

John Richards, ISB #10670
Kayleen Richter, ISB #11258
Idaho Department of Lands
300 N. 6th St., Suite 103
Boise, ID 83702
(208) 334-0200
jrichards@idl.idaho.gov
krichter@idl.idaho.gov

Attorneys for Idaho Department of Lands, Navigable Waterways Program

**BEFORE THE STATE BOARD OF LAND COMMISSIONERS
STATE OF IDAHO**

IN THE MATTER OF

Encroachment Permit Application
No. L95S5573B

Clinton Zuber/Zuber Construction Inc.

Applicant.

Agency Case No. PH-2025-NAV-22-001

OAH Case No. 25-320-01

**IDAHO DEPARTMENT OF LANDS’
WITNESS AND EXHIBIT LIST**

The Idaho Department of Lands (“IDL”), by and through its counsel of record Kayleen Richter, submits the following Witness and Exhibit List in accordance with the *Scheduling Order* issued March 3, 2025. As the record remains open, IDL reserves the right to modify this witness and exhibit list prior to hearing. The following Exhibit List is intended to mirror the unofficial agency record posted online at <https://www.idl.idaho.gov/lakes-rivers/administrative-hearings/clinton-zuber-construction-inc/>. The website is updated on a continuous basis and will include any additional public comments that may be received.

I. WITNESSES

IDL may call the following witnesses in this matter:

1. Mike Ahmer
Idaho Department of Lands – Resource Supervisor – Navigable Waters
3258 Industrial Loop, Coeur d’Alene, ID 83815
Phone – 208-769-1577

2. Any other witness that has been or will be identified or called by any other party, or any other witness participating in the above-captioned matter.

II. EXHIBITS

IDL may present the following exhibits in this matter:

- **IDL-001** – OAH Transmittal Sheet
- **IDL-002** – Application L-95-S-5573B
- **IDL-003** – Notice of Appointment of Hearing Officer
- **IDL-004** – Notice of Scheduling Conference
- **IDL-005** – Notice of Resumed Scheduling Conference
- **IDL-006** – Second Notice of Resumed Scheduling Conference
- **IDL-007** – Scheduling Order
- **IDL-008** – Zoom Link for Evidentiary Hearing
- **IDL-009** – Notice of Application to Agencies
- **IDL-010** – Legal Notice of Application, Order Confirmation
- **IDL-011** – Legal Notice of Application, Press Affidavit
- **IDL-012** – Legal Notice of Application and Public Hearing, Order Confirmation
- **IDL-013** – Legal Notice of Application and Public Hearing, Request

IDL reserves the right to cross-examine any party to this matter, or any non-party witness called to testify during the public hearing. IDL also reserves the right to reference or utilize any document in the record or identified as a possible exhibit by any party or non-party to this matter. IDL further reserves the right to call additional rebuttal witnesses, impeachment witnesses, and any witness identified by the Applicant. Finally, IDL reserves the right to amend or supplement this list in advance of the hearing.

DATED this 25th day of March, 2025.

IDAHO DEPARTMENT OF LANDS

/s/ Kayleen Richter

Kayleen Richter
Counsel for IDL

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of March, 2025, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Clinton Zuber, Zuber Construction 26327 E. Mission Ave. Liberty Lake, WA 99019 <i>Applicant</i>	☒ Email: zuberinc@gmail.com
Marde Mensinger Idaho Department of Lands 300 N. 6 th St. Boise, ID 83720 (208) 334-0248 <i>IDL Program Manager for Navigable Waters</i>	☒ Email: mmensinger@idl.idaho.gov
Kourtney Romine Kayla Dawson <i>Service Contact for IDL</i>	☒ Email: kromine@idl.idaho.gov kdawson@idl.idaho.gov
OAH General Government Division P.O. Box 83720 Boise, ID 83720-0104 816 W. Bannock St. (208) 605-4300	☒ Email: filings@oah.idaho.gov Leslie.hayes@oah.idaho.gov

/s/ Kayleen Richter
Kayleen Richter
Counsel for IDL