



**IDAHO DEPARTMENT OF LANDS**  
**NAVIGABLE WATERWAYS EASEMENT APPLICATION and INSTRUCTIONS**  
(Not for use on Endowment Lands)

Navigable Waterways Easement applications must be completed and submitted to the appropriate Idaho Department of Lands (IDL) Supervisory Area Office. Incomplete applications and those requiring further information may take longer to process.

**APPLICANT INFORMATION**

*Application must include the exact name(s) and address(s) to appear on the navigable waterways easement. Provide the full legal name of the Applicant or the entity name on file with the Idaho Secretary of State.*

Applicant Name:	Authorized Representative (if applicable)
Street Address	Mailing Address (if different from Street Address)
Email Address(es)	Phone: (      )
Website Address(es)	Cell/Mobile: (      )

**LOCATION OF PROPOSED USE**

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Description</u> (to the quarter-quarter or Government Lot, if applicable)	<u>County</u>	<u>Water Body</u>	<u>Acres</u>

(IDL Fund for Navigable Waterways is ND)

**PROPOSED USE** (list specific purpose, associated activities, and time frame(s); attach additional pages if necessary)


## WHEN REQUIRED

Uses above, across, over, in, through, upon, and under the beds of state-owned navigable waterways may require a navigable waterways easement. Exceptions include those uses that are typically covered by leases, through a short duration permit, or involve small water delivery structures that draw less than five (5) cubic feet per second of water.

Uses that require a navigable waterways easement are dams, bridges, road fills, power lines, fiber optic cables, pipelines, boat ramps, and other infrastructure that is essentially permanent.

Navigable waterways easement rules- <https://adminrules.idaho.gov/rules/current/20/200309.pdf>

## PROCEDURE

The procedure for acquiring a navigable waterways easement across state-owned navigable waterways is as follows:

1. Contact the appropriate IDL Supervisory Area Office to discuss the need and location of the proposed use. If the Supervisory Area Office determines that a navigable waterways easement is needed for the proposed use, the applicant may complete the application form and send in the \$500 application fee with the information required under item 3.
2. Checks for the \$500 application fee should be made out to IDAHO DEPARTMENT OF LANDS. Supplemental compensation may be required at a later date for dams and for uses that substitute state-owned navigable waterways over the adjacent uplands. See item 6 below.
3. Submit a letter of request stating the purpose of the navigable waterways easement with a Record of Survey showing the easement and a written description of the centerline or metes and bounds survey of the easement. The entry and exit points of the use in and out of the state-owned navigable waterway should each be tied to at least one legal corner. A digital copy of each of the following will speed the processing of the application:
  - The legal description as an MS Word file
  - A .pdf of the legal description signed and stamped by a Licensed Surveyor
  - Record of survey or exhibit as a .pdf
  - ESRI shapefiles of the easement (see CAD Drawing Standards for GIS Submittals)(Note: Other methods may be considered after consultation with IDL staff for guidance.)
4. Term easements for hydroelectric facilities are typically coordinated with the Federal Energy Regulatory Commission (FERC) license renewal.
5. General Liability Insurance may be required to protect the Grantee and the state from liabilities incurred through the use of state property. If required, proof of insurance must be submitted before the final documents are issued. The State of Idaho and Idaho Department of Lands must be listed as additional insured in the certificate of insurance.
6. Supplemental compensation, when required, will be due upon signature by the Applicant.
  - a. Navigable waterways easements for all hydroelectric dams and any dam in excess of ten (10) feet in height require supplemental compensation of one thousand dollars (\$1,000.00) plus five dollars (\$5.00) per megawatt of the nameplate rating for hydroelectric dams.
  - b. Navigable waterways easements for uses that substitute state-owned navigable waters over the use of uplands will require supplemental compensation based on the market value of the adjacent uplands.

**NOTE:**

This is not to be considered a complete summary of all the information IDL may require. Additional information may be required as needed on a case-by-case basis. Costs for supporting documents are the responsibility of the applicant. IDL staff will request supporting documentation when they deem it necessary.

I HEREBY REQUEST A NAVIGABLE WATERWAYS EASEMENT FROM THE STATE OF IDAHO AND ACKNOWLEDGE THAT I UNDERSTAND MY OBLIGATIONS DESCRIBED HEREIN.

APPLICANT(S) SIGNATURE: \_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_  
DATE: \_\_\_\_\_

\*\*\* Idaho Department of Lands Administrative Use Only \*\*\*

RECEIVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

☐ \$500 Fee Submitted with Application

☐ APPROVED or ☐ REJECTED BY AREA: \_\_\_\_\_ DATE: \_\_\_\_\_

☐ Processing note: Upon complete application acceptance, the Area will drop Easement Application and "Attachment A" form into Lands and Waterways Processing Center (LWPC) Document Exchange via the LWPC In-Box into appropriate folder to obtain navigable waterways easement number.

Navigable Waterways Easement Number: \_\_\_\_\_

Prior Land Board approval required? >\$25K or unusual/complex? ☐ Yes ☐ No

**Approval Checklist**

1) _____ Land Records Staff Name (approval of legal description and exhibit map)	_____ Date approved
2) _____ Area Navigable Waterways Resource Specialist or Area Manager	_____ Date approved
3) _____ Navigable Waterways Program Manager/RPA Bureau Chief	_____ Date approved

Approvals must be obtained prior to obtaining applicant and Land Board signatures

# Idaho Department of Lands Management Areas

**Priest Lake  
Supervisory Area**  
4053 Cavanaugh Bay Road  
Coolin, ID 83821  
(208) 443-2516

**Kootenai Valley Forest Protective District**  
6327 Main Street  
Bonners Ferry, ID 83805  
(208) 267-5577

**Idaho Department of Lands  
Coeur d'Alene Staff Office**  
3284 West Industrial Loop  
Coeur d'Alene, ID 83815  
(208) 769-1525

**Idaho Department of Lands  
Director's Office**  
300 North 6th Street, Suite 103  
Boise, ID 83702  
(208) 334-0200

**Pend Oreille Supervisory Area**  
2550 Highway 2 West  
Sandpoint, ID 83864-7305  
(208) 263-5104

**Cataldo Forest Protective District**  
80 Hilltop Overpass Road  
Kingston, ID 83839  
(208) 682-4611

**Mica Supervisory Area**  
3258 West Industrial Loop  
Coeur d'Alene, ID 83815  
(208) 769-1577

**St. Joe Supervisory Area**  
1806 Main Avenue  
St. Maries, ID 83861  
(208) 245-4551

**Ponderosa  
Supervisory Area**  
3130 Highway 3  
Deary, ID 83823  
(208) 877-1121

**Clearwater Supervisory Area**  
10230 Highway 12  
Orofino, ID 83544  
(208) 476-4587

**Craig Mountain Forest  
Protective District**  
P.O. Box 68,  
014 East Lorahama  
Craigmont, ID 83523  
(208) 924-5571

**Maggie Creek Supervisory Area**  
913 Third Street  
Kamiah, ID 83536  
(208) 935-2141

**Payette Lakes  
Supervisory Area**  
555 Deinhard Lane  
McCall, ID 83638  
(208) 634-7125

**Southwest  
Supervisory Area**  
8355 West State Street  
Boise, ID 83714  
(208) 334-3488

**Eastern Supervisory Area**  
3563 Ririe Highway  
Idaho Falls, ID 83401  
(208) 525-7167

**Jerome Field Office**  
324 South 417 East, Suite 2  
Jerome, ID 83338  
(208) 324-2561

