

John Richards, ISB #10670  
Kayleen Richter, ISB #11258  
Idaho Department of Lands  
300 N. 6<sup>th</sup> St., Suite 103  
Boise, ID 83702  
(208) 334-0200  
[jrichards@idl.idaho.gov](mailto:jrichards@idl.idaho.gov)  
[krichter@idl.idaho.gov](mailto: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’  
AMENDED WITNESS AND  
EXHIBIT LIST**

The Idaho Department of Lands (“IDL”), by and through its counsel of record Kayleen Richter, submits the following Amended 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. Marde Mensinger  
Idaho Department of Lands – Lands Program Manager Navigable Waterways  
300 N. 6th Street, Suite 103 Boise, ID 83702  
Phone: (208) 334-0248
3. 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 28th 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 28th 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>	<input checked="" type="checkbox"/> Email: <a href="mailto:zuberinc@gmail.com">zuberinc@gmail.com</a>
Marde Mensinger Idaho Department of Lands 300 N. 6 <sup>th</sup> St. Boise, ID 83720 (208) 334-0248 <i>IDL Program Manager for Navigable Waters</i>	<input checked="" type="checkbox"/> Email: <a href="mailto:mmensinger@idl.idaho.gov">mmensinger@idl.idaho.gov</a>
Kourtney Romine Kayla Dawson <i>Service Contact for IDL</i>	<input checked="" type="checkbox"/> Email: <a href="mailto:kromine@idl.idaho.gov">kromine@idl.idaho.gov</a> <a href="mailto:kdawson@idl.idaho.gov">kdawson@idl.idaho.gov</a>
OAH General Government Division P.O. Box 83720 Boise, ID 83720-0104 816 W. Bannock St. (208) 605-4300	<input checked="" type="checkbox"/> Email: <a href="mailto:filings@oah.idaho.gov">filings@oah.idaho.gov</a> <a href="mailto:Leslie.hayes@oah.idaho.gov">Leslie.hayes@oah.idaho.gov</a>

/s/ Kayleen Richter  
Kayleen Richter  
Counsel for IDL