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IDWR / NORTH

MICA SUPERVISORY

AREA

3258 West Industrial Loop

Coeur d'Alene ID 83815

Phone (208) 769-1577

Fax (208) 769-1597

IDAHO DEPARTMENT OF LANDS

TOM SCHULTZ, DIRECTOR
EQUAL OPPORTUNITY EMPLOYER

JIM BRANNON 4 P 2541020000
KOOTENAI COUNTY RECORDER
CMK Date 04/15/2016 9 19 AM
REQ OF KINZO MIHARA

RECORDING FEE \$19.00

XX



STATE BOARD OF LAND COMMISSIONERS

C.L. "Butch" Otter, Governor

Lawrence E. Denney, Secretary of State

Lawrence G. Wasden, Attorney General

Brandon Woolf, State Controller

Sherri Ybarra, Sup't of Public Instruction

ENCROACHMENT PERMIT NUMBER L-95-S-5606B

Permission is hereby granted to Kinzo & Hannah Mihara of 12329 N Burdette Ln, Hauser, ID 83854 to install and maintain 3'x20' approach w/ 8'x24' dock, Total = 252sq ft.; waterline ~30' under dock Located: Hauser Lake, AIN 104688, Parcel X-1400-00A-001-0, Lot 1, Block A, Cliffhouse Resort Addition; Section 07, Township 51 North, Range 05 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.
8. If the activity authorized herein is not completed on or before the 15th of April, 2018 (three years from the date of issuance), this permit shall automatically expire unless it was previously revoked or otherwise extended.

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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.
9. The Permittee or operator shall have a copy of this permit available on site for inspection at all times during construction.
10. Construction barges and other equipment or watercraft shall not be grounded on the lakebed for stability.
11. 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.
12. Existing piling to be removed that are in a known spawning area or near the confluence of a bull trout stream shall be cut off. Other existing piling to be removed may be snapped off with a tug or barge, however, this method shall not cause turbidity from prop wash, the remaining piling shall not become a hazard to navigation and shall not protrude more than two feet above the bed of the waterway.
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. This permit supersedes and voids any permit previously issued for this property.

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20. 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.
21. Encroachment shall not extend further north/south than present pier location.
22. An IDL encroachment permit must be obtained before construction begins.
23. 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.
24. Location of this dock must be placed as specified in the site plan.
25. The Permittee shall maintain the structure or work authorized herein in a good and safe condition and in accordance with the plans and drawings attached hereto.
26. The disturbed portion of the lakebed shall be shaped to its original contour upon completion of the project.
27. The pipeline intake should be screened in a manner that would create approach velocities of not more than **0.5 feet per second** and a maximum screen mesh diameter of one-quarter inch.
28. Waterline shall be anchored to the bed of the lake with a nontoxic type of weight.
29. The Permittee must be in compliance with all Water Resource laws.
30. No water shall be diverted by the system until valid water or appropriation permit is obtained from the Department of Water Resources.
31. As current EPA requirements dictate that disinfecting and filtration systems are to be used for minimum treatment by surface water purveyors, the department recommends that small, domestic surface water users do likewise.
32. 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.
33. All wood and/or plastic chips and other construction waste shall be removed from the lake upon completion of project.
34. If any excavation or pile driving occurs the operator must comply with the provisions of the Underground Facilities Damage Prevention Law (title 55, chapters 2201-2210, Idaho Code). The one-call locator service number is 811.

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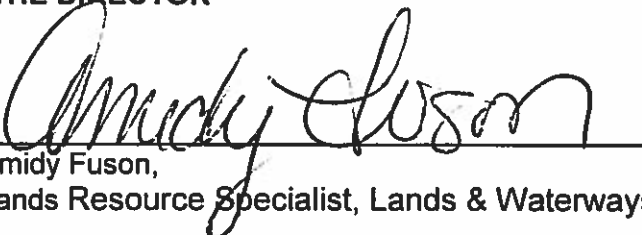
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UPON TRANSFER OF THIS REAL PROPERTY, YOU ARE REQUIRED TO NOTIFY THIS OFFICE OF THE SUBSEQUENT NAME CHANGE (SEE ENCLOSURE).

FOR THE DIRECTOR

By:

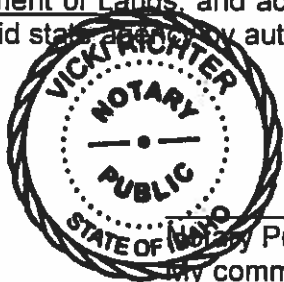

Amidy Fuson,
Lands Resource Specialist, Lands & Waterways

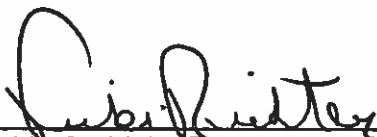
STATE OF IDAHO)

) ss

COUNTY OF KOOTENAI)

On April 15, 2016, personally appeared before me Amidy Fuson, whose identity is personally known to me and who by me duly affirmed that she 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 ~~department~~ by authority of a Resolution of the State Land Board.




Vicki Richter
Notary Public for Idaho Department of Lands
My commission expires on 8/20/18