

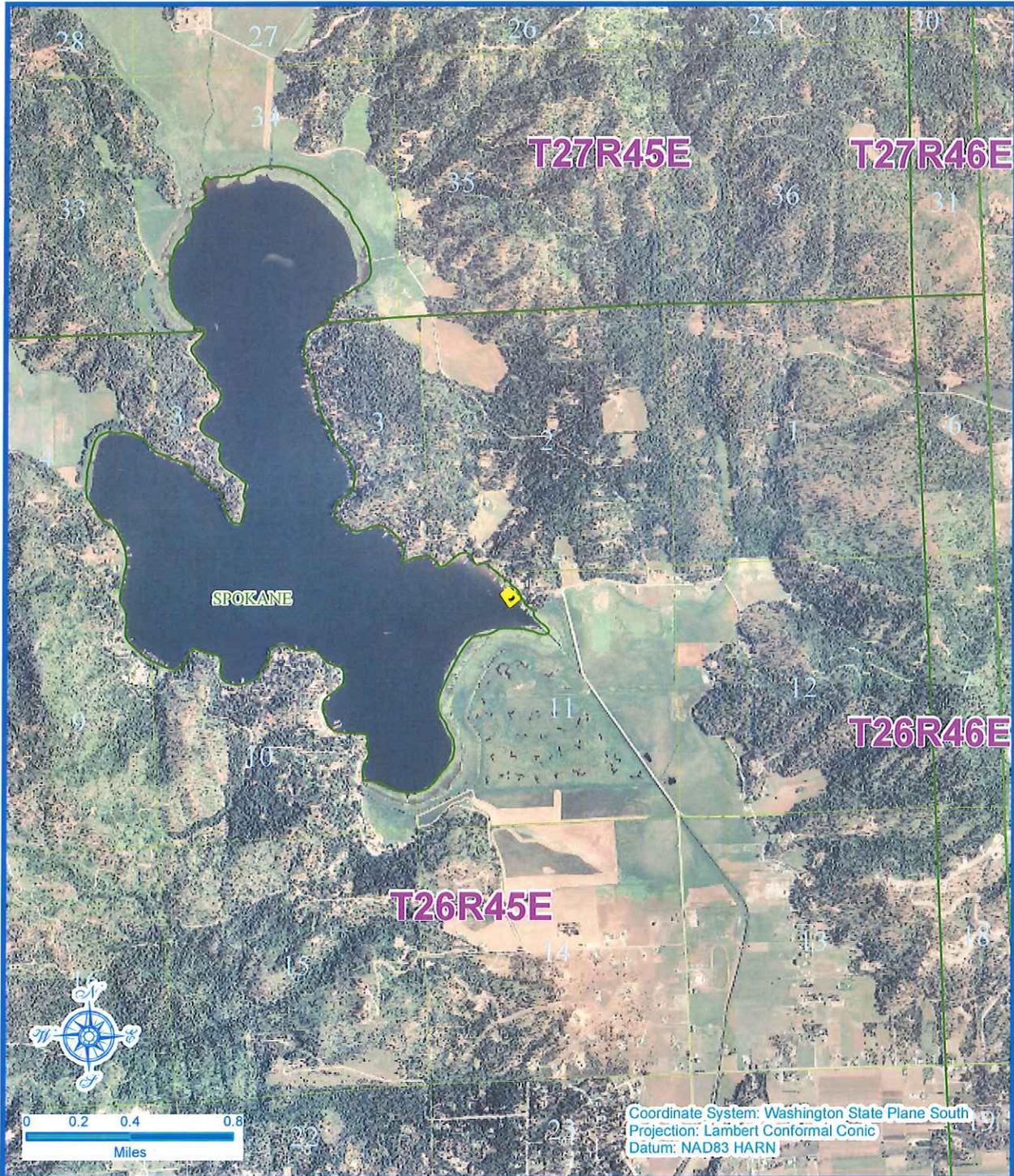


WASHINGTON STATE DEPARTMENT OF
Natural Resources
Peter Goldmark - Commissioner of Public Lands

Application for Use of State-owned Aquatic Lands

Applicant Name: Newman Lake Resort and Marina, LLC
County: Spokane County
Water Body: Newman Lake
Type of Authorization - Use: Lease – Private Marina
Authorization Number: 20-085839
Term: 12 years
Description: This agreement would allow the continued use of State-owned aquatic lands for the sole purpose of a private marina. It is located on Newman Lake, in Spokane County, Washington.

Newman Lake Resort
Authorization No. 20-085839
Authorized Use: Resort/Marina
Location: Newman Lake, Spokane County



Vicinity Map

Every attempt was made to use the most accurate and current geographic data available. However, due to multiple sources, scales, and the currency of the data used to develop this map Washington Department of Natural Resources cannot accept responsibility for errors and omissions in the data. Furthermore, this data is not survey grade information and cannot be substituted for an official survey. Therefore, there are no warranties that accompany this material

Legal Description

Lat: 47.77138N, Long: 117.08237W

Section 11, Township 26, Range 45E W.M.

Prepared By: dh Date:3-2-2010



Received
MAR 05 2010
D.N.R. Aquatic Lands

RECEIVED
FEB 22 2010
DNR Pacific Cascade Region

WASHINGTON STATE DEPARTMENT OF
Natural Resources
Peter Goldmark - Commissioner of Public Lands

APPLICATION FOR AUTHORIZATION TO USE STATE-OWNED AQUATIC LANDS

No work can be started on the project area until a use authorization has been granted by the state Department of Natural Resources

I. SUBMISSION OF APPLICATION

This application form will be reviewed by the state Department of Natural Resources upon receipt at the address given below, and also posted on the DNR website as public information. Applicants will be notified in writing if the application will be accepted for further review. However, this application may be rejected at any time before signed execution of a use authorization.

APPLICATION MUST BE FILLED OUT IN BLUE OR BLACK PEN

Please send the completed application form to your region land manager at:

Washington State Department of Natural Resources
[Region/District Address]

Enclose a \$25.00 non-refundable application processing fee with the application. (This fee is not required for local, state, and other government agencies).

II. APPLICANT INFORMATION

Date of Application:	2/17/2010			Newman Lake
Authorization to be Issued To (how name is to appear in the lease document):	Resort + Marina			
Applicant's Representative:	Ruedi Schuler - Owner			
Relationship to Applicant:	self			
Address:	24020 E. Broadway Ct.	City:	Liberty Lake	State: WA
				Zip Code: 99019
Telephone:	509 868 5121	Fax:		E-Mail: ruedi.schuler@hotmail.com

FOR OFFICIAL USE ONLY	Support staff: Application Fee Received <input checked="" type="checkbox"/> JARPA Received <input type="checkbox"/> Date: 2-22-10
Land Manager: <input checked="" type="checkbox"/> New Application; <input type="checkbox"/> Renewal Application	Land Manager Initials <u>MBldh</u>
Land Manager: Type: (20, 21, 22, 23, 31, 51)	NaturE Use Code _____
Land Records: New Application Number <u>20-085839</u> ; Trust <u>15</u> ; County <u>32</u> ; AQR Plate No. <u>SS32-019 Note 2</u>	

EN
4-19
201

II. APPLICANT INFORMATION cont'		
Department of Revenue Tax *Registration Number (Unified Business Identifier) is Required: 602 765 471		
Which of the following applies to Applicant (Check One and Attach written authority to sign - bylaws, power of attorney, etc):		
Corporation <input type="checkbox"/> State of Registration:	Limited Partnership <input type="checkbox"/> State of Registration:	General Partnership <input type="checkbox"/> State of Registration:
Sole Proprietorship <input type="checkbox"/>	Marital Community Spouse: <input type="checkbox"/>	Government Agency <input type="checkbox"/>
Other <input checked="" type="checkbox"/> (Please Explain:) LLC		
Has the site use been authorized before or is it currently under lease? Yes <input type="checkbox"/> Lease Number: No <input checked="" type="checkbox"/> Don't Know <input type="checkbox"/>		

III. LOCATION		
The Body of Water on which the state property is located: Newman Lake	County in which the state property is located: Spokane	Government Lot:
	Section: 11	Township: 26N
	Range: 45E	E <input type="checkbox"/> or W <input type="checkbox"/>
<p>Note: A legal property survey including the legal description and other information about the property is required to obtain a use authorization. WA DNR survey requirements are attached to this form. The survey plat will be attached to the lease/easement as Exhibit A. DO NOT HAVE THIS SURVEY CONDUCTED UNTIL YOU HAVE BEEN NOTIFIED IN WRITING THAT THE APPLICATION HAS BEEN ACCEPTED FOR PROCESSING.</p>		
Physical description of Project Area (For example, Marsh, Tideflat adjacent to the Chehalis River, etc.): shallow water area on SE corner of Newman Lake		
Name of Owner(s) of Uplands, Shorelands, and/or Tidelands shoreward and adjacent to the Property: Ruedi & Susan Schuler		
Address: 24020 E Broadway Ct	City: Liberty Lake	State: WA Zip Code: 99019
Phone Number: 509 868 5121	Fax Number:	E-mail: Ruedischulerehotmail.c
<p>Note: Except for property located within established Harbor Areas, proof of ownership, or authorization to use the adjacent tideland, shoreland, or upland property may be required. If the applicant is the owner of the adjacent land, attach a copy of the deed.</p>		
County Parcel No(s). for adjacent properties, upland, and/or adjacent tideland properties: 56112.0210		

IV. USE OF PROPERTY

Describe, in detail, the proposed use of the Property: *Private Marina*
Boat slips - Marina.

Is or will the Property be subleased to another party? Yes No *Boat slips rented annually*
If yes, submit a copy of the sublease agreement. *no lease agreements.*

What are the current and past uses of the site? *Marina since 1918*

Do you have any knowledge of contamination of the site by toxic or hazardous substances, or of past uses or practices that might have lead to contamination by such substances? Yes No
If so, please explain:

Do you know if any fill material has been placed on the property in question? Yes No
If yes, please explain: *Don't Know*

V. IMPROVEMENTS

Physical improvements are structures placed on the land that cannot be removed without damage to the land. Examples of such structures include: pilings, dolphins, piers, wharves, piling-supported buildings, structures built on fill or concrete foundations, buried pipelines and cables, and support structures for bridges.

What physical improvements currently exist on the site? (Photos may be required.)
*5x82 dock, 5x80 dock (connected to 5x82 dock),
Nine 3x20 finger docks attached to 5x80 dock*

If there are physical improvements currently on the site, who owns them?
Yes. Owned by Newau Lake Resort.

If there are physical improvements currently on the site, describe their condition:
Good.

Which, if any, of the existing physical improvements will be removed, remodeled, or reconstructed?
See below proposed facilities.

Describe any physical improvements that the applicant is proposing to construct on the site:
*8x94 dock, with 7x10 dock connected, with 12x12. connected to 7x10,
5x80 connected to 8x94, nine 3x20 finger docks attached to
5x80 and 5x80 3x20 finger docks connected to 8x94.*

Has any fill material been placed on the site? Yes No
If Yes, please describe:

*as per phone conversation
with Ruwee Schuler 7/15/11
1640 (16)*

VI. LOCAL, STATE, AND FEDERAL REGULATORY PERMITS Copies of all Government Regulatory Permits, or Permit Waivers Are Required Before Issuance of a DNR Use Authorization. Your project may require all or some of the following.

Please include the following permit applications, permits, or waivers with the application:

JARPA (Joint Aquatic Resource Permit Application) - This one form is used to apply for all of the following individual permits:

1. **Section 10 Permit** (Required by the US Army Corps of Engineers for any work in or affecting navigable waters, e.g., floats, docks, piers, dredging, pilings, bridges, overhead power lines.)
2. **Shoreline Substantial Development, Conditional Use, Variance Permit or Exemption** (Issued by Local Government, and is required for work or activity in the 100 year flood plain, or within 200 feet of the Ordinary High Water mark of certain waters; and which included any one of the following: dumping, drilling, dredging, filling, placement or alteration of structures or any activity which substantially interferes with normal public use of the waters.)
3. **Hydraulic Project Approval** (Required by the Department of Fish and Wildlife if the project includes work that will use, divert, obstruct, or change the natural flow or bed of any fresh or salt water of the state.)
4. **Section 404 Permit** (Required by the US Army Corps of Engineers if your project will discharge or excavate any dredged or fill material waterward of the Ordinary High Water mark or the Mean Higher High Tide Line in tidal areas.)
5. **Section 401 Water Quality Certification** (Required by the Department of Ecology if a Section 404 permit is required.)

NPDES (National Pollutant Discharge Elimination System Permit) - Required by the Department of Ecology under delegated authority from the Federal Environmental Protection Agency for projects that include the discharge of fluid on or into surface water.

SEPA (State Environmental Policy Act) Checklist and Environmental Assessments - When you submit a permit application to any agency, if the project is not exempt, the lead agency will ask you to fill out an environmental checklist. Based on checklist answers and the reviewers knowledge of the project site, agency personnel will determine the types of impacts the project may have on the environment. The agency assessments may be the following forms: Determination of Non-significance, Determination of Significance, scoping documents, draft or final Environmental Impact Statements (EIS) or others prepared for the purpose of compliance.

Describe any habitat mitigation required by any of the permitting agencies identified above and identify where such mitigation is proposed to occur:

All answers and statements are true and correct to the best of my knowledge.

Applicant Name (please print): Ruedi Schuler	Title: Owner Newman Lake Resort + Marina
Applicant or Authorized Signature: 	Date: 2/17/2010