



**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.

This form is three (3) pages, please read and complete all sections.

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): _____

Phone Number: _____ Cell/Mobile Number: _____

Email Address(es): _____

Website Address(es): _____

Location Of Proposed Use

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

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)

<https://adminrules.idaho.gov/rules/current/20/200309.pdf>

Instructions

- 1.** Contact the appropriate IDL Supervisory Area Office to discuss the need and location of the proposed use. If a navigable waterways easement is needed for the proposed use, complete the application form and submit a \$500 application fee with the information required under item 3.
 - 2.** Submit a \$500 application fee 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. Submit a digital copy of each of the following:
 - A legal description
 - 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.

Applicant Signature

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: _____

APPLICANT(S) SIGNATURE: _____

DATE: _____