



Idaho Lake Protection Act Water Intake Lines

An Idaho Department of Lands (IDL) **encroachment permit** is required for water intake lines located on navigable lakes and certain reservoirs (Idaho Code Title 58, Chapter 13).

Requirements (IDAPA 20.03.04)

- Water intake lines may not be located closer than 25 feet from adjacent littoral right lines, unless written consent from the adjacent littoral owner is obtained.
- Water intake lines should protrude at a right angle to the general shoreline.
- Water intakes shall be screened with a maximum screen mesh diameter of one quarter (1/4) inch to keep aquatic life from being impacted, and approach velocities should be less than 0.5 feet per second.
- Any exposed water intake line shall be anchored to the bed of the lake with a nontoxic type of weight.

Other Authorizations

- ☐ A **Submerged Land Easement** from IDL may be required as a condition an encroachment permit.
- ☐ A **Water Right Permit** from the [Idaho Department of Water Resources](https://idwr.idaho.gov/) (<https://idwr.idaho.gov/>) is required to draw water from surface water sources.
- ☐ A **permit** from [United States Army Corps of Engineers \(USACE\)](https://www.usace.army.mil/) (<https://www.usace.army.mil/>) is also required for water lines on Lake Pend Oreille and Bear Lake.

Application Process

Permits are typically issued 2-4 months after an application is received.

1. Apply. Applicant submits:

- ☐ Joint Application Form (The Joint Application Form is used by both IDL and the United States Army Corp of Engineers (USACE).
- ☐ IDL Application Form
- ☐ Supporting documents (drawings, maps, etc.)
- ☐ Fee of \$300 for lines serving 4 houses or less or \$1,000 for lines serving more than 4 houses.

2. Review. IDL reviews application and notifies applicant if additional information is needed.

3. Comments. IDL notifies adjacent land owners and for lines serving more than 4 houses will notify other agencies. If an objection is received, and an agreement cannot be reached, IDL will hold a formal administrative hearing.

4. Issue Permit. If the proposed encroachment meets all relevant standards, IDL issues a permit.

5. Record Permit. Applicant, now Permittee, records the permit with the county recorder's office.

6. Construction. Permittee constructs the encroachment.

7. File Report. Once the encroachment is built, the permittee submits a work completion report with IDL.

8. Inspection. IDL inspects the encroachment to verify compliance with the permit terms and standards.

Contact us

For more information, visit the [IDL Encroachments webpage](https://www.idl.idaho.gov/lakes-rivers/encroachments/). (<https://www.idl.idaho.gov/lakes-rivers/encroachments/>) Or scan the QR code.

