



STATE OF IDAHO
DEPARTMENT OF LANDS
NAVIGABLE WATERWAYS

TEMPORARY LAND USE PERMIT NO. LU300046

Permission is hereby granted to Kelly Budge, (Permittee), to retain a boat garage footprint, as described in Attachment A, attached hereto and incorporated herein by reference, for the boat garage that was formerly moored at Heyburn State Park, Rocky Point, Idaho Department of Parks and Recreation Slip Number EBH05 Benewah County, Parcel Number LP120007.

This Permit is subject to the following terms and conditions:

1. This Temporary Land Use Permit (Permit) is effective upon signature by the Idaho Department of Land's (Department) Navigable Waterways Program Manager. This Permit allows the Permittee to apply to rebuild, remove, or otherwise relocate their boat garage and provides a three (3) year period to submit an official, and fully completed, encroachment application with the Department.
2. The Permittee shall indemnify and hold harmless the State of Idaho and its representatives against, and from, any and all demands, claims, or liabilities of any nature whatsoever, arising directly or indirectly from, or in any way connected with, the actions authorized under this Permit.
3. The Department's staff visited the structure on August 29, 2024, to confirm the structure's existence, obtain measurements, and document the structure.
4. Permittee shall have until this Temporary Permit's expiration date to submit a complete application for the structure to be rebuilt and/or relocated. If a fully completed application is not received by the Department before the Permit expires, the structure cannot be rebuilt nor relocated.
5. This Permit will expire on December 31, 2027. Failure to submit a fully completed encroachment application to the Department by the Permit's expiration date permanently invalidates the temporarily permitted structure. Extensions will not be granted for this Temporary Permit.
6. This Permit may be assigned. To effectively assign this Permit, the Permittee must give the respective Area Manager, in writing, the name and address of the person to whom the Permit is to be assigned. No assignment shall be valid without the written approval of the Area Manager, which will not be unreasonably withheld.

7. This Permit is non-exclusive to the Permittee, except that other uses will not be designed to restrict the Permittee in the exercise of this Permit.
8. The Permittee shall exercise every reasonable effort to protect the lakebed and watershed resources, which includes littoral vegetation, when the Permittee is removing, deconstructing, reconstructing, or otherwise engaging in activities that could impact water quality or aquatic and terrestrial species.
9. The Permittee shall maintain the permitted structure in good repair and prevent it from creating hazards in or to the lake.
10. The Permittee will comply with all federal, state, and local laws and with all rules and regulations of the State Board of Land Commissioners pertaining to forest and watershed protection, and with the Stream Channel Protection Act as designated in Chapter 38, Title 42 of the Idaho Code as administered by the Idaho Department of Water Resources.
11. This Permit may be cancelled after written notice to the Permittee of non-compliance with the terms of this Temporary Permit. The Permittee will have thirty (30) days, from the date the written notice is sent, to correct the violation. If the Permittee fails to correct the violation to the Department's satisfaction within the thirty (30) days, the Permit may be cancelled at the Department's discretion. Notice will be sent to the mailing address associated with the Boat Garage Temporary Permit Number. It is the responsibility of the person to whom this Permit is assigned to ensure that the Department has an accurate mailing address.

*** THIS PERMIT MUST BE SUBMITTED WITH AN APPLICATION FOR ENCROACHMENT PER IDAHO CODE TITLE 58, CHAPTER 13. ***

- * ISSUED on September 25, 2024
- * EXPIRES on the 31st day of December, 2027.

Marde Mensinger
Program Manager Printed Name


Program Manager Signature

Temporary Land Use Permit No. LU300046– Attachment A

Dimensions

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|---------------------------|-------------|
| Master Float Width: | 20.08 feet |
| Master Float Length: | 25.00 feet |
| Garage Width: | 16.25 feet |
| Garage Length: | 23.17 feet |
| Garage Height: | 10.50 feet |
| Total Float Square Feet: | 502.08 feet |
| Total Garage Square Feet: | 376.46 feet |

[Inspection on following pages]