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BEFORE THE IDAHO DEPARTMENT OF LANDS

In the Matter of the Application for Permit
Encroachment L9685863A, for construction of
two boat garages at existing dock,

Patrick Lewis E. Trust,

Applicant,

AGENCY Case No. PH-2026-NAV-20-0001

OAH Case No. 26-320-03

**STIPULATION RE: MOTION TO
UPDATE CAPTION**

Applicant, Lewis E. Patrick Trust dated April 8, 1999 (“Applicant”) and Idaho Department of Lands (“IDL”) hereby enter into this Stipulation regarding Applicant’s Motion to Update Caption filed February 12, 2026.

BACKGROUND

1. This matter concerns an encroachment permit application filed with IDL, Encroachment Application L9652863A, seeking approval for the construction of two boat garages at an existing dock. The proceeding is designated as Agency Case No. PH-2026-NAV-20-001 and OAH Case No 26-320-03.

2. On the face of the underlying application, the Applicant’s name appears as “Patrick Lewis E Trust.”

3. On February 12, 2026, Applicant filed a Motion to Update Caption, requesting that the caption in this matter be updated to reflect Applicant’s correct legal name: “Lewis E. Patrick Trust dated April 8, 1999”.

4. In response, IDL advised that it does not object to updating the caption to accurately reflect the Trust’s legal name, but opposed amending the caption until the Trust’s legal name could be verified.

5. Administrative law judge Leslie Hayes requested counsel for Applicant and IDL confer and, if possible, submit a stipulation addressing IDL’s non-objection to the Motion to Update Caption and concerns raised regarding the Applicant’s name as reflected in the underlying application.

6. Applicant thereafter produced a Certificate of Trust, identified as APP-13, establishing “Lewis E. Patrick Trust dated April 8, 1999” is the correct legal name of Applicant, and that the name of applicant on the application refers to the same entity.

7. Counsel for Applicant and IDL have conferred in good-faith.

STIPULATION

A. Through this stipulation, IDL withdraws any objection to Applicant’s Motion to Update Caption, and the Parties agree that the caption in this matter should be updated in all future filings, notices, and orders to identify Applicant as “Lewis E. Patrick Trust dated April 8, 1999.”

B. Based on Exhibit APP-13 (Certificate of Trust) and the record as a whole, the Parties agree that the underlying application and supporting materials—although listing the Applicant as “Patrick Lewis E Trust”—in substance identifies the littoral owner and applicant as the Lewis E. Patrick Trust dated April 8, 1999.

C. The Parties agree that the discrepancy between the shorthand name appearing on the application (“Patrick Lewis E Trust”) and the Trust’s legal name (“Lewis E. Patrick Trust dated April 8, 1999”) is a misnomer and is immaterial to the merits of the application and these proceedings, and that no party is prejudiced by treating the application as having been submitted on behalf of the correctly-named Trust.

DATED this 24th day of February 2026.

FENNEMORE CRAIG, P.C.

By: 

Peter J. Smith IV, ISB #6997
Attorney for Applicant

DATED this 24th day of February 2026.

IDAHO DEPARTMENT OF LANDS

By: */s/ Kayleen Richter*

Kayleen Richter, ISB #11258
Attorney for Idaho Department of Lands

CERTIFICATE OF SERVICE

I hereby certify that on February 24, 2026, I caused to be served a true and correct copy of the foregoing document by the method indicated below, and addressed to the following:

Bob Presta CE Kramer Crane and Contracting 46820 Hwy 2 Hope, ID 83836 (208) 264-3021 <i>Agent for Applicant</i>	<input type="checkbox"/> By U.S. Mail <input type="checkbox"/> By Overnight Mail <input type="checkbox"/> By Facsimile <input checked="" type="checkbox"/> By Email: bob@cekramer.com <input type="checkbox"/> By iCourt
Kevin Chadwick 2365 E Tennessee Ave Denver, CO 80209 (303) 619-6877 <i>Objector</i>	<input type="checkbox"/> By U.S. Mail <input type="checkbox"/> By Overnight Mail <input type="checkbox"/> By Facsimile <input checked="" type="checkbox"/> By Email: kevinspears.chadwick@gmail.com <input type="checkbox"/> By iCourt
Arthur Bistline Bistline Law, PLLC 1205 N 3 rd Street Coeur d’Alene, ID 83814 (208) 665-7270 <i>Attorney for Objector Williams</i>	<input type="checkbox"/> By U.S. Mail <input type="checkbox"/> By Overnight Mail <input type="checkbox"/> By Facsimile <input type="checkbox"/> By Email: service@bistlinelaw.com <input type="checkbox"/> By iCourt
Idaho Department of Lands Kayleen Richter 300 N. 6 th Street, Ste. 103 Boise, ID 83702 (208) 334-0200 <i>Counsel for IDL</i>	<input type="checkbox"/> By U.S. Mail <input type="checkbox"/> By Overnight Mail <input type="checkbox"/> By Facsimile <input checked="" type="checkbox"/> By Email: krichter@idl.idaho.gov <input type="checkbox"/> By iCourt
Idaho Department of Lands Amidy Fuson <i>Lands Resource Specialist-Navigable Waters</i> Marde Mensinger <i>Program Manager for Navigable Waters</i> Rachel King <i>Program Specialist-Navigable Waterways</i>	<input type="checkbox"/> By U.S. Mail <input type="checkbox"/> By Overnight Mail <input type="checkbox"/> By Facsimile <input checked="" type="checkbox"/> By Email: afuson@idl.idaho.gov mmensinger@idl.idaho.gov rking@idl.idaho.gov <input type="checkbox"/> By iCourt

<p>Kourtney Romine Kayla Dawson Idaho Department of Lands 300 N. 6th Street, Suite 103 Boise, ID 83702 <i>Service Contacts for IDL</i></p>	<p><input type="checkbox"/> By U.S. Mail <input type="checkbox"/> By Overnight Mail <input type="checkbox"/> By Facsimile <input checked="" type="checkbox"/> By Email: kromine@idl.idaho.gov kdawson@idl.idaho.gov <input type="checkbox"/> By iCourt</p>
<p>Office of Administrative Hearings General Government Division Leslie M. Hayes P.O. Box 83720 Boise, ID 83720-0104 (208) 605-4300</p>	<p><input type="checkbox"/> By U.S. Mail <input type="checkbox"/> By Overnight Mail <input type="checkbox"/> By Facsimile <input checked="" type="checkbox"/> By Email: filings@oah.idaho.gov leslie.hayes@oah.idaho.gov <input type="checkbox"/> By iCourt</p>

/s/ Shannon James
SHANNON JAMES