

## **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

300 N. 6th Street, Suite 103

P.O. Box 83720

Boise, Idaho 83720-0050

Phone: (208) 334-0200

Fax: (208) 334-3698

Email: [rulemaking@idl.idaho.gov](mailto:rulemaking@idl.idaho.gov)

<https://www.idl.idaho.gov/>

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## 20.03.13 – ADMINISTRATION OF COTTAGE SITE LEASES ON STATE LANDS

### 000. LEGAL AUTHORITY.

The Board 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. (7-1-25)

### 001. 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 Idaho Constitution. (7-1-25)

### 002. – 009. (RESERVED)

### 010. DEFINITIONS.

- 01. **Annual Rental.** The rental paid on or before January 1, in advance, for the following year. (3-18-22)
- 02. **Board.** The State Board of Land Commissioners, or its designee. (7-1-25)
- 03. **Cottage Site.** Any state-owned lot that is leased for recreational residential purposes. (3-18-22)
- 04. **Department.** The Idaho Department of Lands. (3-18-22)

### 011. – 019. (RESERVED)

### 020. SALE AND ASSIGNMENT.

01. **Documentation of Sale.** Prior to the assignment of a Cottage Site Lease, the lessee must provide the Department, at their expense, the following documents associated with a Cottage Site sale. (7-1-25)

- a. The original of the current lease; or (3-18-22)
- b. A signed and notarized Affidavit of Loss if the current lease has been lost. (3-18-22)

02. **Assignments.** A lease may be assigned only 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. (7-1-25)

### 021. – 024. (RESERVED)

### 025. ANNUAL RENTAL DETERMINATION.

Annual Rental is set by the Board. It is the intent of the Board that rental rates be determined through market indicators of comparable land values. (7-1-25)

### 026. – 999. (RESERVED)