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ADMITTED IN IDAHO

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1250 NORTHWOOD CENTER COURT
SUITE A
COEUR D'ALENE
IDAHO 83816

October 3, 2025

Idaho Department of Lands
Attn: Mr. Mike Ahmer
Resource Supervisor CDA
3258 W. Industrial Loop
Coeur d'Alene, ID 83815

VIA E-MAIL

Re: IDL Case No. PH-2025-NAV-22-006/OAH Case No. 25-320-08 (The Estates at Waterstone HOA, Inc. Application for a Community Dock)

Dear Mike:

Please let this letter serve as a comment in support of the above-referenced application for a community dock.

I represented IAAR, LLC, which owns property adjacent to the Estates at Waterstone project. IAAR owns the parcel of upriver riparian property (to the east of the subject property), which includes Lot 12 of Shorepines.

Approximately five (5) years ago, Tedder Properties, LLC owned the property that has since been platted as the Estates at Waterstone. The property is in the City of Post Falls. It was vacant at the time and consisted of approximately 10.08 acres. Tedder proposed to create fifty (50) single-family residential lots and to include a community dock to service these lots on the riverfront of the parcel.

Many neighbors objected, including IAAR, LLC. The City of Post Falls granted some approvals for the project and certain members of the community, including IAAR, sought further review.

Robert Tomlinson, a principal in the development of the Estates at Waterstone, subsequently entered discussions with some of the neighbors who had objected to the Tedder proposal, and he proactively attempted to address those parties' concerns prior to his purchase of the Tedder property.

October 3, 2025

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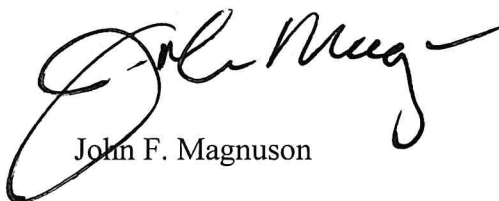
On December 22, 2023, Spokane River Northshore, LLC, Mr. Tomlinson's entity, entered into an agreement with IAAR, LLC to address IAAR's concerns. In primary part, Spokane River Northshore, LLC, the developer of the Estates at Waterstone, agreed to reduce the fifty (50) lots proposed by Tedder to twenty-two (22) residential lots (less than half of what was proposed by Tedder) and to locate the community dock no closer than twenty-five (25) feet from the western boundary of the riparian lot next to the IAAR property (Lot 8 of Block 3).

The application submitted by the Estates at Waterstone HOA, Inc. complies with the terms of the agreement proactively and reasonably reached by Spokane River Northshore, LLC, the developer of the Estates at Waterstone. Mr. Tomlinson did what he said he would do, reduced density in the neighborhood by over fifty percent (50%), and has attempted to minimize the footprint of his community dock to address the concerns of IAAR as the upriver adjacent property.

As the adjacent upriver neighbor, IAAR, consistent with the terms of the agreement reached with Spokane River Northshore, LLC in December of 2023, does not object to the proposed encroachment and believes the same to comply with the administrative and statutory requirements of the Idaho Department of Lands.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "John F. Magnuson", with a large, stylized initial "J" and a long horizontal flourish extending to the right.

John F. Magnuson

JFM/js

cc: Client

IDL-AHMER-IAAR.LTR.wpd

Peter J. Smith IV, ISB #6997
FENNEMORE CRAIG, P.C.
418 E. Lakeside, Suite 224
Coeur d'Alene, Idaho 83814

T: (208) 956-0145

E: peter.smith@fennemorelaw.com

Attorneys for Concerned Citizens Against Additional 100 Boat Slips Added to Templins Resort
on Spokane River Inc.

BEFORE THE IDAHO DEPARTMENT OF LANDS

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

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

Applicant.

AGENCY Case No. PH-2025-NAV-22-0006

OAH Case No. 25-320-08

DECLARATION

1. I, Terrie Kavan, am a citizen of the
State of Idaho.
2. I am involved with and/or am a member of CONCERNED CITIZENS AGAINST
ADDITIONAL 100 BOAT SLIPS ADDED TO TEMPLINS RESORT ON SPOKANE RIVER
INC., an Idaho nonprofit corporation.
3. Pursuant to IDAPA 04.11.01.700 ("Intervention Generally"), I claim a direct and substantial
interest in this proceeding concerning the The Estates at Waterstone Homeowners Association,
Inc.'s community dock application.
4. My interests are not adequately represented by any existing party to this proceeding.

Property Interest

5. My property interest in relation to the Spokane River is as follows (check all that apply):
- ☒ I own and reside on riparian (waterfront) property directly fronting the Spokane
River.
- ☐ I reside near the Spokane River but do not own waterfront property.

Uses of the Spokane River

6. I use the Spokane River for the following purposes (check all that apply):

- ☒ Boating
☐ Fishing
☒ Kayaking
☒ Canoeing
☒ Paddleboarding
☒ Swimming
☐ Tubing
☐ Waterskiing / wakeboarding / wakesurfing
☒ Wildlife viewing / photography
☐ Other:

Substantial Interest

7. The The Estates at Waterstone Homeowners Association, Inc. community dock project will
directly and substantially affect my interests.
8. The project will increase boat traffic and congestion on this section of the Spokane River.
9. Increased congestion will reduce safety for all users, including myself and my family.
10. The project will interfere with my ability to use and enjoy the Spokane River.
11. The project will increase risks of collision or injury to non-motorized users.
12. Noise, wakes, and congestion will diminish the recreational value of this section of the river.
13. Other impacts specific to me include:

Adequacy of Representation

14. My interests as a property owner and/or river user are not adequately represented by any existing party to this proceeding.

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Verification

15. I declare under penalty of perjury pursuant to the laws of the State of Idaho that the foregoing is true and correct.

DATED this 20 day of September, 2025, at Coeur d'Alene, Idaho.

Tennie Kaur
[Signature of Declarant]

☐

CERTIFICATE OF SERVICE

I hereby certify that on the 20 day of September, 2025, I cause to be served a true and correct copy of the foregoing document by the method indicated below, and addressed to the following:

The Estates at Waterstone HOA, Inc.

Jason Garvey, Agent

1386 Northwest Blvd

Coeur d'Alene, ID 83814

(208) 916-3647

Agent for Applicant

~ By U.S. Mail

~ By Email

jason@wesslen.com
caseym@legacylw.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 Idaho Department of Lands

~ By U.S. Mail

~ By Email

jrichards@idl.idaho.gov krichter@idl.idaho.gov

Please Save our River !
It's so dangerous
and surf boards are
ruining our
banks.

Marde Mensinger

Program Manager for Navigable Waters

~ By U.S. Mail

~ By Email

mmensinger@idl.idaho.gov

Kourtney Romine

~ By U.S. Mail

Rachel King

By Email

Kayla Dawson

*Service Contacts for Idaho Department of
Lands*

kromine@idl.idaho.gov
rking@idl.idaho.gov
kdawson@idl.idaho.gov

OAH

By U.S. Mail

General Government Division

By Email

P.O. Box 83720

Boise, ID 83720-0104

(208) 605-4300

filings@oah.idaho.gov
leslie.hayes@oah.idaho.gov

Carah Woodside

DECLARATION : 5 OF 9



Mr. Michael Kavran
18708 82nd Ave. NE
Kenmore, WA 98028-2812

SPOKANE WA 990

22 SEP 2025 PM 1 L



1775

FOREVER USA

DEPT. OF LANDS

SEP 25 2025

BOISE, IDAHO

Attention

Kayleen Richer

Dept of Lands

300 North 6 Street #103

Boise, Idaho

83702

83702-609828



DEPT. OF LANDS

OCT 03 2025

BOISE, IDAHO

Dear Dustin Miller, Idaho Dept of Lands Director,

I am writing as a Kootenai County resident living along the Spokane River and as a member of Concerned Citizens Protecting the Spokane River to ask for your leadership in protecting the Spokane River.

My concern is how the continued approval of new community dock slips, threaten the health, safety, and future of the river and our community. Currently there are requests for approvals for a community dock at The River's Edge Apartments for 74 boat slips; a community dock at The Estates at Waterstone HOA for 24 boat slips. This is in addition to 120+ new boat slips being added to Templin's marina.

The Spokane River is already overburdened with boat traffic and the addition of more slips will:

- Endanger private property along the river
- Compromise navigation and safety for all boaters
- Harm fish and wildlife habitat and aquatic life
- Interfere with recreational use of the river
- Degrade overall water quality

Importantly, these docks provide no demonstrated navigational or economic necessity that outweighs the significant risks. The State of Idaho must determine the maximum carrying capacity of the Spokane river before allowing any additional encroachments. Without such a study and pause in approvals, property will be destroyed, the environment degraded, and accidents—including serious injury or fatalities—will become more likely.

Even the Kootenai County Sheriff has acknowledged that a "No Wake Zone" along the entire river may become necessary as a safety measure. Such a restriction would drastically reduce property values and limit the use of the river for all.

I respectfully urge you to support and advocate for immediate legislative and administrative action to **pause all approvals of additional commercial and community dock slips on the Spokane River until a comprehensive carrying capacity study is completed.**

Thank you for your service to our community and for your attention to this urgent matter.

Sincerely,

Dirk and Mary Lee Linton
8825 W Driftwood Dr.
Coeur d'Alene, ID 83814
ml.dlinton@comcast.net

Handwritten signature of Mary Lee Linton in cursive script.

From: [Navigable Waterways](#)
To: [Elaine Maneck](#)
Cc: [Kourtney Romine](#); [Marde Mensinger](#)
Subject: FW: Less is better!
Date: Tuesday, October 28, 2025 12:44:39 PM

Hi Elanie,

Please see email for Waterstone. Since they specifically did not mention Waterstone, I believe it belongs there because the comment period is still open.

Thank you,

Rachel King
Program Specialist, Navigable Waterways
Idaho Department of Lands
300 N 6th Street, Suite 103
Boise, Idaho 83720
Office: (208) 334-0277
Email: rking@idl.idaho.gov
<https://www.idl.idaho.gov>

-----Original Message-----

From: Terrie Kavran <kavran30@hotmail.com>
Sent: Monday, October 27, 2025 2:32 PM
To: Navigable Waterways <navigablewaterways@idl.idaho.gov>
Subject: Less is better!

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

The river is getting dangerous.

The river is too narrow in places for safe boating. What it is doing to the bottom of the river is toxic!!

Sent from my iPhone

From: [Navigable Waterways](#)
To: [Elaine Maneck](#)
Cc: [Marde Mensinger](#); [Kourtney Romine](#)
Subject: FW: Spokane River
Date: Tuesday, October 28, 2025 12:45:04 PM

Hi Elaine

Here is another one. Same situation.

Thank you,

Rachel King
Program Specialist, Navigable Waterways
Idaho Department of Lands
300 N 6th Street, Suite 103
Boise, Idaho 83720
Office: (208) 334-0277
Email: rking@idl.idaho.gov
<https://www.idl.idaho.gov>

-----Original Message-----

From: Philip Restuccia <restuccia17@me.com>
Sent: Monday, October 27, 2025 11:43 AM
To: Navigable Waterways <navigablewaterways@idl.idaho.gov>
Subject: Spokane River

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

I have lived on the river for 13 years and I have seen a continued increase in boat traffic. There are many daily infractions on the river. Speed, driving on the wrong side, no observer, no flag, no nav lights at night. But the biggest hazard is the wake surfing. They are a 100% hazard to anyone else on the river. Boats, kayaks, paddle boards and a definite hazard to the floating docks and their pier poles. There is a dramatic negative effect to the shoreline as these wake boats surf by. If you encounter these enormous wakes while using the river you need to slow down dramatically and pray the bow doesn't dip under their wake and drench your passengers. Then the boat slams down on the other side. If you are skiing or tubing it's best to just stop and wait for the wake boat to pass rather than try to encounter the wake and risk a dangerous fall. Ban the wake boats on the river. The lake is just around the corner Beyond those river problems. The thought of putting several hundred more boats on the river is unjustifiable. Plus, if nothing is done about banning the wake boats what percentage of the new boats will be wake boats.? Nothing positive can come from ANY more slips on the river. Common sense needs to dictate the decisions moving forward.

Not MONEY, POLITICS OR FRIENDSHIPS.

Please stop this before someone gets hurt or killed.

Phil Restuccia