

# STATE BOARD OF LAND COMMISSIONERS

December 20, 2022

Consent Agenda

## Subject

DI600318, Disclaimer of Interest for the former bed of the Boise River, Ada County, Idaho.

## Question Presented

Shall the Land Board approve Disclaimer of Interest DI600318?

## 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

Oregon Trail Landmark LLC has applied for a disclaimer of interest for two parcels of accretion land totaling 2 acres, more or less. This parcel is located within the original surveyed river meander lines of the Boise River adjacent to the applicant's deeded property in Government Lot 11 of Section 05, Township 3 North, Range 2 East (Attachment 1-Map).

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

Oregon Trail Landmark LLC 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 Boise River. An existing greenbelt is in place along this property.

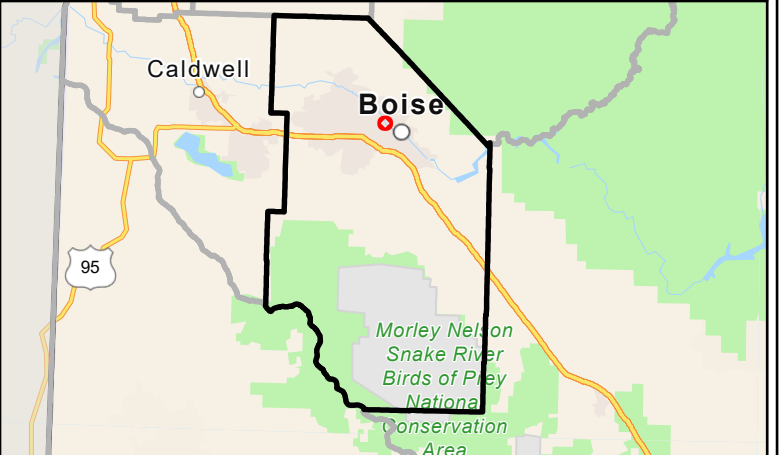
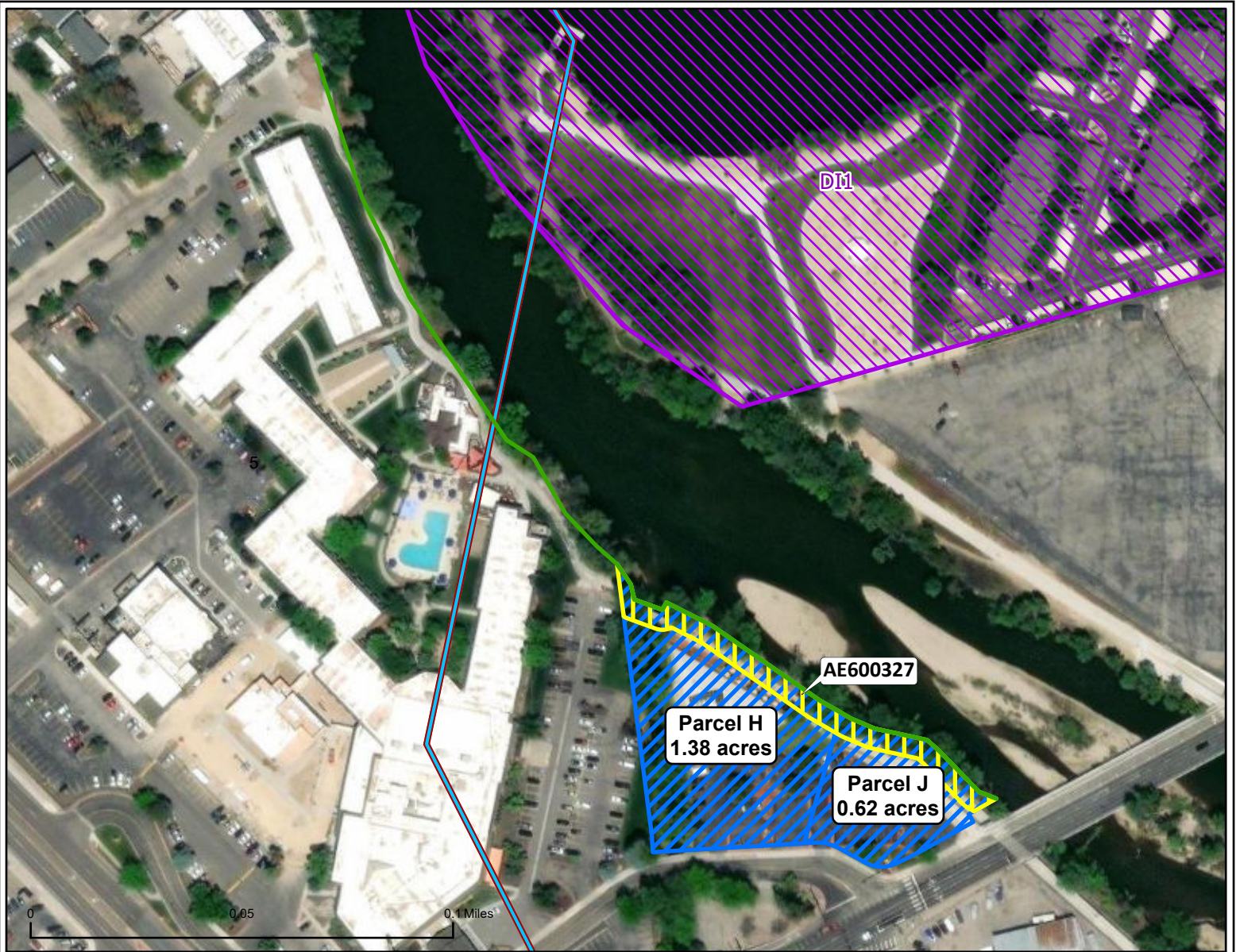
## Recommendation


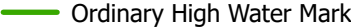

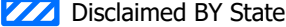
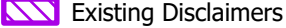


Direct the Department to issue a Disclaimer of Interest for two parcels totaling 2 acres of the former bed of the Boise River, to Oregon Trail Landmark LLC following their payment to the Department of the remaining processing fee of \$300.

## **Board Action**

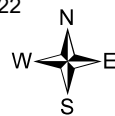
## **Attachments**

1. Map



-  Meander Line
-  Ordinary High Water Mark
-  Access Easement
-  Disclaimed BY State
-  Existing Disclaimers
-  Township
-  Section

**DI600318**  
Oregon Trail Landmark  
Sec 4 - T03N - R02E  
12/19/2022



**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**

