

# STATE BOARD OF LAND COMMISSIONERS

September 20, 2022

Consent Agenda

## Subject

DI600306, Disclaimer of Interest for the former bed of the South Fork Boise River, Elmore County, Idaho.

## Question Presented

Shall the Land Board approve Disclaimer of Interest DI600306?

## Background

Idaho holds title to the beds and banks of navigable waterways below the ordinary high water mark (OHWM). The State Board of Land Commissioners (Land Board) is the statutorily designated trustee of these lands. When a river moves due to accretion (the natural, gradual process whereby deposited material causes the river to move), title to the riverbed moves as well. These accreted lands are subject to adverse possession by the adjacent upland landowner through a quiet title action. Land Board policy directs the Idaho Department of Lands (Department) to work with these landowners and pursue disclaimers of interest for clearing title to the accreted land.

## Discussion

Aaron and Caroll Fuhriman have applied for a disclaimer of interest on one parcel of accretion land totaling 1.60 acres, more or less. This parcel is located within the original surveyed river meander lines of the South Fork Boise River adjacent to the applicants' deeded property in E2 of Government Lot 8, Section 10, Township 3 North, Range 10 East (Attachment 1-Map).

After the applicant paid the \$300 application fee, the Department identified the OHWM on site and the applicants' licensed surveyor completed a survey. The Department reviewed the survey, deeds, and tax documents, and determined that the disclaimer was ready to move forward.

Aaron and Caroll Fuhriman will grant the State of Idaho an easement 25 feet in width for a public use right of way along, and adjacent to, the existing OHWM of the South Fork Boise River. In addition, Aaron and Caroll Fuhriman will also grant the State of Idaho a disclaimer of interest to the South Fork Boise River north of the OHWM adjacent to their property.

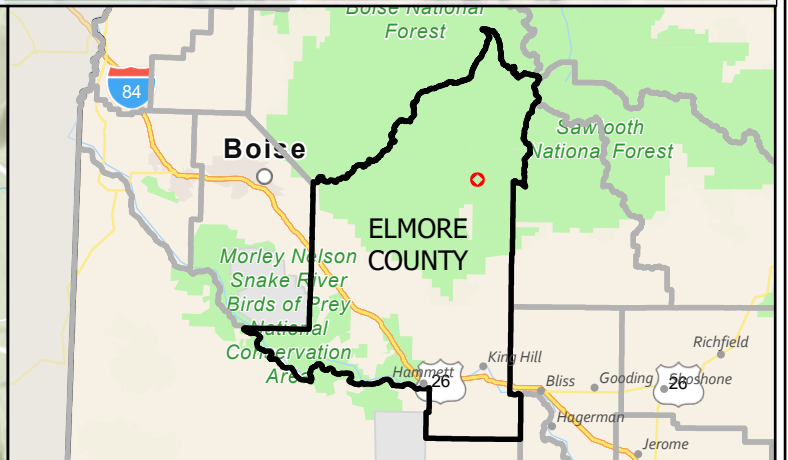
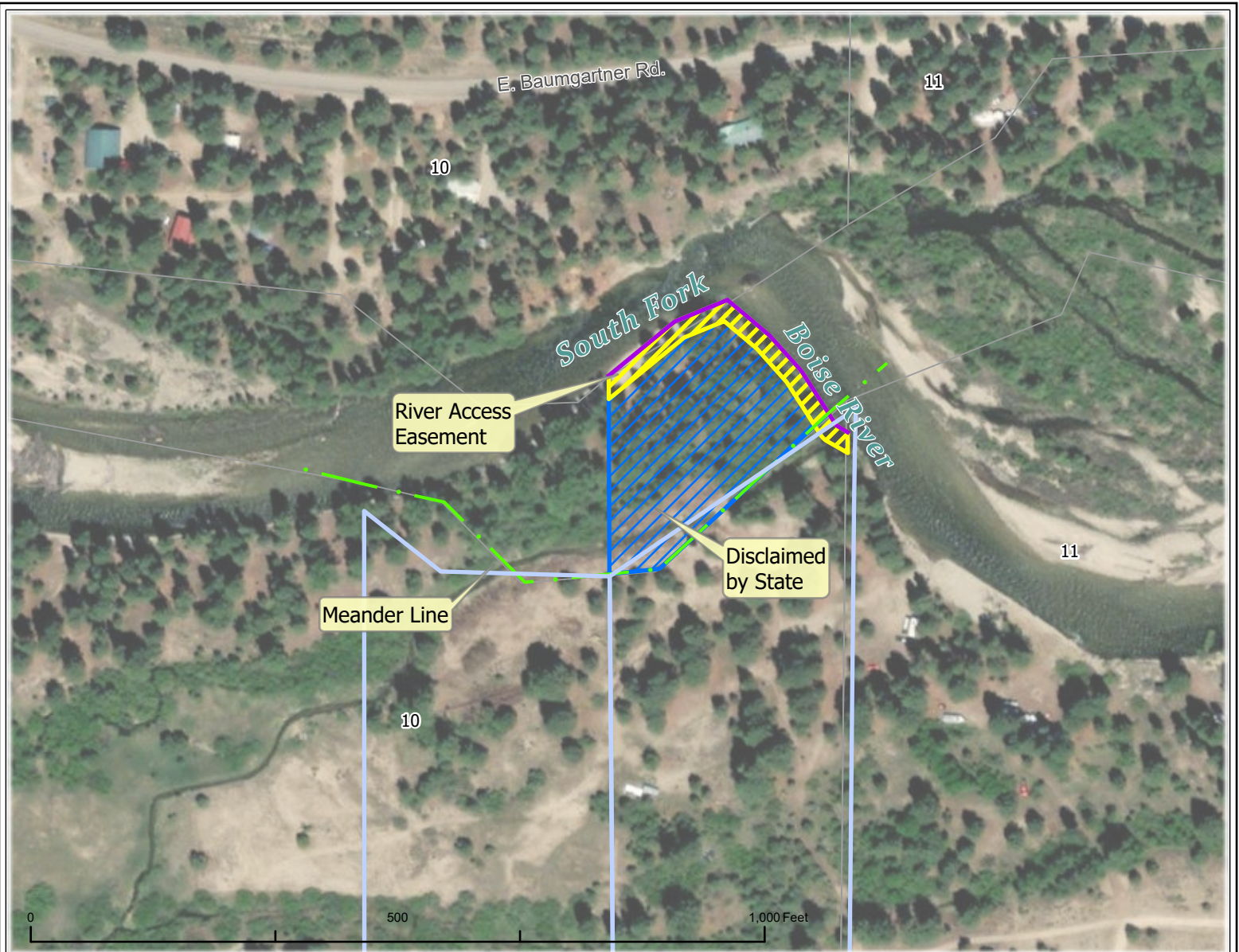
## **Recommendation**

Direct the Department to issue a Disclaimer of Interest for one parcel totaling 1.60 acres of the former bed of the South Fork Boise River to Aaron and Caroll Fuhriman following their payment to the Department of the remaining processing fee of \$300.

## **Board Action**

## **Attachments**

1. Map



- Meander Line (north meander line not included in the survey)
- Ordinary High Water Mark
- River Access Easement Parcel
- Disclaimed BY State
- Parcel
- Section

**DI600306**  
Sec 10 - T03N - R10E  
7/26/2022

**Map Notes**

Projection: Idaho Transverse Mercator, NAD 83

Map Notes and Data Sources

**Disclaimer:**  
This map has been compiled using the best information available to the Idaho Department of Lands at the time and may be updated and/or revised without notice. In situations where known accuracy and completeness is required, the user has the responsibility to verify the accuracy of the map and the underlying data sources.

Vicinity Map