

STATE BOARD OF LAND COMMISSIONERS

December 20, 2022

Consent Agenda

Subject

DI600319, Disclaimer of Interest for the former bed of the Boise River, Ada County, Idaho.

Question Presented

Shall the Land Board approve Disclaimer of Interest DI600319?

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

Riverside Hospitality, LLC has applied for a disclaimer of interest for four parcels of accretion land totaling 3.4 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 Lots 11 and 12 of Section 5, 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.

Riverside Hospitality, 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.

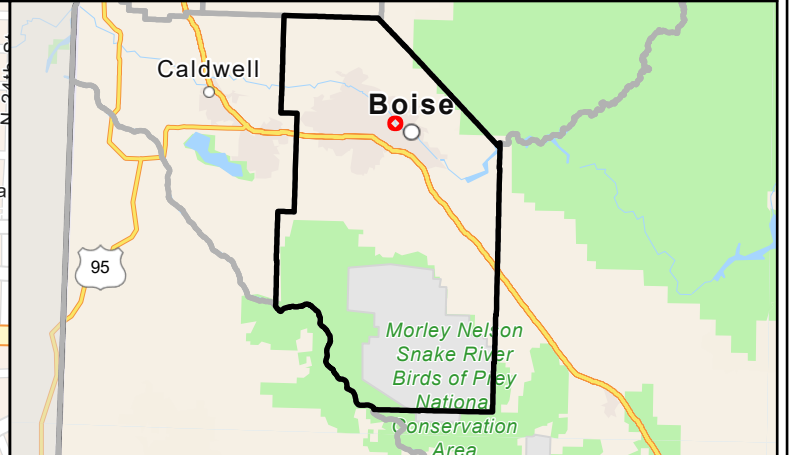
Recommendation

Direct the Department to issue a Disclaimer of Interest for four parcels totaling 3.4 acres of the former bed of the Boise River, to Riverside Hospitality, 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

DI600319
 Oregon Trail Landmark
 Sec 4, 5 - T03N - R02E
 12/12/2022



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.

