



# INSTRUMENT ASSIGNMENT

**Note:** Incomplete forms will not be processed. All Assignment fees are **Non-refundable**.

For and in consideration of the full sale price of \$ \_\_\_\_\_ dollars paid for the instrument, improvements and/or personal property, with the amount of \$ \_\_\_\_\_ dollars, paid for the improvements and/or personal property, receipt of which is hereby acknowledged. We hereby sell, assign and transfer, all of my/our rights, title and interest in State of Idaho Instrument No. \_\_\_\_\_ unto the following:

<b>Individual Name:</b> Last _____ First _____ Middle _____ DBA: _____	<b>Business Entity Name:</b> _____ <b>Business Registration No.</b> _____
<b>Address of Record (for all correspondence)</b>	<b>Contact Information</b>
Street: _____	<b>Business:</b> ( ) _____ <b>Contact:</b> _____
PO Box: _____	<b>Fax:</b> ( ) _____ <b>Contact:</b> _____
City: _____	<b>Home:</b> ( ) _____ <b>Contact:</b> _____
State: _____	<b>Cell:</b> ( ) _____ <b>Contact:</b> _____
Zip +4: _____ - _____	<b>Email Address(es):</b> _____
Country: _____	
Attention: _____ Title: _____	

- Assign **Encroachment** (Attachment A not required).
- Assign **all lands** within Instrument (Attachment A not required).
- Assign **only part of the lands** in the Instrument. Complete property descriptions for lands remaining and lands retained (Attachment A required).

### ACCEPTANCE AND ASSUMPTION BY ASSIGNOR

I/We hereby swear and affirm that the consideration stated herein is the full and complete amount paid by the assignees to the assignors for the above-described State of Idaho Instrument, and no additional payment has been or will be made.

\_\_\_\_\_  
Date Current Instrument Holder/Designated Agent Company Name (if applicable)

\_\_\_\_\_  
Date Current Instrument Holder/Designated Agent Company Name (if applicable)

STATE OF \_\_\_\_\_ )  
County of \_\_\_\_\_ ) ss.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

SEAL

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

### ACCEPTANCE AND ASSUMPTION BY ASSIGNEE

The undersigned, as Assignee(s) above-named, assumes and accepts the obligations and conditions of the above-described State of Idaho Instrument and separately covenants with the State of Idaho that they will abide thereby during the term of said Instrument. Assignee(s) does hereby swear and affirm that the sum of \$\_\_\_\_\_ is the full and complete amount of consideration paid by Assignee(s) to the Assignor(s) herein, and that no additional payment has been or will be made.

\_\_\_\_\_  
Date New Instrument Holder/Designated Agent Company Name (if applicable)

\_\_\_\_\_  
Date New Instrument Holder/Designated Agent Company Name (if applicable)

STATE OF \_\_\_\_\_ )  
County of \_\_\_\_\_ ) ss.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

SEAL

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_



# ATTACHMENT A - Property Description

Use Attachment A only when assigning a portion of the lands within an instrument

Instrument No. Assigned Property						IDL Office Use Only					
<u>Twn</u>	<u>Rng</u>	<u>Section</u>	<u>Description</u> <i>(to the quarter-quarter)</i> <i>(include name of lake or riverbed, if applicable)</i>	<u>County</u>	<u>Acres</u>	<u>(IDL Fund)</u>	<u>Grazing Acres</u>	<u>Irrigated Acres</u>	<u>Dryland Acres</u>	<u>AUMs</u>	<u>Check if Change in Record</u>
											<input type="checkbox"/>
											<input type="checkbox"/>
											<input type="checkbox"/>
											<input type="checkbox"/>
											<input type="checkbox"/>

Instrument No. Remaining Property						IDL Office Use Only					
<u>Twn</u>	<u>Rng</u>	<u>Section</u>	<u>Description</u> <i>(to the quarter-quarter)</i> <i>(include name of lake or riverbed, if applicable)</i>	<u>County</u>	<u>Acres</u>	<u>(IDL Fund)</u>	<u>Grazing Acres</u>	<u>Irrigated Acres</u>	<u>Dryland Acres</u>	<u>AUMs</u>	<u>Check if Change in Record</u>
											<input type="checkbox"/>
											<input type="checkbox"/>
											<input type="checkbox"/>
											<input type="checkbox"/>
											<input type="checkbox"/>

## Checklist and Special Provisions for Instrument Assignments

**Assignment Form:** The fully completed (notarized) assignment form must be submitted with the appropriate fees and documentation. Photocopies of signatures, partially completed or partially executed assignment forms, or incomplete assignment packages will not be processed.

**Current Instrument:** The instrument holder shall submit the original copy of the existing instrument. If the current instrument with original signatures is not available, the Assignor must complete an Affidavit of Loss, a copy of which may be obtained from the IDL website at <http://www.idl.idaho.gov/index.htm>. Please do not send **expired instruments** or **copies** of current instruments, only the original document.

**Applicable Assignment Fee:** The fee for each assigned instrument must be submitted prior to processing (see Instrument Assignment Fee Schedule at right).

**Rental** and any associated penalties for the current year must be paid and the instrument must be in good standing before it can be assigned. In addition, if the instrument contains a gross receipts requirement, a gross receipts report and any additional rent due therein must be paid for the portion of the year up to the date of assignment.

**Mortgage / Deed of Trust:** Current instrument holder must provide written release of any mortgage/deed of trust recorded with the Department.

**Proof of insurance:** If applicable, proof of insurance must be submitted from the ASSIGNEE. Please provide a copy of the instrument to the insurance agent to ensure compliance with the insurance requirements of the State of Idaho and this instrument.

**Replacement Bond:** if applicable, bonding must be in place prior to approval of the assignment.

**Premium Rent:** If applicable, instrument terms (most common in cottage site leases) may require a premium rent of a certain percentage of the leasehold value be paid to the Department of Lands at time of sale.

**Partial Assignments:** If the assignment transfers only part of an instrument, an Application for Use form with the application fee, must accompany the assignment paperwork. Legal land descriptions detailing the lands to remain in the assignor's lease, and legal land descriptions detailing the lands to be transferred to the assignee must accompany the assignment paperwork.

**Corporate Entities** - If the Assignee (New Lessee) is a corporate entity, the legal entity name, as recognized by the State of Idaho, must be on the assignment form, and supporting documentation submitted with your forms. You may obtain a copy of your information through the Secretary of State's website at <http://www.idsos.state.id.gov>.

**Divorce** - If your former spouse is a lessee and you wish to add a "new" spouse or remove the name of a "former" spouse, you must submit a copy of the divorce decree, including the property settlement or a quitclaim deed. If there is no spouse named on the current lease, but you are now or were married at any time during the ownership of the lease site, your spouse must sign as assignor even though they are not named as a lessee on the original lease.

**Death of a Lessee** - If you wish to remove the name of a deceased lessee, you must submit a copy of the death certificate, along with documentation that gives you the legal authority to represent the deceased (such as a Will, Letters Testamentary, Appointment of Personal Representative, etc.).

**Trusts** - Leases assigned to a trust can have only one individual or husband and wife designated as the sole contact for all billing and correspondence. To assign to a trust, we must have a copy of the trust or those portions of the trust that are applicable to the lease. The trust must have a name (i.e. John Doe Revocable Trust).

Instrument Assignment Fee Schedule	
Agriculture	\$ 25.00
Commercial	\$ 20.00
Conservation	\$ 25.00
Cottage Site	\$ 50.00
Geothermal	\$ 20.00
Grazing	\$ 25.00
Minerals	\$ 50.00
Navigable Waters	\$150.00
Oil and Gas	\$ 20.00
Reclamation Plans	\$ 20.00
Submerged	\$150.00
Encroachment	\$150.00

## SPECIAL PROVISIONS

**Submerged Lands Leases** - If you are submitting an assignment for a submerged lands lease you must also submit a separate Encroachment Permit assignment form and the additional filing fee to assign any encroachments related to this lease.

**Cottage Site Leases** - An individual or a married couple may hold only one residential cottage site lease as per IDAPA 20.03.13.020.02.

# Idaho Department of Lands Supervisory Area

