

**BEFORE THE IDAHO DEPARTMENT OF LANDS**

In the Matter of Application to Permit	)	AGENCY Case No. PH-2025-NAV-22-001
Existing Boat Garage,	)	
	)	OAH Case No. 25-320-01
Clinton Zuber, Zuber Construction Inc.	)	
	)	<b>SCHEDULING ORDER</b>
Applicant.	)	
	)	
	)	

---

A scheduling videoconference was conducted on March 3, 2025. Attending the scheduling conference were Hearing Officer Leslie Hayes, Applicant Clinton Zuber, for Zuber Construction, Idaho Department of Lands' (IDL) counsel, John Richards, and Marde Messinger, Rachel King, and Mike Ahmer, IDL representatives.

IT IS HEREBY ORDERED that the following deadlines and procedures will govern this matter going forward:

1. On or before **March 25, 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 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.

Applicant's exhibits shall begin with "Z" (Z-1, Z-2, Z-3, etc.); Objector IDL's exhibits shall begin with "IDL" (IDL-1, IDL-2, IDL-3, etc.).

2. On or before **March 25, 2025**, the parties will file with the Hearing Officer and serve each other their prehearing statement. Each party's prehearing statement should summarize the facts and law they intend to rely on at the hearing. Applicant may rely on the application as the prehearing statement.

3. **A remote, evidentiary hearing to be held via Zoom is scheduled for April 1, 2025, beginning at 5:00 p.m. Mountain Time/4:00 p.m. Pacific Time. A Zoom link for this hearing will be sent contemporaneously with this notice.** The hearing will be recorded and the ordering of transcripts, if any, will be discussed at the time of the hearing.

4. A remote Prehearing Conference will be held via Zoom on **March 27, 2025, at 2:00 p.m. Mountain Time/1:00 p.m. Pacific Time.** A Zoom link for the prehearing conference will be sent contemporaneously with this order.

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](mailto:elaine.maneck@oah.idaho.gov) and [filings@oah.idaho.gov](mailto: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 either 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 Elaine Maneck at [elaine.maneck@oah.idaho.gov](mailto:elaine.maneck@oah.idaho.gov) to schedule a status conference.

DATED: March 3, 2025.

OFFICE OF ADMINISTRATIVE HEARINGS

/s/ *Leslie M. Hayes*

Leslie M. Hayes

Deputy Chief Administrative Hearing Officer

## CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of March, 2025, I caused to be served a true and correct copy of the foregoing by the following method to:

Clinton Zuber, Zuber Construction  
26327 E. Mission Ave.  
Liberty Lake, WA 99019  
*Applicant*

☐ U.S. Mail  
☒ Email:  
[zuberinc@gmail.com](mailto:zuberinc@gmail.com)

Idaho Department of Lands  
John Richards  
General Counsel  
300 N. 6<sup>th</sup> Street, Ste. 103  
Boise, ID 83702  
(208) 334-0200  
*Counsel for Objector IDL*

☐ U.S. Mail  
☒ Email:  
[jrichards@idl.idaho.gov](mailto:jrichards@idl.idaho.gov)

Idaho Department of Lands  
Marde Mensinger  
300 N. 6<sup>th</sup> Street  
Boise, ID 83720  
(208) 334-0248  
*IDL Program Manager for Navigable Waters*

☐ U.S. Mail  
☒ Email:  
[mmensinger@idl.idaho.gov](mailto:mmensinger@idl.idaho.gov)

Kourtney Romine  
*Service Contact for IDL*

☐ U.S. Mail  
☒ Email:  
[kromine@idl.idaho.gov](mailto:kromine@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](mailto:filings@oah.idaho.gov)

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