

BEFORE THE IDAHO DEPARTMENT OF LANDS

In the Matter of the Application to Permit)	AGENCY Case No. PH-2025-NAV-22-003
)	
Rebuilding Existing Permitted Boat Garage,)	OAH Case No. 25-320-05
)	
Walter Nevin,)	SCHEDULING ORDER
)	
Applicant.)	
)	

A scheduling videoconference was conducted on August 7, 2025. Appearances were made by Lead Administrative Law Judge Scott Zanzig and representatives of the applicant, the objectors, and the Idaho Department of Lands (IDL).

As discussed at hearing, IT IS HEREBY ORDERED that the following deadlines and procedures will govern this matter going forward:

1. On or before **September 2, 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 to 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 "WN" (WN-1, WN-2, WN-3, etc.); IDL's

exhibits shall begin with “IDL” (IDL-1, IDL-2, IDL-3, etc.), and Objectors’

exhibits shall begin with “OBJ” (OBJ-1, OBJ-2, OBJ-3, etc.).

2. On or before **September 2, 2025**, the parties will also file with the Hearing Officer, and serve upon each other, their prehearing statement. Each party’s prehearing statement should summarize the facts and law they intend to rely on at the hearing.

3. A remote Prehearing Conference will be held via Zoom on **September 9, 2025, at 11:00 a.m. Mountain Time**. A Zoom link for the prehearing conference will be sent contemporaneously with this order.

4. **A public, one-day evidentiary hearing is scheduled for September 15, 2025, beginning at 12:00 p.m. Pacific Time and concluding no later than 5:00 p.m. Pacific Time. The Public Comment portion of this hearing will be from 5:00 p.m. to 6:00 p.m. Pacific Time.** The hearing will be held in Coeur’d Alene, Idaho, at a location to be determined. (All parties agreed that North Idaho College (NIC) would be an appropriate venue for the hearing. The Office of Administrative Hearings has contacted NIC and will issue a notice of hearing as soon as NIC confirms space availability.) The hearing will be recorded via Zoom and the ordering of transcripts, if any, will be discussed at the time of the hearing. Public Comment will not be taken from remote participants.

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 and 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 Deputy Clerk Elaine Maneck at elaine.maneck@oah.idaho.gov to schedule a status conference.

DATED: August 7, 2025.

OFFICE OF ADMINISTRATIVE HEARINGS

/s/ W. Scott Zanzig

W. Scott Zanzig

Lead Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of August, 2025, I caused to be served a true and correct copy of the foregoing by the following method to:

Walter Nevin
Applicant

☐ U.S. Mail
☒ Email:
qualityflrs@aol.com

Wendy Van Orman
23306 E. Sharp Ave.
Liberty Lake, WA 99019
(509) 220-1557
Agent for Applicant

☐ U.S. Mail
☒ Email:
vanormanby5@gmail.com

Jack Mosby
Ramsden, Marfice, Ealy & De Smet, LLP
700 Northwest Blvd.
Coeur d'Alene, ID 83814
(208) 664-5818
Counsel for Applicant and Agent for Applicant

☐ U.S. Mail
☒ Email:
jmosby@rmedlaw.com

Kidd Island Bay Homeowners Association
P.O. Box 263
Coeur d'Alene, ID 83816
Objector

☐ U.S. Mail
☒ Email:
Board.kibha@gmail.com

Idaho Department of Lands
John Richards, General Counsel
Kayleen Richter, Counsel
300 N. 6th Street, Ste. 103
Boise, ID 83702
(208) 334-0200
Counsel for IDL

☐ U.S. Mail
☒ Email:
jrichards@idl.idaho.gov
krichter@idl.idaho.gov

Amidy Fuson
Lands Resource Specialist-Navigable Waters
Marde Mensinger
Program Manager for Navigable Waters

☐ U.S. Mail
☒ Email:
afuson@idl.idaho.gov
mmensinger@idl.idaho.gov

Kourtney Romine
Rachel King
Kayla Dawson
Service Contacts for IDL

☐ U.S. Mail
☒ Email:
kromine@idl.idaho.gov
rking@idl.idaho.gov
kdawson@idl.idaho.gov

SCHEDULING ORDER

(AGENCY Case No. PH-2025-NAV-22-003/ OAH Case No. 25-320-05) Page 4

OAH
General Government Division
P.O. Box 83720
Boise, ID 83720-0104
(208) 605-4300

☐ U.S. Mail
☒ Email:
filings@oah.idaho.gov
scott.zanzig@oah.idaho.gov

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