

MICA SUPERVISORY

AREA

3258 West Industrial Loop

Coeur d'Alene ID 83815

Phone (208) 769-1577

Fax (208) 769-1597



TOM SCHULTZ, DIRECTOR
EQUAL OPPORTUNITY EMPLOYER

STATE BOARD OF LAND COMMISSIONERS

C.L. "Butch" Otter, Governor

Ben Ysursa, Secretary of State

Lawrence G. Wasden, Attorney General

Brandon Woolf, State Controller

Tom Luna, Sup't of Public Instruction

July 2, 2013

Steve Rice
RMH2 LLC
512 S. Rocky Point Ct.
Post Falls, ID 83854

Dear Mr. Rice:

Re: Encroachment Permit L-95-S-5072B

Enclosed is subject permit in accordance with the application you filed with this office. Please comply with all special terms and conditions.

This permit is not valid until you provide the Idaho Department of Lands with proof of recordation from your county recorder's office. Please note that the original notarized permit must be presented to the recorder; a copy will not be accepted. **The encroachment permit number (5072) must be displayed upon the most waterward area of your encroachment with metal, plastic (vinyl) or wooden numerals at least three inches in size.**

WHAT NEXT?

1. Record the Encroachment Permit with the respective county in which the encroachment is located. To provide validation, remit proof of your recorded permit (a copy of the stamped permit) to Idaho Department of Lands prior to beginning your project.
2. Upon completion of the encroachment project, record the completion date on the form **yellow** Work Completion Report and return to this office.
3. The **blue** form-Request for Assignment of Encroachment Permit-is used for future sale of the property. Complete forms upon sale as directed then return to this office for process.

Thank you for your cooperation.

Roger Johnson
Lands Resource Specialist, Navigable Waters

rj

enclosures

c: Kootenai County Assessor's Office
Sid Anderson-Boise
HDB Marine

WORK COMPLETION REPORT

Name RMH2 LLC / Steve Rice

Permit # L-95-S-5072B

This work to be completed by:

July 2, 2016

Permit issue date:

July 2, 2013

Recordation Instrument Number: _____

Date work completed: _____

Is permitted property accessible by vehicle?

YES NO

Photograph of the last four numbers of the encroachment permit placed on the dock is required with the Work Completion Report.

If so, what is the local numbering system number if any? _____

Signature: _____
Steve Rice

Upon completion of work, please return this report to:

**Idaho Department of Lands
Mica Supervisory Area-JIM BRADY
3258 W. Industrial Loop
Coeur d'Alene, ID 83815**

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ENCROACHMENT PERMIT NUMBER L-95-S-5072B

Permission is hereby granted to RMH2 LLC / Steve Rice of 512 S. Rocky Point Ct., Post Falls, ID 83854 to install and maintain: Relocate existing float home to Blue Lake. 5'x25' pier, 5'x17' approach, 50'x29' single slip dock, 35'x4' dock, w/ 4 piling, adjacent to 86'x25' Float home / garage. Located: Blue Lake, AIN: 141309, Parcel 48N03W-23-3700, Lot 1-8, BKPG Addition; Section 23, Township 48 North, Range 03 West; Boise Meridian: Kootenai County.

1. All applicable provisions of the Rules for Regulation of Beds, Waters, and Airspace over Navigable Lakes and Streams in the State of Idaho are incorporated herein by reference and made a part hereof.
2. Construction will follow details and specifications shown on the approved drawings and data provided by the applicant. Should such information and data prove to be materially false, incomplete and/or inaccurate, this authorization may be modified, suspended, or revoked in accordance with the Administrative Procedures Act, Idaho Code Title 67, Chapter 52.
3. This permit does not convey the State's title to nor jurisdiction or management of lands lying below the natural or ordinary high water mark.
4. Acceptance of this permit constitutes permission by the Permittee for representatives of the Department of Lands to come upon Permittee's property at all reasonable times to inspect the encroachment authorized by this permit.
5. The Permittee shall indemnify, defend and save harmless, the state, its officers, agents and employees from and against any liability, claims, damages, losses, debts, obligations, judgments, expenses or actions, including reasonable attorneys' fees from action related to this permit. If it becomes necessary for the State to defend any action seeking to impose any such liability, Permittee agrees to pay the State all costs of court and attorneys' fees incurred by the State in effecting such defense in addition to all other sums that the State may be called upon to pay by reason of the entry of a judgment against it in the litigation in which such is asserted.
6. ***Idaho Code §58-1306(e)*** requires recordation of this permit in the records of respective county assessor's office as a condition of this permit.
7. This permit is not valid until the identification number is displayed on the outermost area of the encroachment.

ENCROACHMENT PERMIT NUMBER L-95-S-5072B

July 2, 2013

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8. If the activity authorized herein is not completed on or before the 2nd day of July, 2016 (three years from the date of issuance), this permit shall automatically expire unless it was previously revoked or otherwise extended.
9. **This permit does not relieve the Permittee from obtaining additional local or federal permits as required. In addition, nothing in permit shall excuse a person from obtaining any additional approvals lawfully required by federal, local or other state agencies.**
10. The Permittee or operator shall have a copy of this permit available on site for inspection at all times during construction.
11. Construction barges and other equipment or watercraft shall not be grounded on the lakebed for stability.
12. No demolition debris shall be allowed to fall to the lakebed or be dragged to shore. Demolition debris shall be disposed of at an approved upland location.
13. Piles shall be driven with noise reduction devices.
14. Permittee is responsible for all work done by any contractor. Permittee shall provide contractor with a copy of this permit. Permittee shall ensure any contractor who performs the work is informed of and follows all the terms and conditions of this permit.
15. No equipment, boats, barges or associated machinery shall create petroleum product sheen on the water due to petroleum products handling, use or storage. The operators shall have petroleum absorbent pads on hand and also have the Emergency Response Team phone number, 1-800-632-8000, on hand should there be a release of any kind.
16. White bead foam flotation shall be completely encased in a manner that will maintain the structural integrity of the foam. The encasement shall be resistant to the entry of rodents.
17. In the event a used boat lift is installed, it shall be inspected for invasive species and determined to be free from such species prior to installation. **Permittee shall provide proof of inspection to this office prior to any work waterward of the high water mark.**
18. Permanent slipcovers will not be permitted. For single-family encroachments a fabric canopy (**canopy top only, no sides are authorized by this permit**) of a color which blends with the surrounding uplands is acceptable. These colors shall be shades of browns or greens. However, bright carnival blue color is reserved for use by commercial marinas.
19. Removal and proper disposal of any preexisting or abandoned facilities is a condition of this permit.
20. This permit supersedes and voids any permit previously issued for this property.

ENCROACHMENT PERMIT NUMBER L-95-S-5072B

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21. Construction materials shall be natural or pressure treated utilizing only those preservative chemicals registered for the specific uses by the U.S. Environmental Protection Agency (EPA). All treated wood materials shall be produced in compliance with "Best Management Practices (BMPs) For the Use of Treated Wood in Aquatic Environments" issued by the Western Wood Preservers Institute (WWPI), July 1996. Treated materials not in contact with the water shall be completely dry before use near navigable waters. **Contact Idaho Department of Environmental Quality at (208)769-1422 for information on acceptable treatment methods and materials.**
22. An IDL encroachment permit must be obtained before construction begins.
23. All construction material including maintenance material must be stockpiled landward of the ordinary high water mark.
24. Kootenai County has advised the Department that any alteration within the 25 foot shoreline protection buffer may need to comply with the Site Disturbance Ordinance of Kootenai County. It is the permittees's responsibility contact Kootenai County Community Development and comply with their requirements.
25. Location of this dock must be placed as specified in the site plan.
26. The Permittee shall maintain all structures or work authorized herein in a good and safe condition and in accordance with the plans and drawings attached hereto.
27. All construction will be done according to the specifications detailed in the attached design plan.
28. This permit is issued contingent upon the Permittee's agreement to enter into a sovereign land lease when notified by the director that a lease is necessary to occupy state-owned lake or riverbeds. The lease will be consistent with other sovereign land leases and policy adopted by the State Board of Land Commissioners. **COPY TO MIKE MURPHY IN BOISE AND JIM BRADY**
29. All construction shall be completed in accordance with descriptions and methods provided unless otherwise specified. Any changes shall be approved in writing by the department prior to construction.
30. In the event the (submerged or sovereign lands) lease is terminated, the Permittee shall be solely responsible for removal of the encroachment within 60 days of the cancellation.
31. An adequate supply of petroleum-absorbing products shall be on site in the event of a spill.
32. All wood and/or plastic chips and other construction waste shall be removed from the lake upon completion of project.

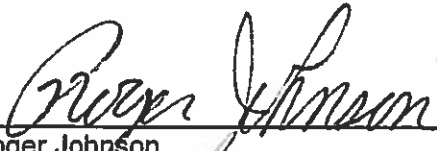
July 2, 2013

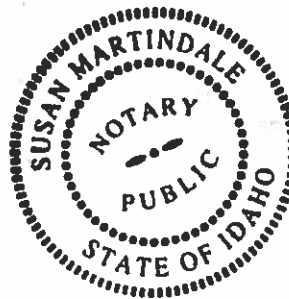
Page four

UPON TRANSFER OF THIS REAL PROPERTY, YOU ARE REQUIRED TO NOTIFY THIS OFFICE OF THE SUBSEQUENT NAME CHANGE (SEE ENCLOSURE).

FOR THE DIRECTOR

By:


Roger Johnson,
Lands Resource Specialist, Navigable Waters



STATE OF IDAHO)

) ss

COUNTY OF KOOTENAI)

On July 2, 2013, personally appeared before me Roger Johnson, whose identity is personally known to me and who by me duly affirmed that he is the Lands Resource Specialist, Navigable Waters of the Idaho Department of Lands, and acknowledged that the foregoing document was signed by him in behalf of said state agency by authority of a Resolution of the State Land Board.


Notary Public for Idaho Department of Lands
My commission expires on 6/1/11



Request for Assignment of Encroachment Permit

I/We, RMH2 LLC / Steve Rice, am/are the current permittee(s) of the Idaho Department of Lands encroachment permit(s) listed below. I/We, as Assignor(s), request that the identified permit(s) be assigned to

_____, identified below as "Assignee(s)."

Encroachment Number (s): L-95-S-5072B

Body of Water: Blue Lake

County: Kootenai

ASSIGNOR(S) -- CURRENT PERMITEE(S)

We hereby swear and affirm that the information contained herein is true and correct to the best of our knowledge.

Assignor _____ Assignor _____

STATE OF _____)

: ss.

County of _____)

On this _____ day of _____, in the year 20_____, before me, a notary public in and for said State, personally appeared _____, known to me to be the Assignor(s)/Permittee(s) that executed the within instrument, and acknowledged to me that _____ executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last above written.

Notary Public
Residing at: _____
My Commission Expires: _____

ASSIGNEE(S) -- NEW PERMITEE(S)

I/We accept and agree to comply with the terms and conditions of the permit(s) as issued.

Name: _____ Phone: _____

Address: _____

Assignee _____ Date _____ Assignee _____ Date _____

You must submit an assignment fee of \$150.00. This fee will be waived if an assignment fee associated with a submerged land lease or cottage site lease has been submitted and both assignments are processed simultaneously.

SUBMIT DOCUMENTATION TO: IDAHO DEPARTMENT OF LANDS, Mica Supervisory Area, 3258 W. Industrial Loop Coeur d'Alene, ID 83815. Please allow six (6) weeks for processing. If you have questions, please call (208) 769-1577.

Rev. 4/08

JOINT APPLICATION FOR PERMITS

U.S. ARMY CORPS OF ENGINEERS - IDAHO DEPARTMENT OF WATER RESOURCES - IDAHO DEPARTMENT OF LANDS

Authorities: The Department of Army Corps of Engineers (Corps), Idaho Department of Water Resources (IDWR), and Idaho Department of Lands (IDL) established a joint process for activities impacting jurisdictional waterways that require review and/or approval of both the Corps and State of Idaho. Department of Army permits are required by Section 10 of the Rivers & Harbors Act of 1899 for any structure(s) or work in or affecting navigable waters of the United States and by Section 404 of the Clean Water Act for the discharge of dredged or fill materials into waters of the United States, including adjacent wetlands. State permits are required under the State of Idaho, Stream Protection Act (Title 42, Chapter 38, Idaho Code and Lake Protection Act (Section 58, Chapter 13 et seq., Idaho Code). In addition the information will be used to determine compliance with Section 401 of the Clean Water Act by the appropriate State, Tribal or Federal entity.

Joint Application: Information provided on this application will be used in evaluating the proposed activities. Disclosure of requested information is voluntary. Failure to supply the requested information may delay processing and issuance of the appropriate permit or authorization. Applicant will need to send a completed application, along with one (1) set of legible, black and white (8 1/2"x11"), reproducible drawings that illustrate the location and character of the proposed project / activities to both the Corps and the State of Idaho.

See Instruction Guide for assistance with Application. Accurate submission of requested information can prevent delays in reviewing and permitting your application. Drawings including vicinity maps, plan-view and section-view drawings must be submitted on 8-1/2 x 11 papers.

Do not start work until you have received all required permits from both the Corps and the State of Idaho

FOR AGENCY USE ONLY									
USACE NWW-		Date Received:		☐ Incomplete Application Returned		Date Returned:			
Idaho Department of Water Resources No.		Date Received:		☐ Fee Received DATE:		Receipt No.:			
Idaho Department of Lands No. L-95-S-5072 B		Date Received: 5-7-13		☐ Fee Received DATE:		Receipt No.:			
1. CONTACT INFORMATION - APPLICANT Required:									
Name: Steve Rice									
Company: RMH2 LLC									
Mailing Address: 512 S. Rocky Point CT									
City: Post Falls		State: ID		Zip Code: 83854		City: Harrison		State: ID	
Phone Number (include area code): 208-221-0451		E-mail: srice@ida.net		Phone Number (include area code): 208-689-3248		E-mail: jessica@hdbmarine.com			
3. PROJECT NAME or TITLE: Float House/ Boat House Relocation									
4. PROJECT STREET ADDRESS: 8540 E Blue Lake Road, harrison									
5. PROJECT COUNTY: Kootenai		6. PROJECT CITY: Harrison		7. PROJECT ZIP CODE: 83833		8. NEAREST WATERWAY/WATERBODY: Blue Lake			
9. TAX PARCEL ID#: 48N03W-23-3700		10. LATITUDE: 47° 29' 26"W		11a. 1/4: 1-8		11b. 1/4: 23		11c. SECTION: 48N	
		LONGITUDE: 116° 41' 14" N						11d. TOWNSHIP: 03W	
12a. ESTIMATED START DATE: Upon Permit Approval		12b. ESTIMATED END DATE: 60 days after permit approval		13a. IS PROJECT LOCATED WITHIN ESTABLISHED TRIBAL RESERVATION BOUNDARIES? ☒ NO ☐ YES Tribe:					
13b. IS PROJECT LOCATED IN LISTED ESA AREA? ☒ NO ☐ YES				13c. IS PROJECT LOCATED ON/NEAR HISTORICAL SITE? ☒ NO ☐ YES					
14. DIRECTIONS TO PROJECT SITE: Include vicinity map with legible crossroads, street numbers, names, landmarks. 8540 E. Blue Lake Road, Harrison ID (Google directions attached)									
15. PURPOSE and NEED: ☐ Commercial ☐ Industrial ☐ Public ☒ Private ☐ Other Describe the reason or purpose of your project; include a brief description of the overall project. Continue to Block 16 to detail each work activity and overall project. Relocation of existing permitted Float House/Boat Garage to Blue Lake and installation of 700 sqft Approach System and Boom Log for safety & protection.									

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16. DETAILED DESCRIPTION OF EACH ACTIVITY WITHIN OVERALL PROJECT. Specifically indicate portions that take place within waters of the United States, including wetlands: Include dimensions; equipment, construction, methods; erosion, sediment and turbidity controls; hydrological changes: general stream/s water flows, estimated winter/summer flows; borrow sources, disposal locations etc.:

Relocation of existing permitted Float House/Boat Garage to Blue Lake, installation of 700 sqft Approach System, ~~and 700 sqft Boat Garage~~. Will use misc. hand tools, pile driver, tugboat. Please see attached MATRIX Engineering, Inc. Documents.

17. DESCRIBE ALTERNATIVES CONSIDERED to AVOID or MEASURES TAKEN to MINIMIZE and/ or COMPENSATE for IMPACTS to WATERS of the UNITED STATES, INCLUDING WETLANDS: See Instruction Guide for specific details.

Project to be re-constructed off site, towed into permitted location and installed. No impact will occur

18. PROPOSED MITIGATION STATEMENT or PLAN: If you believe a mitigation plan is not needed, provide a statement and your reasoning why a mitigation plan is NOT required. Or, attach a copy of your proposed mitigation plan.

No Mitigation Plan due to no impact will occur

19. TYPE and QUANTITY of MATERIAL(S) to be discharged below the ordinary high water mark and/or wetlands:

Dirt or Topsoil: _____ cubic yards
Dredged Material: _____ cubic yards
Clean Sand: _____ cubic yards
Clay: _____ cubic yards
Gravel, Rock, or Stone: _____ cubic yards
Concrete: _____ cubic yards
Other (describe): _____ : _____ cubic yards
Other (describe): _____ : _____ cubic yards

TOTAL: _____ cubic yards

20. TYPE and QUANTITY of impacts to waters of the United States, including wetlands:

Filling: _____ acres _____ sq ft. _____ cubic yards
Backfill & Bedding: _____ acres _____ sq ft. _____ cubic yards
Land Clearing: _____ acres _____ sq ft. _____ cubic yards
Dredging: _____ acres _____ sq ft. _____ cubic yards
Flooding: _____ acres _____ sq ft. _____ cubic yards
Excavation: _____ acres _____ sq ft. _____ cubic yards
Draining: _____ acres _____ sq ft. _____ cubic yards
Other: _____ : _____ acres _____ sq ft. _____ cubic yards

TOTALS: _____ acres _____ sq ft. _____ cubic yards

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21. HAVE ANY WORK ACTIVITIES STARTED ON THIS PROJECT? ☒ NO ☐ YES If yes, describe ALL work that has occurred including dates.

22. LIST ALL PREVIOUSLY ISSUED PERMIT AUTHORIZATIONS:

Tribal Lease# 0321, IDOL Land Use Permit#LU22006 and DOL Permit # L-95-S-5072A

23. ☒ YES, Alteration(s) are located on Public Trust Lands, Administered by Idaho Department of Lands

24. SIZE AND FLOW CAPACITY OF BRIDGE/CULVERT and DRAINAGE AREA SERVED: _____ Square Miles

25. IS PROJECT LOCATED IN A MAPPED FLOODWAY? ☒ NO ☐ YES If yes, contact the floodplain administrator in the local government jurisdiction in which the project is located. A Floodplain Development permit and a No-rise Certification may be required.

26a. WATER QUALITY CERTIFICATION: Pursuant to the Clean Water Act, anyone who wishes to discharge dredge or fill material into the waters of the United States, either on private or public property, must obtain a Section 401 Water Quality Certification (WQC) from the appropriate water quality certifying government entity.
See Instruction Guide for further clarification and all contact information.

The following information is requested by IDEQ and/or EPA concerning the proposed impacts to water quality and anti-degradation:

- ☒ NO ☐ YES Is applicant willing to assume that the affected waterbody is high quality?
☒ NO ☐ YES Does applicant have water quality data relevant to determining whether the affected waterbody is high quality or not?
☒ NO ☐ YES Is the applicant willing to collect the data needed to determine whether the affected waterbody is high quality or not?

26b. BEST MANAGEMENT PRACTICES (BMP's): List the Best Management Practices and describe these practices that you will use to minimize impacts on water quality and anti-degradation of water quality. All feasible alternatives should be considered - treatment or otherwise. Select an alternative which will minimize degrading water quality

Through the 401 Certification process, water quality certification will stipulate minimum management practices needed to prevent degradation.

27. LIST EACH IMPACT to stream, river, lake, reservoir, including shoreline: Attach site map with each impact location.

Activity	Name of Water Body	Intermittent Perennial	Description of Impact and Dimensions	Impact Length Linear Feet
Relocation of Existing Permit,	Blue Lake	Perennial	700 sqft Dock, Relocation of existing permitted structures &	136
Approach Docks				
TOTAL STREAM IMPACTS (Linear Feet):				136

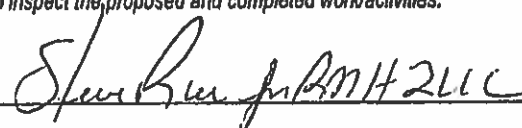
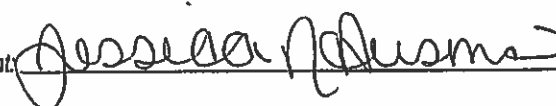
28. LIST EACH WETLAND IMPACT include mechanized clearing, fill excavation, flood, drainage, etc. Attach site map with each impact location.

Activity	Wetland Type: Emergent, Forested, Scrub/Shrub	Distance to Water Body (linear ft)	Description of Impact Purpose: road crossing, compound, culvert, etc.	Impact Length (acres, square ft (linear ft)

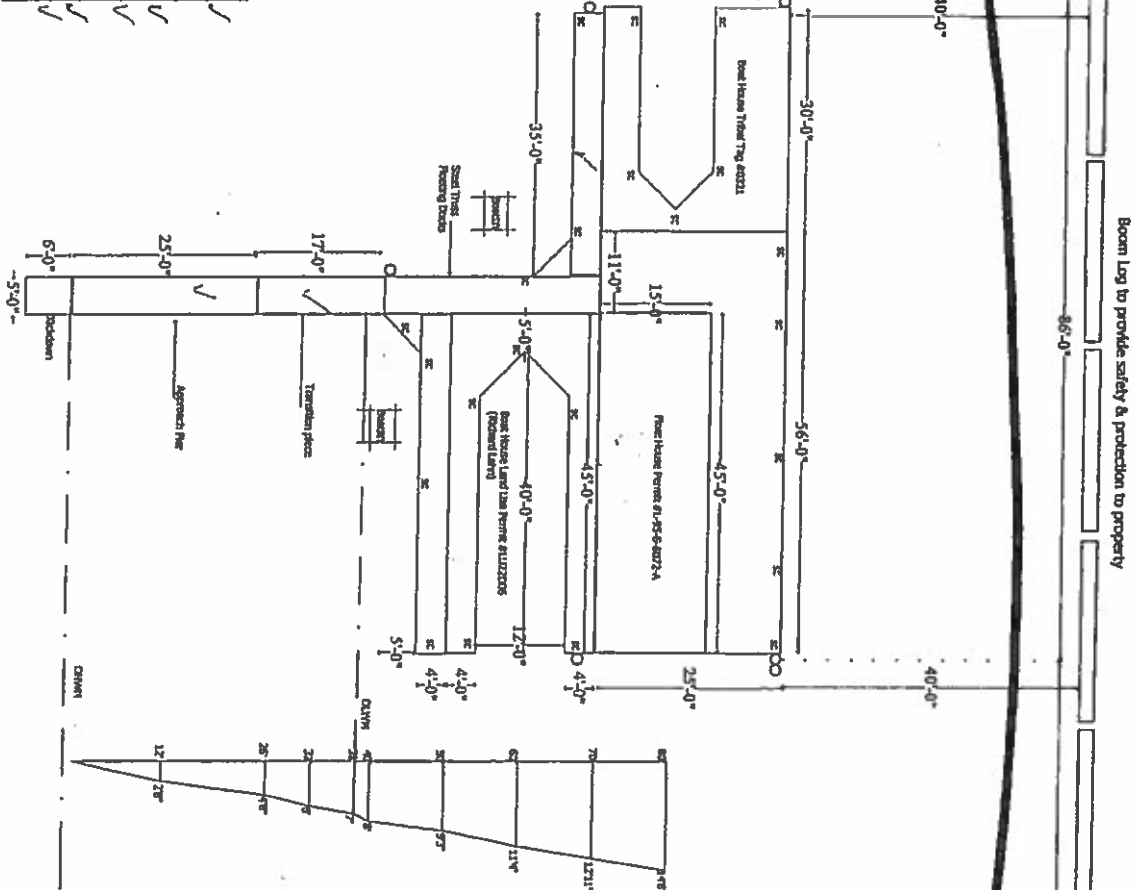
TOTAL WETLAND IMPACTS (Square Feet):

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29. ADJACENT PROPERTY OWNERS NOTIFICATION REQUIREMENT: Provide contact information of ALL adjacent property owners below.			
Name: <u>N/A</u> Mailing Address: City: _____ State: _____ Zip Code: _____ Phone Number (include area code): _____ E-mail: _____	Name: <u>N/A</u> Mailing Address: City: _____ State: _____ Zip Code: _____ Phone Number (include area code): _____ E-mail: _____		
Name: Mailing Address: City: _____ State: _____ Zip Code: _____ Phone Number (include area code): _____ E-mail: _____	Name: Mailing Address: City: _____ State: _____ Zip Code: _____ Phone Number (include area code): _____ E-mail: _____		
Name: Mailing Address: City: _____ State: _____ Zip Code: _____ Phone Number (include area code): _____ E-mail: _____	Name: Mailing Address: City: _____ State: _____ Zip Code: _____ Phone Number (include area code): _____ E-mail: _____		
Name: Mailing Address: City: _____ State: _____ Zip Code: _____ Phone Number (include area code): _____ E-mail: _____	Name: Mailing Address: City: _____ State: _____ Zip Code: _____ Phone Number (include area code): _____ E-mail: _____		
30. SIGNATURES: STATEMENT OF AUTHORIZATION / CERTIFICATION OF AGENT / ACCESS <i>Application is hereby made for permit, or permits, to authorize the work described in this application and all supporting documentation. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein; or am acting as the duly authorized agent of the applicant (Block 2). I hereby grant the agencies to which this application is made, the right to access/come upon the above-described location(s) to inspect the proposed and completed work/activities.</i> Signature of Applicant: <u></u> Date: <u>4-17-13</u> Signature of Agent: <u></u> Date: <u>5/1/2013</u> This application must be signed by the person who desires to undertake the proposed activity AND signed by a duly authorized agent (see Block 1, 2, 30). Further, 18 USC Section 1001 provides that: "Whoever, in any manner within the jurisdiction of any department of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both".			

Remove per Isaac
Shannon, 6-27-13
Acy



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Idaho Dept. of Lands
Mica Supervisory Area



Kodjari County

Map Layers

48N03W233700

Find

Parcel Number

Owner Additional

ALN: 141309 **LRSN:** 64503
Parcel Number: 48N03W-23-3700
Appt Dist: 6 **TRS:** 483W
Incorporation: NONE

Owner Information:

RHH2 LLC (C-3)
 512 S ROCKY POINT CT
 POST FALLS, ID 83854

Site Address:

8540 E BLUE LAKE RD
 HARRISON

Legal Description: BKG:

LT 1, 2, 3, 4, 5, 6, 7, & 8

Acres: 226.45