

# STATE BOARD OF LAND COMMISSIONERS

April 16, 2024  
Consent Agenda

## Subject

DI600329, Disclaimer of Interest for the former bed of the Boise River, Canyon County, Idaho

## Question Presented

Shall the Land Board approve Disclaimer of Interest DI600329?

## 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

Jeffrey W. Theis and Heidi L. Theis have applied for a disclaimer of interest for one parcel of accretion land totaling 1.645 acres, more or less. This parcel is 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-Map).

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).

This parcel has one airplane hangar structure located within its bounds and is not immediately adjacent to the Boise River. The Department recommends not requiring a 25-foot wide public use right-of-way due to this parcel's lack of adjacency to the Boise River.

## Recommendation

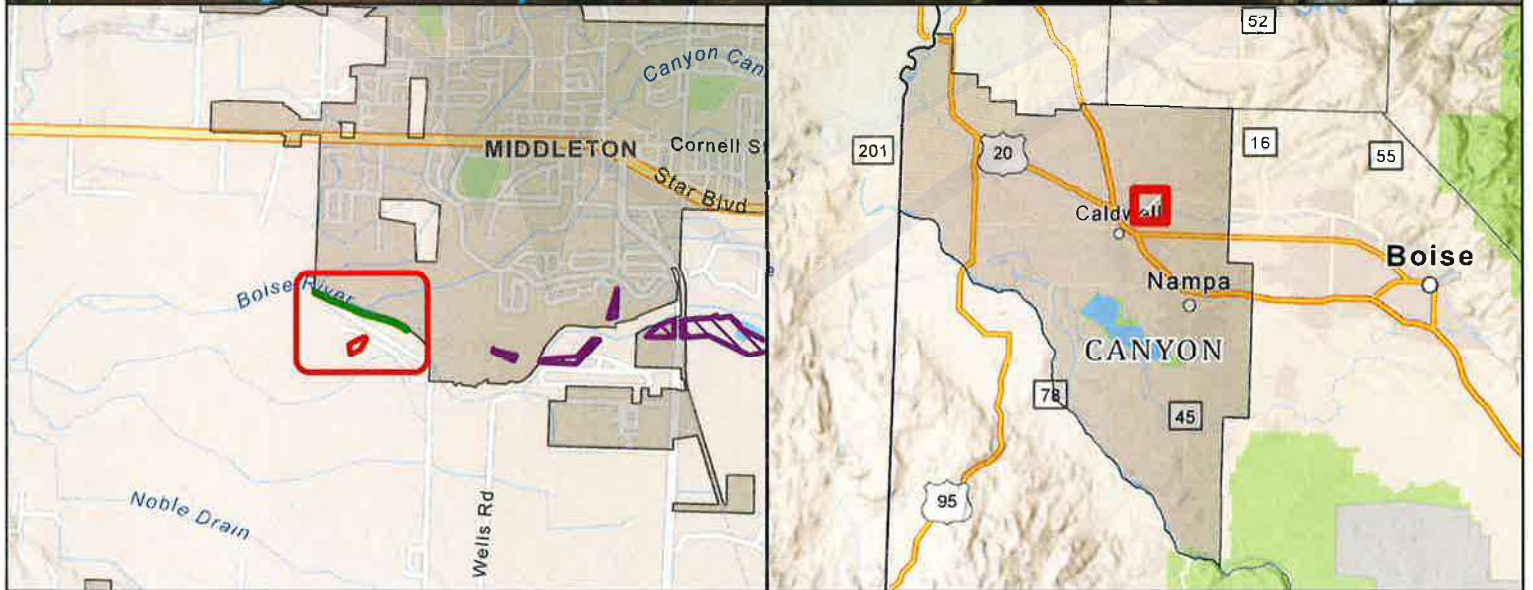
Direct the Department to issue a Disclaimer of Interest for one parcel totaling 1.645 acres of the former bed of the Boise River, to Jeffrey W. Theis and Heidi L. Theis following their payment to the Department of the remaining processing fee of \$300.

## Board Action

## Attachments

1. Map
2. Deed
3. Tax Record





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

**DI600329**  
 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.





**TitleOne**  
a title & escrow co.

Order Number: 21409191

<b>2021-036187</b>	
RECORDED	
<b>05/19/2021 11:49 AM</b>	
CHRIS YAMAMOTO	
CANYON COUNTY RECORDER	
Pgs=4 LBERG	\$15.00
TYPE: DEED	
TITLEONE BOISE	
ELECTRONICALLY RECORDED	

## Warranty Deed

For value received,

**Harold T. Shamblin and Joan A. Shamblin, husband and wife, as community property with right of survivorship, as to Parcels I and II and Fire Tail S Ventures LLC, an Idaho limited liability company , as to Parcels III and IV**

the grantor, does hereby grant, bargain, sell, and convey unto

**Jeffrey W. Theis and Heidi L. Theis, husband and wife**

whose current address is 10150 Gabica St Middleton, ID 83644

the grantee, the following described premises, in Canyon County, Idaho, to wit:

**See Exhibit A, attached hereto and incorporated herein.**

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

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Order Number: 21409191

Warranty Deed - Page 1 of 4

**ATTACHMENT 2**

Dated: May 18, 2021

[Signature]  
Harold T. Shamblin  
[Signature]  
Joan A. Shamblin

Fire Tail S Ventures LLC, an Idaho limited liability company

[Signature]  
Harold T. Shamblin, Manager  
[Signature]  
Joan A. Shamblin, Member

State of Idaho, County of Cassia, ss.

On this 18<sup>th</sup> day of May in the year of 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Harold T. Shamblin and Joan A. Shamblin, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

[Signature]  
Notary Public  
Residing In: Buhl, ID  
My Commission Expires: 7-14-24  
(seal)

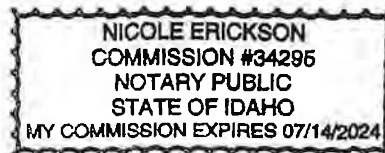


State of Idaho, County of Cassia, ss.

On this 18<sup>th</sup> day of May 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Harold T. Shamblin and Joan A. Shamblin, known or identified to me to be a Manager/Member of the limited liability company that executed the within instrument and acknowledged to me that they executed the same for and on behalf of said limited liability company and that such limited liability company executed it.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]  
Notary Public for Idaho  
Residing In: Buhl, ID  
My Commission Expires: 7-14-24



**EXHIBIT A**  
**LEGAL DESCRIPTION OF THE PREMISES**

Parcel I:

This parcel is a portion of Government Lots 2 and 6 of Section 12, Township 4 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

Commencing at the Southeast corner of Section 12 (Southeast section corner, Section 12), a found brass cap monument; thence  
North 89°34'00" West along the South boundary of said Section 12 a distance of 478.00 feet to a found 3/4 inch diameter pipe; thence  
North 24°39'00" West a distance of 635.68 feet; thence  
North 63°31'00" West a distance of 826.00 feet to the True Point of Beginning, a found 1/2 inch diameter rebar; thence  
South 26°29'00" West a distance of 450.86 feet to a point witnessed by a found 1/2 inch diameter rebar bearing  
North 26°29'00" East a distance of 100.00 feet; thence  
South 84°36'24" West a distance of 125.60 feet to a found 1/2 inch diameter rebar; thence  
North 08°37'26" West a distance of 296.84 feet; thence  
North 21°46'10" East a distance of 275.28 feet to a found 1/2 inch diameter rebar; thence  
South 63°31'00" East a distance of 300.00 feet to the True Point of Beginning.

Parcel II:

This parcel is a portion of Government Lot 2 of Section 12, Township 4 North, Range 3 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

Commencing at the Southeast corner of said Section 12; thence  
North 89°34'00" West along the South boundary of Government Lot 6 of said Section 12 a distance of 478.00 feet; thence  
North 24°39'00" West a distance of 635.68 feet; thence  
North 63°31'00" West a distance of 101.00 feet; thence  
South 84°36'24" West a distance of 912.64 feet; thence  
North 26°29'00" East a distance of 481.96 feet; thence  
North 63°31'00" West a distance of 25.00 feet; thence  
North 26°29'00" East a distance of 30.00 feet to the True Point of Beginning; thence  
North 63°31'00" West a distance of 125.00 feet; thence  
North 26°29'00" East a distance of 75.00 feet; thence  
South 63°31'00" East a distance of 125.00 feet; thence  
South 26°29'00" West a distance of 75.00 feet to the True Point of Beginning.

Excepting from Parcels I and II any mobile home which may be located upon the land.

Parcel III:

That part 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 Section 12; thence  
North 89°34'00" West a distance of 478.00 feet; thence

North 24°39'00" West a distance of 635.68 feet; thence  
North 63°31'00" West a distance of 101.00 feet to the True Point of Beginning; thence continuing  
North 63°31'00" West 264.50 feet; thence  
South 02°50'18" East 139.85 feet; thence  
North 84°37'07" East 230.84 feet to the Point of Beginning.

And

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

Commencing at the Southeast corner of said Section 12 (also the Southeast corner of said Lot 6); thence  
North 89°34'00" West along the South boundary of said Government Lot 6 a distance of 478.00 feet; thence  
North 24°39'00" West a distance of 635.68 feet; thence  
North 63°31'00" West a distance of 365.50 feet to an existing 1/2 inch diameter rebar, the True Point of Beginning;  
thence  
South 2°50'18" East a distance of 139.86 feet to an existing 5/8 inch diameter rebar; thence  
South 84°37'07" West a distance of 10.01 feet; thence  
North 2°50'18" West a distance of 145.92 feet; thence  
South 63°31'00" East a distance of 11.47 feet to the True Point of Beginning.

Parcel IV:

An Easement 40 feet in width along the North side of a line beginning at the Southeast corner of Section 12; thence  
North 89°34' West a distance of 351.0 feet; thence  
North 24°39' West a distance of 308.6 feet; thence  
North 63°09' West a distance of 183.0 feet; thence  
North 24°39' West a distance of 233.2 feet; thence  
North 63°31' West a distance of 601.0 feet; thence  
North 01°00' West a distance of 70.0 feet to end of easement.

Register Login



### Tax Account | Public Access

TREASURER > TAX SEARCH > ACCOUNT

Shopping cart icon with \$0.00

Return | New Search | Assessment | Print

#### Account Information

PIN: 34756016 0

Owner: THEIS JEFFREY W

AIN: 04N03W128865

TAG: 113-00

Mailing Address:

10150 Gabica St Middleton Id 83644

Tax Roll: Real Property

Legal Desc.:

12-4N-3W SE TX 15230 IN SWSE IN ACCRETION GROUND T76571

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

#### Tax Bills Due

Total Payable: \$798.29  Min. Due: \$798.29

Pay Partial: \$ 0.00

#### Bills Due

2022 | PIN: 34756016 0 | Real Property

Past Due \$798.29

[Taxing District Charge Breakdown](#)

A partial payment is applied to the oldest due installment first. "Min. Due" is the amount due for all past due bills.

#### 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	34756016 0	1/1/23	Theis Jeffrey W	B23.91	\$754.64
2021	34756016 0	12/9/21	Theis, Jeffrey W	U21.33320	\$785.86
2020	34756016 0	12/21/20	Shamblin Harold T	B20.34394	\$833.72
2019	34756016 0	12/20/19	Shamblin Harold T	B19.28245	\$876.54
2018	34756016 0	12/14/18	Shamblin Harold T	B18.19476	\$884.36
2017	34756016 0	11/30/17	Shamblin Harold T	B17.13886	\$867.38
2016	34756016 0	11/30/16	Shamblin Harold T	B16.12772	\$862.40

