

Stacey L. Beaumont, ISB No. 10520
Hart Parr Dal Pra, ISB No. 12812
HAWLEY TROXELL ENNIS & HAWLEY LLP
704 E. Sherman Avenue
Coeur d'Alene, ID 83814
Telephone: 208.444.4170
Facsimile: 208 954 5212
Email: sbeaumont@hawleytroxell.com
hparrdalpra@hawleytroxell.com

Attorneys for Applicant Gregory Schneider

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

In the Matter of Application for Replacement
of an Existing Seawall on Hayden Lake,
encroachment NP220096,

GREGORY SCHNEIDER,

Applicant.

AGENCY Case No. PH-2026-NAV-22-004

OAH Case No. 26-320-11

WITNESS LIST

Pursuant to the Presiding Officer's Second Amended Scheduling Order entered October 13, 2026, Applicant Gregory Schneider, by and through his undersigned counsel of record Hawley Troxell Ennis & Hawley LLP, submits the following list of witnesses he may call at the evidentiary hearing on November 5, 2026 in this contested case.

1. Gregory Schneider
2. Sheree DiDias
3. William J. Gunterman also known as Bill Gunterman
4. Marti N. Hunt;
5. Kyra N. McComas;
6. Floriana Ciaglia;

7. Cheryl Renee Roberts Michael;

Dated: October 26, 2026

HAWLEY TROXELL ENNIS & HAWLEY LLP

By 
Hart Parr Dal Pra, ISB No. 12812
Attorneys for Applicant Gregory Schneider

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I caused to be served a true copy of the foregoing WITNESS LIST by the method indicated below, and addressed to each of the following:

Douglas P. McInnis
15050 E. Hayden Lake Rd.
Hayden, ID 83835
Objector

- ☐ U.S. Mail, Postage Prepaid
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☒ E-mail: dpmcinnis@yahoo.com
- ☐ Facsimile
- ☐ iCourt

Lindsey Morgan
Fennemore Craig, PC
233 Harrison Ave.
Coeur d'Alene, ID 83814
Counsel for Objector Douglas P. McInnis

- ☐ U.S. Mail, Postage Prepaid
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☒ E-mail: lmorgan@fennemorelaw.com
- ☐ Facsimile
- ☐ iCourt

Lance Olson
5403 Quail Ridge Cir.
Spokane, WA 99223
Public Witness

- ☐ U.S. Mail, Postage Prepaid
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☒ E-mail: lanceols@msn.com
- ☐ Facsimile
- ☐ iCourt

Idaho Department of Lands
Kayleen Richter
300 N. 6th Street, Ste. 103
Boise, ID 83702
Counsel for IDL

- ☐ U.S. Mail, Postage Prepaid
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☒ E-mail: krichter@idl.idaho.gov
- ☐ Facsimile
- ☐ iCourt

Idaho Department of Lands
Mike Ahmer
Resource Supervisor for Navigable Waters
Marde Mensinger
Program Manager of Navigable Waters

- ☐ U.S. Mail, Postage Prepaid
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☒ E-mail: mahmer@idl.idaho.gov
mmensinger@idl.idaho.gov
- ☐ Facsimile
- ☐ iCourt

Kayla Dawson
Idaho Department of Lands
300 N. 6th Street, Suite 103
Boise, ID 83702
Service Contacts for IDL

- ☐ U.S. Mail, Postage Prepaid
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☒ E-mail: kdawson@idl.idaho.gov
- ☐ Facsimile
- ☐ iCourt

OAH
General Government Division
P.O. Box 83720
Boise, ID 83720-0104

- ☐ U.S. Mail, Postage Prepaid
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☒ E-mail: filings@oah.idaho.gov
- ☐ Facsimile
- ☐ iCourt

Dated: October 26, 2026



Hart Parr Dal Pra, ISB No. 12812

**AFFIDAVIT OF
WILLIAM
GUNTERMAN**

BEFORE THE IDAHO DEPARTMENT OF LANDS
DECLARATION OF WITNESS REGARDING BOAT SLIP USE

Boat slip location: Kootenai County, Idaho

Instructions: Complete one declaration per witness. State only what you personally saw. Identify approximate dates as estimates. Sign and date the completed declaration.

In the matter of / case name (if known):

Idaho Department of Lands and Greg Schneider

Agency and OAH case numbers:

Agency: PH-2026-NAV-22-004 | OAH: 26-3 20-11

1. My full legal name:

William J Gunterman

I am at least eighteen years old. I state the following based on my personal knowledge and observations:

2. My relationship to the parties (neighbor, relative, friend, etc.):

Brother-in-law

3. Exact slip location (lake, address, dock or slip number):

15050 East Hayden Lake Rd.
Hayden, ID 83835

4. Months and YEAR during which I personally observed boat use:

July 24 to August 3 2026

5. Where I observed from, how often I was there, and what I could see:

I observed from the Schneider's dock. The McGuinness's boat would come and go several times a day taking people out without any issue leaving and returning to the dock.

6. Name of the person I personally saw operating the boat:

There were several people operating the boat. I witnessed Mr. McGuinness, His wife and older children using boat.

7. How I know or recognize that person:

I recognize them because they live at the secondary home on the upper property. I can't say I know them personally. The only interaction have been complaints from Mr McGuinness to the Schneider's over the years.

BEFORE THE IDAHO DEPARTMENT OF LANDS
DECLARATION OF WITNESS REGARDING BOAT SLIP USE

Boat slip location: Kootenai County, Idaho

Witness full name (repeat):

William J Gunterman (Bill)

8. Boat description (color, type, name, registration if known):

Axios T22/T23 boat

9. Describe each observation or repeated observations. Include dates or approximate periods, whether the boat entered or left the slip, and how you identified the operator. If estimating frequency, explain your basis. Do not guess.

My personal observations:

My family and I have been visiting the Schneider family's dock since 1992, and we lived in the area from 1994 to 2004. During that time, we visited the dock when the Schneider family owned the property belonging to Mr. McGuinness, including the associated land and dock area.

The area in question is located at the terminus of a creek or tributary that flows into Hayden Lake. Before the area was disturbed by the construction of a home and dock, aquatic vegetation was present in this location. Based on my personal observations over the years, the water level and conditions in this area have always fluctuated seasonally. By late August, the area is typically shallow.

Despite these seasonal fluctuations and the shallow conditions that occur at certain times of the year, I have never observed the boat in question experiencing difficulty entering or leaving the area. Based on my longstanding familiarity with this location and my observations over several decades.

10. Photos, records or additional pages attached (describe, or write "none"):

None

My statements describe only what I personally witnessed. I was not continuously observing the slip and do not claim knowledge of its use when I was not present. Any additional signed pages are part of this declaration.

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

Witness signature: William J. Gunterman

Date: 10/22/24

Printed name: William J. Gunterman

AFFIDAVIT OF MARTI HUNT

BEFORE THE IDAHO DEPARTMENT OF LANDS
DECLARATION OF WITNESS REGARDING BOAT SLIP USE

Boat slip location: Kootenai County, Idaho

Instructions: Complete one declaration per witness. State only what you personally saw. Identify approximate dates as estimates. Sign and date the completed declaration.

In the matter of / case name (if known):

Idaho Department of Lands and Greg Schneider

Agency and OAH case numbers:

Agency: PH-2026-NAV-22-004 | OAH: 26-3 20-11

1. My full legal name:

Marti N Hunt

I am at least eighteen years old. I state the following based on my personal knowledge and observations:

2. My relationship to the parties (neighbor, relative, friend, etc.):

Friend

3. Exact slip location (lake, address, dock or slip number):

15050 East Hayden Lake Rd.
Hayden, ID 83835

4. Months and YEAR during which I personally observed boat use:

August 22, 2026 (we have been visiting the Schneider Family for years)

5. Where I observed from, how often I was there, and what I could see:

On the Schneider Dock

6. Name of the person I personally saw operating the boat:

McGinnis Family, departing and arriving back to the their Dock

7. How I know or recognize that person:

They docked their boat at their dock

BEFORE THE IDAHO DEPARTMENT OF LANDS
DECLARATION OF WITNESS REGARDING BOAT SLIP USE

Boat slip location: Kootenai County, Idaho

Witness full name (repeat):

Marti N Hunt

8. Boat description (color, type, name, registration if known):

Axios T22/T23 boat

9. Describe each observation or repeated observations. Include dates or approximate periods, whether the boat entered or left the slip, and how you identified the operator. If estimating frequency, explain your basis. Do not guess.

My personal observations:

August 22nd 2026 the McInnis family came back to their dock . We waved and smiled and they all smiled and waved back.waved back. They docked there boat.Mc

10. Photos, records or additional pages attached (describe, or write "none"):

None

My statements describe only what I personally witnessed. I was not continuously observing the slip and do not claim knowledge of its use when I was not present. Any additional signed pages are part of this declaration.

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

Witness signature: _____

Date: 10/22/26

Printed name: Marti Hunt

**AFFIDAVIT OF KYRA
NICOLE McCOMAS**

BEFORE THE IDAHO DEPARTMENT OF LANDS

DECLARATION OF WITNESS REGARDING BOAT SLIP USE

Boat slip location: Kootenai County, Idaho

Instructions: Complete one declaration per witness. State only what you personally saw. Identify approximate dates as estimates. Sign and date the completed declaration.

In the matter of / case name (if known):

Idaho Department of Lands and Greg Schneider

Agency and OAH case numbers:

Agency: PH-2026-NAV-22-004 | OAH: 26-3 20-11

1. My full legal name:

Kyra Nicole McComas

I am at least eighteen years old. I state the following based on my personal knowledge and observations:

2. My relationship to the parties (neighbor, relative, friend, etc.):

Friend

3. Exact slip location (lake, address, dock or slip number):

15050 East Hayden Lake Rd.
Hayden, ID 83835

4. Months and YEAR during which I personally observed boat use:

May 2026 - September 2026

5. Where I observed from, how often I was there, and what I could see:

Observed from Schneider dock every Friday through Sunday through the summer and above months (May through September 2026). Mr. McInnis pulled his boat in and out of his dock without any difficulty.

6. Name of the person I personally saw operating the boat:

Mr. McInnis

7. How I know or recognize that person:

I met him previously and personally saw him driving the boat each time.

BEFORE THE IDAHO DEPARTMENT OF LANDS
DECLARATION OF WITNESS REGARDING BOAT SLIP USE

Boat slip location: Kootenai County, Idaho

Witness full name (repeat):

Kyra Nicole McComas

8. Boat description (color, type, name, registration if known):

Axios T22/T23 boat

9. Describe each observation or repeated observations. Include dates or approximate periods, whether the boat entered or left the slip, and how you identified the operator. If estimating frequency, explain your basis. Do not guess.

My personal observations:

I personally saw Mr. McInnis drive his boat in and out of his dock throughout the summer months and beyond (May to September 2026) without difficulty or any issues at all.

10. Photos, records or additional pages attached (describe, or write "none"):

My statements describe only what I personally witnessed. I was not continuously observing the slip and do not claim knowledge of its use when I was not present. Any additional signed pages are part of this declaration.

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

Witness signature: _____

Date: 10/22/2026

Printed name: Kyra Nicole McComas

**AFFIDAVIT OF
FLORIANA CIAGLLIA**

BEFORE THE IDAHO DEPARTMENT OF LANDS

DECLARATION OF WITNESS REGARDING BOAT SLIP USE

Boat slip location: Kootenai County, Idaho

Instructions: Complete one declaration per witness. State only what you personally saw. Identify approximate dates as estimates. Sign and date the completed declaration.

In the matter of / case name (if known):

Idaho Department of Lands and Greg Schneider

Agency and OAH case numbers:

Agency: PH-2026-NAV-22-004 I OAH: 26-3 20-11

1. My full legal name:

Floriana Ciaglia

I am at least eighteen years old. I state the following based on my personal knowledge and observations:

2. My relationship to the parties (neighbor, relative, friend, etc.):

Friend

3. Exact slip location (lake, address, dock or slip number):

15050 East Hayden Lake Rd.
Hayden, ID 83835

4. Months and YEAR during which I personally observed boat use:

Occasionally, in the summer months between 2019 and 2026.

5. Where I observed from, how often I was there, and what I could see:

I spent at least two weeks each summer at the Schneider's residence and would observe from their dock from where I had clear view of Mr. McInnis's dock and boat slip.

6. Name of the person I personally saw operating the boat:

Douglas McInnis

7. How I know or recognize that person:

He is the Schneider's neighbor

BEFORE THE IDAHO DEPARTMENT OF LANDS
DECLARATION OF WITNESS REGARDING BOAT SLIP USE

Boat slip location: Kootenai County, Idaho

Witness full name (repeat):

Floriana Ciaglia

8. Boat description (color, type, name, registration if known):

Axios T22/T23 boat

9. Describe each observation or repeated observations. Include dates or approximate periods, whether the boat entered or left the slip, and how you identified the operator. If estimating frequency, explain your basis. Do not guess.

My personal observations:

Over the course of the years, I have personally observed Mr. Douglas McInnis operating a boat to and from his boat slip on numerous occasions. I do not maintain records of these observations and cannot recall specific dates or details of each individual occurrence.

10. Photos, records or additional pages attached (describe, or write "none"):

None

My statements describe only what I personally witnessed. I was not continuously observing the slip and do not claim knowledge of its use when I was not present. Any additional signed pages are part of this declaration.

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

Witness signature: Floriana Ciaglia

Date: 10/23/2026

Printed name: Floriana Ciaglia

**AFFIDAVIT OF
CHERYL RENEE
ROBERTS MICHAEL**

BEFORE THE IDAHO DEPARTMENT OF LANDS

DECLARATION OF WITNESS REGARDING BOAT SLIP USE

Boat slip location: Kootenai County, Idaho

Instructions: Complete one declaration per witness. State only what you personally saw. Identify approximate dates as estimates. Sign and date the completed declaration.

In the matter of / case name (if known):

Idaho Department of Lands and Greg Schneider

Agency and OAH case numbers:

Agency: PH-2026-NAV-22-004 | OAH: 26-3 20-11

1. My full legal name:

Cheryl Renee Roberts Michael

I am at least eighteen years old. I state the following based on my personal knowledge and observations:

2. My relationship to the parties (neighbor, relative, friend, etc.):

Visitor / friend

3. Exact slip location (lake, address, dock or slip number):

15050 East Hayden Lake Rd.
Hayden, ID 83835

4. Months and YEAR during which I personally observed boat use:

August 2024 + August 2025

5. Where I observed from, how often I was there, and what I could see:

I observed Philona McInnis driving her boat in east of her dock approximately 6-8 times while I was either in the water or on the Schneider dock. I recall remarking that she often created an excessive wake. I was there for several hours daily.

6. Name of the person I personally saw operating the boat:

Philona McInnis

7. How I know or recognize that person:

prior introduction

BEFORE THE IDAHO DEPARTMENT OF LANDS
DECLARATION OF WITNESS REGARDING BOAT SLIP USE

Boat slip location: Kootenai County, Idaho

Witness full name (repeat):

Cheryl Renee Roberts Michael

8. Boat description (color, type, name, registration if known):

Axios T22/T23 boat

9. Describe each observation or repeated observations. Include dates or approximate periods, whether the boat entered or left the slip, and how you identified the operator. If estimating frequency, explain your basis. Do not guess.

My personal observations:

As previously stated on this form, I was either in the water or the schneider dock for several hours daily over approximately a 10 day period in August 2024 + August 2025. I live in Maryland where we have wake restrictors due to erosion so I commented about the speed which Philonia Mathis pulled into + out of her dock which I thought was aggressive + possibly damaging. I had been introduced to her previously + that is how I recognized her. I saw her come up from her dock approximately 6-10 times during my visits.

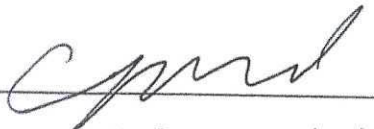
10. Photos, records or additional pages attached (describe, or write "none"):

none

My statements describe only what I personally witnessed. I was not continuously observing the slip and do not claim knowledge of its use when I was not present. Any additional signed pages are part of this declaration.

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

Witness signature:



Date: 10-24-26

Printed name: Cheryl Renee Roberts Michael