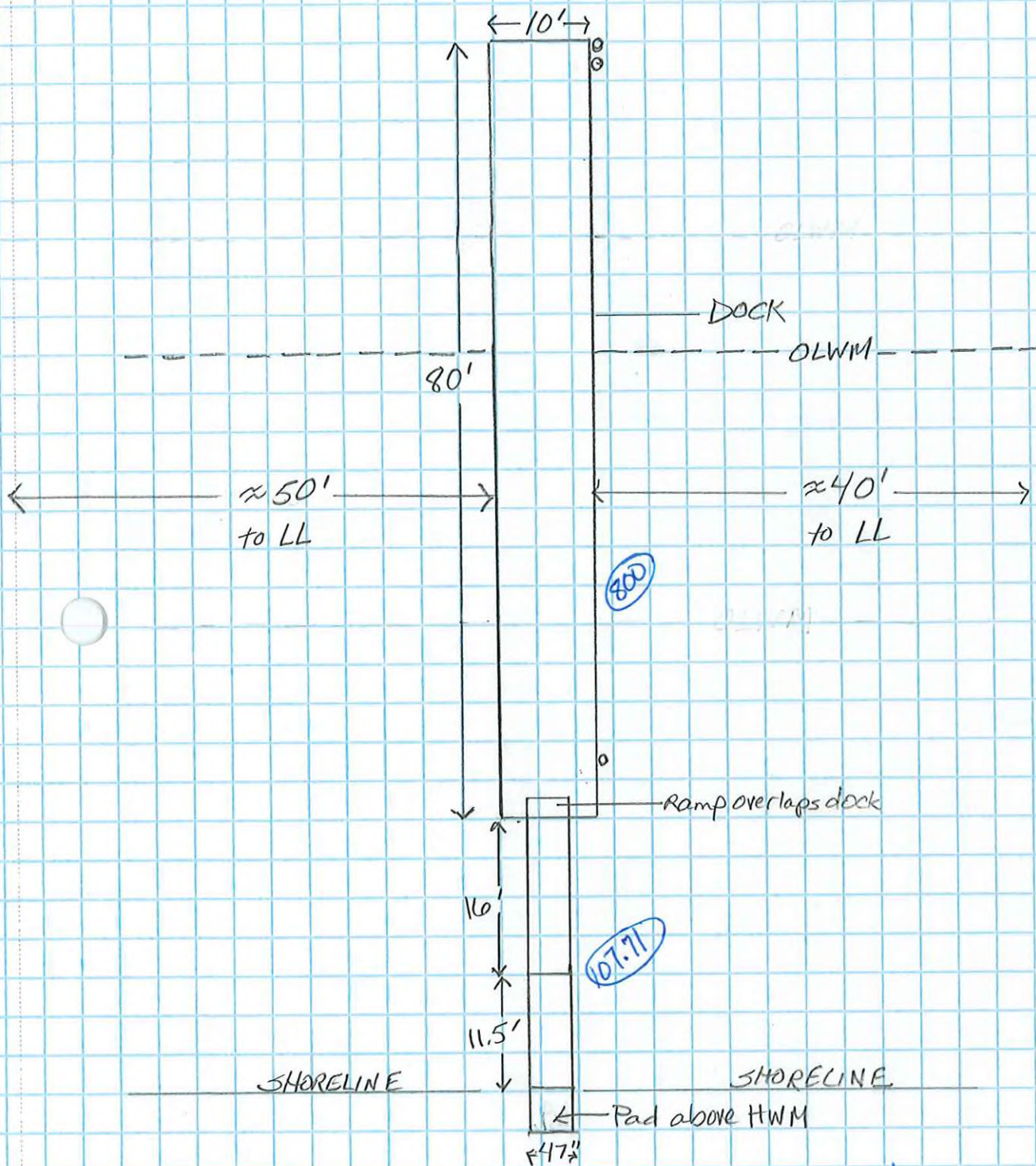
Application is hereby made for permit, or permits, to authorize the work described in this application and all supporting documentation. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein; 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: Date: 6/24/25

Signature of Agent: _____

Date: _____

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".

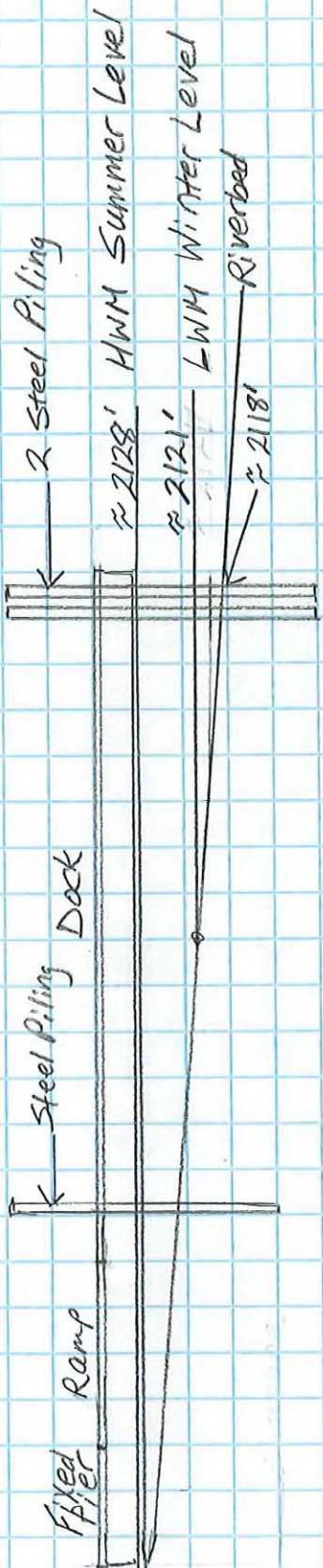


Total = 907.71
 Aug 6/26/25

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 MICA SUPERVISORY AREA OFFICE

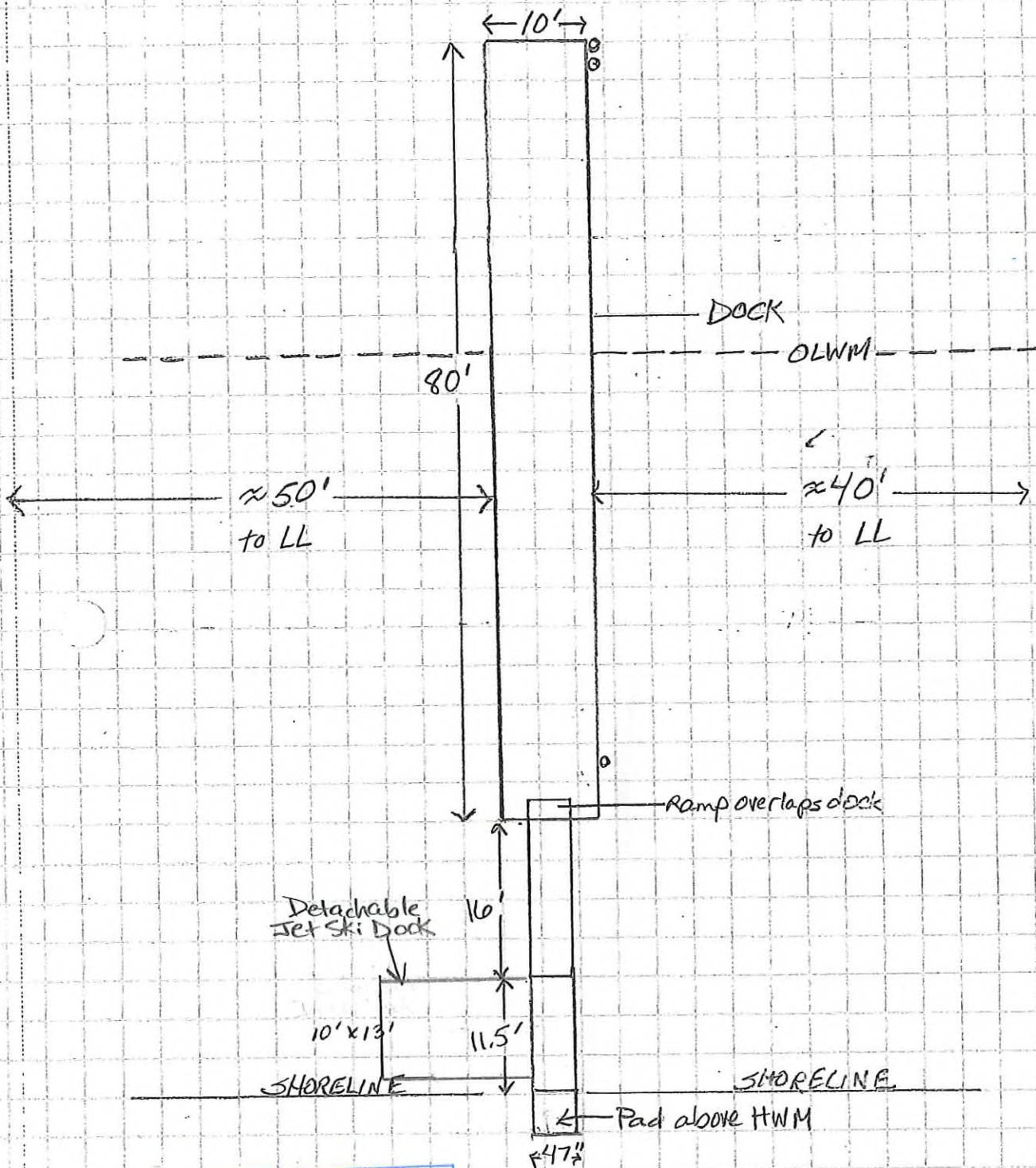


107.5'



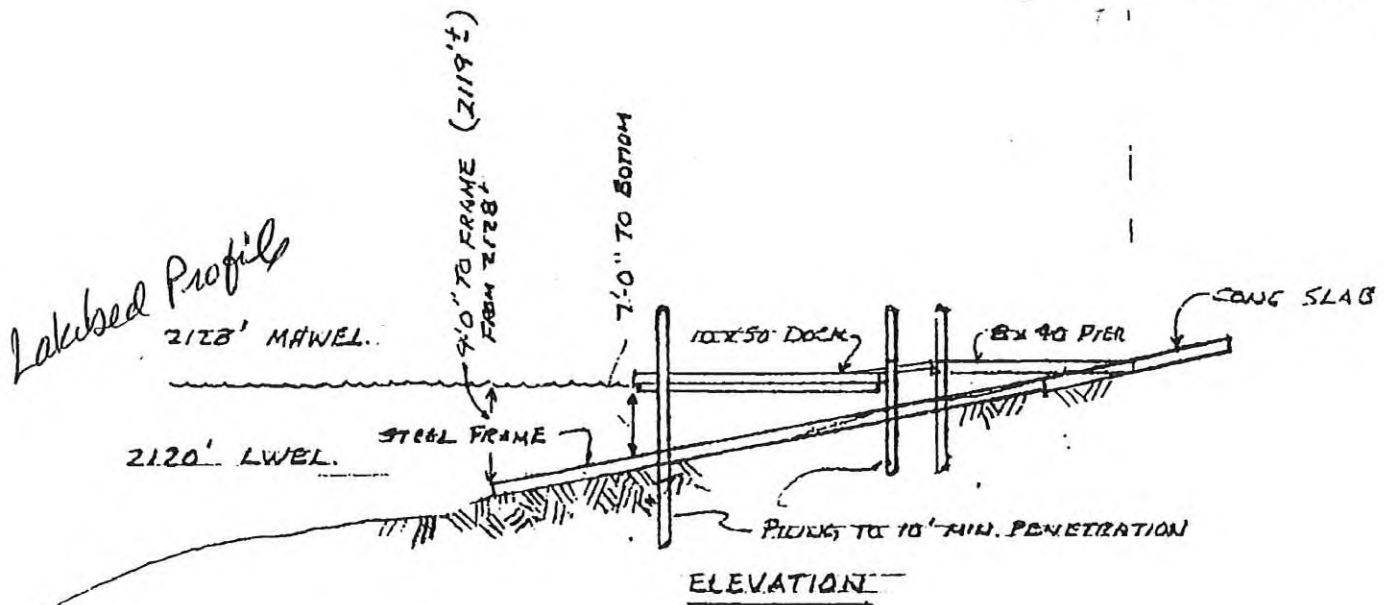
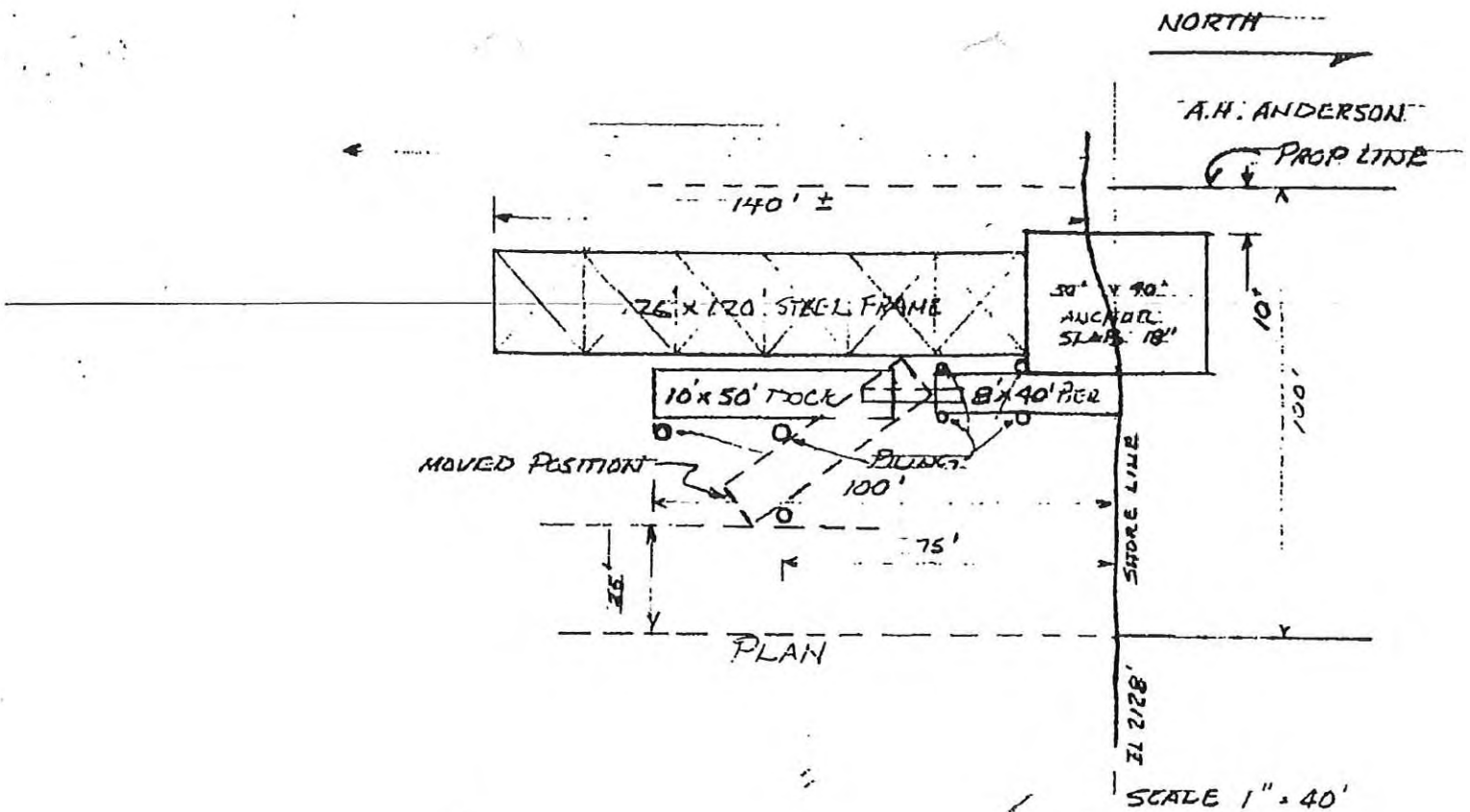
Riverbed Profile

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FRED FINNEY - BOAT REPAIR WKS.

MOORING PILE DETAIL



PLANNING ASSOCIATES, INC.

2110 IRONWOOD PARKWAY

COEUR D'ALENE, IDAHO 83814



Measure

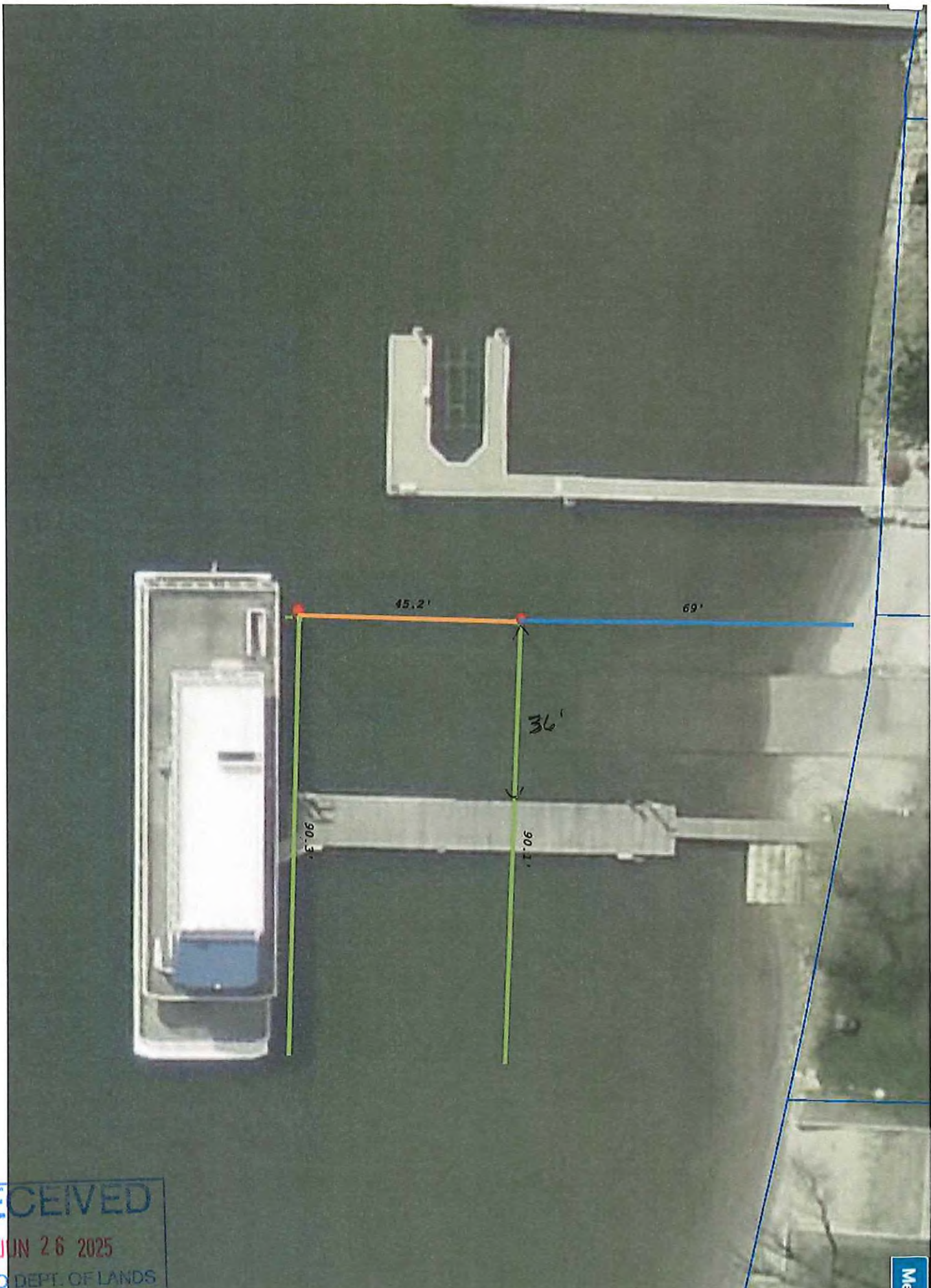
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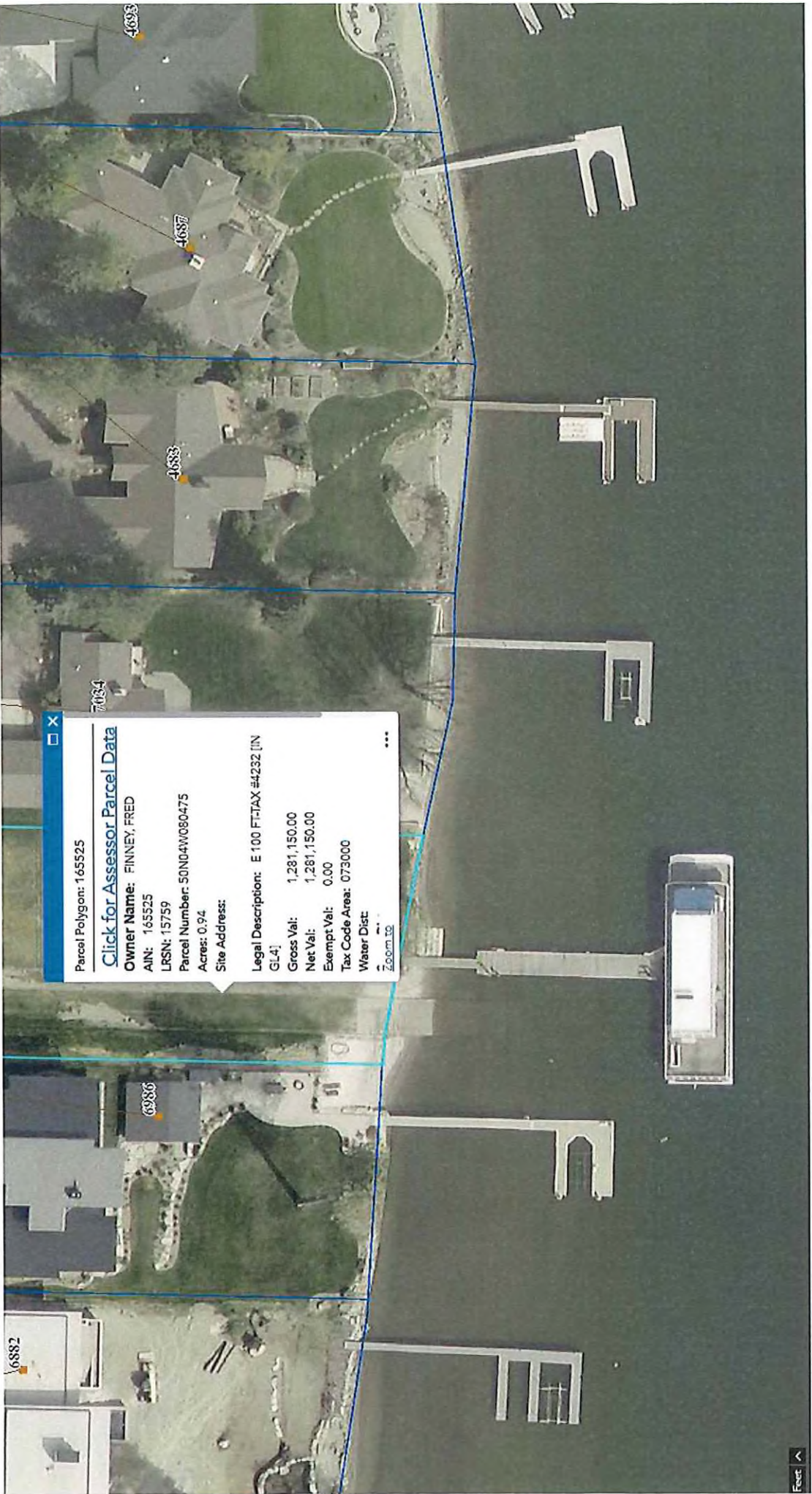
Map



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Parcel Polygon: 165525

[Click for Assessor Parcel Data](#)

Owner Name: FINNEY, FRED

AN: 165525

LRSN: 15759

Parcel Number: 50N04W080475

Acres: 0.94

Site Address:

Legal Description: E 100 FT-TAX #4232 [IN

GL4]

Gross Val: 1,281,150.00

Net Val: 1,281,150.00

Exempt Val: 0.00

Tax Code Area: 073000

Water Dist:

Zoom to

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Kootenai County, Idaho



Map Section	1	2	3	4	5	6	7	8	9	10	11	12
1												
2												
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THIS DRAWING IS TO BE USED FOR REFERENCE PURPOSES ONLY. THE COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES CONTAINED HEREIN.

Map Revisions

Notes:

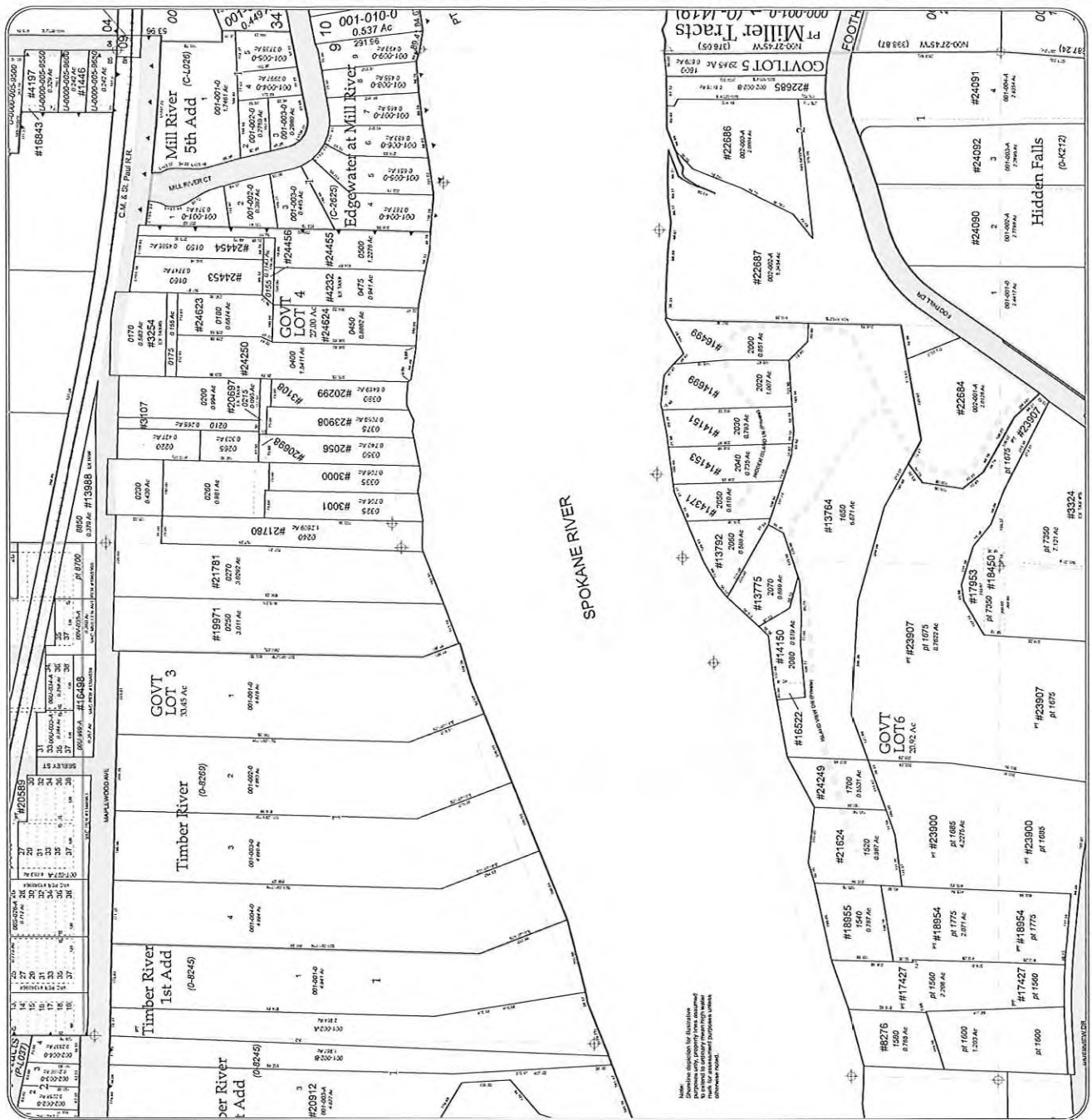
- 01/20/08 - B
SANDWICH-725 combined w/1900 (09)
- 10/10/08 - CUC
SANDWICH-1000, 7200, 7300 platted into HIDDEN FALLS (10)
- 06/09/10 - ET
0-4212-001-002-0 out of 002-0 and 002-0 as Tax #22885; L1 Fire adj between 001-1, 002-0 and 002-0 (all now -A) and redistricted as Tax #22884, #22887 and #22886 (11)
- 10/16/13 - CP
C-2055-001-003-0 (now -A) redistricted as Tax #23412 & Tax #23413 (14)
- 02/04/15 - bc
Pm SANDWICH-06-075 out to 0380 as Tax#9108; Rem 1075 Tax #24095; #24092 & #24091 as boundary line adj (16)
- 05/04/15 - bc
SANDWICH-1000 & Pm 1075 combined w/ 1005 and redistricted as Tax#23900 (15)
- 05/10/15 - CP
SANDWICH-06-1075 redistricted as Tax#23907 (15)
- 0-4212-001-002-0, 002-0 & 004-0 (all now -A) redistricted as Tax #24095; #24092 & #24091 as boundary line adj (16)
- 10/13/15 - bc
C-2055-001-003-0 platted into MILL RIVER 5TH ADD (14)
- 11/12/15 - CP
SANDWICH-06-1700 redistricted as Tax #24240 (16)
- 11/13/15 - CP
SANDWICH-06-040 out of 0400 as Tax #24252; 0180 & 0400 redistricted as Tax #24251 & #24250 as boundary line adj (16)
- 04/13/16 - ET
SANDWICH-06-100, 0150, 0500 & 0155 redistricted as Tax#24403, #24404, #24405 & #24406 for boundary line adj (17)
- 01/10/17 - ET
SANDWICH-06-040 & 0400 redistricted as Tax#24023 & #24024 for boundary line adj (17)

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MICA SUPERVISORY AREA OFFICE

Parcel Identification Number (PIN) are compiled as follows:
Parcel Identification Number (PIN) = 0-5013-001-000-0 or 0-5013-001-000-0
Unplatted: Township and Parcel ID. ex. 50N04W10E and 7600
Platted: Township and Parcel ID. ex. 50N04W10E and 7600

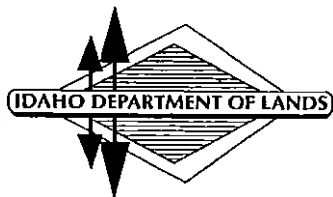
Legend

- GC-S357 Sub-code
- 001-001-A Parcel ID#
- City Limits
- Legal Areas
- GCDB_Corners
- GCDB_Units
- Private Roads
- Plat Boundaries
- Road RW
- Railroad



NE Sec. 08 Twp 50 N. R. 4 W. B. M.

Mapfile: 50N04W08NE



Application Number _____

**COMMERCIAL/COMMUNITY/NON-NAVIGATIONAL
ENCROACHMENT PERMIT APPLICATION**

This information sheet and checklist must be completed when submitting an encroachment permit application. Incomplete applications will be returned without processing.

ENCROACHMENT TYPE: (Check all that apply)

☐ - Community dock	☐ - Float home
☐ - Commercial marina	☐ - Boat garage
☐ - Bank stabilization	☐ - Mooring buoy(s)
☒ - Other – describe: <u>Commercial Facility</u>	

Applicant's Littoral Rights Are:

☐ - Signature of littoral rights owner is obtained if applicant is not the owner of the riparian/littoral rights

☒ - Owned, fee simple title holder

☐ - Leased

☐ - Other – describe: _____

Provide a Black/White Copy of Each Required Document on 8½"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 # 95-3071 Date of Construction: Summer 2016

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

☐ - Remain unchanged

☐ - Complete removal

☐ - Modification

☒ - Other: Already Installed

(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 Extend Beyond the Ordinary (or Artificial) High Water Mark? ~ 105' 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 other encroachments.

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

☐ - No

Total square footage:

☐ - Yes

ft²

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

☐ - Yes

Total front footage: _____ feet

☐ - No



Will the Proposed Encroachment Exceed the Maximum Width of 10 Feet?

☒ - No

☐ - Yes

If yes, explain why: _____

Will the Proposed Encroachment 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? 8 feet

☐ - Consent of affected neighbor was obtained

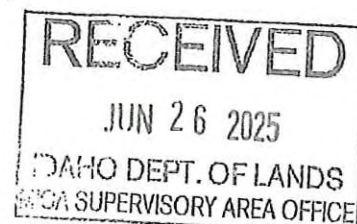
Determining Riparian/Littoral Right Lines

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.

Fred Finney
Printed Name

6/24/2025
Date

[Signature]
Signature of Applicant or Agent



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



DUSTIN T. MILLER, DIRECTOR
EQUAL OPPORTUNITY EMPLOYER

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

MEMORANDUM

TO: Idaho Department of Fish and Game
Idaho Department of Environmental Quality
Idaho Department of Water Resources
Idaho Department of Transportation
US Army Corps of Engineers-CDA
Kootenai County Parks, Recreation/Waterways
Kootenai County Marine Division
Kootenai County Building & Planning & Zoning
Kootenai Environmental Alliance
Panhandle Health District 1-Kootenai County
Coeur d'Alene Tribe
Idaho Conservation League
Adjacent Neighbors

FROM: Amidy Fuson Resource Specialist Sr., Navigable Waters

DATE: **July 22, 2025**

SUBJECT: NOTICE OF APPLICATION L95S3071A – Fred Finney / DBA Finney
Boat Works Inc.

Enclosed is an application requesting permission to **permit an existing commercial dock and piling on the Spokane River.**

Please submit your comments, recommendations, or objections to the Idaho Department of Lands by **August 26, 2025**, regarding the likely effect of the proposed encroachments upon navigation, adjacent property, lake and streambed value factors of navigation, fish and wildlife habitat, aquatic life, recreation, aesthetic beauty, or water quality. If you have concerns or are opposed to this application, please list your specific reasons and any facts or documentation to support your position. Comments may suggest alternate plans or mitigation measures if feasible.

If you would like to request a public hearing on this application, please submit a written request and a \$75 publication fee to IDL by **August 26, 2025**.

Failure to submit comments will be considered as no objection to the application. For further inquiries, please contact the Idaho Department of Lands at Mica Office.

Enclosures

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



DUSTIN T. MILLER, DIRECTOR
EQUAL OPPORTUNITY EMPLOYER

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

July 22, 2025

The Coeur d'Alene Press
Attention: Legals
P.O. Box 7000
Coeur d'Alene, ID 83816

Re: Legal Notice of Application – L95S3071A

Enclosed is a notice of application. Please publish this as a legal advertisement for two consecutive weeks as soon as possible.

Upon completion, please provide a tear sheet for the 2nd publication, an affidavit of publication, and statement of cost.

Thank you. Your help in this matter is greatly appreciated.

Sincerely,

Amidy Fuson, Lands Resource Specialist Sr.,
Navigable Waterways

Enclosure

NOTICE OF APPLICATION

Pursuant to Section 58-104(9) and 58-1301, et seq., Idaho Code (The Lake Protection Act) and rules of the State Board of Land Commissioners, notice is hereby given that FRED FINNEY / DBA FINNEY BOAT WORKS INC., made application to permit existing commercial dock and piling on the Spokane River. Located adjacent to tax lot 4232, Gov lot 4, Post Falls; Sections 08, Township 50 North, Range 04 West; B.M., in Kootenai County.

Written objections to and requests for hearing in this matter must be on file with the Idaho Department of Lands, 3258 W Industrial Loop, Coeur d'Alene ID, 83815, within thirty (30) days after the first appearance of this notice. Requests for hearing must be accompanied by a \$75 publication fee. Specific information regarding this application may be obtained from Amidy Fuson, Resource Specialist Sr., at the above address or by calling (208) 769-1577.

/S/

Mike Ahmer Resource Supervisor CDA
Idaho Department of Lands

STATE OF IDAHO
DEPARTMENT OF LANDS
ATTACHMENT FOR ENCROACHMENT

COMMERCIAL REQUIREMENTS AND SETBACKS

General requirements are as follows:

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

Please check one and initial:



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



I have reviewed the application, including the scope and location of the proposed encroachment as depicted. **I object to the application and request a Public Hearing** in which I will be named as an objecting party. I UNDERSTAND THAT I AM REQUIRED TO SUBMIT MY CONTACT INFORMATION (NAME, PHONE NUMBER, EMAIL ADDRESS) IN ORDER TO SET A HEARING DATE. kn (initial)

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

Date

7/29/25

Name

Ross Schlatter

Address

6980 E Maplewood Ave

City

Post Falls

State

ID

Zip

83854

Phone Number

208-755-8687

Email Address

ross@burlyproducts.com

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



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

July 22, 2025

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

Re: Courtesy Notification of Application of Encroachment L95S3071A

To Whom it May Concern:

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

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

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

Sincerely,

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

Enclosures

STATE OF IDAHO
DEPARTMENT OF LANDS
ATTACHMENT FOR ENCROACHMENT

COMMERCIAL REQUIREMENTS AND SETBACKS

General requirements are as follows:

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

Please check one and initial:

☐

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

☐

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

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

Date

Name

Address City State Zip

Phone Number Email Address

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



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

July 22, 2025

Ross Schlotthauer
6980 E Maplewood Ave
Post Falls ID 83854

Re: Courtesy Notification of Application of Encroachment L95S3071A

To Whom it May Concern:

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

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

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

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

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

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

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

Sincerely,



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

Enclosures

STATE OF IDAHO
DEPARTMENT OF LANDS
ATTACHMENT FOR ENCROACHMENT

COMMERCIAL REQUIREMENTS AND SETBACKS

General requirements are as follows:

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

Please check one and initial:

☐

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

☐

I have reviewed the application, including the scope and location of the proposed encroachment as depicted. **I object to the application and request a Public Hearing** in which I will be named as an objecting party. I UNDERSTAND THAT I AM REQUIRED TO SUBMIT MY CONTACT INFORMATION (NAME, PHONE NUMBER, EMAIL ADDRESS) IN ORDER TO SET A HEARING DATE. _____ (initial)

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

Date

Name

Address

City

State

Zip

Phone Number

Email Address

Order Confirmation

<u>Ad Order Number</u>	<u>Customer</u>	<u>Pavor Customer</u>	<u>PO Number</u>
0000039033	IDAHO DEPARTMENT OF LANDS	IDAHO DEPARTMENT OF LANDS	
<u>Sales Rep</u>	<u>Customer Account</u>	<u>Pavor Account</u>	<u>Ordered By</u>
kpacker+cdahouse@ha...	6368	6368	rlindstrom@cdapress.com
<u>Order Taker</u>	<u>Customer Address</u>	<u>Pavor Address</u>	<u>Customer Fax</u>
rlindstrom@cdapress.com	3258 W. INDUSTRIAL LOOP COEUR D ALENE, ID 83815	3258 W. INDUSTRIAL LOOP COEUR D ALENE, ID 83815	
<u>Order Source</u>	<u>Customer Phone</u>	<u>Pavor Phone</u>	<u>Special Pricing</u>
	2087691577	2087691577	

<u>Tear Sheets</u>	<u>Proofs</u>	<u>Affidavits</u>	<u>Blind Box</u>	<u>Promo Type</u>	<u>Materials</u>
0	0	1	0	0	0

Invoice Text

CDA#14712 NOA - L95S3071A

Ad Order Notes

Run dates July 25, & August 1, 2025

<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Method</u>	<u>Payment Amount</u>	<u>Amount Due</u>
67.04	\$0.00	67.04	Invoice	\$0.00	67.04

07/22/2025 02:53 PM

page 1 of 1

<u>Ad Number</u>	<u>Ad Type</u>	<u>Ad Size</u>
0000039033	ID-Metro	1 x 4.691" (41 lines)

<u>Run Date</u>	<u>Product</u>	<u>Placement</u>	<u>Position</u>	<u>Rate</u>	<u>Cost</u>
07/25/2025	ID-COEUR D'ALENE PRE	LEGALS	Any	\$0.77	\$39.57
08/01/2025	ID-COEUR D'ALENE PRE	LEGALS	Any	\$0.67	\$27.47

NOTICE OF APPLICATION

Pursuant to Section 58-104(9) and 58-1301, et seq., Idaho Code (The Lake Protection Act) and rules of the State Board of Land Commissioners, notice is hereby given that FRED FINNEY / DBA FINNEY BOAT WORKS INC., made application to permit existing commercial dock and piling on the Spokane River. Located adjacent to tax lot 4232, Gov lot 4, Post Falls; Sections 08, Township 50 North, Range 04 West; B.M., in Kootenai County.

Written objections to and requests for hearing in this matter must be on file with the Idaho Department of Lands, 3258 W Industrial Loop, Coeur d'Alene ID, 83815, within thirty (30) days after the first appearance of this notice. Requests for hearing must be accompanied by a \$75 publication fee. Specific information regarding this application may be obtained from Amidy Fuson, Resource Specialist Sr., at the above address or by calling (208) 769-1577.

/S/

Mike Ahmer

Resource Supervisor CDA
Idaho Department of Lands
Legal#14712 AD#39033
July 25, & August 1, 2025

**OTHER CASE TRANSMITTAL SHEET – ADJUDICATION, ARBITRATION, or
MEDIATION pursuant to I.C. § 67-5280(2)(b)**

State of Idaho - Office of Administrative Hearings

TO: **OFFICE OF ADMINISTRATIVE HEARINGS** (email: Bryan.Nickels@oah.idaho.gov)

DATE: July 30, 2025

FROM: Idaho Department of Lands (Referring Agency/Board)

AGENCY CASE/PROCEEDING NO.: PH-2025-NAV-22-004

***Please attach a copy of:**

- **Petition/order/notice giving rise to the proceeding**
- **Order assigning this matter to the OAH (if applicable)**

AGENCY REQUEST:

☒

Adjudication

If adjudication, order requested: ☒ Preliminary ☐ Recommended

☐

Arbitration

☐

Mediation

☐

Other (Please explain below)

PARTY/ATTORNEY:

Name: Applicant: Finney Boat Works, Fred Finney

Address: 7014 E Maplewood Ave, Post Falls, ID 83854

Email: finneydianek@gmail.com

Phone Number: 208-755-5690

PARTY/ATTORNEY:

Name: Objector: Ross Schlotthauer

Firm: _____

Address: 6980 E Maplewood Ave, Post Falls, ID 83854

Email: ross@burlyproducts.com

Phone Number: 208-755-8687

SHORT STATEMENT OF THE NATURE OF THIS CASE (e.g., “Suspension of license based on following grounds: ...”):

Applicant installed piling prior to obtaining a permit. Littoral neighbor has objected and called for a hearing. Based on the application submitted, the piling appear to be within the 25' setback that presumes adverse effect per IDAPA 20.03.04..015.13.e. IDL anticipates few participants in this hearing, which means a smaller venue may be more beneficial.

ARE THERE SPECIFIC STATUTORY/REGULATORY RULES ON THE TIME FOR HEARING OR DECISION?

YES: ☒ NO: ☐

[OAH typically sets hearings based on parties' availability and agreement, with written decision no later than the end of the month following the month the hearing was held]

If yes:

Deadline for hearing: October 21, 2025

Deadline for decision: 30 Days after the hearing

Statute(s)/Rule(s) citation: I.C. 58-1306 & IDAPA 20.03.04.030

DO ANY HEARING PROCEDURAL RULES, OTHER THAN THE IDAHO RULES OF ADMINISTRATIVE PROCEDURE OF THE ATTORNEY GENERAL, APPLY TO THIS PROCEEDING?

YES: ☒ NO: ☐

If yes, statute(s)/rule(s) citation: I.C. 58-1306 & IDAPA 20.03.04.030

- OAH will confirm that the agency has a current MOU in place for the requested service(s); if not, OAH will contact the agency to set up the needed MOU.
- Unlike contested case proceedings arising from the appeal of an agency order, OAH's provision of mediation, arbitration, and adjudication services are subject to acceptance by OAH. If OAH is unable to accept a request for mediation, arbitration, or arbitration services in a matter, OAH will still endeavor to assist the agency in identifying an alternative service provider.

BEFORE THE IDAHO DEPARTMENT OF LANDS

In the Matter of the Application to Permit:	)	AGENCY Case No. PH-2025-NAV-22-004
	)	
An Existing Commercial Dock and Piling	)	OAH Case No. 25-320-06
on the Spokane River,	)	
	)	NOTICE OF APPOINTMENT OF
Fred Finney dba Finney Boat Works, Inc.,	)	HEARING OFFICER
	)	
Applicant.	)	

TO ALL PARTIES AND COUNSEL OF RECORD:

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

W. Scott Zanzig
Office of Administrative Hearings
P.O. Box 83720
Boise, ID 83720-0104
(208) 605-4300
scott.zanzig@oah.idaho.gov

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

AUTHORITY AS HEARING OFFICER

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

1. Schedule and conduct motion hearings and enter the appropriate orders disposing of all pre-hearing motions, such as motions for notices of proposed default orders, motions on the

admissibility of evidence, and motions for continuances.

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

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

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

FILING AND SERVICE OF DOCUMENTS

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

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

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

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

DATED: August 1, 2025.

OFFICE OF ADMINISTRATIVE HEARINGS

/s/ Bryan A. Nickels

Bryan A. Nickels

Chief Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of August, 2025, I caused to be served a true and correct copy of the foregoing by the following method to:

Fred Finney
Finney Boat Works, Inc.
7014 E. Maplewood Ave.
Post Falls, ID 83854
(208) 755-5690
Applicant

☐ U.S. Mail
☒ Email:
finneydianek@gmail.com

Ross Schlotthauer
6980 E. Maplewood Ave.
Post Falls, ID 83854
(208) 755-8687
Objector

☐ U.S. Mail
☒ Email:
ross@burlyproducts.com

Idaho Department of Lands
John Richards, General Counsel
Kayleen Richter, Counsel
300 N. 6th Street, Ste. 103
Boise, ID 83702
(208) 334-0200
Counsel for IDL

☐ U.S. Mail
☒ Email:
jrichards@idl.idaho.gov
krichter@idl.idaho.gov

Amidy Fuson
Lands Resource Specialist-Navigable Waters
Marde Mensinger
Program Manager for Navigable Waters

☐ U.S. Mail
☒ Email:
afuson@idl.idaho.gov
mmensinger@idl.idaho.gov

Kourtney Romine
Rachel King
Kayla Dawson
Service Contacts for IDL

☐ U.S. Mail
☒ Email:
kromine@idl.idaho.gov
rking@idl.idaho.gov
kdawson@idl.idaho.gov

W. Scott Zanzig
Office of Administrative Hearings
P.O. Box 83720
Boise, ID 83720-0104
(208) 605-4300
Hearing Officer

☐ U.S. Mail
☒ Email:
scott.zanzig@oah.idaho.gov

OAH
General Government Division
P.O. Box 83720
Boise, ID 83720-0104
(208) 605-4300

☐ U.S. Mail
☒ Email:
filings@oah.idaho.gov

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

BEFORE THE IDAHO DEPARTMENT OF LANDS

In the Matter of the Application to Permit:	)	AGENCY Case No. PH-2025-NAV-22-004
	)	
An Existing Commercial Dock and Piling	)	OAH Case No. 25-320-06
on the Spokane River,	)	
	)	NOTICE OF SCHEDULING
Fred Finney dba Finney Boat Works, Inc.,	)	CONFERENCE
	)	
Applicant.	)	

Please take notice that Hearing Officer Scott Zanzig will call this matter for a scheduling video-conference on **Thursday, August 21, 2025, at 3:00 p.m. Mountain Time / 2:00 p.m. Pacific Time**, or as soon thereafter as the parties may be heard. The parties will be sent a Zoom link for this conference contemporaneously with this notice.

The scheduling conference will be informal, and the purpose of the conference will primarily be to select an evidentiary hearing date and identify related deadlines. Additionally, as appropriate, the Hearing Officer and the parties may also have discussions to:

1. Identify or simplify the issues in the case;
2. Determine if there are any areas of agreement between the parties, and whether the parties believe mediation may be appropriate;
3. Discuss the number and type of documents and witnesses each party intends to use and/or call if a hearing needs to be held; and
4. Discuss any other procedural or evidentiary matters which may tend to expedite or clarify this case.

If any party is unable to participate in the scheduling conference at the date and time identified in this notice, the Hearing Officer may grant a postponement. To request a postponement of the scheduling conference:

NOTICE OF SCHEDULING CONFERENCE
(AGENCY Case No. PH-2025-NAV-22-004/ OAH Case No. 25-320-06) Page 1

1. Contact the Office of Administrative Hearings (“OAH”) via email to filings@oah.idaho.gov to seek additional available dates;
2. Contact the other party(ies) to discuss the alternatives dates, and jointly select a date from those offered that all parties are available to participate in the conference; and
3. Email OAH again to advise as to the date and time the parties have agreed upon. An amended scheduling notice will be issued stating the new date and time and the reason for the continuance. The original date of the scheduling conference will remain in effect until the Hearing Officer has been assured that all parties have agreed upon a new specific date and time for a re-set hearing.
4. **NOTICE:** Any party failing to attend any stage of a contested case may be defaulted. See Idaho Code section 67-5242(4) & IDAPA 62.01.01.425.

DATED: August 4, 2025.

OFFICE OF ADMINISTRATIVE HEARINGS

/s/ W. Scott Zanzig
W. Scott Zanzig
Lead Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of August, 2025, I caused to be served a true and correct copy of the foregoing by the following method to:

Fred Finney
Finney Boat Works, Inc.
7014 E. Maplewood Ave.
Post Falls, ID 83854
(208) 755-5690
Applicant

☐ U.S. Mail
☒ Email:
finneydianek@gmail.com

Ross Schlotthauer
6980 E. Maplewood Ave.
Post Falls, ID 83854
(208) 755-8687
Objector

☐ U.S. Mail
☒ Email:
ross@burlyproducts.com

Idaho Department of Lands
John Richards, General Counsel
Kayleen Richter, Counsel
300 N. 6th Street, Ste. 103
Boise, ID 83702
(208) 334-0200
Counsel for IDL

☐ U.S. Mail
☒ Email:
jrichards@idl.idaho.gov
krichter@idl.idaho.gov

Amidy Fuson
Lands Resource Specialist-Navigable Waters
Marde Mensinger
Program Manager for Navigable Waters

☐ U.S. Mail
☒ Email:
afuson@idl.idaho.gov
mmensinger@idl.idaho.gov

Kourtney Romine
Rachel King
Kayla Dawson
Service Contacts for IDL

☐ U.S. Mail
☒ Email:
kromine@idl.idaho.gov
rking@idl.idaho.gov
kdawson@idl.idaho.gov

OAH
General Government Division
P.O. Box 83720
Boise, ID 83720-0104
(208) 605-4300

☐ U.S. Mail
☒ Email:
filings@oah.idaho.gov
scott.zanzig@oah.idaho.gov

/s/ Elaine Maneck

Elaine Maneck, Deputy Clerk
Office of Administrative Hearing

BEFORE THE IDAHO DEPARTMENT OF LANDS

In the Matter of the Application to Permit:	)	AGENCY Case No. PH-2025-NAV-22-004
	)	
An Existing Commercial Dock and Piling	)	OAH Case No. 25-320-06
on the Spokane River,	)	
	)	NOTICE OF RESET SCHEDULING
Fred Finney dba Finney Boat Works, Inc.,	)	CONFERENCE
	)	
Applicant.	)	
		)

Due to the receipt of an additional objection to the application at issue, please take notice that the video-conference Scheduling Conference in the above captioned matter is **RESET to Tuesday, September 2, 2025, at 3:00 p.m. Mountain Time / 2:00 p.m. Pacific Time**, or as soon thereafter as the parties may be heard. The parties will be sent a new Zoom link for this conference contemporaneously with this notice.

The scheduling conference will be informal, and the purpose of the conference will primarily be to select an evidentiary hearing date and identify related deadlines. Additionally, as appropriate, the Hearing Officer and the parties may also have discussions to:

1. Identify or simplify the issues in the case;
2. Determine if there are any areas of agreement between the parties, and whether the parties believe mediation may be appropriate;
3. Discuss the number and type of documents and witnesses each party intends to use and/or call if a hearing needs to be held; and
4. Discuss any other procedural or evidentiary matters which may tend to expedite or clarify this case.

If any party is unable to participate in the scheduling conference at the date and time identified in this notice, the Hearing Officer may grant a postponement. To request a postponement of the scheduling conference:

1. Contact the Office of Administrative Hearings (“OAH”) via email to filings@oah.idaho.gov to seek additional available dates;
2. Contact the other party(ies) to discuss the alternatives dates, and jointly select a date from those offered that all parties are available to participate in the conference; and
3. Email OAH again to advise as to the date and time the parties have agreed upon.

An amended scheduling notice will be issued stating the new date and time and the reason for the continuance. The original date of the scheduling conference will remain in effect until the Hearing Officer has been assured that all parties have agreed upon a new specific date and time for a reset conference.

DATED: August 22, 2025.

OFFICE OF ADMINISTRATIVE HEARINGS

/s/ W. Scott Zanzig
W. Scott Zanzig
Lead Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that on this 22 day of August, 2025, I caused to be served a true and correct copy of the foregoing by the following method to:

Fred Finney
Finney Boat Works, Inc.
7014 E. Maplewood Ave.
Post Falls, ID 83854
(208) 755-5690
Applicant

☐ U.S. Mail
☒ Email:
finneydianek@gmail.com

Ross Schlotthauer
6980 E. Maplewood Ave.
Post Falls, ID 83854
(208) 755-8687
Objector

☐ U.S. Mail
☒ Email:
ross@burlyproducts.com

George Cherokee
931 Cindy Jo Ct.
Medical Lake, WA 99022
(509) 998-7550
Objector

☐ U.S. Mail
☒ Email:
george@fcontrol.com

Idaho Department of Lands
John Richards, General Counsel
Kayleen Richter, Counsel
300 N. 6th Street, Ste. 103
Boise, ID 83702
(208) 334-0200
Counsel for IDL

☐ U.S. Mail
☒ Email:
jrichards@idl.idaho.gov
krichter@idl.idaho.gov

Amidy Fuson
Lands Resource Specialist-Navigable Waters
Marde Mensinger
Program Manager for Navigable Waters

☐ U.S. Mail
☒ Email:
afuson@idl.idaho.gov
mmensinger@idl.idaho.gov

Kourtney Romine
Rachel King
Kayla Dawson
Service Contacts for IDL

☐ U.S. Mail
☒ Email:
kromine@idl.idaho.gov
rking@idl.idaho.gov
kdawson@idl.idaho.gov

OAH
General Government Division
P.O. Box 83720
Boise, ID 83720-0104
(208) 605-4300

☐ U.S. Mail
☒ Email:
filings@oah.idaho.gov
scott.zanzig@oah.idaho.gov

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

BEFORE THE IDAHO DEPARTMENT OF LANDS

In the Matter of the Application to Permit:	)	AGENCY Case No. PH-2025-NAV-22-004
	)	
An Existing Commercial Dock and Piling	)	OAH Case No. 25-320-06
on the Spokane River,	)	
	)	SCHEDULING ORDER
Fred Finney dba Finney Boat Works, Inc.,	)	
	)	
Applicant.	)	
		)

A scheduling videoconference was conducted on September 2, 2025. Appearances were made by Lead Administrative Law Judge Scott Zanzig; Diane Finney on behalf of the applicant; the objectors, Ross Schlotthauer and George Cherokee; and several representatives from the Idaho Department of Lands (IDL), including Deputy Attorney General Kayleen Richter.

As discussed at scheduling conference, IT IS HEREBY ORDERED that the following deadlines and procedures will govern this matter going forward:

1. On or before **October 14, 2025**, the parties will file the following with the Hearing Officer and serve on the opposing party:

- a) A disclosure of witnesses, by name, address, and telephone number, who will testify at the final hearing in this matter, including expert witnesses, along with a summary of the anticipated testimony of each witness; and
- b) An exhibit list of all documents, drawings, photographs, or other demonstrative evidence to be considered at the hearing; and
- c) The parties shall provide a copy of their proposed exhibits to one another and to the Hearing Officer. All exhibits should be marked to reflect the party offering the exhibit and the exhibit number. Copies of all exhibits on the exhibit list. All exhibits should be marked to reflect the party offering the exhibit.

SCHEDULING ORDER

(AGENCY Case No. PH-2025-NAV-22-004/ OAH Case No. 25-320-06) Page 1

Applicant's exhibits shall begin with "FBW" (FBW-1, FBW-2, FBW-3, etc.); IDL's exhibits shall begin with "IDL" (IDL-1, IDL-2, IDL-3, etc.); Objector Ross Schlotthauer's exhibits shall begin with "RS" (RS-1, RS-2, RS-3, etc.), and Objector George Cherokee's exhibits shall begin with "GC" (GC-1, GC-2, GC-3, etc.).

2. On or before **October 14, 2025**, the parties will also file with the Hearing Officer, and serve upon each other, their prehearing statement. Each party's prehearing statement should summarize the facts and law they intend to rely on at the hearing.

3. A remote Prehearing Conference will be held via Zoom on **October 24, 2025, at 10:00 a.m. Mountain Time/9:00 a.m. Pacific Time**. A Zoom link for the prehearing conference will be sent contemporaneously with this order.

4. **A public, one-day hearing is scheduled for October 28, 2025. (The applicant agreed to extend the statutory hearing deadline of October 21, 2025, to avoid a scheduling conflict.) The evidentiary portion of the hearing will begin at 1:30 p.m. Pacific Time and conclude no later than 5:00 p.m. Pacific Time. The Public Comment portion of this hearing will be from 5:00 p.m. to 6:00 p.m. Pacific Time.** The hearing will be held in Coeur d'Alene, Idaho, at a location to be determined. (All parties agreed that North Idaho College (NIC) would be an appropriate venue for the hearing. The Office of Administrative Hearings has contacted NIC and will issue a notice of hearing as soon as NIC confirms space availability.) The hearing will be recorded via Zoom. Public Comment will not be taken from remote participants.

5. To "file" and "serve" their documents, the parties may email them to all other parties at the addresses listed in the attached Certificate of Service before any deadline, with a copy to elaine.maneck@oah.idaho.gov and filings@oah.idaho.gov.

6. Should any party or their counsel require special accommodations pursuant to the Americans with Disabilities Act, the Hearing Officer shall be notified of such request at or before the time of the prehearing conference.

NOTICE AND REMINDER: The Hearing Officer shall not be contacted by any party *ex parte*. To schedule a status conference to address any case matters, the parties are directed to first confer about agreed-to dates and times, and then to contact Deputy Clerk Elaine Maneck at elaine.maneck@oah.idaho.gov to schedule a status conference.

DATED: September 4, 2025.

OFFICE OF ADMINISTRATIVE HEARINGS

/s/ W. Scott Zanzig

W. Scott Zanzig

Lead Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of September, 2025, I caused to be served a true and correct copy of the foregoing by the following method to:

Fred Finney
Finney Boat Works, Inc.
7014 E. Maplewood Ave.
Post Falls, ID 83854
(208) 755-5690
Applicant

☐ U.S. Mail
☒ Email:
finneydianek@gmail.com

Ross Schlotthauer
6980 E. Maplewood Ave.
Post Falls, ID 83854
(208) 755-8687
Objector

☐ U.S. Mail
☒ Email:
ross@burlyproducts.com

George Cherokee
931 Cindy Jo Ct.
Medical Lake, WA 99022
(509) 998-7550
Objector

☐ U.S. Mail
☒ Email:
george@fcontrol.com

Idaho Department of Lands
John Richards, General Counsel
Kayleen Richter, Counsel
300 N. 6th Street, Ste. 103
Boise, ID 83702
(208) 334-0200
Counsel for IDL

☐ U.S. Mail
☒ Email:
jrichards@idl.idaho.gov
krichter@idl.idaho.gov

Amidy Fuson
Lands Resource Specialist-Navigable Waters
Marde Mensinger
Program Manager for Navigable Waters

☐ U.S. Mail
☒ Email:
afuson@idl.idaho.gov
mmensinger@idl.idaho.gov

Kourtney Romine
Rachel King
Kayla Dawson
Service Contacts for IDL

☐ U.S. Mail
☒ Email:
kromine@idl.idaho.gov
rking@idl.idaho.gov
kdawson@idl.idaho.gov

OAH
General Government Division
P.O. Box 83720
Boise, ID 83720-0104
(208) 605-4300

☐ U.S. Mail
☒ Email:
filings@oah.idaho.gov
scott.zanzig@oah.idaho.gov

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

STATE OF IDAHO
DEPARTMENT OF LANDS
ATTACHMENT FOR ENCROACHMENT

COMMERCIAL REQUIREMENTS AND SETBACKS

General requirements are as follows:

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

Please check one and initial:



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



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

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

Date August 11, 2025

Name George Cherokee

Address 831 Cindy Jo Ct City Mediana Lake State Washington Zip 99022

Phone Number 509-998-7550 Email Address george@fcontrol.com



August 11, 2025

Idaho Department of Lands
3258 W. Industrial Loop
Coeur d'Alene, ID 83815

RE: Application of Encroachment L95S3071A

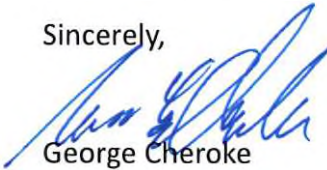
To Whom it May Concern:

I have reviewed the Application of Encroachment L95S3071A. I object the application and would like to request a public hearing. The encroachment would have multiple effects on my property.

1. It is difficult enough to maneuver my boat due to the size of Mr. Finney's boat, the river current, wind, and wakes from boats driving by. If Mr. Finney's boat is positioned parallel with the river flow, it would make it even more difficult to navigate my boat in and out of my dock slip.
2. The encroachment would affect the aesthetic beauty of the river. It will obstruct our scenic view. We bought the property for the beauty of owning waterfront. Watching the boats and lively scene on the river is enjoyable to us.
3. The encroachment would affect the curb appeal of our property from the water. If we were to sale the property, the encroachment would be less appealing to potential buyers.

Thank you for your time and consideration. Please let me know if you have any questions.

Sincerely,


George Cherokee
george@fcontrol.com
509-998-7550



BEFORE THE IDAHO DEPARTMENT OF LANDS

In the Matter of the Application to Permit:	)	AGENCY Case No. PH-2025-NAV-22-004
	)	
An Existing Commercial Dock and Piling	)	OAH Case No. 25-320-06
on the Spokane River,	)	
	)	NOTICE OF HEARING LOCATION
Fred Finney dba Finney Boat Works, Inc.,	)	
	)	
Applicant.	)	
		)

PLEASE TAKE NOTICE that the public, one-day evidentiary hearing scheduled for October 28, 2025, in the above-captioned matter, will be held at **North Idaho College, 1000 W. Garden Ave., Coeur d’Alene, Idaho, 83814, in the DeArmond Building, room 212.** The evidentiary portion of the hearing will commence at 1:30 p.m. Pacific Time and conclude no later than 5:00 p.m. Pacific Time; the public comment portion of the hearing will be from 5:00 p.m. to 6:00 p.m. Pacific Time. The hearing will be recorded via Zoom. The ordering of transcripts, if any, will be discussed at the time of the hearing. Public comment will not be taken from remote participants.

IT IS SO ORDERED.

DATED: October 6, 2025.

OFFICE OF ADMINISTRATIVE HEARINGS

/s/ W. Scott Zanzig
W. Scott Zanzig
Lead Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of October, 2025, I caused to be served a true and correct copy of the foregoing by the following method to:

Fred Finney
Finney Boat Works, Inc.
7014 E. Maplewood Ave.
Post Falls, ID 83854
(208) 755-5690
Applicant

☐ U.S. Mail
☒ Email:
finneydianek@gmail.com

Ross Schlotthauer
6980 E. Maplewood Ave.
Post Falls, ID 83854
(208) 755-8687
Objector

☐ U.S. Mail
☒ Email:
ross@burlyproducts.com

George Cherokee
931 Cindy Jo Ct.
Medical Lake, WA 99022
(509) 998-7550
Objector

☐ U.S. Mail
☒ Email:
george@fcontrol.com

Idaho Department of Lands
John Richards, General Counsel
Kayleen Richter, Counsel
300 N. 6th Street, Ste. 103
Boise, ID 83702
(208) 334-0200
Counsel for IDL

☐ U.S. Mail
☒ Email:
jrichards@idl.idaho.gov
krichter@idl.idaho.gov

Amidy Fuson
Lands Resource Specialist-Navigable Waters
Marde Mensinger
Program Manager for Navigable Waters

☐ U.S. Mail
☒ Email:
afuson@idl.idaho.gov
mmensinger@idl.idaho.gov

Kourtney Romine
Rachel King
Kayla Dawson
Service Contacts for IDL

☐ U.S. Mail
☒ Email:
kromine@idl.idaho.gov
rking@idl.idaho.gov
kdawson@idl.idaho.gov

OAH
General Government Division
P.O. Box 83720
Boise, ID 83720-0104
(208) 605-4300

☐ U.S. Mail
☒ Email:
filings@oah.idaho.gov
scott.zanzig@oah.idaho.gov

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

Order Confirmation

<u>Ad Order Number</u>	<u>Customer</u>	<u>Payor Customer</u>	<u>PO Number</u>
0000042004	IDAHO DEPARTMENT OF LANDS	IDAHO DEPARTMENT OF LANDS	
<u>Sales Rep</u>	<u>Customer Account</u>	<u>Payor Account</u>	<u>Ordered By</u>
kpacker+cdahouse@ha...	6368	6368	rlindstrom@cdapress.com
<u>Order Taker</u>	<u>Customer Address</u>	<u>Payor Address</u>	<u>Customer Fax</u>
rlindstrom@cdapress.com	3258 W. INDUSTRIAL LOOP COEUR D ALENE, ID 83815	3258 W. INDUSTRIAL LOOP COEUR D ALENE, ID 83815	
<u>Order Source</u>	<u>Customer Phone</u>	<u>Payor Phone</u>	<u>Special Pricing</u>
	2087691577	2087691577	

<u>Tear Sheets</u>	<u>Proofs</u>	<u>Affidavits</u>	<u>Blind Box</u>	<u>Promo Type</u>	<u>Materials</u>
0	0	1	0	0	0

Invoice Text

CDA#15204 NOA - L95S3071A

Ad Order Notes

Run dates October 9, 16, 2025

<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Method</u>	<u>Payment Amount</u>	<u>Amount Due</u>
94.40	\$0.00	94.40	Invoice	\$0.00	94.40

<u>Ad Number</u>	<u>Ad Type</u>	<u>Ad Size</u>
0000042004	ID-Metro	1 x 6.881" (60 lines)

<u>Run Date</u>	<u>Product</u>	<u>Placement</u>	<u>Position</u>	<u>Rate</u>	<u>Cost</u>
10/09/2025	ID-COEUR D'ALENE PRE	LEGALS	Any	\$0.77	\$54.20
10/16/2025	ID-COEUR D'ALENE PRE	LEGALS	Any	\$0.67	\$40.20

NOTICE OF APPLICATION AND PUBLIC HEARING

Pursuant to Section 58-104(9) and 58-1301, et seq., Idaho Code (The Lake Protection Act) and rules of the State Board of Land Commissioners, notice is hereby given that FRED FINNEY / DBA FINNEY BOAT WORKS INC., made application to permit existing commercial dock and piling on the Spokane River. Located adjacent to Tax # 4232, Gov Lot 4, Post Falls; Sections 08, Township 50 North, Range 04 West; B.M., in Kootenai County.

This announcement will serve as **Notice that a Public Hearing** will be held for this project. This Public Hearing will be conducted by the Office of Administrative Hearings to take testimony regarding the proposed project. A one-day, in-person evidentiary hearing is scheduled for **Tuesday, October 28, 2025, at North Idaho College, 1000 W. Garden Ave., Coeur d'Alene, Idaho, 83814, in the DeArmond Building, room 212.** The hearing will commence at 1:30 p.m. and end no later than 6 p.m. Pacific Time. A Zoom link will be available for remote viewing.

Written objections or comments regarding this project must be directed to navigablewaterways@idl.idaho.gov and be on file with the Idaho Department of Lands by the close of hearing on September 16, 2025. Specific information regarding this application, including the Zoom link may be obtained via the website: <https://www.idl.idaho.gov/lakes-rivers/administrative-hearings/fred-finney/>

/S/

MIKE AHMER, COEUR
D'ALENE

Idaho Department of Lands
Legal#15204 AD#42004
October 9, 16, 2025

**PEND OREILLE
SUPERVISORY AREA**
2550 Highway 2 West
Sandpoint, ID 83864
Phone (208) 263-5104



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

October 6, 2025

The Coeur d'Alene Press
Attention: Legals
P.O. Box 7000
Coeur d'Alene, ID 83816

Re: Legal Notice of Public Hearing, L95S3071A

Enclosed is a notice of application and public hearing. Please publish this as a legal advertisement for two consecutive weeks starting on the earliest date available.

Upon completion, please provide a tear sheet for the publication, an affidavit of publication, and statement of cost.

Thank you. Your help in this matter is greatly appreciated.

Sincerely,

/x/

Amidy Fuson - Lands Resource Specialist, Sr.
Navigable Waters

Enclosure

NOTICE OF APPLICATION AND PUBLIC HEARING

Pursuant to Section 58-104(9) and 58-1301, et seq., Idaho Code (The Lake Protection Act) and rules of the State Board of Land Commissioners, notice is hereby given that FRED FINNEY / DBA FINNEY BOAT WORKS INC., made application to permit existing commercial dock and piling on the Spokane River. Located adjacent to Tax # 4232, Gov Lot 4, Post Falls; Sections 08, Township 50 North, Range 04 West; B.M., in Kootenai County.

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/S/

MIKE AHMER, COEUR D'ALENE
Idaho Department of Lands





STATE OF IDAHO

DEPARTMENT OF LANDS

P.O. BOX 670, COEUR D'ALENE, IDAHO 83814

STANLEY F. HAMILTON
DIRECTOR

August 27, 1986

Fred Finney
W. 600 Hubbard
Coeur d'Alene, ID 83814

Dear Mr. Finney:

Enclosed is Encroachment Permit No. L-95-S-3071 and the lease for your dock and boatweigh services in accordance with the encroachment application you filed with this office.

Please note the following special terms:

1. The construction of the above-listed encroachment is authorized for a period of three years. From the 27th day of August, 1986, to the 27th day of August, 1989. Applicant may apply for an extension if the project is not completed in the specified time period.
 2. This permit is issued subject to the established commercial navigational servitude. The permittee places this encroachment at his own peril and specifically waives any claim against commercial log tow operators who may accidentally damage this encroachment.
 3. Treated wood may not be used where it will be in contact with the water (i.e., piling and float logs).
 4. All materials (i.e., paint, paint chips, solvent, chemicals, petroleum products, etc.) used in the boat service must be contained so they do not enter the Spokane River.
 5. Panhandle Health District I has specified that no plumbing may be included in the boat service building.
 6. There is a recognized need for a commercial boat service for large-sized vessels on Lake Coeur d'Alene. No such facility is presently available. The encroachment distance into the river is acceptable when compared to existing encroachment by the DAW mill just upstream from this site.
7. This permit is not valid until the permittee executes sovereign land lease with the Idaho Department of Lands, pays for 1986 occupancy, and submits a \$1,000 performance bond.

STATE BOARD OF LAND COMMISSIONERS

JOHN V. EVANS
GOVERNOR AND PRESIDENT
PETE T. CENARRUSA
SECRETARY OF STATE
JIM JONES
ATTORNEY GENERAL
JOE R. WILLIAMS
STATE AUDITOR
JERRY L. EVANS
SUP'T OF PUBLIC INSTRUCTION

COPY

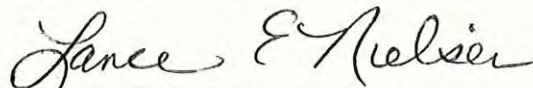
MR. FRED FINNEY
August 27, 1986
Page two

This permit is not valid until the number assigned is displayed upon the dock or piling in letters not less than three inches in size.

You cannot begin building any structures or drive any piling on the bed of the Spokane River until you have executed the enclosed lease and returned to this office along with the \$250 lease payment and \$1,000 bond.

Thank you for your cooperation.

Sincerely,



LANCE E. NIELSEN, Chief
Bureau of Navigable Waters

LEN/mc

Enclosures: Lease, Permit

cc: Bureau of Navigable Waters, Boise

COPY



STATE OF IDAHO

DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

STANLEY F. HAMILTON
DIRECTOR

ENCROACHMENT PERMIT NO. L-95-S-3071

Permission is hereby granted to FRED FINNEY
of W. 600 Hubbard Coeur d'Alene, ID 83814 to construct and maintain
an 8' x 40' pier, a 4' x 10' walkway, a 10' x 50' dock, seven piling, a portion of a 20'x30'
cement slab, and a 26' x 120' boatweigh
to be located as follows: Spokane River, Govt. Lot 4, Section 8,
Township 50 North, Range 4 West, Boise Meridian.

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 upon notice and hearing as provided for in the adopted rules.
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 number assigned is displayed in letters not less than three inches in size upon the dock or piling.
8. The construction of the above-listed encroachment is authorized for a period of three years. From the 27th day of August, 1986, to the 27th day of August, 1989. Applicant may apply for an extension if the project is not completed in the specified time period.

- SEE ATTACHED SHEET FOR FURTHER SPECIAL TERMS -

FOR THE DIRECTOR

By:

LANCE E. NIELSEN, Chief

Title: Bureau of Navigable Waters

Date:

August 27, 1986

COPY
IDL-17 Page 3

ENCROACHMENT PERMIT NO. L-95-S-3071
August 27, 1986
Page two

SPECIAL TERMS:

1. This permit is issued subject to the established commercial navigational servitude. The permittee places this encroachment at his own peril and specifically waives any claim against commercial log tow operators who may accidentally damage this encroachment.
2. Treated wood may not be used where it will be in contact with the water (i.e., piling and float logs).
3. Panhandle Health District I has specified that no plumbing may be included in the boat service building.
4. All materials (i.e., paint, paint chips, solvent, chemicals, petroleum products, etc.) used in the boat service must be contained so they do not enter the Spokane River.
5. There is a recognized need for a commercial boat service for large-sized vessels on Lake Coeur d'Alene. No such facility is presently available. The encroachment distance into the river is acceptable when compared to existing encroachment by the DAW mill just upstream from this site.
6. This permit is not valid until the permittee executes sovereign land lease with the Idaho Department of Lands, pays for 1986 occupancy, and submits a \$1,000 performance bond.


LANCE E. NIELSEN, Chief
Bureau of Navigable Waters

LEN/mc

Identification L-95-S-3071Area Spokane RiverSTATE OF IDAHO
DEPARTMENT OF LANDSAPPLICATION FOR A PERMIT TO MAKE AN ENCROACHMENT
ON A NAVIGABLE LAKE OR RESERVOIRPursuant to Adopted Rules
And Applicable Statutes
(TYPE OR PRINT IN INK)

1. Name of applicant: Fred Finney
 Post office address: W. 600 Hubbard, Coeur d'Alene, ID 83814
 Telephone Number: 667-5096
2. Name of lake or stream: Spokane River
3. Name and address of contractor: Same as # One
4. Proposed starting date of construction and installation: Immediate
5. Property description: The Easterly 100' of Tax # 4232
Plat Attached
 In Gov # Lot 4 (1/16 or Lot No.) of Section 8, Township 50N, Range 4W, B.H.
6. Type of structure proposed: (Please check and attach a descriptive drawing.)
☐ Breakwater ☒ Dock ☐ Bulkhead
☒ Piling ☐ Boathouse ☐ Fill
☐ Excavation Boathouse Other (Please specify)
7. Length of encroachment waterward from the ordinary highwater mark: 150'
8. Width of encroachment at ordinary highwater mark: 38', at maximum length: 150'
9. Water depth at maximum length: 10'
10. Signature of applicant: X Fred Finney Date: 2-1-86
11. STATEMENTS OF ADJACENT PROPERTY OWNERS

I, Jean A. Anderson am the owner of riparian or littoral property adjacent to the property listed in this application. I am familiar with the scope and location of the proposed encroachment as evidenced by accompanying plans which I have initialed and I offer no objection to the encroachment.

6-11-86
 Date

X Jean A. Anderson
 Name
8717 West L Lancaster CA
 Address 93536

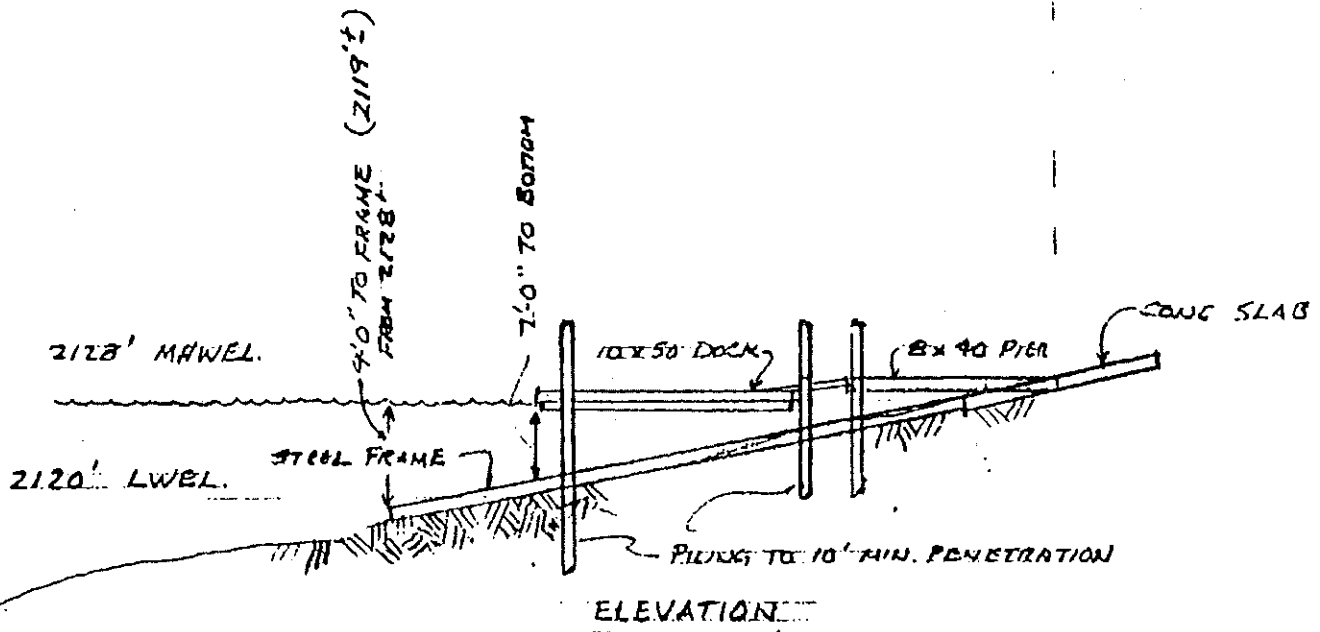
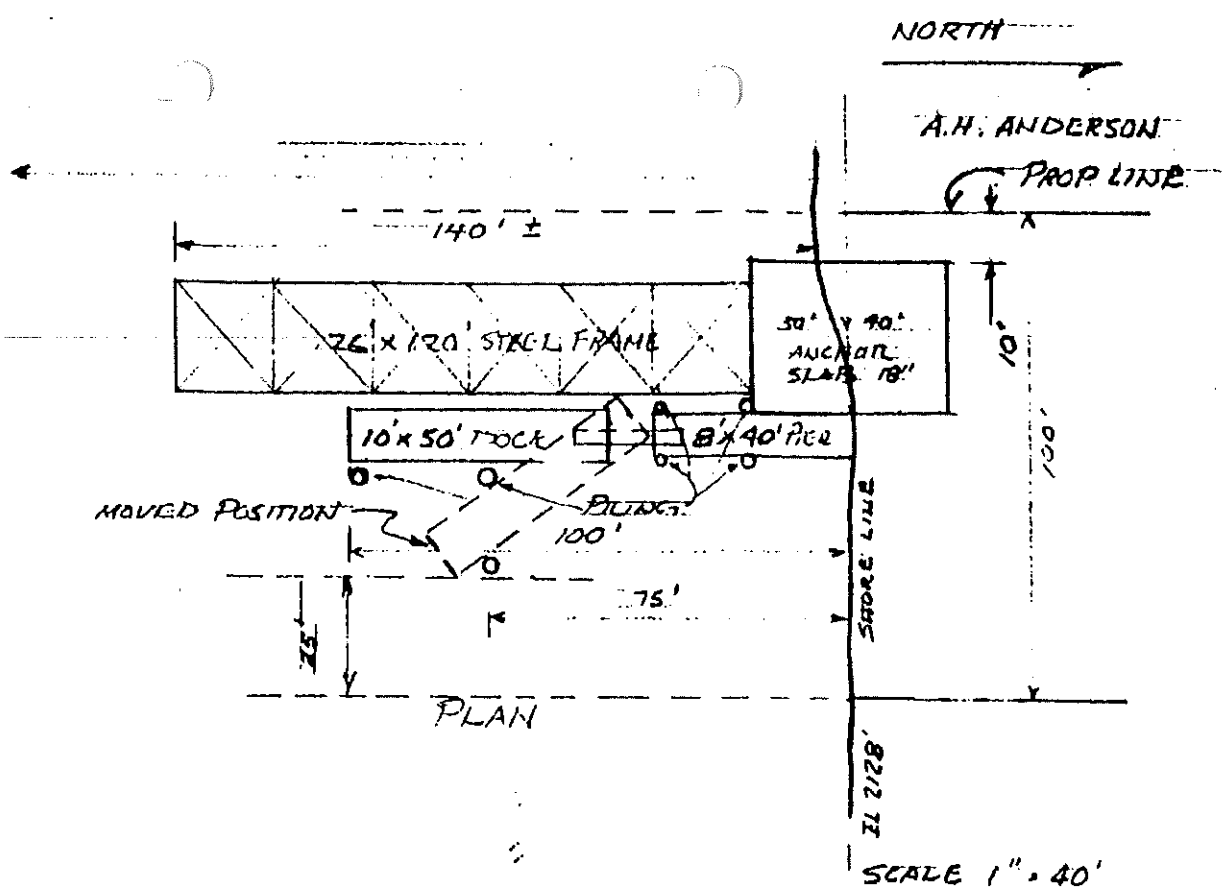
I, A. H. Anderson am the owner of riparian or littoral property adjacent to the property listed in this application. I am familiar with the scope and location of the proposed encroachment as evidenced by accompanying plans which I have initialed and I offer no objection to the encroachment.

6-12-86
 Date

A. H. Anderson
 Name
8717 West L Lancaster CA
 Address 93536

Application approved by _____ Date _____

Permit issued by _____ Date _____



FRED FINNEY - BOAT REPAIR WKS.

MOORING, PILE DETAIL

ip STAVES / PLANNING ASSOCIATES, INC.
2110 IRONWOOD PARKWAY
COEUR D'ALENE, IDAHO 83814

James B. Anderson
6-12-86



To Bob
 Date 7-19 Time 1:57

WHILE YOU WERE OUT

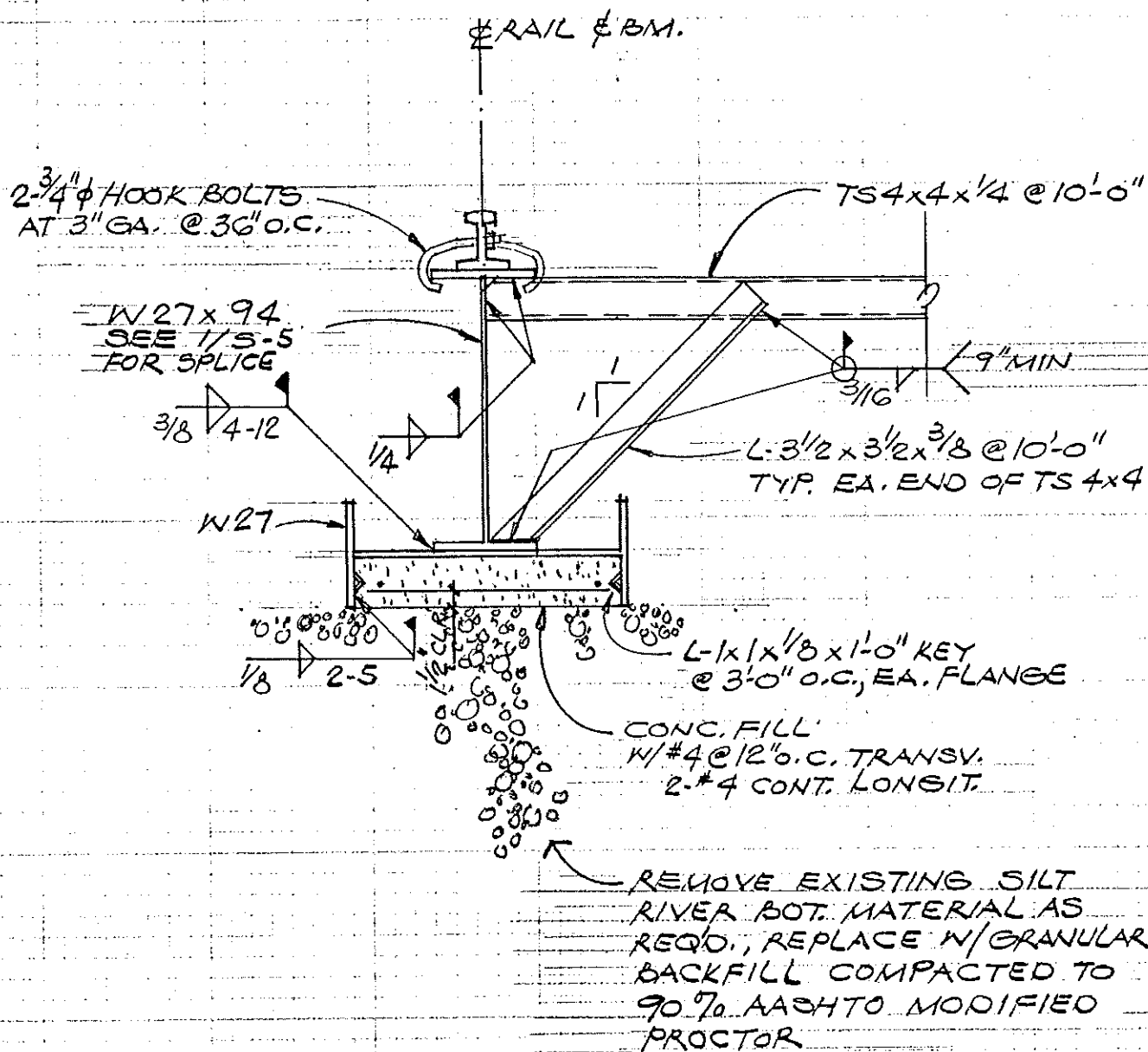
Cherie Finner

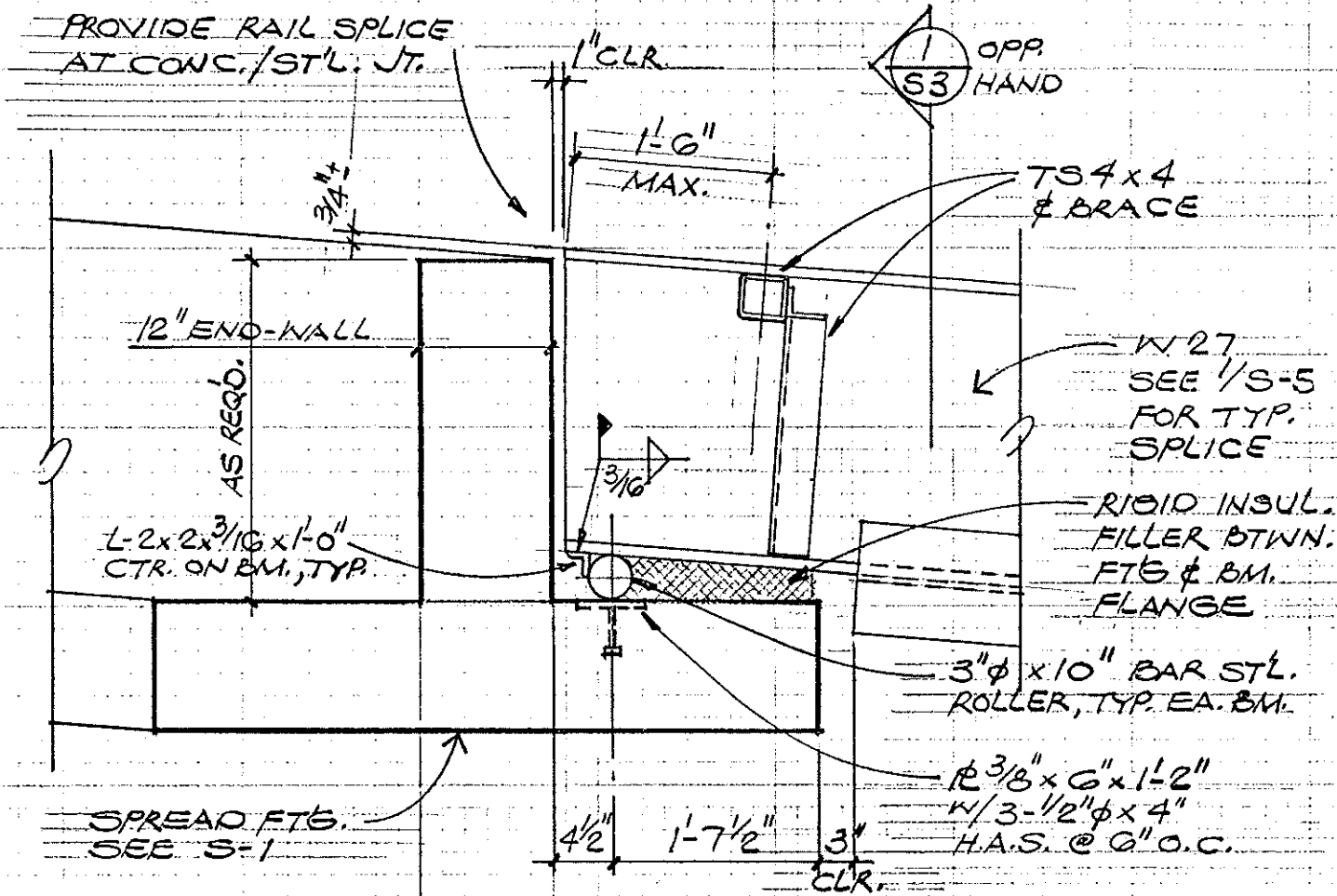
of _____
 Phone 667-5096

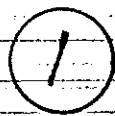
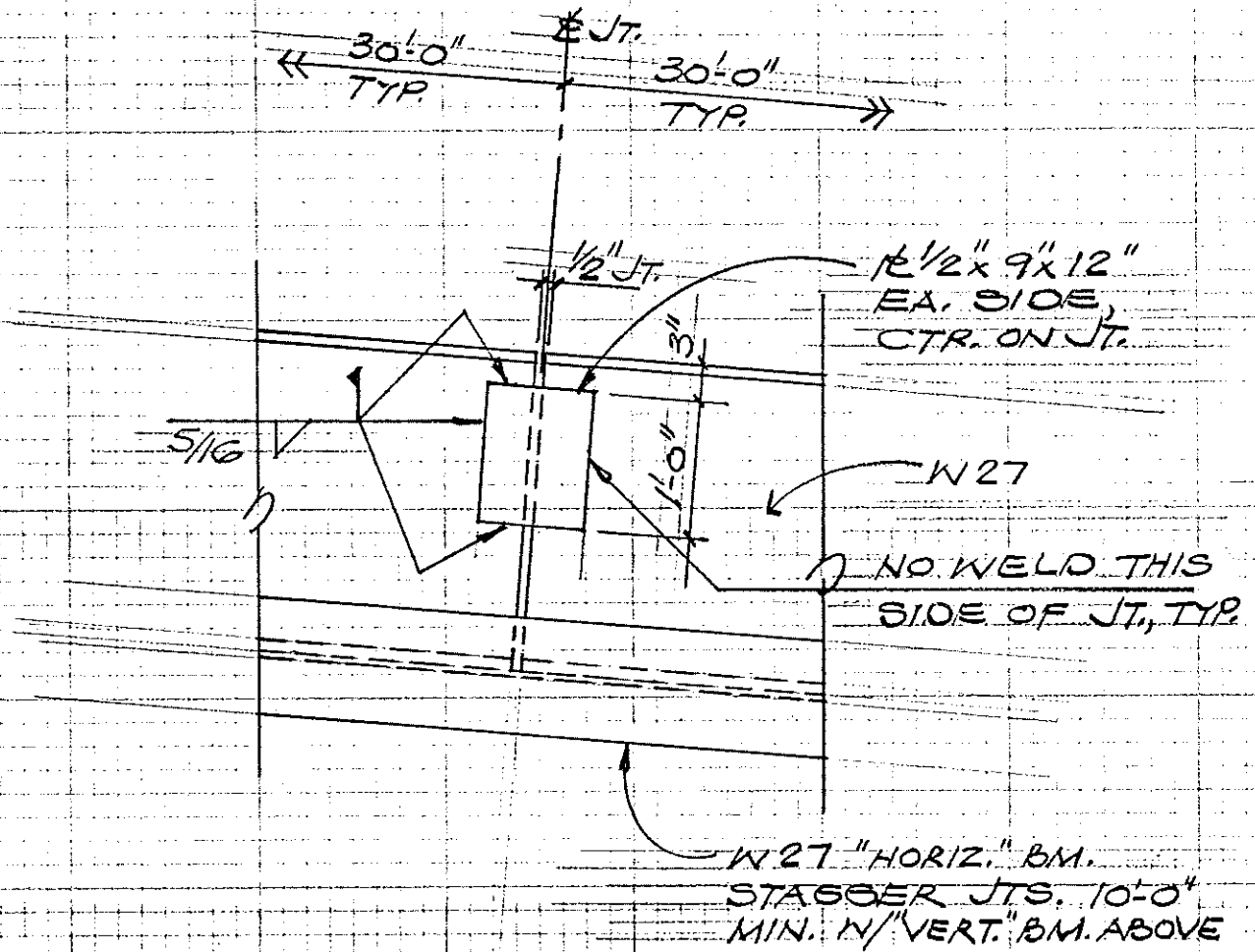
Telephoned	☒	Please call	☒
Called to see you	☐	Will call again	☐
Wants to see you	☐	Returned your call	☐

Message Can she have an
extension or should
they just sign scratch.
It's on Lyndne R. Mc
will expire Aug. 26, 1989.

Operator







3/4" = 1'-0"



ATWOOD • HINZMAN
CONSULTING ENGINEERS

PROJECT 873002
FINNEY DRY DOCK
E. 6886 OHIO MATCH RD.
POST FALLS • IDAHO

DATE 1-22-87
BY JB
IDV 4/1/87 Page 12

SHEET NO.

5/5 S-5



STATE OF IDAHO

DEPARTMENT OF LANDS

P.O. BOX 670, COEUR d'ALENE, IDAHO 83814

STANLEY F. HAMILTON
DIRECTOR

September 10, 1986

STATE BOARD OF LAND COMMISSIONERS

JOHN V. EVANS
GOVERNOR AND PRESIDENT
PETE T. CENARRUSA
SECRETARY OF STATE
JIM JONES
ATTORNEY GENERAL
JOE R. WILLIAMS
STATE AUDITOR
JERRY L. EVANS
SUP'T OF PUBLIC INSTRUCTION

J. P. Stravens Planning Assoc., Inc.
2110 Ironwood Parkway
Coeur d'Alene, ID 83814

Dear Mr. Stravens:

Please find enclosed a copy of the Fred Finney encroachment permit in regard to our telephone conversation of today's date.

Sincerely,

A handwritten signature in cursive script that reads "Merna Cherry".

MERNA CHERRY
Secretary

MC

COPY

PC Lance



Region 1
2320 Government Way
Coeur d'Alene, Idaho 83814
Telephone: (208) 765-3111

July 28, 1986

Mr. Lance E. Nielsen, Chief
Bureau of Navigable Waters
Idaho Department of Lands
Statehouse
Boise, ID 83720

Dear Mr. Nielsen:

REFERENCE: L-95-S-3071 FRED FINNEY (SPOKANE RIVER)

We have reviewed the above application and have the following comments.

The applicant is apparently in the business of boat repair, and in this case, a private boat launch may be appropriate. A major concern would be the potential for channel constriction at the site. We are unable to determine this, however, since no vicinity map was included. We request that construction materials be wood (untreated cedar) wherever possible, and piling density be minimized.

This appears to be a major development along the river and, again, that should be evaluated with respect to channel width in this area.

Thank you for the opportunity to comment.

Sincerely,

Jack McNeel

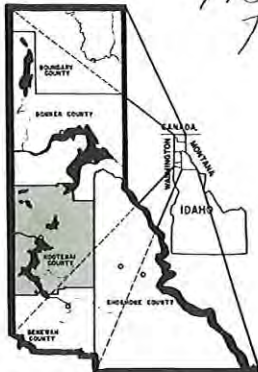
for

Kris Moser
Regional Supervisor

KM:LDB:amh

CC: Bureau of Fisheries
Bureau of Program Coordination

EQUAL OPPORTUNITY EMPLOYER



P.C. - Bob
7-16-86

DEPT. OF LANDS

PANHANDLE HEALTH DISTRICT I

16 JUL 1986 9:24
BOISE, IDAHO

Environmental Health
Vital Statistics
Home Health
Health Education
Family Planning
Well Child Conference
WIC Clinics
Immunizations

2195 Ironwood Court
Coeur d'Alene, Idaho 83814

Phone (208) 667-3481

July 11, 1986

Mr. Lance E. Nielsen, Chief
Bureau of Navigable Waters
Department of Lands
Statehouse Mail
Boise, ID 83720

Dear Mr. Nielsen:

SUBJECT: Fred Finney; L-95-S-3071

Mr. Finney's proposed boat service is located over a Sole Source Aquifer and therefore subject to the Rathdrum Aquifer regulations. He may have either a residence or a commercial business on his property, but not both. He intends to live on the parcel so the boat service must be considered a family-run business, and will not be allowed any plumbing in it.

If you have any questions, please feel free to contact me at 667-3481

Sincerely,

PANHANDLE HEALTH DISTRICT I

A. B. Fuller
Environmental Health Specialist

ABF/cjc



STATE OF IDAHO

DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

STANLEY F. HAMILTON
DIRECTOR

STATE BOARD OF LAND COMMISSIONERS

JOHN V. EVANS
GOVERNOR AND PRESIDENT
PETE T. CENARRUSA
SECRETARY OF STATE
JIM JONES
ATTORNEY GENERAL
JOE R. WILLIAMS
STATE AUDITOR
JERRY L. EVANS
SUP'T OF PUBLIC INSTRUCTION

June 30, 1986

TO: Reviewing Agencies
FROM: Department of Lands
SUBJECT: Fred Finney
 L-95-S-3071

Enclosed is an application and plat submitted by Mr. Finney to install a dock, walkway, pier, piling, boatweigh for a commercial boat service and repair facility in Section 8, Township 50 North, Range 4 West, B.M., in Kootenai County.

The Department of Lands solicits written comments from other agencies prior to reviewing the application for a permit. We would appreciate it if all comments be sent to this office no later than July 30, 1986. If you have questions concerning the application, we suggest you contact the applicant.

If you do not submit comments by July 30, we will assume you have no objections to the application.

Very truly yours,

LANCE E. NIELSEN, Chief
Bureau of Navigable Waters

LEN:bv
Encls.

cc: Department of Fish and Game
 Department of H & W - Environmental Services
 Kootenai County Engineering
 Panhandle Health District 1
 Kootenai County Marine Division
 Kootenai Environmental Alliance
 Navigable Waters-CdA ✓



STATE OF IDAHO

DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

STANLEY F. HAMILTON
DIRECTOR

STATE BOARD OF LAND COMMISSIONERS

JOHN V. EVANS
GOVERNOR AND PRESIDENT
PETE T. CENARRUSA
SECRETARY OF STATE
JIM JONES
ATTORNEY GENERAL
JOE R. WILLIAMS
STATE AUDITOR
JERRY L. EVANS
SUP'T OF PUBLIC INSTRUCTION

June 30, 1986

The Coeur d'Alene Press
Second and Lakeside
Coeur d'Alene, ID 83814

Gentlemen:

Enclosed is a notice of application. Please publish this as a legal advertisement for two consecutive weeks on July 10 and 17, 1986.

Please provide a tear sheet for the July 10th publication, an affidavit of publication and statement of cost upon completion. Thank you.

Very truly yours,

LANCE E. NIELSEN, Chief
Bureau of Navigable Waters

LEN:bv
Encl.

cc: Navigable Waters-CdA

STATE OF IDAHO RECEIPT

STATE BOARD OF
LAND COMMISSIONERS

STATEHOUSE
BOISE, IDAHO 83720

FROM *J.P. Stravens Planning Assoc* OF *CD's, Id* *June 25 1986*
for Fred Finney 2110 Ironwood Parkway ZIP *83814*

SOURCE OF PAYMENT	INSTRUMENT NUMBER	ROYALTIES	PRINCIPAL	INTEREST	TOTAL	FUND AND EXPLANATION
AG. LEASE						
GRAZ. LEASE						
MIN. LEASE						
O. & G. LEASE						
G. THERM. LEASE						
CABIN SITE LEASE						
MISC. LEASE						
TEMP. PERMIT						
EASEMENT						
LAND SALE						
TIMBER SALE						
TRESPASS						
SCALING						SCALING TRUST FUND
FEES & APPL.						GENERAL FUND
SUSPENSE	✓				50.00	LEASE ☐ PURCHASE ☐
					50.00	SUSPENSE
TOTAL						CHECK ☒ M.O. ☐ CASH ☐
EXPLANATION	<i>Encroachment App - L-95-S-3071</i>					

GORDON C. TROMBLEY
DIRECTOR

BY *fg*

NO.
25305

NOTICE OF APPLICATION

~~PURSUANT to Section 58-142, et seq., Idaho Code (The Lake Protection Act)~~ and Rules of the State Board of Land Commissioners, notice is hereby given that Fred Finney of W. 600 Hubbard, Coeur d'Alene, ID 83814 has made application to construct or install a 10'x50' dock, 4'x10' walkway, 8'x40' pier, piling, 20'x30' cement slab to anchor a 26'x120' boatweigh (marine launching rails), Spokane River adjacent to the easterly 100' of Tax No. 4232, Section 8, Township 50 North, Range 4 West, B.M., in Kootenai County. The facilities are for a commercial boat service and repair facility.

Written objections to or requests for hearing in this matter must be on file with the Director, Department of Lands, Statehouse, Boise, ID 83720 within thirty (30) days after the first appearance of this notice. Specific information regarding this application may be obtained from Lance E. Nielsen, Chief, Bureau of Navigable Waters, Statehouse, Boise, ID 83720.

STANLEY F. HAMILTON
Statehouse

Speed Letter

TO:

Bonnie V.
Boise

FROM:

Bob Schneider
CID #1

Subject

Fri. Ferry Comm. App.

MESSAGE

Bonnie,

Please advertise in the Coeur d'Alene Press

Thank

Date

6/23/86

Signed

Bob

REPLY

Date

Signed

NOTICE OF APPLICATION

Pursuant to Section 58-142 et seq., Idaho Code (The Lake Protection Act) and Rules of the State Board of Land Commissioners, notice is hereby given that

Fred Finney
of W.600 Hubbard, Coeur d'Alene, ID 83814

has made application to construct or install a 10'x50' dock, 4'x10' walkway, 8'x40' pier, 20'x30' cement slab to anchor a 26'x120' boatweigh (marine launching sled) in the Spokane river

adjacent to the easterly 100' of Tax no. 4232, Section 8,

Township 50 North, Range 4 East B.M., in Kootenai

County. The facilities are for a commercial boat service and repair facility.

Written objections to or requests for hearing in this matter must be on file with the Director, Department of Lands, Statehouse, Boise, Idaho 83720 within thirty (30) days after the first appearance of this notice. Specific information regarding this application may be obtained from Lance E. Nielsen, Chief, Bureau of Navigable Waters, Statehouse, Boise P.O. Box 670, Coeur d'Alene, Idaho 83814.

KC. Nansen
E6990 Ohio Match Ave
CDA 83814

STANLEY F. HAMILTON
Director
Idaho Department of Lands

cc: Bureau of Navigable Waters, Boise

Idaho Department of Fish and Game ☒
2320 Government Way
Coeur d'Alene, ID 83814

Panhandle Health District 1 ☒
Attn: Tony Davis
2195 Ironwood Court
Coeur d'Alene, ID 83814

Idaho Department of Health and Welfare ☒
Division of Environment
2110 Ironwood Parkway
Coeur d'Alene, ID 83814

Kootenai County Marine Division ☒
Attn: Sgt. Gary Anderson
501 Government Way
Coeur d'Alene, ID 83814

Kootenai County Engineering and Technican Services Division ☒
Attn: Colin Coles
501 Government Way
Coeur d'Alene, ID 83814

Kootenai Environmental Alliance ☒
P.O. Box 1515
Coeur d'Alene, ID 83814

NE 1/4 Sec 8 Twp 50 N R 4 W B.M.

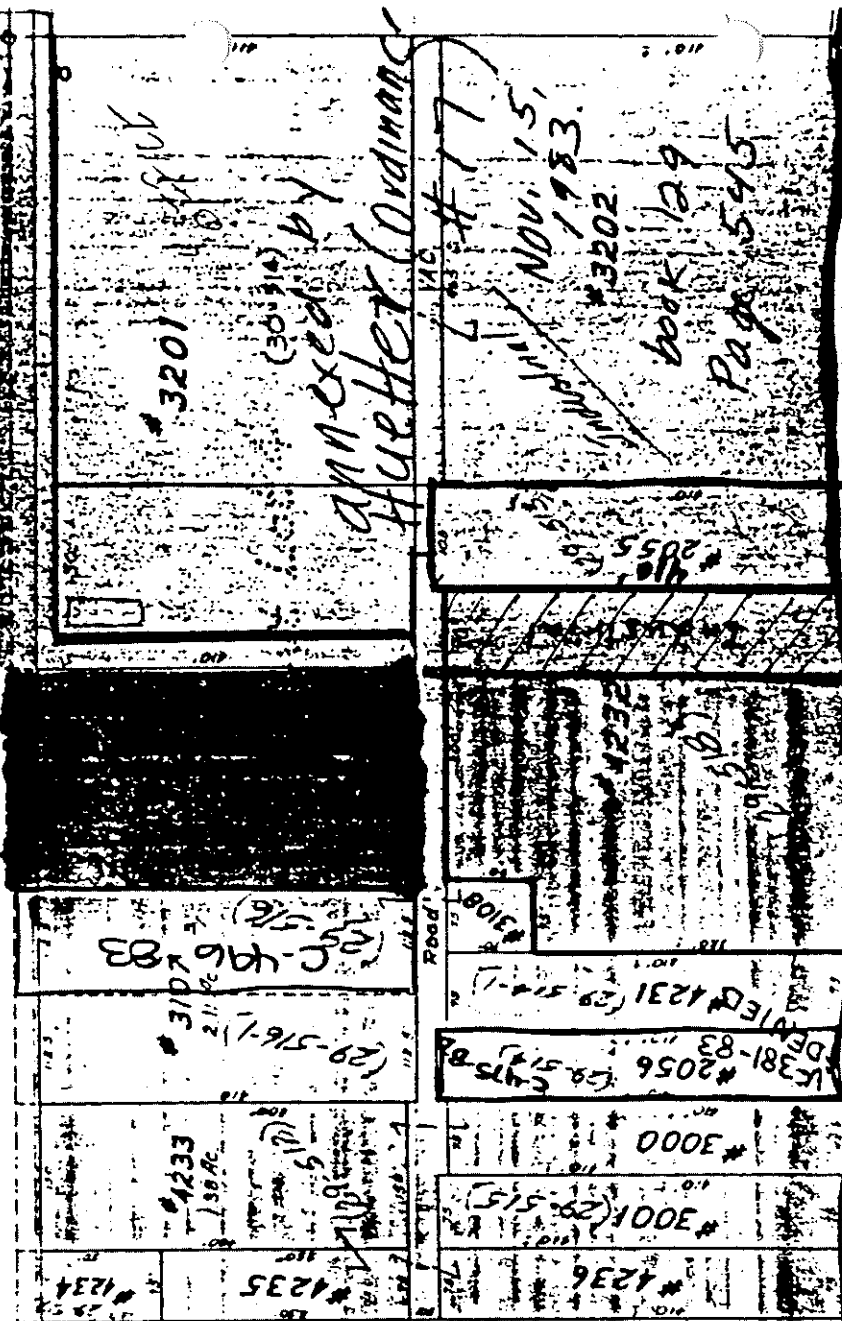
4200

Road

3

33.45

(54-317)



3201

annexed by
Huetter Ordinance

NOV. 15,
1983

book 129
Page 545

Frank Fawcett
Pat halseth

IND

Proposed
SITE

A.H. Anderson



June 2, 1986

Lance Nielson
State of Idaho
Department of Lands
P.O. Box 670
Coeur d'Alene, Idaho 83814

Dear Lance,

Enclosed is the Encroachment Application for Fred Finney with the additional information you requested.

Included in the Application are the following items:

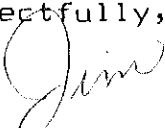
- 1) Permit Application
- 2) Letter of Authorization
- 3) Vicinity Map
- 4) Legal Description and Assessors Map (Exhibit A)
- 5) Narrative and Letter of Intent
- 6) Plan and Mooring Pile Detail

You will also note a check in the amount of \$50.00 for the Application Fee.

If you have any questions, please contact me at 664-0409, and we will answer your questions or prepare additional information.

Your expeditious consideration of this matter will be greatly appreciated.

Respectfully,


J. P. Stravens, AICP
President

29-46

APPLICATION COMPLETENESS SUMMARY

The information listed below must be supplied in order to process your application for an encroachment over navigable waters in the state of Idaho. Those numbers which are checked below have been obmitted from your application or require revision.

Please supply the information referenced.

Application

- ✓ 1. Name of Applicant (1)* *Fred Farny or CDA weigh Service* ☒
2. Post Office Address (1)* ☐
3. Telephone Number (1)* ☐
4. Name of Lake or Stream (2)* ☐
5. Name and Address of Contractor (3)* ☐
6. Proposed Starting Date (4) ☐
7. Property Description (5)* ☐
- ✓ 8. Length of Encroachment Waterward of the Ordinary High Water Mark (7)* *specify dimension of steel rails on map* ☒
9. Width of Encroachment at Ordinary High Water Mark (8)* ☐
10. Width of Encroachment at Maximum Length (8)* ☐
- ✓ 11. Water Depth at Maximum Length (9)* *show depth on the profile* ☒
12. Signature of Applicant and Date (10)* ☐
- ✓ 13. Statement of Adjacent Property Owners (11)* *(A.H. Anderson)* ☒

Drawing

1. Shoreline Location ☐
2. Applicant's Property Line ☐
- ✓ 3. Adjacent Owners sign and date drawing if encroachment lies within ~~10~~ *25* feet of their property line. ☒
4. High water line ☐
- ✓ 5. Low water line ☒
6. Ramp location and dimensions ☐
7. Piling location ☐

*Corresponding number on application

8. Dock location and dimensions

☐

9. Distance from dock to adjacent property lines

☐

Profile Drawing

1. Lakebed profile

☐

2. High water mark location

☐

✓ 3. Low water mark location

☒

✓ 4. Distance from high water mark to maximum length of the dock

☒

✓ 5. Water depth at maximum length of dock

☒

Encroachment Standards

1. Dock exceeds ten (10) feet in width (see location on drawing).

☐

2. Total deck area waterward of the ordinary high water mark exceeds 700 square feet.

☐

3. Dock does not protrude at a right angle from the general shoreline.

☐

4. Dock length exceeds 100-foot maximum length.

☐

5. Approach ramp exceeds six (6) feet in width.

☐

6. One mooring buoy per upland property owner.

☐

7. Styrofoam must be enclosed in rodent-proof containers.

☐

KOOSTENING Co.
P.C. APPROVED 6-11-86

Identification No. 4-95-5-3071
Area Spokane River

STATE OF IDAHO
DEPARTMENT OF LANDS

APPLICATION FOR A PERMIT TO MAKE AN ENCROACHMENT
ON A NAVIGABLE LAKE OR RESERVOIR

Pursuant to Adopted Rules
And Applicable Statutes
(TYPE OR PRINT IN INK)

Fred Finney
W. 600 Hubbard, Coeur d'Alene, ID 83814
667-5096

Name: Spokane River
Contractor: Same as # One

Place of construction and installation: Immediate
The easterly 100' of Tax # 4232
ched
lot 4
6 or lot No.) of Section 8, Township 50N, Range 4W, B.M.
Proposed: (Please check and attach a descriptive drawing.)

✓ Dock Bulkhead
 Boathouse Fill
Other (Please specify) Boathouse

Waterward from the ordinary highwater mark: 150'
at ordinary highwater mark: 38', at maximum length: 150'
Maximum length: 10'

Applicant: Fred Finney Date: 2-1-86

PROPERTY OWNERS

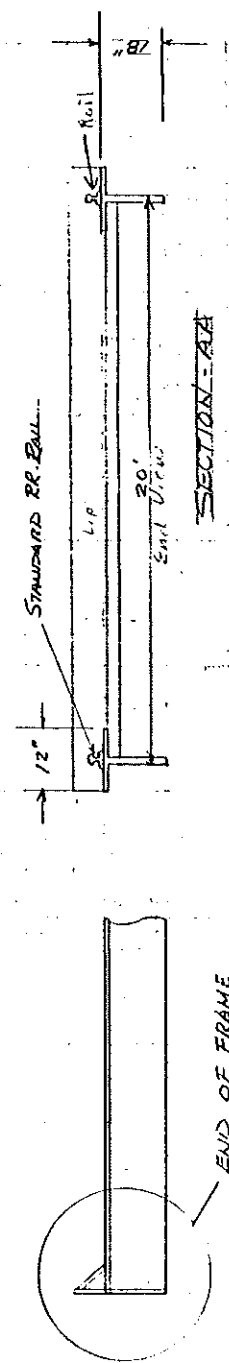
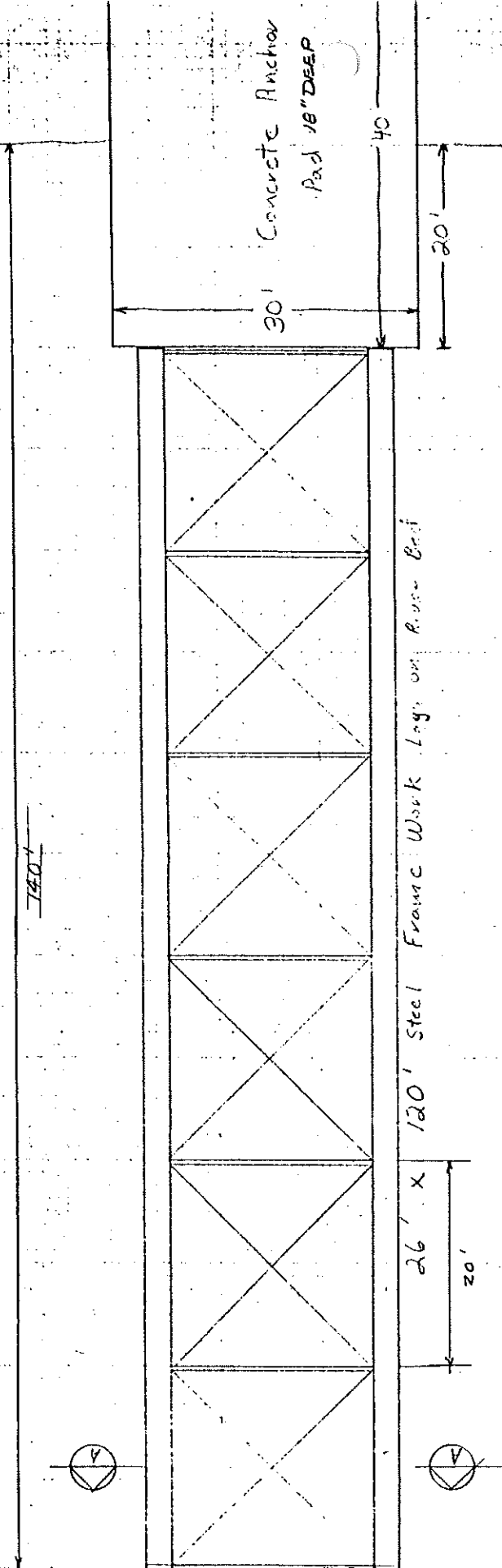
 am the owner of riparian or littoral property adjacent
to in this application. I am familiar with the scope and location of
the encroachment as evidenced by accompanying plans which I have initialed and I

Name James H. Anderson
Address 8717 West 8th Avenue, CH
93536

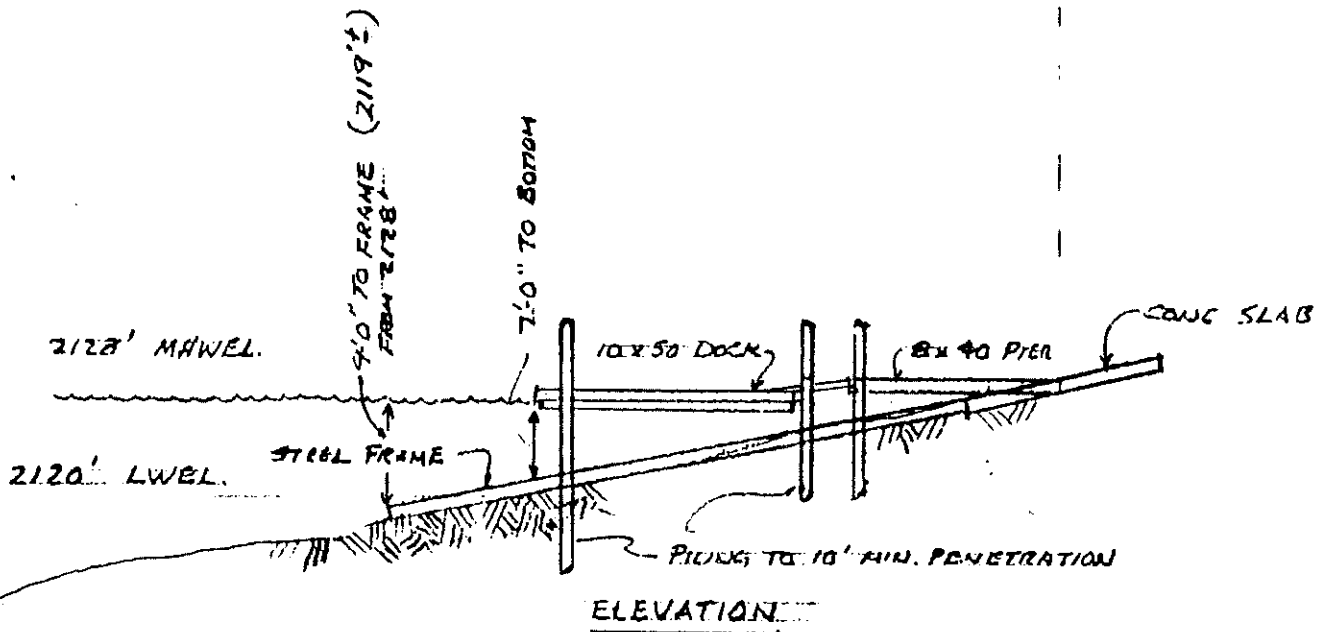
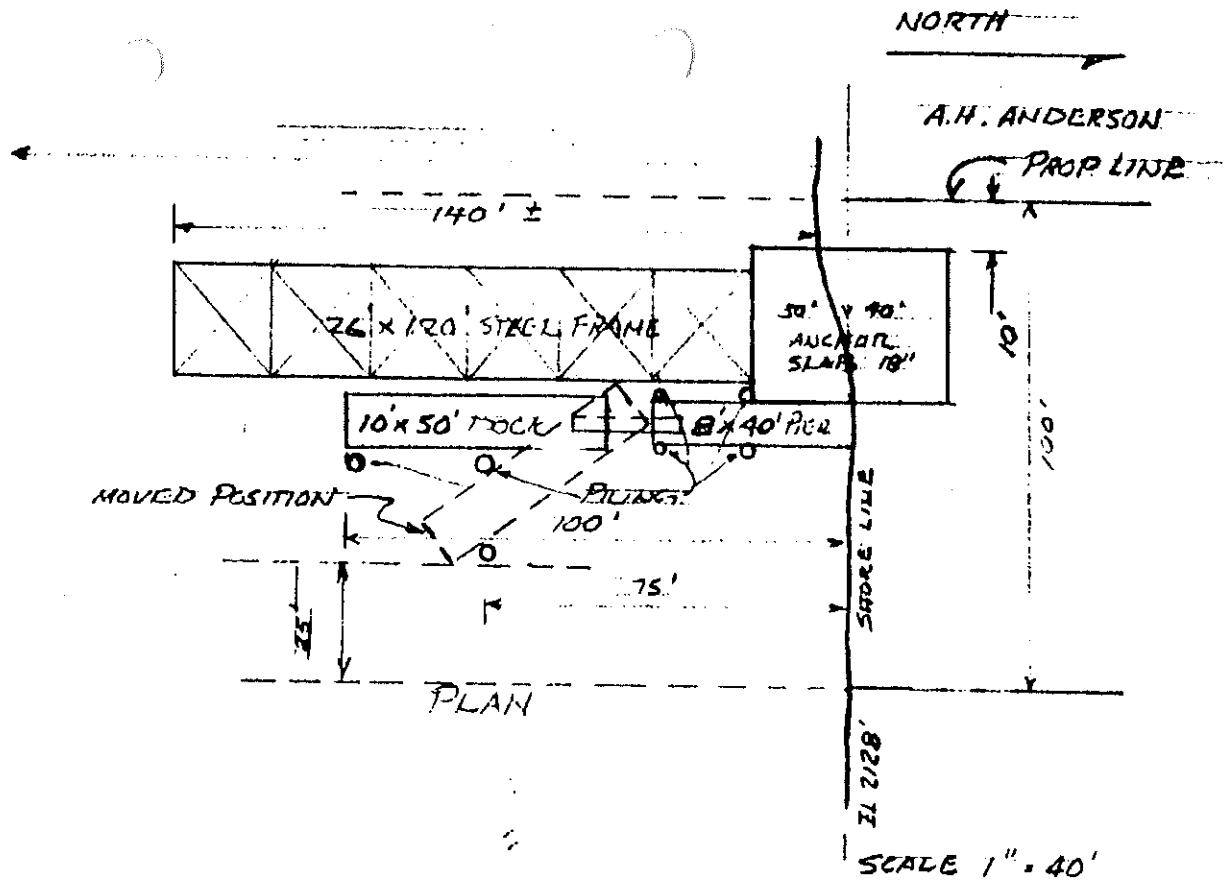
 am the owner of riparian or littoral property adjacent
to in this application. I am familiar with the scope and location of
the encroachment as evidenced by accompanying plans which I have initialed and I

Name E. L. Finney
Address 8717 West 8th Avenue, CH
93536

By Date
Date



FRED FINNEY - BOAT REPAIR WKS.

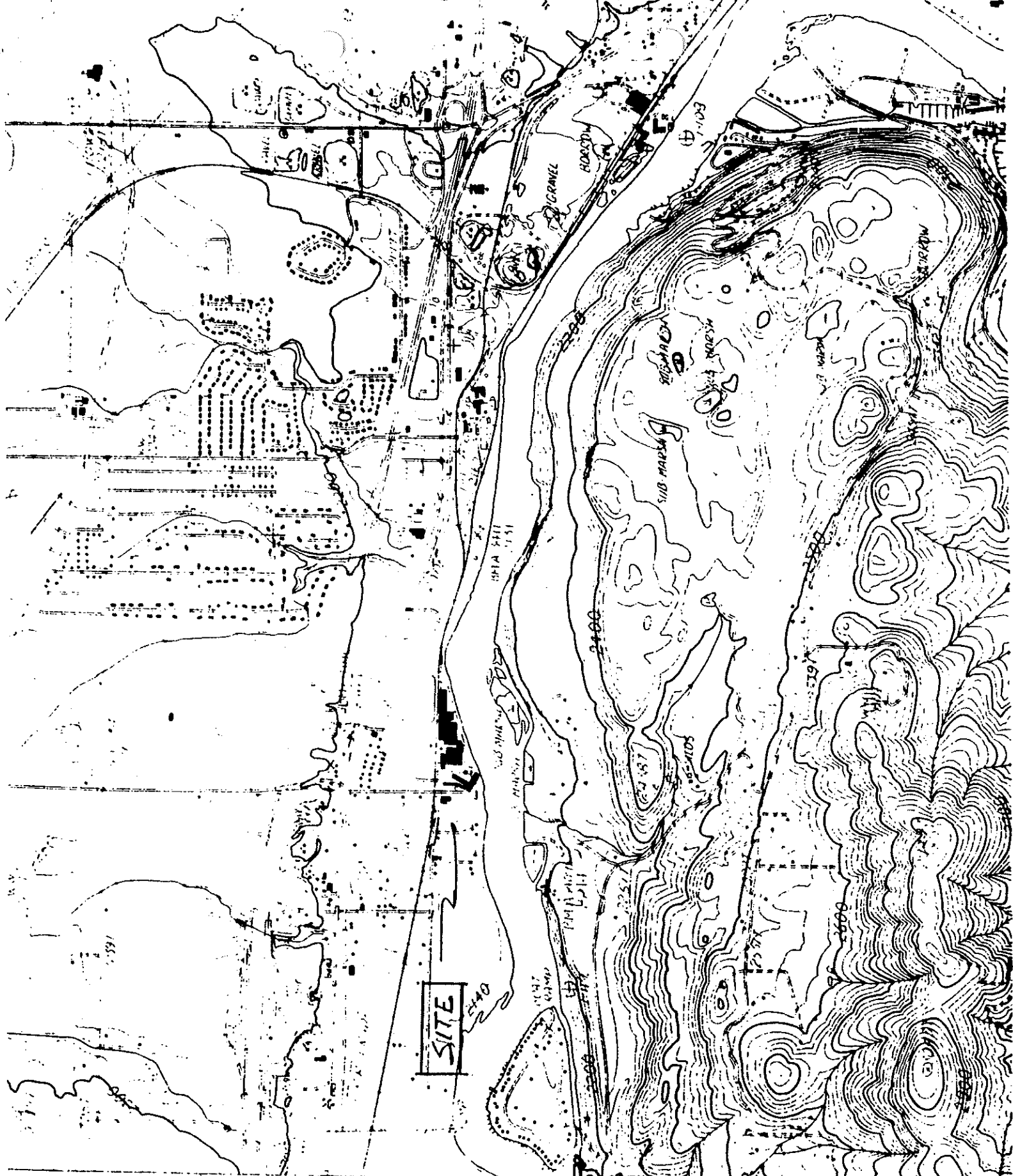


FRED FINNEY - BOAT REPAIR WKS.

MOORING PILE DETAIL

ip **STEVENS** / PLANNING ASSOCIATES, INC.
2110 IRONWOOD PARKWAY
COEUR D'ALENE, IDAHO 83814

Jan. B. Anderson
16-12-86



BRIDGES & PLANNING ASSOCIATES, INC.
2110 IRONWOOD PARKWAY
COEUR D'ALENE, IDAHO 83814

FRED FINNEY

Fred Finney Application

CONSTRUCTION NARRATIVE

- a. Method of excavation and trench depth.
N/A
- b. Machinery to be used.
N/A
- c. Location of spoils disposal.
N/A
- d. Method of controlling turbidity.
Turbidity should be minimal.
- e. Timetable and duration of project.
The project is expected to begin as soon as permits are complete. Scheduled date, June 15, 1986. Completion will be within 30 days of that date.
- f. Maximum water level at time of excavation.
N/A
- g. Volume of material to be removed.
N/A
- h. Volume and type of material to be placed in the waterway.
N/A
- i. Access to the building site.
Huetter Road
- j. Method of bedding and/or anchoring the pipe.
N/A
- k. Will temporary encroachments be built during construction.
N/A
- l. Will temporary fills be made in the waterway.
N/A
- m. Backfill material for bulkheads will be placed:
N/A

(Continued)

Fred Finney Application (Continued)

... A 26' wide x 120' long steel frame will be constructed on the site and lowered into position on the river bottom. (Shown on drawing.) The frame will be attached to a 30' x 40' concrete anchor pad approximately 18" deep. The frame location will require no excavation or dredging and will set directly on the bottom. The concrete pad will be located 10' from the west property line.

... The dock and pier will be held in place by a total of seven (7) pilings. The furthest piling will be located at approximately 90' from the shore line. All pilings will be located within the 25' setback line. (Described as a line extended perpendicular to the shore 25' from the east property line.)

... The 50' x 10' dock will be constructed to swing away from a perpendicular position to minimize encroachment. In place along the steel frame the dock will extend approximately 100' from the shore. (Including pier and walk ramp.) In an angled position (winter months when not in use) the dock can be located at a 45 degree (approximate) angle to the shore and reduce encroachment by approximately 25%. It is necessary to have the dock in a perpendicular position when servicing large boats.

... The property was purchased from A. H. Anderson with the stipulation that this Permit be issued.

April 18, 1986

J. P. Stravens/Planning Associates, Inc.
2110 Ironwood Parkway
Coeur d'Alene, Idaho 83814

Dear Jim,

This letter will authorize JP Stravens/Planning Associates, Inc. to proceed with a Planned Unit Development and a Navigation Encroachment Permit on property I own in Section 8, Township 50 N., Range 4, W.B.M., Kootenai County, Idaho.

Sincerely,

A handwritten signature in cursive script that reads "Fred Finney".

Fred Finney

RE: Letter of Intent

The owner of the above-described industrial property intends to develop a boat service and repair facility.

The property is zoned in an Industrial Classification as identified in the Kootenai County Zoning Ordinance.

The request is for a Planned Unit Development to allow greater flexibility in the design and of the facility and to allow greater flexibility in structure setback requirements, fencing, and a combination of uses. The parcel of land measures 100' x 410', and has access to Huetter road via a privately maintained public right of way.

The waste water system is existing and the water will be provided from a private system.

The facility will employ four (4) full time persons and most of the repair work will take place within the structures.

The facility is much needed on Coeur d'Alene Lake to clean and repair large vessels and excursion boats.

EXHIBIT "A"

The East 100 feet of the following described parcel:

Part of Lot 4, Section 8, Township 50 North, Range 4 W.B.M.,
Kootenai County, State of Idaho, described as follows:

Beginning at a point 876.5 feet West and 440 feet South of the
Northeast corner of Section 8; thence

South 90 feet; thence

West 75 feet; thence

South 278 feet more or less to the North meander line of the
Spokane River; thence

Easterly along the North meander line of the Spokane River to a
point directly South of a point 300 feet East from the place of
beginning; thence

North 390 feet more or less to a point 300 feet East of the place
of beginning; thence

West 300 feet to the PLACE OF BEGINNING.

**MICA SUPERVISORY
AREA**

3258 West Industrial Loop
Coeur d'Alene ID 83815
Phone (208) 769-1577
Fax (208) 769-1597



TOM SCHULTZ, DIRECTOR
EQUAL OPPORTUNITY EMPLOYER

STATE BOARD OF LAND COMMISSIONERS

C. L. "Butch" Otter, Governor
Lawrence E. Denney, Secretary of State
Lawrence G. Wasden, Attorney General
Brandon D. Woolf, State Controller
Sherri Ybarra, Sup't of Public Instruction

February 4, 2016

Tom Mort
PO Box 909
Post Falls, ID 83877

Dear Mr. Mort:

Re: Encroachment Permit L-95-S-5648

Enclosed is your single-family dock Encroachment Permit in accordance with the application you submitted to our office. Please read the entire permit and comply with all special terms and conditions.

WHAT NEXT?

1. Take this Encroachment Permit to the Kootenai County Recorder's Office (451 N Government Way) to **validate** it. Please note that the original notarized copy mailed to you must be presented to the Recorders Office, a copy will not be accepted. Please submit a copy of your recorded Encroachment Permit to our office within 30 days of receiving it. **This permit is not valid until you provide the Idaho Department of Lands with proof of recordation from your county recorder's office.**
2. When you have completed construction on your single-family dock, please fill in the **'Work Completion Report'** form and return to our office.
3. **The encroachment permit number (5648) must be displayed** upon the most waterward area of your single-family dock with metal, plastic (vinyl) or wooden numerals at least three inches in size.
4. The **'Request For Assignment of Encroachment Permit'** form is used if/when you sell your property. You sign in the appropriate location and give it to the new owner; they complete the form and return it to our office.

Thank you for your cooperation.

Mike Ahmer
Lands Resource Specialist, Lands & Waterways

Enclosures

cc: Kootenai County Assessor's Office
Andrew Smyth / Program Manager

WORK COMPLETION REPORT

Name: Tom Mort

Permit #: L-95-S-5648

This work to be completed by:

February 4, 2019

Permit issue date:

February 4, 2016

Recordation Instrument Number: _____

Date work completed: _____

Is permitted property accessible by vehicle?

YES NO

Photograph of the last four numbers of the encroachment permit placed on the dock is required with the Work Completion Report.

What is the local marine numbering system number if any? _____

Signature: _____

Tom Mort

Upon completion of work, please return this report to:

**Idaho Department of Lands
Mica Supervisory Area-JIM BRADY
3258 W. Industrial Loop
Coeur d'Alene, ID 83815**

**MICA SUPERVISORY
AREA**

3258 West Industrial Loop
Coeur d'Alene ID 83815
Phone (208) 769-1577
Fax (208) 769-1597



TOM SCHULTZ, DIRECTOR
EQUAL OPPORTUNITY EMPLOYER

STATE BOARD OF LAND COMMISSIONERS

C. L. "Butch" Otter, Governor
Lawrence E. Denney, Secretary of State
Lawrence G. Wasden, Attorney General
Brandon D. Woolf, State Controller
Sherri Ybarra, Sup't of Public Instruction

ENCROACHMENT PERMIT NUMBER L-95-S-5648

Permission is hereby granted to Tom Mort of PO Box 909, Post Falls, ID 83877 to install and maintain 3'x46' pier, 3'x23' ramp, 5.5'x18' approach and 33.5'x22' single slip floating dock with 4 piling. Located: Spokane River, Tax 24252, AIN 332736, Parcel 50N04W-08-0450; Govt. Lot 4, Section 08, Township 50 North, Range 04 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 nor 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 property at all reasonable times to inspect the encroachment authorized by this permit.
5. The Permittee shall indemnify, defend and save harmless, the state, its officers, agents and employees from and against any liability, claims, damages, losses, debts, obligations, judgments, expenses or actions, including reasonable attorneys' fees from action related to this permit. If it becomes necessary for the State to defend any action seeking to impose any such liability, Permittee agrees to pay the State all costs of court and attorneys' fees incurred by the State in effecting such defense in addition to all other sums that the State may be called upon to pay by reason of the entry of a judgment against it in the litigation in which such is asserted.
6. ***Idaho Code §58-1306(e)*** requires recordation of this permit in the records of respective county assessor's office as a condition of this permit.

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 4th day of February, 2019 (three years from the date of issuance), this permit shall automatically expire unless it was previously revoked or otherwise extended.
9. **This permit does not relieve the Permittee from obtaining additional local or federal permits as required. In addition, nothing in permit shall excuse a person from obtaining any additional approvals lawfully required by federal, local or other state agencies.**
9. The Permittee or operator shall have a copy of this permit available on site for inspection at all times during construction.
10. Construction barges and other equipment or watercraft shall not be grounded on the lakebed for stability.
11. No demolition debris shall be allowed to fall to the lakebed or be dragged to shore. Demolition debris shall be disposed of at an approved upland location.
12. Piles shall be driven with noise reduction devices.
13. Permittee is responsible for all work done by any contractor. Permittee shall provide contractor with a copy of this permit. Permittee shall ensure any contractor who performs the work is informed of and follows all the terms and conditions of this permit.
14. No equipment, boats, barges or associated machinery shall create petroleum product sheen on the water due to petroleum products handling, use or storage. The operators shall have petroleum absorbent pads on hand and also have the Emergency Response Team phone number, 1-800-632-8000, on hand should there be a release of any kind.
15. 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.
16. In the event a used boat lift is installed, it shall be inspected for invasive species and determined to be free from such species prior to installation. **Permittee shall provide proof of inspection to this office prior to any work waterward of the high water mark.**
17. Permanent slipcovers will not be permitted. For single-family encroachments a fabric canopy (**canopy top only, no sides are authorized by this permit**) of a color which blends with the surrounding uplands is acceptable. These colors shall be shades of browns or greens. However, bright carnival blue color is reserved for use by commercial marinas.
18. This permit supersedes and voids any permit previously issued for this property.
19. Removal and proper disposal of any preexisting or abandoned facilities is a condition of this permit.

20. Location of this dock must be placed as specified in the site plan.
21. An IDL encroachment permit must be obtained before construction begins.
22. All construction material including maintenance material must be stockpiled landward of the ordinary high water mark.
23. Construction materials shall be natural or pressure treated utilizing only those preservative chemicals registered for the specific uses by the U.S. Environmental Protection Agency (EPA). All treated wood materials shall be produced in compliance with "Best Management Practices (BMPs) For the Use of Treated Wood in Aquatic Environments" issued by the Western Wood Preservers Institute (WWPI), July 1996. Treated materials not in contact with the water shall be completely dry before use near navigable waters. **Contact Idaho Department of Environmental Quality at (208)769-1422** for information on acceptable treatment methods and materials.
24. Operation of excavation equipment will be held to a minimum below the ordinary high water mark. Equipment may be operated only on dry land above the present level of the lake. Construction machinery may not be operated in the water.
25. 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.
26. The disturbed portion of the lakebed shall be shaped to its original contour upon completion of the project.
27. Any disturbed riparian vegetation by construction activity shall be replanted with native plants.
28. 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.
29. A silt curtain, fence, or other Best Management Practice (BMP) shall be installed waterward of the project site. It will remain in place and functional until the turbidity level inside the curtain or fence equals the turbidity outside the curtain or fence.
30. An adequate supply of petroleum-absorbing products shall be on site in the event of a spill.
31. All wood and/or plastic chips and other construction waste shall be removed from the lake upon completion of project.
32. If any excavation or pile driving occurs the operator must comply with the provisions of the Underground Facilities Damage Prevention Law (title 55, chapters 2201-2210, Idaho Code). The one-call locator service number is 811.
33. Kootenai County has advised the Department that any alteration within the 25-foot shoreline protection buffer may need to comply with the Site Disturbance Ordinance of Kootenai County. It is the permittees's responsibility to contact Kootenai County Community Development and comply with their requirements.

February 4, 2016

Page four

UPON TRANSFER OF THIS REAL PROPERTY, YOU ARE REQUIRED TO NOTIFY THIS OFFICE OF THE SUBSEQUENT NAME CHANGE (SEE ENCLOSURE).

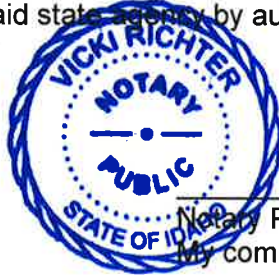
FOR THE DIRECTOR

By:

Mike Ahmer 2-4-16
Mike Ahmer,
Lands Resource Specialist, Lands & Waterways

STATE OF IDAHO)
) ss
COUNTY OF KOOTENAI)

On February 4, 2016, personally appeared before me Mike Ahmer, whose identity is personally known to me and who by me duly affirmed that he is the Lands Resource Specialist, Navigable Waters of the Idaho Department of Lands, and acknowledged that the foregoing document was signed by him in behalf of said state agency by authority of a Resolution of the State Land Board.



Vicki Richter
Notary Public for Idaho Department of Lands
My commission expires on 8/29/18



Request for Assignment of Encroachment Permit

I/We, Tom Mort, am/are the current permittee(s) of the Idaho Department of Lands encroachment permit(s) listed below.
I/We, as Assignor(s), request that the identified permit(s) be assigned to

_____, identified below as "Assignee(s)."

Encroachment Number (s): L-95-S-5648

Body of Water: Spokane River

County: Kootenai

ASSIGNOR(S) -- CURRENT PERMITEE(S)

We hereby swear and affirm that the information contained herein is true and correct to the best of our knowledge.

Assignor _____ Assignor _____

STATE OF _____)

County of _____) ss.

On this _____ day of _____, in the year 20_____, before me, a notary public in and for said State, personally appeared _____, known to me to be the Assignor(s)/Permitee(s) that executed the within instrument, and acknowledged to me that _____ 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: _____
My Commission Expires: _____

ASSIGNEE(S) -- NEW PERMITEE(S)

I/We accept and agree to comply with the terms and conditions of the permit(s) as issued.

Name: _____ Phone: _____

Address: _____

Assignee _____ Date _____ Assignee _____ Date _____

You must submit an assignment fee of \$150.00. This fee will be waived if an assignment fee associated with a submerged land lease or cottage site lease has been submitted and both assignments are processed simultaneously.

SUBMIT DOCUMENTATION TO: IDAHO DEPARTMENT OF LANDS, Mica Supervisory Area, 3258 W. Industrial Loop
Coeur d'Alene, ID 83815. Please allow six (6) weeks for processing. If you have questions, please call (208) 769-1577.
Rev. 4/08

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"x11"), 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:	☐ Incomplete Application Returned	Date Returned:
Idaho Department of Water Resources No.	Date Received:	☐ Fee Received DATE:	Receipt No.:
Idaho Department of Lands No. 11-56418	Date Received:	☐ Fee Received DATE:	Receipt No.:

INCOMPLETE APPLICATIONS MAY NOT BE PROCESSED

1. CONTACT INFORMATION - APPLICANT Required:				2. CONTACT INFORMATION - AGENT:			
Name: Tom Mort				Name: Tom Mort			
Company:				Company:			
Mailing Address: P.O. Box 909 POST Falls ID 83877				Mailing Address: P.O. Box 909			
City: Post Falls		State: ID.		City: Post Falls		State: ID	
Zip Code: 83877				Zip Code: 83877			
Phone Number (include area code): 208-929-1830		E-mail: TNTMORT@Aol.com		Phone Number (include area code): 208-929-1830		E-mail: TNTMORT@Aol.com	
3. PROJECT NAME or TITLE: MORT DOCK				4. PROJECT STREET ADDRESS: NA Maplewood Ave			
5. PROJECT COUNTY: Kootenai		6. PROJECT CITY: POST FALLS		7. PROJECT ZIP CODE: 83854		8. NEAREST WATERWAY/WATERBODY: Spokane River	
9. TAX PARCEL ID#: 24252		10. LATITUDE: LONGITUDE:		11a. 1/4: 08		11d. TOWNSHIP: 50 N	
12a. ESTIMATED START DATE: 6-1-16		12b. ESTIMATED END DATE: 6-15-16		11c. SECTION: 08		11e. RANGE: 4W	
13a. IS PROJECT LOCATED WITHIN ESTABLISHED TRIBAL RESERVATION BOUNDARIES? ☒ NO ☐ YES Tribe:				13b. IS PROJECT LOCATED IN LISTED ESA AREA? ☐ NO ☐ YES			
13c. IS PROJECT LOCATED ON/NEAR HISTORICAL SITE? ☒ NO ☐ YES							
14. DIRECTIONS TO PROJECT SITE: Include vicinity map with legible crossroads, street numbers, names, landmarks. SOUTH on Huetter OFF Sellice way. RT on Maplewood. 1/2 blk TO FINNEY boat works on left.							
15. PURPOSE and NEED: ☐ Commercial ☐ Industrial ☐ Public ☒ Private ☐ 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. Personel Dock.							

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.:

Drive 4 Pilings For Floating Dock.

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.

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.

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: _____ 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: _____ 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:				
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. <u>See Instruction Guide for further clarification and all contact information.</u>				
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 (BMP's): 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				
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):				

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

Name: <u>Greg Gervais</u> Mailing Address: <u>P.O. Box 949</u> City: <u>Hayden</u> State: <u>ID</u> Zip Code: <u>83835</u> Phone Number (include area code): <u>208-640-0148</u> E-mail: <u>greg@copperbasin.com</u>	Name: <u>Fred Finney</u> Mailing Address: <u>7034 E. Maplewood Ave.</u> City: <u>Post Falls</u> State: <u>ID</u> Zip Code: <u>83854</u> Phone Number (include area code): <u>667-5096 (208)</u> 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: _____

Date: _____

Signature of Agent: _____

Date: _____

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".



Application Number _____

SINGLE AND TWO-FAMILY LOT ENCROACHMENT PERMIT APPLICATION

This information sheet and checklist must be completed when submitting an encroachment permit application. Incomplete applications will be returned without processing.

Encroachment Type:

(Check all that apply)

- | | |
|--|--|
| ☒ - Single family dock (58-1305) | ☐ - Riprap (58-1306) |
| ☐ - Two-family dock (58-1305) | ☐ - Waterline (58-1306) |
| ☐ - Mooring buoy (58-1305) | ☐ - Other – describe: _____ |

Applicant's Littoral Rights Are:

☐ - Signature of littoral rights owner is obtained if applicant is not the owner of the riparian/littoral rights

- ☒ - Owned, fee simple title holder
☐ - Leased
☐ - Other – describe: _____

Provide a Black/White Copy of Each Required Document on 8½"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 # _____ 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.)

Does the Property Have 25 Feet of Lake Frontage for a Single-Family Dock or 50 Feet for a Two-Family Dock?

- ☒ - Yes
☐ - No

Total front footage: 100 feet

How Many Feet Does the Proposed Encroachment Extend Beyond the Ordinary (or Artificial) High Water Mark? 106 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 other encroachments.

What is the water depth at the end of the proposed dock?

Summer level 10 feet
Winter level 3 feet

Does the Proposed Dock Exceed the Maximum Square Footage of 700 ft² for Single-Family Docks or 1,100 ft² for Two-Family Docks?

☒ - No
☐ - Yes

Total square footage:
698 ft²

Will the Proposed Encroachment Exceed the Maximum Width of 10 Feet?

☒ - No
☐ - Yes

If yes, explain why: _____

Will the Proposed Encroachment Be Located Closer Than 10 Feet to the Riparian/Littoral Right Lines Established With Your Neighbors?

☒ - No
☐ - Yes

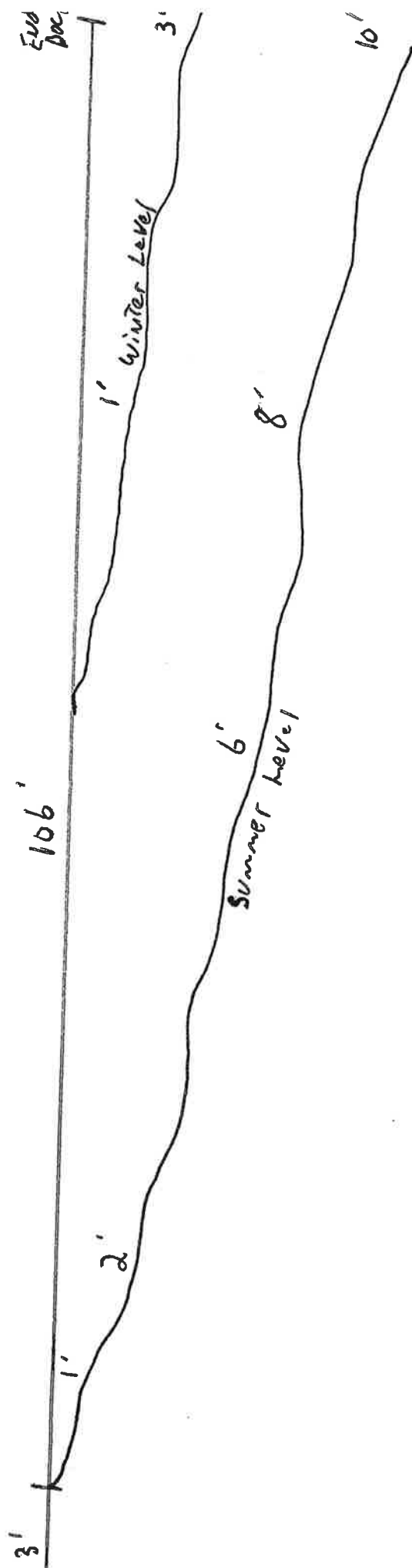
If yes, what are the proposed distances? _____ feet

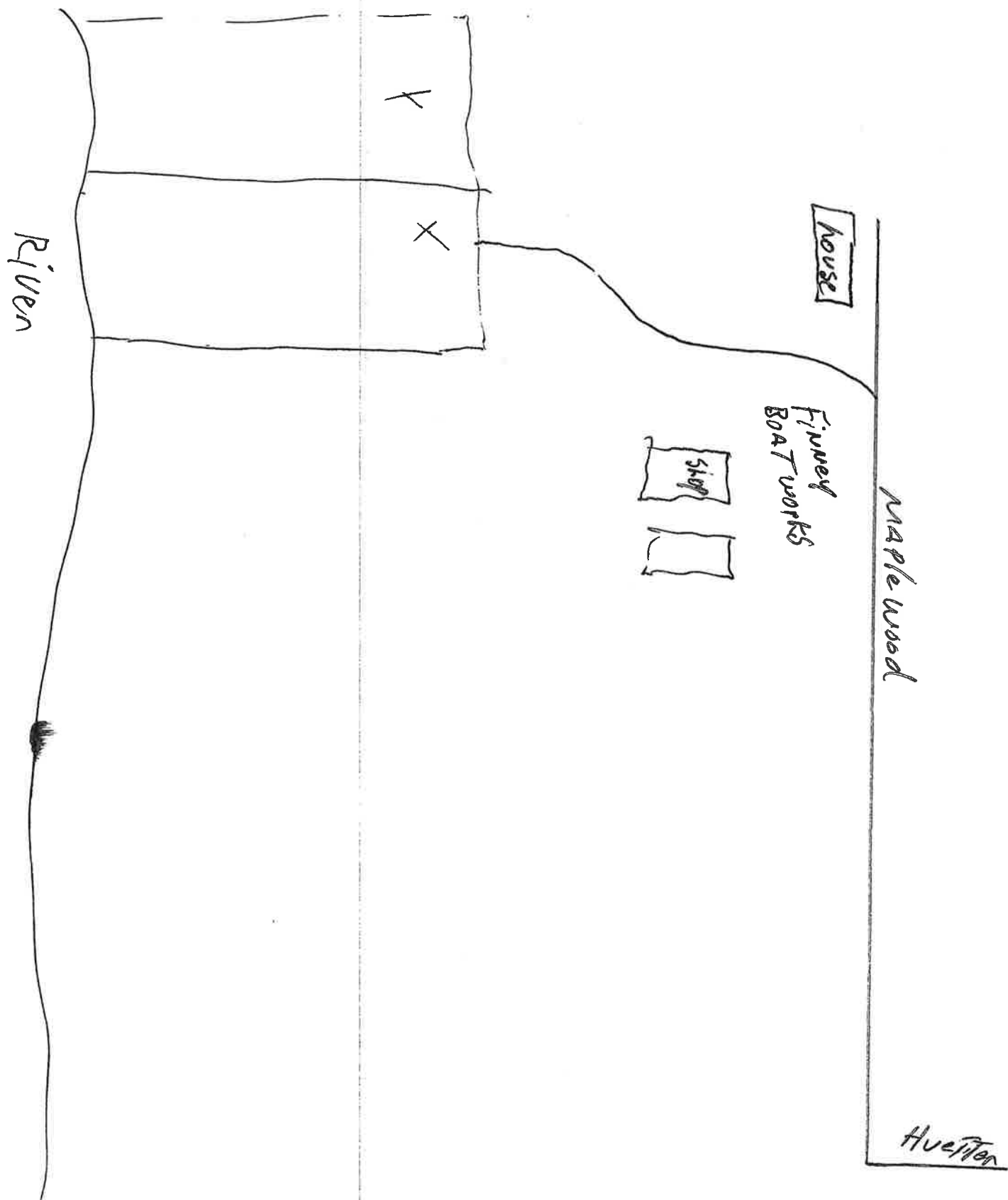
☐ - Consent of affected neighbor was obtained

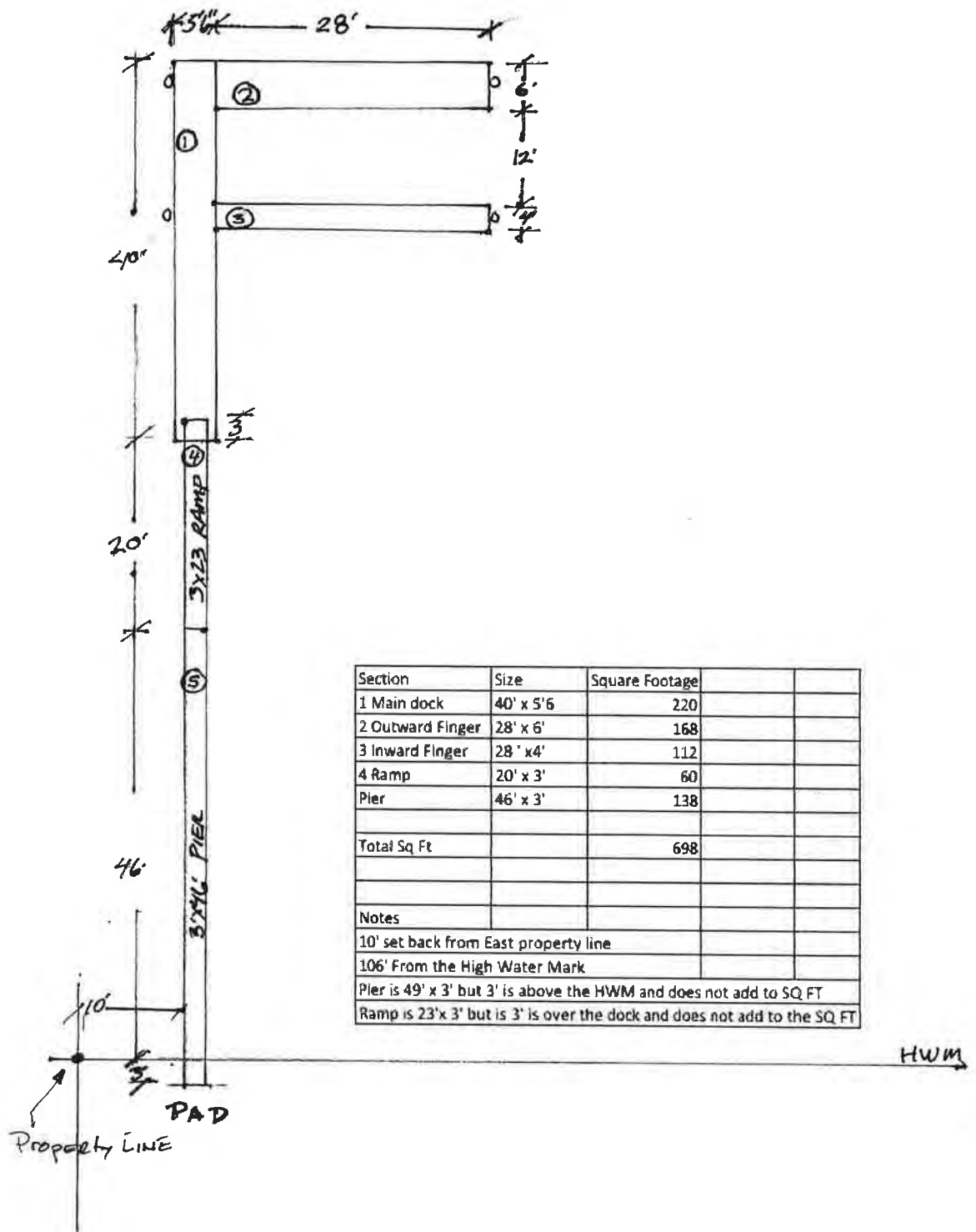
Determining Riparian/Littoral Right Lines

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.

Tom Mort 1-14-16
Printed Name Date
Thomas D. Mort
Signature of Applicant or Agent







6267 E MAPLEWOOD AVE, POST FALLS
6084 E MAPLEWOOD AVE, POST FALLS

Owner Additional

AIN: 332736 **LRSN:** 551956
Parcel Number: 50N04W-08-0450
Appr Dist: **TRS:** 504W08NE
Incorporation: NONE

Owner Information:
MORT, THOMAS D
4773 W MILL RIVER CT
COEUR D'ALENE, ID 83814

Site Address:

Legal Description: **BKPG:**
TAX #24252 [GL4] 0850N04W

Acres: 0.9611

MICA
SUPERVISORY AREA
3258 W. Industrial Loop
Coeur d'Alene, ID 83815
Phone (208) 769-1577
Fax (208) 769-1597



DUSTIN T. MILLER, DIRECTOR
EQUAL OPPORTUNITY EMPLOYER

STATE BOARD OF LAND COMMISSIONERS

Brad Little, Governor
Lawrence E. Denney, Secretary of State
Lawrence G. Wasden, Attorney General
Brandon D Woolf, State Controller
Sherri Ybarra, Sup't of Public Instruction

August 2, 2021

Ross Schlotthauer
6980 E Maplewood Ave
Post Falls, ID 83854

Re: Encroachment Permit L95S5648B

To Whom it May Concern:

Enclosed is your Encroachment Permit in accordance with the application you submitted to our office. Please read the entire permit and comply with all special terms and conditions.

WHAT NEXT?

1. Take this Encroachment Permit to the **Kootenai County Recorder's Office** to **record** it. Please note that the original notarized copy mailed to you must be presented to the Recorders Office, a copy will not be accepted. Please submit a copy of your recorded Encroachment Permit to our office within 30 days of receiving it. **This permit is not valid until you provide the Idaho Department of Lands with proof of recordation from your county recorder's office.**
2. **WORK COMPLETION REPORT** should be submitted when project is finished.
3. **The encroachment permit number (5648) must be displayed** upon the most waterward area of your single-family dock with metal, plastic (vinyl) or wooden numerals at least three inches in size.
4. The **'Request for Assignment of Encroachment Permit'** form is used if/when you sell your property. You sign in the appropriate location and give it to the new owner; they complete the form and return it to our office.

Thank you for your cooperation.

A blue ink signature of Jennifer Barker, written in a cursive style, is positioned above her name and title.

Jennifer Barker
Lands Resource Specialist, Lands & Waterways

Enclosures

cc: Kootenai County Assessor's Office
L&W Doc Exchange
Maureen O'Shea / Idaho Department of Water Resources

This space is reserved for recording purposes only



ENCROACHMENT PERMIT NO. L95S5648B

Permission is hereby granted to Ross Schlotthauer of 6980 E Maplewood Ave, Post Falls, ID, 83854, 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: Rip Rap	85 Feet	08/02/2021	08/02/2021
Encroachment: Single Family Dock	3' x 45' pier, a 3' x 20' ramp, a 4'x16' approach, and a 24'x32' single-slip floating dock w/ four pilings per attached approved design plan.	655 Square Feet	

Located on **SPOKANE RIVER** in KOOTENAI COUNTY, adjacent to:

Parcel Number	50N04W080450
Section, Township, Range	T50N R04W, sec 08, Boise Meridian
Physical Addresses	6986 E Maplewood Avenue, Post Falls, ID, 83854, United States (USA)
Tax/Serial Number	AIN 332736 & TX#24624

1. General

- A. In order for this permit to be valid, Permittee must record this permit in the records of the county in which the encroachment is located and furnish proof of recordation to the Department pursuant to Idaho Code §§ 58-1305(h) and -1306(f).
- B. All applicable provisions of the Lake Protection Act (Idaho Code Title 58, Chapter 13) and Rules for Regulation of Beds, Waters, and Airspace over Navigable Lakes and Streams in the State of Idaho (IDAPA 20.03.04.000 *et seq.*) are incorporated herein by reference and made a part hereof.
- C. This permit does not convey the State's title to nor jurisdiction or management of lands lying below the natural or ordinary high water mark.
- D. Construction must follow details and specifications shown on the approved application, plans, and drawings provided by Permittee. Should such information 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 and IDAPA 20.03.04.080.07. At any time, and prior to any modification to the application, plans, drawings or encroachments Permittee must consult with the Idaho Department of Lands to determine if a new permit is required.
- E. Permittee shall maintain the structure or work authorized herein in a good and safe condition and in accordance with the approved application, plans and drawings. Permittee shall contact the Idaho Department of Lands 10 days prior to the planned start date of any maintenance or replacement activities.
- F. Acceptance of this permit constitutes permission by Permittee for representatives of the Idaho Department of Lands to come upon Permittee's Property at all reasonable times to inspect the encroachment authorized by this permit.
- G. Permittee shall indemnify, defend and save harmless the State, its officers, agents and employees from and against any and all liability, claims, damages, losses, expenses, actions, settlements, attorneys' fees, and suits whatsoever caused by, arising out of, or in connection with Permittee's acts or omissions under this permit or Permittee's failure to comply with any state or federal statute, law, regulation or rule.
- H. Authorization for any activity authorized herein that is not completed on or before the completion date identified above, shall automatically terminate unless an extension was granted in writing by IDL.
- I. This permit supersedes and voids any permit previously issued for this property. Unless specifically authorized in this permit, any pre-existing or abandoned portions of encroachments, whether previously permitted or not, shall be removed from below the ordinary or artificial high water mark.
- J. This permit does not relieve Permittee from obtaining additional approvals or otherwise complying with other local, state, or federal laws.
- K. Idaho State Water Quality Standards (IDAPA 58.01.02.000 *et seq.*) shall be maintained at all times during and after project start up.
- L. This permit is issued contingent upon Permittee's continuing status as an owner or lessee of the littoral right associated with the property described on page 1 of this permit.
- M. Permittee shall not assign this permit without first obtaining the written consent of IDL. Any request for approval of an assignment must be in writing, on forms provided by IDL, and accompanied by the applicable processing fee.
- N. Permittee assumes all liability for damages, which may result from the exercise of this permit.

2. Construction

- A. The Permittee or contractor shall have a copy of this permit available on site for inspection at all times during construction.
- B. Permittee is responsible for all work done by any contractor. Permittee shall provide contractor with a copy of this permit. Permittee shall ensure any contractor who performs the work is informed of and follows all the terms and conditions of this permit.
- C. Construction barges or other watercraft shall not be grounded on the lakebed for any reason.
- D. Permittee, contractor and anyone acting on their behalf are prohibited from allowing equipment, boats, barges or associated machinery to create petroleum product sheen on the water or otherwise create a release of petroleum or petroleum products due to petroleum products handling, use or storage. The contractor shall maintain an adequate supply of petroleum absorbent pads. The Emergency Response Team phone number, 1-800-632-8000, must be readily available at all times.
- E. Operation of excavation equipment will not be allowed below the ordinary or artificial high water mark without prior written authorization from IDL. Equipment may be operated only on dry land above the level of the lake at the time of operation.
- F. Demolition debris and construction waste shall be removed from the lake and disposed of at an approved upland location.
- G. 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 and shall be replaced if cracked, damaged, or similarly compromised.
- H. It is illegal to possess or transport Quagga or Zebra mussels into or through Idaho, and to launch infested watercraft. Used boat lifts shall be inspected for invasive species and determined to be free from such species prior to installation. Permittee shall provide IDL with proof of inspection by an authorized inspector prior to installing the boat lift and/or placing it in the water. Prior to installation call 877-336-8676 for decontamination.
- I. Piles and pylons shall be driven with noise reduction devices.
- J. Construction materials shall be natural or pressure treated utilizing only those preservative chemicals registered for the specific uses by the U.S. Environmental Protection Agency (EPA). All treated wood materials shall be produced in compliance with "Best Management Practices (BMPs) For the Use of Treated Wood in Aquatic and other Sensitive Environments" issued by the Western Wood Preservers Institute (WWPI) 2012. Treated materials not in contact with the water shall be completely dry before use near navigable waters. Use of Chromated Copper Arsenate (CCA) treated wood shall adhere to the EPA recommendations regarding use of arsenate treated wood. Contact Idaho Department of Environmental Quality for information on acceptable treatment methods and materials.
- K. All construction material including maintenance material must be stockpiled landward of the ordinary or artificial high water mark
- L. No trees or vegetation shall be removed below the ordinary high water mark without written approval of the Idaho Department of Lands.
- M. The disturbed portion of the lakebed shall be shaped to its original contour upon completion of the project.
- N. Any vegetation located below the ordinary high water mark disturbed by construction activity shall be replanted with native plants, unless otherwise agreed to in writing by IDL.
- O. All construction shall meet the standards of the Uniform Building and International Fire Codes. Permittee shall contact the appropriate body of jurisdiction concerning these codes prior to installation.

- P. A silt curtain, fence, or other appropriate Best Management Practice (BMP) shall be installed waterward of the project site. It must remain in place and functional until the turbidity level inside the curtain, fence or BMP equals the turbidity outside the curtain, or until all disturbed sediment has been removed from the BMP and stabilized in an upland location.
- Q. If any excavation or pile driving occurs the operator must comply with the provisions of the Underground Facilities Damage Prevention Law (Idaho Code Title 55, Chapter 22). The one-call locator service number is 811.

3. Single-family Docks

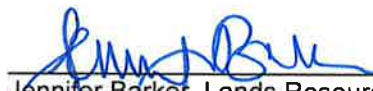
- A. Covered slips and lifts must meet the standards established in IDAPA 20.03.04.015.04 and .13.b.

4. Riprap

- A. No riprap shall be placed in excess of the minimum needed for erosion control.
- B. Riprap shall be placed along the present contour of the shoreline.
- C. BMPs must be implemented to prevent sediment or sediment laden water from reentering the lake. BMPs must remain in place until the risk of sediment reentering the lake has been fully mitigated. Sediment mitigation BMPs must be removed prior to or designed to withstand any rise in lake water level which might cause an unplanned release of trapped sediment.
- D. Any excavated material shall be sidecast to only one side of the trench and shall either be replaced in the trench or removed to an area above the ordinary or artificial high water mark and in a position such that it will not reenter the lake.

ON BEHALF OF THE DIRECTOR

By:

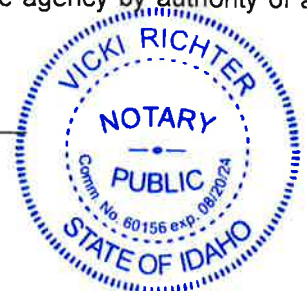

Jennifer Barker, Lands Resource Specialist
Public Trust - Mica Office

8/2/2021 Date

STATE OF IDAHO)
) ss
KOOTENAI COUNTY)

On August 02, 2021 personally appeared before me Jennifer Barker, whose identity is personally known to me and who by me duly affirmed that he/she is the Lands Resource Specialist, Public Trust 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.


Notary Public for Idaho Department of Lands
My commission expires on 8/20/24



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 (8½"x11"), 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:	☐ Incomplete Application Returned	Date Returned:
Idaho Department of Water Resources No.	Date Received:	☐ Fee Received DATE:	Receipt No.:
Idaho Department of Lands No. L955648B	Date Received:	☒ Fee Received DATE: 5/18/2021	Receipt No.: 65628842 mule 4625

INCOMPLETE APPLICATIONS MAY NOT BE PROCESSED

1. CONTACT INFORMATION - APPLICANT Required:			2. CONTACT INFORMATION - AGENT:		
Name: Ross Schlotthauer			Name:		
Company:			Company:		
Mailing Address: 6980 E. Maplewood Ave.			Mailing Address:		
City: Post Falls	State: ID	Zip Code: 83854	City:	State:	Zip Code:
Phone Number (include area code): 208-755-8687	E-mail: ross@burlyproducts.com		Phone Number (include area code):	E-mail:	
3. PROJECT NAME or TITLE:			4. PROJECT STREET ADDRESS:		
5. PROJECT COUNTY: Kootenai	6. PROJECT CITY:		7. PROJECT ZIP CODE:		8. NEAREST WATERWAY/WATERBODY:
9. TAX PARCEL ID#: 50N04W-08-0450	10. LATITUDE: LONGITUDE:	11a. 1/4:	11b. 1/4:	11c. SECTION:	11d. TOWNSHIP: 11e. RANGE:
12a. ESTIMATED START DATE:	12b. ESTIMATED END DATE:		13a. IS PROJECT LOCATED WITHIN ESTABLISHED TRIBAL RESERVATION BOUNDARIES? ☐ NO ☐ YES Tribe:		
13b. IS PROJECT LOCATED IN LISTED ESA AREA? ☐ NO ☐ YES			13c. IS PROJECT LOCATED ON/NEAR HISTORICAL SITE? ☐ NO ☐ YES		
14. DIRECTIONS TO PROJECT SITE: Include vicinity map with legible crossroads, street numbers, names, landmarks. Permit L955648A					
15. PURPOSE and NEED: ☐ Commercial ☐ Industrial ☐ Public ☒ Private ☐ 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. Bolder Retaining wall was repaired to protect shoreline from erosion. Existing wall was damaged and ineffective and needed rebuilt.					

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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.:

Large Rocks were stacked over existing rock wall, rip rap placed behind the large boulders, landscape fabric was placed over the rip rap, and native soil was placed over the fabric.

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.

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.

This was a repair to a very old existing rock wall.

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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: 30 cubic yards
Concrete: _____ cubic yards
Other (describe): _____ : _____ cubic yards
Other (describe): _____ : _____ cubic yards

TOTAL: _____ 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: _____ 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.

Repairs made in 2017

22. LIST ALL PREVIOUSLY ISSUED PERMIT AUTHORIZATIONS:

L95S5648A

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 (BMP's): 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

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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.

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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):				

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

Name:
Cameron Chesnut

Mailing Address:
1450 W. Bellarive Ln

City: State: Zip Code:
Coeur D'Alene ID 83854

Phone Number (include area code): E-mail:
208-640-1488 cameronchesnut@gmail.com

Name:
Fred Finney

Mailing Address:
7014 E. Maplewood Ave

City: State: Zip Code:
Post Falls ID 83854

Phone Number (include area code): E-mail:
208-755-5690

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:

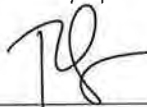
City: State: Zip Code:

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:



Date: 05/11/2021

Signature of Agent:

Date:

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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".



Application Number _____

**SINGLE AND TWO-FAMILY LOT
ENCROACHMENT PERMIT APPLICATION**

This information sheet and checklist must be completed when submitting an encroachment permit application. Incomplete applications will be returned without processing.

Encroachment Type:

(Check all that apply)

- | | |
|---|--|
| ☐ - Single family dock (58-1305) | ☒ - Riprap (58-1306) |
| ☐ - Two-family dock (58-1305) | ☐ - Waterline (58-1306) |
| ☐ - Mooring buoy (58-1305) | ☐ - Other – describe: _____ |

Applicant's Littoral Rights Are:

☐ - Signature of littoral rights owner is obtained if applicant is not the owner of the riparian/littoral rights

- | |
|--|
| ☒ - Owned, fee simple title holder |
| ☐ - Leased |
| ☐ - Other – describe: _____ |

Provide a Black/White Copy of Each Required Document on 8½"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 # L95S5648B Date of Construction: 2018

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.)

Does the Property Have 25 Feet of Lake Frontage for a Single-Family Dock or 50 Feet for a Two-Family Dock?

- ☒ - Yes
☐ - No

Total front footage: 100 feet

How Many Feet Does the Proposed Encroachment Extend Beyond the Ordinary (or Artificial) High Water Mark? 0 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 other encroachments.

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What is the water depth at the end of the proposed dock?

Summer level 6 feet
Winter level 0 feet

Does the Proposed Dock Exceed the Maximum Square Footage of 700 ft² for Single-Family Docks or 1,100 ft² for Two-Family Docks?

☒ - No
☐ - Yes

Total square footage: _____ ft²

Will the Proposed Encroachment Exceed the Maximum Width of 10 Feet?

☒ - No
☐ - Yes

If yes, explain why: _____

Will the Proposed Encroachment Be Located Closer Than 10 Feet to the Riparian/Littoral Right Lines Established With Your Neighbors?

☒ - No
☐ - Yes

If yes, what are the proposed distances? _____ feet

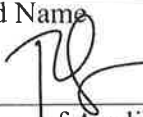
☐ - Consent of affected neighbor was obtained

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.

Ross Schlotthauer
Printed Name

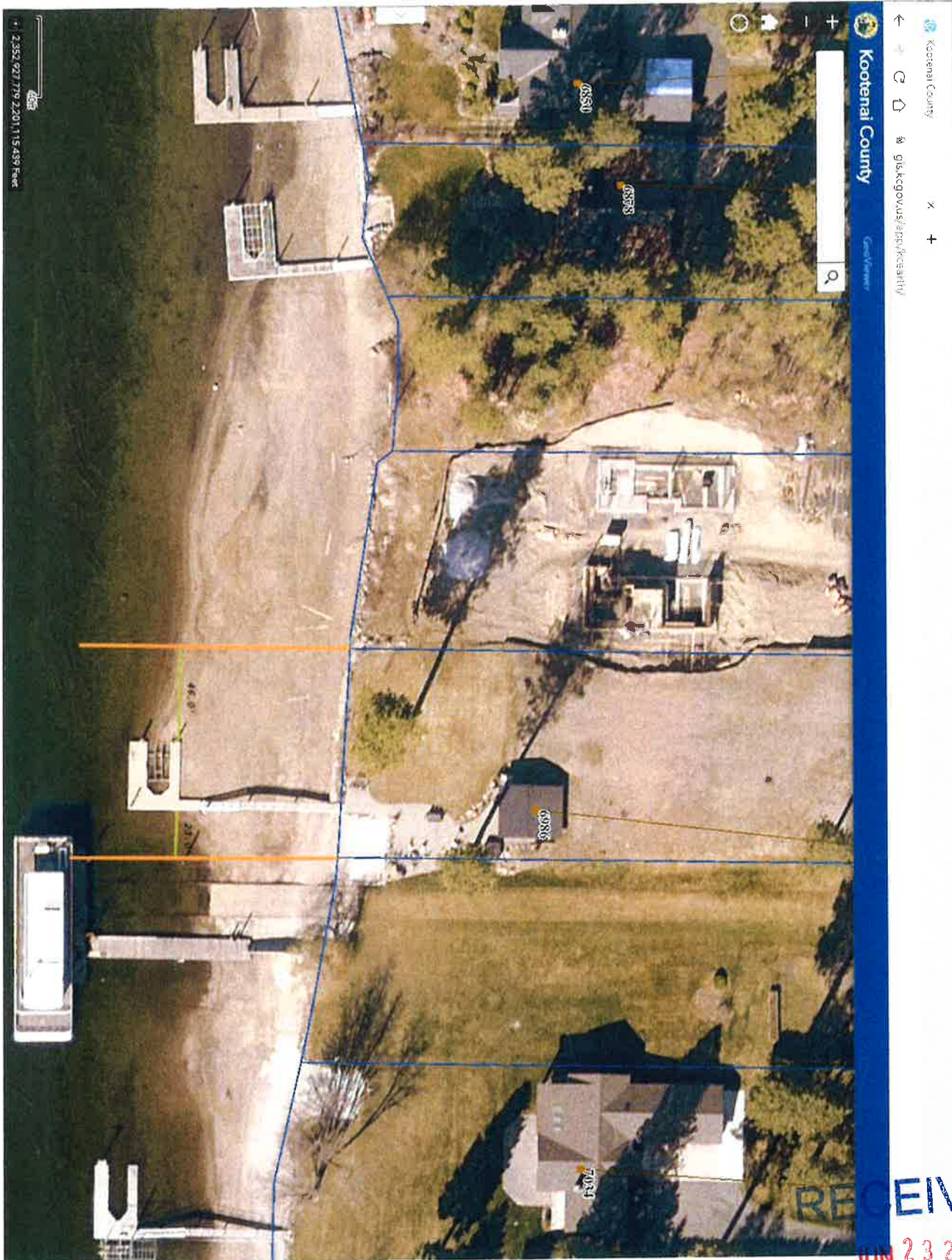
06/16/2021
Date


Signature of Applicant or Agent

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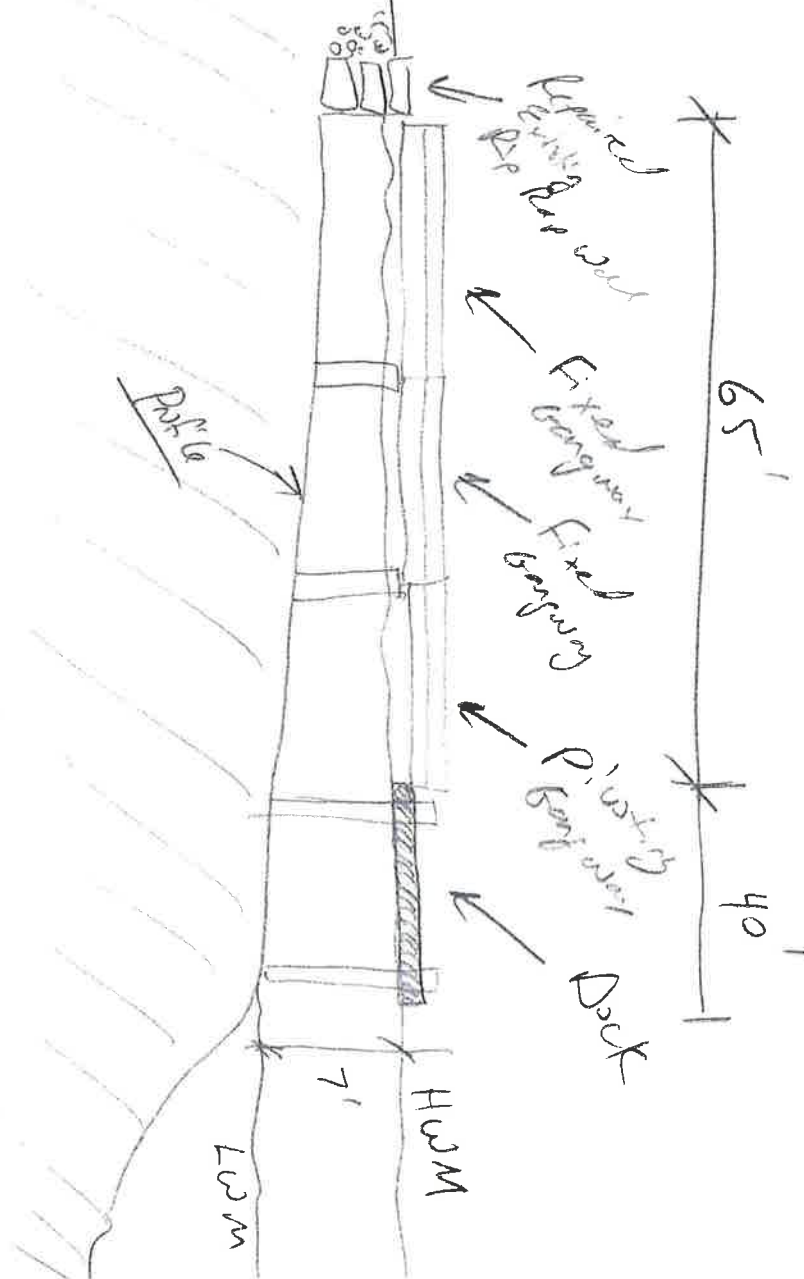
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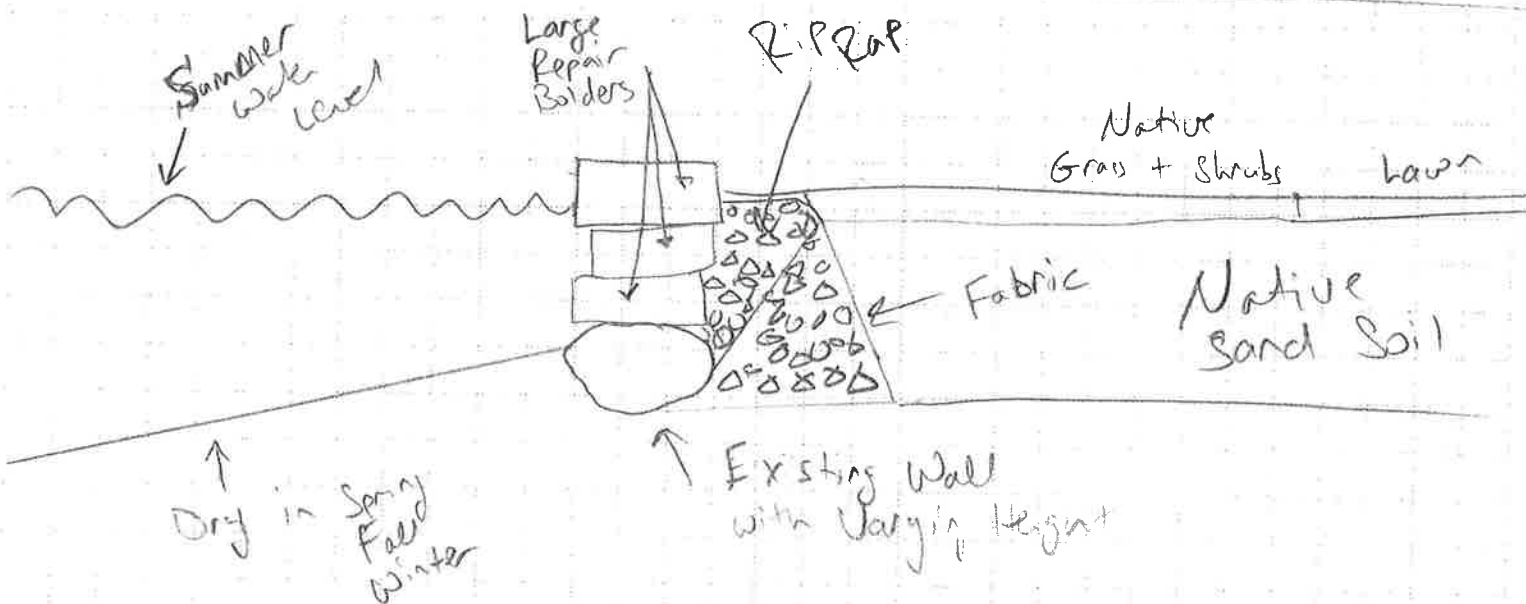
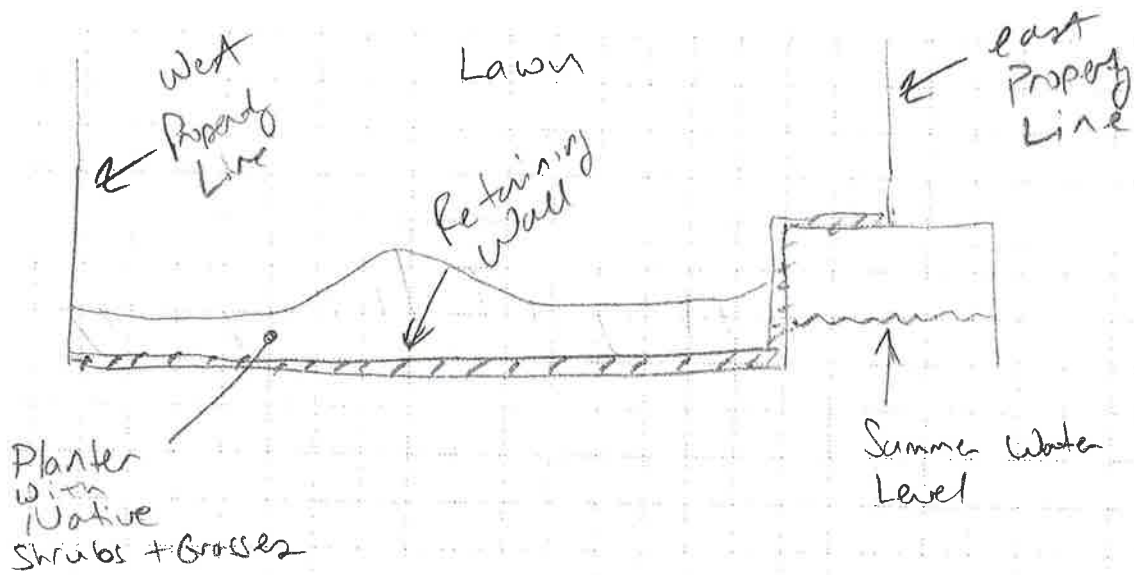


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Idaho Dept. of Lands
Mica Supervisory Area

Jennifer Barker

From: Ross Schlotthauer <ross@burlyproducts.com>
Sent: Thursday, June 24, 2021 10:36 AM
To: Jennifer Barker
Subject: Re: Application for Encroachment Permit

Follow Up Flag: Follow up
Flag Status: Flagged

The wall is about 85 feet long and between 3 and 4 feet tall.

Ross Schlotthauer
Burly Products

From: Jennifer Barker <JBarker@idl.idaho.gov>
Sent: Thursday, June 24, 2021 9:27:39 AM
To: Ross Schlotthauer <ross@burlyproducts.com>
Subject: RE: Application for Encroachment Permit

Last thing...

What is the min/max height of the wall, and how many linear feet is the wall.

You can add the info to the drawing and/or aerial.

Thanks,

Jennifer Barker

Resource Specialist
Lands & Waterway - Public Trust
Mica Supervisory Area
3258 W Industrial Loop
Coeur d'Alene ID 83815
(208)769-1577

[illegible]



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WORK COMPLETION REPORT

Name

Permit #

This work to be completed by:

Permit issue date:

Recordation Instrument Number: _____

Date work completed: _____

Is permitted property accessible by vehicle?

YES NO

If so, what is the local numbering system number if any? _____

Signature: _____

Upon completion of work, please return this report to:

**Idaho Department of Lands
Mica Supervisory Area
3258 W. Industrial Loop
Coeur d'Alene, ID 83815**



Request for Assignment of Encroachment Permit

I/We, _____, am/are the current permittee(s) of the Idaho Department of Lands encroachment permit(s) listed below. I/We, as Assignor(s), request that the identified permit(s) be assigned to

_____, identified below as "Assignee(s)."

Encroachment Number (s): _____

Body of Water: _____

County: _____

ASSIGNOR(S) -- CURRENT PERMITEE(S)

We hereby swear and affirm that the information contained herein is true and correct to the best of our knowledge.

Assignor _____

Assignor _____

STATE OF _____)

: ss.

County of _____)

On this _____ day of _____, in the year 20_____, before me, a notary public in and for said State, personally appeared _____, known to me to be the Assignor(s)/Permittee(s) that executed the within instrument, and acknowledged to me that _____ 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: _____

My Commission Expires: _____

ASSIGNEE(S) -- NEW PERMITEE(S)

I/We accept and agree to comply with the terms and conditions of the permit(s) as issued.

Name: _____

Phone: _____

Address: _____

Assignee _____

Date

Assignee _____

Date

You must submit an assignment fee of \$300.00. This fee will be waived if an assignment fee associated with a submerged land lease or cottage site lease has been submitted and both assignments are processed simultaneously.

SUBMIT DOCUMENTATION TO: IDAHO DEPARTMENT OF LANDS, Mica Supervisory Area, 3258 W. Industrial Loop
Coeur d'Alene, ID 83815. Please allow six (6) weeks for processing. If you have questions, please call (208) 769-1577.
Rev. 4/08