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*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. L95S6166

Mark E. Allen,

Applicant.

Agency Case No. PH-2025-NAV-22-002

OAH Case No. 25-320-04

**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 August 7, 2025. The following Exhibit List is intended to mirror the unofficial agency record posted online at <https://www.idl.idaho.gov/lakes-rivers/administrative-hearings/walter-nevin/>. 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  
Anticipated testimony is reflected in the prehearing statement.

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  
Anticipated testimony is reflected in the prehearing statement.
3. Amidy Fuson  
Idaho Department of Lands – Lands Resource Specialist, Sr. – Navigable Waters  
3258 Industrial Loop, Coeur d’Alene, ID 83815  
Phone – 208-769-1577  
Anticipated testimony is to lay foundation for Exhibit IDL-15, if necessary.

IDL reserves the right to call any witness that has been or will be identified or called by any other party, or any other witness participating in the above captioned matter, and to cross-examine any party to this matter or any non-party witness called to testify during the public hearing. IDL reserves the right to amend or supplement this list in advance of hearing.

## II. EXHIBITS

IDL may present the following exhibits in this matter:

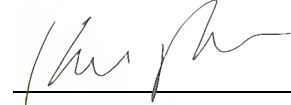
- **IDL-1 – OAH Transmittal Sheet**
- **IDL-2 – Application, L-95-S-0446C**
- **IDL-3 – Notice of Application, Neighbors**
- **IDL-4 – Certified Neighbor Notice, HOA**
- **IDL-5 – Notice of Application, Agencies**
- **IDL-6 – Order Confirmation for Notice of Application**
- **IDL-7 – Request for Public Notice to CDA Press**
- **IDL-8 – Objection to Application from Kidd Island Bay HOA**
- **IDL-9 – Notice of Appointment of Hearing Officer**
- **IDL-10 – Notice of Scheduling Conference**
- **IDL-11 – Scheduling Order**
- **IDL-12 – Notice of Location of Evidentiary Hearing**
- **IDL-13 – Order Confirmation for Notice of Public Hearing**
- **IDL-14 – *Miller et al. v. Kidd Island Bay Dev. Co. et al.*, Kootenai Cnty Case No. 57540 (1987) (*Decision and Amended Order*)**
- **IDL-15 – Photos of Boat Garage**
- **IDL-16 – KIBHA Withdrawal of Objection/Approval of Application**

Copies of the identified exhibits are submitted concurrently with this Witness and Exhibit List. IDL reserves the right to utilize any item already in the administrative record, any item

listed on any other party's exhibit list, and to use demonstrative exhibits that may not be listed.  
Finally, IDL reserves the right to amend or supplement this list in advance of hearing.

DATED this 2nd day of September, 2025.

IDAHO DEPARTMENT OF LANDS

A handwritten signature in black ink, appearing to read 'Kayleen Richter', is written over a horizontal line.

Kayleen Richter  
Counsel for IDL

### CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of September, 2025, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Walter Nevin <i>Applicant</i>	<input checked="" type="checkbox"/> Email: qualityflrs@aol.com
Wendy Van Orman 23306 E. Sharp Avenue Liberty Lake, WA 99019 <i>Agent for Applicant</i>	<input checked="" type="checkbox"/> Email: vanormanby5@gmail.com
Kidd Island Bay Homeowners Association P.O. Box 263 Coeur d'Alene, ID 83816 <i>Objector</i>	<input checked="" type="checkbox"/> Email: Board.kibha@gmail.com
Marde Mensinger Idaho Department of Lands 300 N. 6 <sup>th</sup> Street Boise, ID 83702 <i>IDL Program Manager for Navigable Waters</i>	<input checked="" type="checkbox"/> Email: mmensinger@idl.idaho.gov
Kourtney Romine Kayla Dawson <i>Service Contacts for IDL</i>	<input checked="" type="checkbox"/> Email: kromine@idl.idaho.gov kdawson@idl.idaho.gov
W. Scott Zanzig OAH General Government Division P.O. Box 83720 Boise, ID 83720-0104 816 W. Bannock Street <i>Hearing Officer</i>	<input checked="" type="checkbox"/> Email: filings@oah.idaho.gov scott.zanzig@oah.idaho.gov



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