ENCROACHMENT PERMIT NO. L-95-S-3955A

Permission is hereby granted to Harrison Dock Builders of P.O. Box 8, Harrison, ID 83833 to increase winter storage to 450' along shoreline by 95' waterward OHWM (2.72 ac) located: Coeur d'Alene Lake, Powderhorn Bay, NWSW Section, Township 48 North, Range 4 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 or 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 lands at all reasonable times to inspect the encroachment authorized by this permit.

5. The Permittee shall indemnify and hold harmless and free from liability the Permittor for any injuries to persons or damage to property occurring as a result of the use authorized under this permit.

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. Upon transfer of this real property, you are required to notify this office of the subsequent name change (see enclosure).

8. If the activity authorized herein is not completed on or before the 19th day of November, 2002 (three years from the date of issuance), this permit shall automatically expire unless it was previously revoked or otherwise extended.
ENCROACHMENT PERMIT NO. L-95-S-3955A
November 19, 1999
Page two

9. This permit does not relieve the Permittee from obtaining additional local or federal permits as required.

10. This permit supersedes and voids any permit previously issued for this property.

11. Construction materials shall be natural or pressure treated utilizing only those preservative chemicals registered for the specific uses, such as CCA (Chromated Copper Arsenate), 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 Health and Welfare, Division of Environmental Quality, at (208)769-1422 for information on acceptable treatment methods and materials.

12. Location of the bulkhead must be as specified in the attached site plan.

13. 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.

14. 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 lakebeds. The lease will be consistent with other sovereign land leases and policy adopted by the State Board of Land Commissioners.

15. 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.

16. In the event the lease is terminated, the Permittee shall be solely responsible for removal of the encroachment within 60 days of the cancellation.

17. An adequate supply of petroleum-absorbing products shall be on site in the event of a spill.

18. Storage facility shall not be utilized between April 30 and October 1. Docks shall be removed by April 30 of each year. Docks are not to be stored prior to October 1 of each year.

19. No activity shall occur landward of elevation 2,121 feet Washington Water Power datum (winter lake level); more specifically but not limited to construction, transportation, parking, delivery or sales or any maintenance of docks.

20. In no way does this authorize work on or passage to the site landward of elevation 2,128 feet WWP datum.
ENCROACHMENT PERMIT NO. L-95-S-3955A
November 19, 1999
Page three

19. This permit is not valid until the identification number is displayed on the outermost area of the encroachment.

FOR THE DIRECTOR

By: ____________________________

CARL WASHBURN
Navigable Waters Specialist

STATE OF IDAHO    )
) ss
COUNTY OF KOOTENAI    )

On November 19, 1999, personally appeared before me ____________________________, whose identity is personally known to me and who by me duly affirmed that he is the Navigable Waters Specialist 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
Residing at Post Falls, Idaho
My commission expires on 1/24/2004
JOINT APPLICATION FOR PERMIT
U.S. ARMY CORPS OF ENGINEERS
IDAHO DEPARTMENT OF WATER RESOURCES
IDAHO DEPARTMENT OF LANDS

The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. These laws require permits authorizing structures and work in or affecting navigable waters of the United States and the discharge of dredged or fill material into waters of the United States, including its adjacent wetlands. These permits are required under the State of Idaho, Stream Channel Protection Act (Title 42, Chapter 38, Idaho Code) and the Idaho Lake Protection Act, Section 58-142 et seq, Idaho Code. This application will meet the requirements of the above agencies.

1. Corps of Engineers #
   Date Received

2. State of Idaho #
   L-95-S-3955
   Date Received
   Sept 3, 1999
   20 Rec'd By:
   Receipt #

3. Applicant: Marine Co dba Harrison Dock Builders
   Mailing Address: P. O. Box 8
   Harrison, ID 83833
   Work Phone: (208) 689-3248 Home ( )
   Fax Number

4. Authorized Agent: Harrison Dock Builders
   Mailing Address: P. O. Box 8
   Harrison, ID. 83833
   Work Phone (208) 689-3248 Home ( )

5. Location where proposed activity exists or will occur.
   Waterway: Coeur d'Alene Lake
   Town: Harrison
   County: Kootenai
   State:
   Zip Code:
   Legal Jurisdiction (city or county):

6. Please provide a general description of the proposed work including all discharges of fill material and any structures such as piers, floats, boat lifts, buildheads, and cofferdams.

   Site will be used for winter dock storage, use will be primarily between Oct 1 and approximately early May.

   Describe construction methods and equipment:
   Pile driving of wood pilings

   List all soil series used at the project site, and indicate if any are on the county's hydric soils list:

   Length of project along the stream or extension into lake or reservoir: 95'

   Will material be placed waterward of ordinary high water mark? NO If yes, volume: (cubic yards)
   (BOTH TEMPORARY AND PERMANENT)

   Will material be placed in wetlands? NO If yes, total area: (acres)

   Type and composition of fill material: N/A (i.e. sand, etc) Material Source:

   Will excavation or dredging be required? NO If yes, volume: (cubic yards) Composition

   Disposal site for excavated material: N/A Method of excavation:

   Stream gradient:

   Method of controlling turbidity and/or sedimentation: N/A

7. Size and flow capacity of proposed bridge or culvert and area of drainage served (sq. miles): (Idaho Department of Water Resources requirement)
   N/A
8. Preparation of drawings...One set of original or good quality, reproducible drawings must be submitted with this application. See the inter-office pamphlet for instructions and a checklist for completing the drawings. Include photographs of the project site mounted on 8-1/2 x 11 sheets.

9. Purpose and intended use: Commercial X Public Private Other Describe
Dock storage

10. Proposed Starting Date 10/1/99 Estimated Duration 2 days

11. If any portion of the activity is complete, indicate month and year of completion Indicate the existing work on the drawings.

12. Names, addresses, and telephone numbers of adjoining property owners, lessees, etc., whose property also adjoins the waterway.

Wayland Lipscomb Frey Dock & Barge
Rt 2 Box 15 10376 Morris Ave.
Harrison, ID 83833 Hayden, ID 83835

☐ Check here if the alteration is located on endowment lands administered by the Idaho Department of Lands

13. LEGAL OWNER IF OTHER THAN APPLICANT State of Idaho

Mailing Address
City, State, Zip Code

Phone Work( ) Home( )

14. List other applications, approvals, or certifications from other Federal, interstate, state, or local agencies for any structures, constructions, discharges, deposits, or other activities described in this application.

Issuing Agency Type of Approval Identification No. Date of Application Date of Approval

15. Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein? Yes No X NO
(If "Yes" explain)

16. Remarks or additional information:

17. Application is hereby made for a permit or permits to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to come upon the above-described location to inspect the proposed or completed work.

X 9/2/99
Date
Signature of Applicant (ORIGINAL SIGNATURE REQUIRED)

18. If an authorized agent is to be designated, Item 4 and the following information should be completed.

I hereby designate Harrison Dock Builders to act as my agent in matters related to this permit application. I understand that if a Federal permit is issued, I must sign the permit.

9/2/99
Original Signature of Authorized Agent

19. U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device 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 statement or entry, shall be fined not more than $10,000 or imprisoned not more than 5 years or both. Do not use a Federal permit processing fee with this application. The appropriate fee will be assessed when a permit is issued.