

IDAPA 20 – IDAHO DEPARTMENT OF LANDS

Real Estate Services Bureau

20.03.13 – Administration of Cottage Site Leases on State Lands

Who does this rule apply to?

This rule applies to cottage site lessees of Priest Lake and Payette Lake.

What is the purpose of this rule?

This rule governs administration of cottage site leases. This type of lease is issued for the specific use of the state-owned land only and may only be issued to an individual or husband and wife. A lease may or may not have lessee-owned improvement(s) on the state-owned land.

What is the legal authority for the agency to promulgate this rule?

This rule implements the following statutes passed by the Idaho Legislature:

Public Lands -

Department of Lands:

- [Section 58-104\(1\), Idaho Code](#) – State Land Board — Powers and Duties

Appraisal, Lease, and Sale of Lands:

- [Section 58-304, Idaho Code](#) – Leases

Who do I contact for more information on this rule?

Idaho Department of Lands

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20.03.13 – ADMINISTRATION OF COTTAGE SITE LEASES ON STATE LANDS

000. LEGAL AUTHORITY.

The State Board of Land Commissioners has adopted these rules in accordance with Article IX, Section 8 of the Idaho Constitution and Sections 58-104(1) and 58-304, Idaho Code. (7-1-21)T

001. TITLE AND SCOPE.

01. **Title.** These rules are titled IDAPA 20.03.13, “Administration of Cottage Site Leases on State Lands.” (7-1-21)T

02. **Scope.** It is the intent and express policy of the Board in administration of cottage site leases located on state-owned lands administered by the Board, to provide for a reasonable rental income from those lands in accordance with the requirements of the Constitution of the State of Idaho. (7-1-21)T

002. -- 009. (RESERVED)

010. DEFINITIONS.

For the purposes of these rules, unless otherwise indicated by express term or by context, the term: (7-1-21)T

01. **Annual Rental.** The rental paid on or before January 1, in advance, for the following year. (7-1-21)T

02. **Board.** The State Board of Land Commissioners. (7-1-21)T

03. **Cottage Site.** Any state-owned lot that is leased for recreational residential purposes. (7-1-21)T

04. **Department.** The Idaho Department of Lands. (7-1-21)T

05. **Lessee.** A tenant of a cottage site. (7-1-21)T

011. -- 019. (RESERVED)

020. SALE AND ASSIGNMENT - REQUIRED DOCUMENTATION.

01. **Documentation of Sale.** The lessee must provide the Department, at their expense, the following documents concerning a cottage site sale prior to assignment of the cottage site lease. (7-1-21)T

a. The original of the current lease; or (7-1-21)T

b. A signed and notarized Affidavit of Loss if the current lease has been lost. (7-1-21)T

02. **Assignments.** A lease may only be assigned to an individual or to a husband or wife. The Board will not recognize assignments to corporations, partnerships, or companies. Leases may be assigned to and held by an estate only if one (1) individual or husband or wife are designated as the sole contact for all billing and correspondence. A lessee may only hold one (1) cottage site lease at a time. (7-1-21)T

021. -- 024. (RESERVED)

025. LEASE RATE DETERMINATION -- ANNUAL RENTAL.

Annual rental is set by the Board from time to time as deemed necessary. It is the intent of the State Board of Land Commissioners that those rental rates be determined through market indicators of comparable land values. (7-1-21)T

026. -- 999. (RESERVED)

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