



IDAHO DEPARTMENT OF LANDS

Land Exchange Process

In accordance with [Executive Order 2020-02, Transparency in Agency Guidance Documents](#), guidance documents promulgated by the department are not new laws. They represent an interpretation of existing law, except as authorized by Idaho Code or incorporated into a contract.

This document may reference other documents that are not currently available online. Copies of these reference documents may be obtained by filing a public records request at <https://www.idl.idaho.gov/public-records-request>.

Agency Contact

Bureau Chief – Real Estate Services

Land Exchange Process

1. Initial contact by Proponent. Depending on exchange type, and in most circumstances, area directed to engage in communications with Proponent to determine scope and compliance of proposed exchange.
2. Pre-application meeting performed with Proponent to discuss requirements (payment, costs, time, scope, responsibility, etc.).
3. Decision to proceed (both parties).
4. Proponent files an application/property information packet and remits payment to IDL for processing. (See [Application](#)).
5. [Application](#)/property information packet is reviewed for completeness and compliance with IDL criteria.
6. [Application](#) is routed to IDL's Real Estate Bureau (RES) for review and preparation of presentation to the committee for approval to proceed with the preparation of the memorandum to the land board.
7. Upon approval by the Executive Staff, RES updates its system and enters the proposed LEX into its system as a project. (Project team is formed with an area Single Point of Contact (SPOC) and RES SPOC).
8. RES submits the proposed land exchange to the Land Board for approval to move forward with the Due Diligence phase.
9. Notification to county/public/lessee(s) of proposed LEX.
10. IDL prepares a "draft" Term Sheet that provides the scope/cost of work pertaining to the Due Diligence phase.
11. The parties negotiate and agree to the "Final" Term Sheet.

12. The Agreement to Initiate or Letter of Intent is executed by the parties.
13. Due Diligence begins for both properties:
 - a. Phase I
 - i. Commitment for title insurance
 - ii. Survey/boundary identification
 - iii. Phase One Site Assessment
 - iv. Access evaluation
 - v. Utility evaluation
 - vi. Production of asset evaluation
 - vii. Mineral rights report
 - viii. Water rights report and stream classification
 - ix. Physical improvements identified (appraisal and inspection may be required)
 - x. Approvals and entitlements (verify and review, all, even historical records)
 - xi. Personal property identification
 - xii. Rights-of-Way (verify and review, all, even historical records)
 - xiii. Endangered species
 - xiv. Copies of all leases reviewed and identified
 - xv. Property Boundary Survey Conservation Reserve Program (if needed)
 - b. Phase II
 - i. Appraisals and review appraisal
14. Prepare Due Diligence report to determine whether the proposed land exchange meets all requirements.
15. Review Due Diligence report with Proponent to agree to proceed based on value and conditions provided in the Due Diligence phase.
16. Prepare Land Board Memorandum with data from the Due Diligence.
17. Present the Land Board Memorandum to a third-party reviewer for evaluation and commenting.
18. LEX Agreement entered into between IDL and Proponent (prepared by DAG and approved/executed by Board).
19. Closing