

STATE BOARD OF LAND COMMISSIONERS

April 16, 2024
Consent Agenda

Subject

DI600328, Disclaimer of Interest for the former bed of the Boise River, Canyon County, Idaho

Question Presented

Shall the Land Board approve Disclaimer of Interest DI600328?

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

William F. Hubler and Betty M. Hubler have applied for a disclaimer of interest for two parcels of accretion land totaling 9.288 acres, more or less. These parcels are located within the original surveyed river meander lines of the Boise River adjacent to the applicants' deeded property in Government Lots 2 and 6 of Section 12, Township 4 North, Range 3 West (Attachment 1-Maps).

After the applicants 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 (Attachments 2-3). One of the two parcels has an airplane hangar within its bounds.

William F. and Betty M. Hubler 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.

Recommendation

Direct the Department to issue a Disclaimer of Interest for two parcels totaling 9.288 acres of the former bed of the Boise River, to William F. and Betty M. Hubler following their payment to the Department of the remaining processing fee of \$300.

Board Action

Attachments

1. Maps
2. Deeds
3. Tax Records



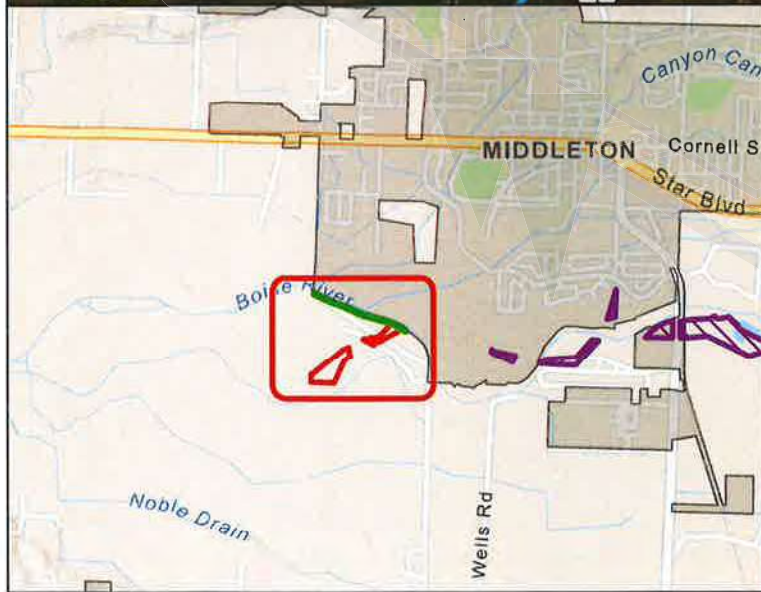
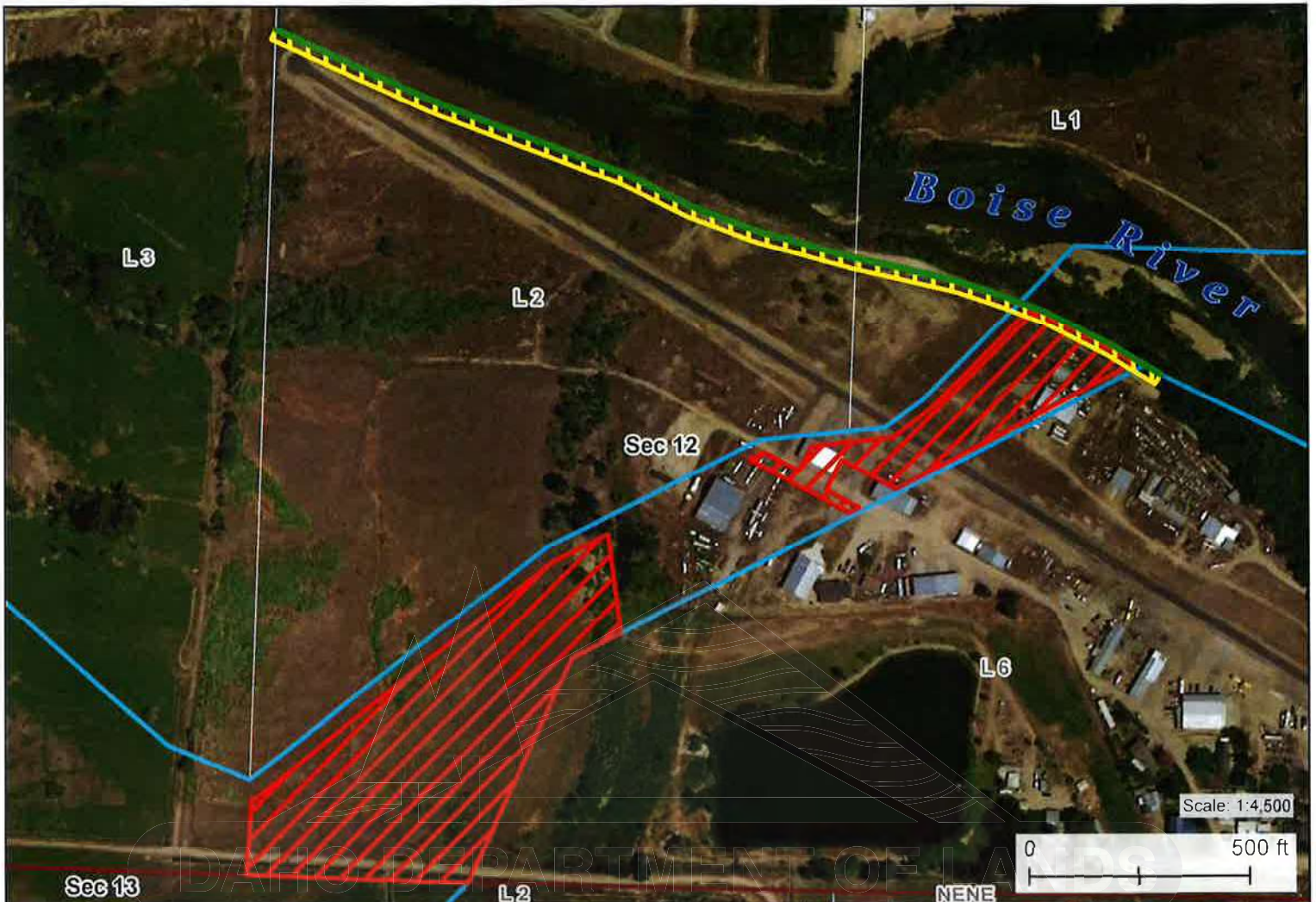


- | | | | |
|--|----------|---|--------------------------|
|  | DI600328 |  | Ordinary High Water Mark |
|  | DI600329 |  | Access Easement |
|  | DI600330 |  | Meander Line |
|  | DI600331 |  | Section |
|  | DI600332 |  | Subsection |

Overview
DI600328-DI600333
 Section 12 - T04N - R03W
 Canyon County
 3/22/2024



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.



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

DI600328
 Section 12 - T04N - R03W
 Canyon County
 2/12/2024



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.



2015-022517

RECORDED

06/16/2015 01:54 PM



00172608201500225170040044

CHRIS YAMAMOTO

CANYON COUNTY RECORDER

Pgs=4 EHOWELL

\$19.00

DEED

HUB PROPERTY MANAGEMENT

After recording, please mail this deed
and future tax statements to:

William F. and Betty M. Hubler
5103 Hubler Lane
Caldwell, Idaho 83605
208-459-7726

QUITCLAIM DEED

THIS QUITCLAIM DEED, executed this 11th day of June , 2015 , by the grantor,
Hub Property Management, LLC
P.O. Box 748
Wilder, Idaho 83676

to the grantee,

William F. and Betty M. Hubler, husband and wife, as community property with right of
survivorship
5103 Hubler Lane
Caldwell, Idaho 83605

WITNESSETH, that the said grantor, for good consideration

the receipt whereof is hereby acknowledged, does hereby quitclaim all interest in the following
parcel of land in Canyon County, Idaho – legally described as:

"See Attached Exhibit C"

Commonly known as: 12-4N-3W SE TX -1497 Govt Lt 6

Parcel identification:

Source of title:

Record of Survey Instrument No. 2012-055214

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Construe all terms with the appropriate gender and quantity required by the sense of this deed.

Signed, sealed and delivered in presence of:

[Signature]
Signature
Bruce F. Hubler, HUB Property Mgmt LLC
Print name
Grantor
Capacity

[Signature]
Signature
Becky L. Hubler, HUB Property Mgmt LLC
Print name
Spouse
Capacity

Signature

Print name

Capacity

Signature

Print name

Capacity

Signature

Print name

Capacity

Signature

Print name

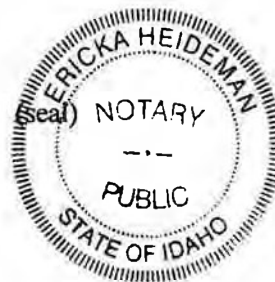
Capacity

STATE OF IDAHO }
COUNTY OF CANYON }

On this 15th day of JUNE, in the year of 2015, before me, Ericka Heideman, a notary public, personally appeared BRUCE F HUBLER and BECKY L HUBLER

known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

[Signature]
Notary Public
Ericka Heideman
Print name
My commission expires: 3/19/2019



2021-062484

RECORDED

09/07/2021 10:38 AM



00644901202100624840100101

CHRIS YAMAMOTO

CANYON COUNTY RECORDER

Pgs=10 SCARDENAS \$15.00

DEED

WILLIAM & BETTY HUBLER



**Canyon County
Recorder's Office
Document
Cover Sheet**



IDAHO DEPARTMENT OF LANDS

2021-036812

RECORDED

05/21/2021 01:05 PM



00816317202100368120050059

CHRIS YAMAMOTO

CANYON COUNTY RECORDER

Pgs=5 MKEYES

\$15.00

DEED

WILLIAM HUBLER

Re-Recording To Correct
Legal Description

QUITCLAIM DEED

FOR VALUE RECEIVED, William F. Hubler and Betty M. Hubler, husband and wife, does hereby convey, release, remise and forever quit claim unto William F. Huber and Betty M. Huber, husband and wife whose current address is: 5103 Hubler Lane, Caldwell, ID 83605 the following described premises:

See attached Parcel 'A' Legal Description

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

Date: May 21, 2021

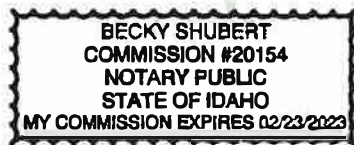
William F. Hubler
William F. Hubler

Betty M. Hubler
Betty M. Hubler

IDAHO DEPARTMENT OF LANDS

State of Idaho)
) S.S.
County of Canyon)

On this 21st day of May, in the year of 2021, before me the undersigned, personally appeared William F. Hubler and Betty M. Hubler, proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is (are) subscribed to the within instrument, and acknowledged that he (she)(they) executed the same.



Becky Shubert
Notary Public
My Commission Expires on _____
Residing at Eagle, ID

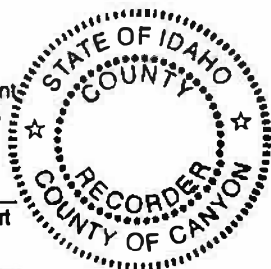
State of Idaho }
County of Canyon } ss.

I hereby certify that the foregoing instrument is a true and correct copy of the original as the same appears in this office.

DATED 9-7-2021

CHRIS YAMAMOTO, Clerk of the District Court and Ex Officio Recorder

By Louisa Calderazzo
Deputy





Sawtooth Land Surveying, LLC

P: (208) 398-8104 F: (208) 398-8105
2030 S. Washington Ave., Emmett, ID 83617

Parcel 'A' Legal Description

A parcel of land being a portion of Government Lot 6 of Section 12, Township 4 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, more particularly described as follows:

BEGINNING at the southeast corner of said Section 12, marked by a brass cap, from which the S1/4 corner of said Section 12, marked by an aluminum cap/PLS 3627, bears North 89°34'00" West, 2646.06 feet;

Thence North 89°34'00" West, coincident with south line of said Government Lot 6, a distance of 478.00 feet;

Thence North 24°39'00" West, 44.00 feet;

Thence South 89°34'00" East, parallel with said south line, 127.00 feet;

Thence North 24°39'00" West, 264.60 feet;

Thence North 62°32'00" West, 187.32 feet;

Thence North 24°39'00" West, 233.08 feet;

Thence North 63°31'00" West, 632.14 feet to the westerly line of said Government Lot 6;

Thence North 61°00'00" East, coincident with said westerly line, 54.18 feet;

Thence South 62°37'57" East, 197.51 feet;

Thence North 27°22'03" East, 75.00 feet;

Thence North 62°37'57" West, 147.62 feet to said westerly line;

Thence North 61°00'00" East, coincident with said westerly line, 580.75 feet to an angle point on said Government Lot 6;

Thence South 65°13'26" East, coincident with the northerly line of said Government Lot 6, a distance of 129.83 feet;

Thence South 29°05'34" West, 62.08 feet;

Thence North 60°54'26" West, 60.00 feet;

Thence South 29°05'34" West, 50.00 feet;

Thence South 60°54'26" East, 60.00 feet;

Thence South 29°05'34" West, 204.00 feet;
Thence South 60°54'26" East, 60.00 feet;
Thence North 28°55'39" East, 88.83 feet;
Thence South 61°02'34" East, 70.18 feet;
Thence South 29°05'34" West, 89.00 feet;
Thence South 60°54'26" East, 700.39 feet to the east line of said Government Lot 6;
Thence South 01°46'52" West, coincident with said east line, 160.76 feet;
Thence North 89°34'00" West, parallel with said south line of Government Lot 6, a distance of 226.40 feet;
Thence South 02°25'30" West, 130.00 feet;
Thence North 89°34'00" West, parallel with said south line, 80.10 feet;
Thence North 02°25'30" East, 124.63 feet;
Thence South 88°27'47" West, 156.59 feet;
Thence South 24°39'00" East, 297.10 feet;
Thence South 89°34'00" East, parallel with said south line, 330.65 feet to said east line of Government Lot 6;
Thence South 01°46'52" West, coincident with said east line, 39.99 feet to the **POINT OF BEGINNING**.

The above described parcel contains 11.489 acres, more or less.

EXCEPTING THEREFROM

A parcel of land being a portion of Government Lot 6 of Section 12, Township 4 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, more particularly described as follows:

COMMENCING at the southeast corner of said Section 12, marked by a brass cap, from which the S1/4 corner of said Section 12, marked by an aluminum cap/PLS 3627, bears North 89°34'00" West, 2646.06 feet;

Thence North 89°34'00" West, coincident with south line of said Government Lot 6, a distance of 478.00 feet;

Thence North 24°39'00" West, 635.68 feet;

Thence North 26°29'00" East, 20.00 feet to the **POINT OF BEGINNING**;

Thence North 63°31'00" West, 300.00 feet;

Thence North 26°29'00" East, 50.00 feet;

Thence South 63°31'00" East, 300.00 feet;

Thence South 26°29'00" West, 50.00 feet to the **POINT OF BEGINNING**.

The above described parcel contains 0.344 acres, more or less.

AND ALSO EXCEPTING THEREFROM

A parcel of land being a portion of Government Lot 6 of Section 12, Township 4 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, more particularly described as follows:

COMMENCING at the southeast corner of said Section 12, marked by a brass cap, from which the S1/4 corner of said Section 12, marked by an aluminum cap/PLS 3627, bears North 89°34'00" West, 2646.06 feet;

Thence North 01°46'52" East, coincident with the east line of said Government Lot 6, a distance of 480.66 feet;

Thence North 60°54'26" West, 940.07 feet;

Thence North 27°58'42" East, 73.30 feet to the **POINT OF BEGINNING**;

Thence North 62°01'18" West, 70.00 feet;

Thence North 27°58'42" East, 140.00 feet;

Thence South 62°01'18" East, 70.00 feet;

Thence South 27°58'42" West, 66.00 feet;

Thence South 62°01'18" East, 60.00 feet;

Thence South 27°58'42" West, 70.00 feet;

Thence North 62°01'18" West, 60.00 feet;

Thence South 27°58'42" West, 4.00 feet to the **POINT OF BEGINNING**.

The above described parcel contains 0.321 acres, more or less.

The above described parcel, minus **EXCEPTIONS**, contains 10.824 acres, more or less.

SUBJECT TO

A 20 foot wide right of way for the purpose of egress and regress and conveyance of utilities and underground pipes, as described in Personal Representative's Deed Instrument No. 2019-008675, recorded on March 4, 2019, Canyon County Records.

AND ALSO SUBJECT TO

A 40 foot wide non-exclusive perpetual easement interest for the purposes of using an existing water line, utilities including a telephone line, and roadway for ingress and egress over, across and under the parcel described in Warranty Deed Instrument No. 9637953, recorded on November 21, 1996, Canyon County Records.

BASIS OF BEARINGS for this legal description is North 89°34'00" West, between the southeast corner and S1/4 corner of Section 12, T. 4 N., R. 3 W., B.M., Canyon County, Idaho. I.S.P.C.S., West Zone.



IDAHO DEPARTMENT OF LANDS



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Thence North 24°39'00" West, 44.00 feet;

Thence South 89°34'00" East, parallel with said south line, 127.00 feet;

Thence North 24°39'00" West, 264.60 feet;

Thence North 62°32'00" West, 187.32 feet;

Thence North 24°39'00" West, 233.08 feet;

Thence North 63°31'00" West, 632.14 feet to the westerly line of said Government Lot 6;

Thence North 61°00'00" East, coincident with said westerly line, 54.18 feet;

Thence South 62°37'57" East, 197.51 feet;

Thence North 27°22'03" East, 75.00 feet;

Thence North 62°37'57" West, 147.62 feet to said westerly line;

Thence North 61°00'00" East, coincident with said westerly line, 580.75 feet to an angle point on said Government Lot 6;

Thence South 65°13'26" East, coincident with the northerly line of said Government Lot 6, a distance of 129.83 feet;

Thence South 29°05'34" West, 62.08 feet;

Thence North 60°54'26" West, 60.00 feet;

Thence South 29°05'34" West, 50.00 feet;

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Page | 1

Thence South 60°54'26" East, 60.00 feet;
Thence South 29°05'34" West, 204.00 feet;

Thence South 60°54'26" East, 830.31 feet to the east line of said Government Lot 6;

Thence South 01°46'52" West, coincident with said east line, 160.76 feet;

Thence North 89°34'00" West, parallel with said south line of Government Lot 6, a distance of 226.40 feet;

Thence South 02°25'30" West, 130.00 feet;

Thence North 89°34'00" West, parallel with said south line, 80.10 feet;

Thence North 02°25'30" East, 124.63 feet;

Thence South 88°27'47" West, 156.59 feet;

Thence South 24°39'00" East, 297.10 feet;

Thence South 89°34'00" East, parallel with said south line, 330.65 feet to said east line of Government Lot 6;

Thence South 01°46'52" West, coincident with said east line, 39.99 feet to the **POINT OF BEGINNING**.

The above described parcel contains 11.345 acres, more or less.

EXCEPTING THEREFROM

A parcel of land being a portion of Government Lot 6 of Section 12, Township 4 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, more particularly described as follows:

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Thence North 26°29'00" East, 20.00 feet to the **POINT OF BEGINNING**;

Thence North 63°31'00" West, 300.00 feet;

Thence North 26°29'00" East, 50.00 feet;

Thence South 63°31'00" East, 300.00 feet;

Thence South 26°29'00" West, 50.00 feet to the **POINT OF BEGINNING**.

The above described parcel contains 0.344 acres, more or less.

AND ALSO EXCEPTING THEREFROM

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Thence North 27°58'42" East, 140.00 feet;

Thence South 62°01'18" East, 70.00 feet;

Thence South 27°58'42" West, 66.00 feet;

Thence South 62°01'18" East, 60.00 feet;

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Thence South 27°58'42" West, 4.00 feet to the **POINT OF BEGINNING**.

The above described parcel contains 0.321 acres, more or less.

The above described parcel, minus **EXCEPTIONS**, contains 10.680 acres, more or less.

SUBJECT TO

A 20 foot wide right of way for the purpose of egress and regress and conveyance of utilities and underground pipes, as described in Personal Representative's Deed Instrument No. 2019-008675, recorded on March 4, 2019, Canyon County Records.

AND ALSO SUBJECT TO

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parcel described in Warranty Deed Instrument No. 9637953, recorded on November 21, 1996, Canyon County Records.

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Register Login



Tax Account | Public Access

TREASURER | TAX SEARCH | ACCOUNT



Return New Search Assessment Print

Account Information

PIN: 34754011 0
Owner: HUBLER WILLIAM F

AIN: 04N03W128801
TAG: 113-00
Mailing Address:
5103 Hubler Ln Caldwell Id 83605

Tax Roll: Real Property
Legal Desc.:
12-4N-3W SE TX 15232 IN SWSE IN
ACCRETION GROUND

Last updated: 6/25/2023 06:00:04 PM

Tax Bills Due

Total Payable: \$0.00
Pay Partial: \$0.00

Tax Charge History

Payment History

Select the "Tax Year" link to view Tax Assessment Values for the entire tax year.

Tax Year	PIN	Date Paid	Paid By	Receipt Number	Amount Paid
2022	34754011 0	11/28/22	Hubler William F	B22.18806	\$4.94
2021	34754011 0	11/29/21	Hubler William F	B21.18185	\$6.74
2020	34754011 0	11/23/20	Hubler William F	B20.16544	\$7.46
2019	34754011 0	11/25/19	Hubler William F	B19.14853	\$8.34
2018	34754011 0	11/21/18	Hubler, William F	U18.28444	\$9.12
2017	34754011 0	11/30/17	Hubler William F	B17.13884	\$8.20
2016	34754011 0	11/28/16	Hubler William F	B16.11714	\$7.76

IDAHO DEPARTMENT OF LANDS

Register Login



Tax Account | Public Access

TREASURER > TAX SEARCH > ACCOUNT

Shopping cart icon with \$0.00

Return | New Search | Assessment | Print

Account Information

PIN: 34756000 0

Owner: HUBLER WILLIAM F

Property Address:
5103 Kcid Rd Caldwell Id

AIN: 04N03W129005

TAG: 113-00

Mailing Address:
5103 Hubler Ln Caldwell Id 83605

Tax Roll: Real Property

Legal Desc.:
12-4N-3W SE TX 21623 IN S 1/2 SE IN
GOVT LT 6 LS TX 3A,3C,3M,3G,3L,
98350 & TX 21624

Last updated: 6/29/2023 05:45:54 PM

Tax Bills Due

Total Payable: \$0.00

Pay Partial: \$0.00

Tax Charge History

Payment History

Select the "Tax Year" link to view Tax Assessment Values for the entire tax year.

Tax Year	PIN	Date Paid	Paid By	Receipt Number	Amount Paid
2022	34756000 0	11/28/22	Hubler William F	B22.18984	\$2,918.59
2021	34756000 0	11/20/21	Hubler William F	B21.18187	\$3,087.86
2020	34756000 0	11/23/20	Hubler William F	B20.16052	\$3,367.42
2019	34756000 0	11/25/19	Hubler William F	B19.14852	\$3,802.86
2018	34756000 0	11/21/18	Hubler, William F	U18.28449	\$3,984.72
2017	34756000 0	12/4/17	Hubler William F	B17.15544	\$4,246.36
2016	34756000 0	12/14/16	Hubler William F	B16.19282	\$3,982.30

IDAHO DEPARTMENT OF LANDS