

BOISE, IDAHO, JUNE 8, 2026, AT 8:45 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

STEPHAN L. BYRD and AMY K. BYRD,)
husband and wife,)
)
Plaintiffs-Counterdefendants-)
Appellants,)
)
v.)
)
STEVEN and SUSAN COFFEY, husband)
and wife, et al.)
)
Defendants-Counterclaimants-)
Respondents.)
)

)
ERIKA LYNN MULLINS and ALLISON)
LINDSEY STILL, Co-Trustees of the)
McCray Living Trust,)
)
Plaintiffs-Counterdefendants-)
Appellants,)
)
v.)
)
STEVEN and SUSAN COFFEY, husband)
and wife, et al.)
)
Defendants-Counterclaimants-)
Respondents.)

Docket No. 52453

Appeal from the District Court of the First Judicial District of the State of Idaho, Bonner County. Lamont C. Berecz, District Judge.

John F. Magnuson, Attorney at Law, Coeur d’Alene, for Appellants.

Featherston Law Firm, Chtd., Sandpoint, for Respondents.

This case involves a dispute over littoral rights at Priest Lake. The parties’ respective parcels were split out from what was previously one large parcel. In 1951, the south half of the parcel was conveyed to William and Mary Taylor (“Taylor”). Taylor split their parcel, conveying two parcels to Steele and Metha Tanner (“Tanner”), two similar parcels to two other parties, and

the remainder of the property to Ziegler Lumber Company (“Ziegler”). Stephen and Amy Byrd (“Byrds”) and the McCray Living Trust (“McCray”) later acquired the Tanner parcels, and Steven and Susan Coffey (“Coffeys”) acquired the Ziegler parcel.

This dispute arose when the Byrds and McCray filed an encroachment permit application with the Idaho Department of Lands (“IDL”) seeking to improve their multi-family dock located on the lake. The Coffeys objected, asserting the Byrds and McCray were not littoral owners on Priest Lake. IDL denied the permit application after concluding the Byrds and McCray did not demonstrate that they had littoral rights by a preponderance of the evidence. On appeal, the Idaho Supreme Court affirmed the denial because the Byrds and McCray failed to establish that they had littoral rights on the lake. However, the Court also held that IDL did not have authority to determine the existence of littoral rights in the first instance. The Court held that a quiet title action was the proper manor of determining the littoral rights to that portion of Priest Lake. Subsequently, the Byrds and McCray filed complaints against the Coffeys to quiet title to the real property lying upland of the ordinary high-water mark of Priest Lake abutting their properties. The Coffeys filed a counterclaim seeking quiet title in their favor and asserting a claim for trespass against the Byrds and McCray.

Resolving the parties’ claims turned heavily on whether the Taylor to Tanner deed included the littoral rights to the lake. Following a trial, the district court determined that the language in the deed was ambiguous as to littoral rights. Thus, it looked to extrinsic evidence and ultimately determined that the Byrds’ and McCray’s evidence was not sufficient to quiet title in their favor. Rather, it found that the Coffeys met their burden to quiet title. Because the Coffeys owned the lakefront strip of land, it found that the Byrds and McCray had committed civil trespass through their use and construction of a dock on the property and were liable for actual damages.

The Byrds and McCray appeal and argue that the Taylor to Tanner deed was not ambiguous. However, even if it was ambiguous, they argue that any ambiguity should have been resolved in their favor and that there was not substantial evidence that Taylor did not intend to convey littoral rights to Tanner. Finally, they argue that the district court erred by finding they committed civil trespass because it failed to consider a statutory exception to civil trespass involving a right of entry onto the property. They assert they had a right to enter the property because they held a valid IDL permit for the existing dock on the property.