

This space is reserved for recording purposes only



ASSIGNMENT OF ENCROACHMENT PERMIT NO. L95S3774C

Permission is hereby transferred to Jody Lake and Jody Lake of 1605 Milano Villa Ave, Henderson, NV, 89052, United States (USA) to install and maintain the following encroachment(s) subject to the terms and conditions of this Permit and the approved application, plans and drawings incorporated herein:

Encroachment	Description	Effective Date	Construction to be completed by
Encroachment: Two Family Dock	4'x13' ramp, 4'x10' gangway, 9'x15' approach to 35'x25' single slip dock; anchor system	877 Square Feet	Nov/03/2016

Located on **HAYDEN LAKE** in KOOTENAI COUNTY, adjacent to:

Parcel Number	51N03W033200 & 0808000B021A
Lot, Block, Subdivision	Taylors Terrace Lt 21 Blk B
Section, Township, Range	T51N R03W, sec 03, Boise Meridian
Physical Addresses	14074 N Peony Court, Hayden, ID, 83835, United States (USA)
Tax/Serial Number	15256 & 17244, AINS 131434 & 116867

ON BEHALF OF THE DIRECTOR

By: Amidy Fuson
Amidy Fuson, Resource Officer Sr.
Navigable Waterways – Mica Office

7/28/21
Date

STATE OF IDAHO)
) ss
KOOTENAI COUNTY)

On July 28, 2021 personally appeared before me Amidy Fuson, whose identity is personally known to me and who by me duly affirmed that he/she is the Resource Officer Sr., Navigable Waterways Mica Office of the Idaho Department of Lands, and acknowledged that the foregoing document was signed by him/her on 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 ___/___/___

PAID
\$300.00
ck # 264082



Request for Assignment of Encroachment Permit

I/We, Douglas J. and Deann Thomas, 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 Jody and Taish Lake, identified below as "Assignee(s)."

Encroachment Number (s): L-95-S-3774B
Body of Water: Hayden 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, and the existing encroachment is in compliance with the permit issued.

Assignor (X) [Signature] Assignor (X) [Signature]

STATE OF Idaho
County of Kootenai :SS

On this 10 day of August, in the year 2020, before me, a notary public in and for said State, personally appeared Douglas J. Thomas & Deann Thomas, known to me to be the Assignor(s)/Permittee(s) that executed the within instrument, and acknowledged to me that They executed the same.

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



Notary Public, [Signature]
Residing at: Idaho
My Commission Expires: 2.12.23

ASSIGNEE(S) -- NEW PERMITEE(S)

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

Name: Jody & Taish Lake Phone: 702-596-1465
Address: 14074 N Peony CT Hayden, ID 83835

DocuSigned by: [Signature] date 7/30/2020 | 10:53:57 AM
Assignee Jody Lake 4085A1496255487...
DocuSigned by: [Signature] date 7/30/2020 | 2:23:38 PM
Assignee Taish Lake 108AFFE21F1548E...

✓ You must submit an assignment fee of \$300.00.

SUBMIT DOCUMENTATION TO THE APPROPRIATE IDL AREA OFFICE:

Priest Lake Area - 4053 Cavanaugh Bay Road - Coolin, ID 83821 - (208) 443-2516
Pend Oreille Area - 2550 Highway 2 West - Sandpoint ID 83864 - (208) 263-5104
Coeur d'Alene Area - 3258 W Industrial Loop - Coeur d'Alene, ID 83815 - (208) 769-1577
St. Maries Area - 1806 Main Avenue - St Maries, ID 83861 - (208) 245-4551
Payette Lakes Area - 555 Deinhard Lane - McCall, ID 83638 - (208) 634-7125
South Central Area - 324 South 417 East; Suite 2, Jerome ID 83338-6206 - (208) 324-2561
Eastern Idaho - 3563 Ririe Hwy - Idaho Falls ID 83401 - (208) 525-7167

RECEIVED

AUG 24 2020

**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
Lawrence E. Denney, Secretary of State
Lawrence G. Wasden, Attorney General
Brandon D. Woolf, State Controller
Sherri Ybarra, Sup't of Public Instruction

ENCROACHMENT PERMIT NUMBER L-95-S-3774B

Permission is hereby granted to Douglas Thomas of 14074 N. Peony Ct., Hayden Lake, ID 83835 to install and maintain 4'x18' ramp, 4'x10' and 9'x15' approach, and a 35'x25' single slip dock with anchor system Located: Hayden Lake, Tax 17244, AIN 116867, Parcel 0808000B021A, Lot 21, Block B, Taylor's Terrace Addition; Section 3, Township 51 North, Range 3 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 3rd day of November, 2019 (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. This permit supersedes and voids any permit previously issued for this property.
20. Removal and proper disposal of any preexisting or abandoned facilities is a condition of this permit.

21. Location of this dock must be placed as specified in the site plan.
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. 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.
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. Any disturbed riparian vegetation by construction activity shall be replanted with native plants.
28. 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.
29. A silt curtain, fence, or other Best Management Practice (BMP) shall be installed waterward of the project site. It will remain in place and functional until the turbidity level inside the curtain or fence equals the turbidity outside the curtain or fence.
30. An adequate supply of petroleum-absorbing products shall be on site in the event of a spill.
31. All wood and/or plastic chips and other construction waste shall be removed from the lake upon completion of project.
32. 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.
33. 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 to contact Kootenai County Community Development and comply with their requirements.

November 3, 2016

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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: Mike Ahmer 11.3.16
Mike Ahmer,
Lands Resource Specialist, Lands & Waterways

STATE OF IDAHO)
) ss
COUNTY OF KOOTENAI)

On November 3, 2016, personally appeared before me Mike Ahmer, 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.



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

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 (8½"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:		<input type="checkbox"/> Incomplete Application Returned		Date Returned:			
Idaho Department of Water Resources No.		Date Received:		<input type="checkbox"/> Fee Received DATE:		Receipt No.:			
Idaho Department of Lands No.		Date Received:		<input type="checkbox"/> Fee Received DATE:		Receipt No.:			
INCOMPLETE APPLICANTS MAY NOT BE PROCESSED									
1. CONTACT INFORMATION - APPLICANT Required:					2. CONTACT INFORMATION - AGENT:				
Name: Douglas J. Thomas					Name:				
Company:					Company:				
Mailing Address: 14074 N. Peony Ct.					Mailing Address:				
City: Hayden		State: ID	Zip Code: 83835		City:		State:	Zip Code:	
Phone Number (include area code): (208)209-3412		E-mail: djthomas07@gmail.com			Phone Number (include area code):		E-mail:		
3. PROJECT NAME or TITLE: Peony Dock Replacment					4. PROJECT STREET ADDRESS: 14074 N. Peony Ct.				
5. PROJECT COUNTY: Kootenai		6. PROJECT CITY: Hayden			7. PROJECT ZIP CODE: 83835		8. NEAREST WATERWAY/WATERBODY: Hayden Lake		
9. TAX PARCEL ID#: AIN 116867 17244		10. LATITUDE: 47 47'59.5"N LONGITUDE: 116 41' 59"W			11a. 1/4:	11b. 1/4:	11c. SECTION: 3	11d. TOWNSHIP: 51 N	11e. RANGE: 3 W
12a. ESTIMATED START DATE: 09/25/2016		12b. ESTIMATED END DATE: 11/1/2016			13a. IS PROJECT LOCATED WITHIN ESTABLISHED TRIBAL RESERVATION BOUNDARIES? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES Tribe:				
13b. IS PROJECT LOCATED IN LISTED ESA AREA? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES					13c. IS PROJECT LOCATED ON/NEAR HISTORICAL SITE? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES				
14. DIRECTIONS TO PROJECT SITE: Include vicinity map with legible crossroads, street numbers, names, landmarks. From Hwy 95 take Lancaster Rd. East 3.9 miles. Lancaster turns left and becomes E. Hayden Lake Rd. Go .9 miles and turn right onto Shenandoah Dr. Go 489 ft, stay right onto Taylor's Terrace Rd. Go approx. 1800 ft. turn left at hairpin onto N. Peony Ct. Go approx. 700 ft. to end of road.									
15. PURPOSE and NEED: <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Public <input checked="" type="checkbox"/> Private <input type="checkbox"/> 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. We are replacing the old decayed dock with a used dock which is in good condition. The old dock will be disassembled and removed. Any and all debris from the old dock will be taken to the Ramsey Rd. Transfer Station.									

sources, disposal locations etc.:

A new one inch galvanized steel cable, approximately 150 ft., will be secured to an existing eco block in Hayden Lake and a hook on shore. A used dock was purchased from it's owner at 5408 E. Waverly Loop on Hayden Lake and towed to the Peony Ct. location. The used dock is 25'X35' with an 8'X25' boat slip. The used dock has been secured to the new cable with shackles.

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.

We considered rebuilding the old dock, but based on estimates and recommendations from two seperate contractors, we decided it would be more cost effective to remove and recycle the old dock and purchase a used dock in good condition.

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 is needed because the overall outcome simply replaces an existing dock with one in better condition. The old dock will be removed and or recycles a stated earlier.

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

Dirt or Topsoil: _____ 0 cubic yards

Dredged Material: _____ 0 cubic yards

Clean Sand: _____ 0 cubic yards

Clay: _____ 0 cubic yards

Gravel, Rock, or Stone: _____ 0 cubic yards

Concrete: _____ 0 cubic yards

Other (describe): _____ : _____ 0 cubic yards

Other (describe): _____ : _____ 0 cubic yards

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

Filling: _____ acres _____ sq ft. _____ 0 cubic yards

Backfill & Bedding: _____ acres _____ sq ft. _____ 0 cubic yards

Land Clearing: _____ acres _____ sq ft. _____ 0 cubic yards

Dredging: _____ acres _____ sq ft. _____ 0 cubic yards

Flooding: _____ acres _____ sq ft. _____ 0 cubic yards

Excavation: _____ acres _____ sq ft. _____ 0 cubic yards

Draining: _____ acres _____ sq ft. _____ 0 cubic yards

Other: _____ : _____ acres _____ sq ft. _____ 0 cubic yards

21.

YES

We have moved the used dock to our cove. The old dock is still on shore where it has been for the last year or more. Disassembly of the old dock has begun. SEP. 1ST

22. LIST ALL PREVIOUSLY ISSUED PERMIT AUTHORIZATIONS:

An encroachment permit No. L-95-S-3774A, was issued by the department of Lands and was recorded on March 25, 2009 as instrument No. 2202501000

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: na 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

The old dock will be disassembled by hand. All debris will be picked up and removed. The old logs will be cut and removed.

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
Remove old dock	Havden Lake	perennial	none	
move used dock	Havden Lake	perennial	none	
secure used dock	Havden Lake	perennial	none	
TOTAL STREAM IMPACTS (Linear Feet):				

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)
	none			
TOTAL WETLAND IMPACTS (acres, square ft, linear ft):				

Name:
Stephen Woody
Mailing Address:
14142 N. Taylors Terrace Rd.

City: State: Zip Code:
Hayden ID 83835

Phone Number (include area code): E-mail:
310 678-7616

Name:
John Payne
Mailing Address:
3906 Southlake Dr.

City: State: Zip Code:
West Richland WA 99352

Phone Number (include area code): E-mail:
509 521-7599

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

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.

Signature of Applicant: _____

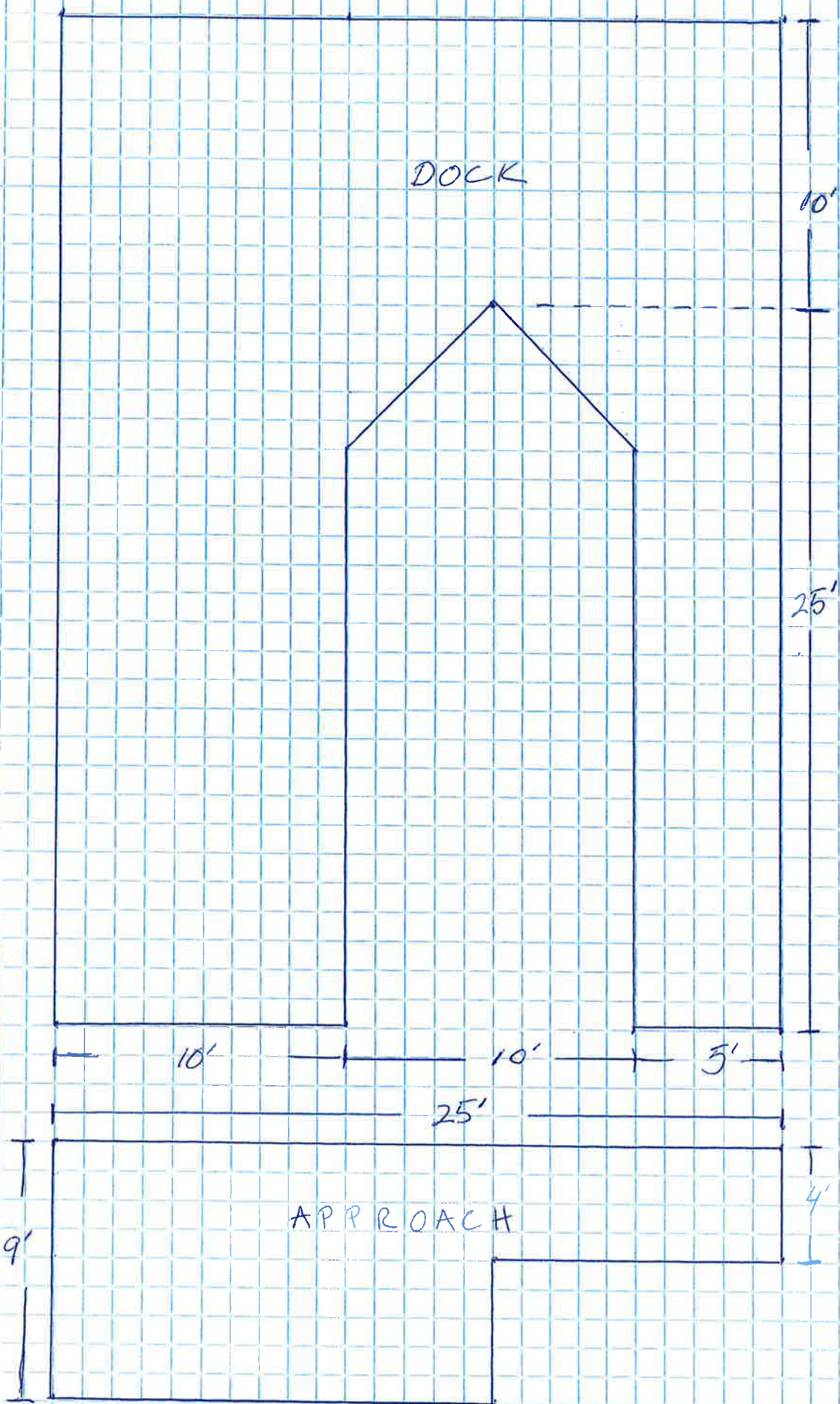
Date: _____

9/19/2016

Signature of Agent: _____

Date: _____

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".



DOCK	650
APPROACH	175
RAMP	<u>72</u>
	897
SHADE	- <u>20</u>
TOTAL	877







14074 N. Peony Ct., Hayden ID 83835

