



## **Application & Notary Page Process**

### **Application:**

Signature of Property Owner: The application must be signed and dated, by the owner, in the presence of a notary.

- E-signatures are not acceptable
- If the application lists the “owner” as John & Jane Doe; both persons must sign the application in the presence of a notary.
- If the application lists the owner as John or Jan Doe; only one signature is required

### **Trusts:**

When the owner is a “trust” [John Doe Family Trust] the owner must sign the application as follows:

- *John Doe, Trustee, John Doe Family Trust*

### **Letters of Authorization:**

When the property owner requires someone to sign on their behalf, we require legal documentation to support the signature [a letter of authorization]

*Example: if Jane Doe signs a letter of authorization giving ABC Company authorization to sign on her behalf; then the representative for ABC Company must sign as follows:*

- *John Doe, owner, ABC Company*
- *Jonh Doe, member, ABC Company*

### **Notary Block Page:**

**Name of Signer:** this must be filled in by a notary and the name written must match exactly, the signature on the application.

The original copy of the Notary Block Page needs to be submitted to our office along with the original application

You can choose to come to our office to fill out the application and we can notarize the application for you. There is no charge for our notary services.

If you have any questions, please contact our office.

Post Falls Highway District  
5629 E Seltice Way  
Post Falls, Idaho 83854  
208.765.3717

PFHD PERMIT#: \_\_\_\_\_

BUILDING PERMIT#: \_\_\_\_\_



# POST FALLS HIGHWAY DISTRICT APPLICATION FOR APPROACH/DRIVEWAY PERMIT



The application expires 90 days from date of issuance. If work is not completed to Highway District's standards within that time, applicant may request a 90-day extension; otherwise, the application will be considered void. This is an application only and will be considered a permit when the work is completed.

### LOCATION OF WORK

PARCEL/AIN#: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

FOR RECORDING PURPOSES ONLY

The owner/applicant is given permission to construct the following item(s) on highway right-of-way, subject to compliance with the provisions of the Highway District Policy.

### TYPE OF APPROACH

\_\_\_ SINGLE FAMILY RESIDENCE

\_\_\_ MULTIPLE RESIDENCE

\_\_\_ BUSINESS

\_\_\_ TEMPORARY LOGGING ACCESS

\_\_\_ OTHER

# SERVED: \_\_\_\_\_

TYPE: \_\_\_\_\_

REMOVAL DATE: \_\_\_\_\_

DESCRIPTION: \_\_\_\_\_

The undersigned certifies that he/she is the owner or authorized representative of the owner of the proposed facility or property to be served and agrees to do the work in accordance with the rules and regulations of the HIGHWAY DISTRICT, and the undersigned certifies that he/she has read and understands the provisions on the attached "General Provisions" sheet.

NAME OF CONTACT: \_\_\_\_\_ EMAIL: \_\_\_\_\_

NAME OF OWNER: \_\_\_\_\_ PHONE: \_\_\_\_\_

SIGNATURE OF PROPERTY OWNER: \_\_\_\_\_ DATE: \_\_\_\_\_

**THE PROPERTY OWNER MUST SIGN IN THE PRESENCE OF A NOTARY. IN INSTANCES WHERE THE PROPERTY OWNER REQUIRES SOMEONE TO SIGN ON THEIR BEHALF, WE REQUIRE LEGAL DOCUMENTATION TO SUPPORT THE SIGNATURE.**

THIS PORTION IS COMPLETED BY THE HIGHWAY DISTRICT

### APPROACH SPECIFICATIONS

CULVERT REQUIRED \_\_\_\_\_ YES \_\_\_\_\_ NO

CULVERT SIZE \_\_\_\_\_ 12" X 40' OTHER: \_\_\_\_\_

CULVERT TYPE: CORRUGATED METAL

MAILBOX TURNOUT REQUIRED \_\_\_\_\_ YES \_\_\_\_\_ NO

SPECIAL CONDITIONS: Must comply with Highway District Standard Approach Policy, ID Code 49-221 and the General Provisions as issued.

The Applicant shall contact the one call utility locating service and comply with all other requirements imposed upon an excavator pursuant to §55-2201, Idaho Code, et seq., and make every possible effort to have all utilities located.

Upon completion of said work herein contemplated, Grantee **shall notify** the district that the project is completed and ready for final inspection. All rubbish and debris shall be removed, and the roadway and roadside shall be left neat and presentable to the satisfaction of the Highway District. Installation must be inspected and approved by the District Supervisor or his representative. \$250.00 fee includes Admin, Prelim & Final Inspections, \$100.00 per each additional inspection until the approach meets Highway District Standards.

PERMIT

FINAL PERMIT

APPROACH MUST BE COMPLETE BY: \_\_\_\_\_

APPROVED DATE: \_\_\_\_\_

DIRECTOR OF HIGHWAYS: \_\_\_\_\_

REJECTED DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

CORRECTIONS: NO \_\_\_\_\_ YES, SEE ATTACHED.

FEE: \$ 250.00 RECEIPT #: \_\_\_\_\_

DIRECTOR OF HIGHWAYS: \_\_\_\_\_

Application for Approach/Access Permit

Recorded at the Request of:  
Post Falls Highway District  
5629 E. Seltice Way  
Post Falls, Idaho 83854  
Government Exempt I.C. Section 67-2301

**NOTARY BLOCK FOR OWNER/APPLICANT SIGNATURE**

**Instructions for Notary** – *If the application signer is signing on behalf of a business, trust or other entity please indicate that in your notary block. Example: John Smith, Trustee, Smith Family Trust*

**STATE OF \_\_\_\_\_ )**

)ss

**County of \_\_\_\_\_ )**

This record was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by  
Day Month Year

\_\_\_\_\_  
Name of Signer [must be printed exactly as signed on application]

\_\_\_\_\_  
Notary Public for Idaho

Residing at: \_\_\_\_\_

Commission Expires: \_\_\_\_\_

**NOTARY BLOCK FOR OWNER/APPLICANT SIGNATURE**

**STATE OF IDAHO )**

)ss

**County of Kootenai )**

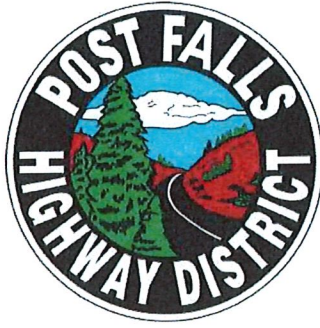
This record was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by  
Day Month Year

\_\_\_\_\_ ( ) Director ( ) Deputy Director of Post Falls Highway District

\_\_\_\_\_  
Notary Public for Idaho

Residing at: \_\_\_\_\_

Commission Expires: \_\_\_\_\_



## LETTER OF AUTHORIZATION

Date:

To: Post Falls Highway District  
5629 E Seltice Way  
Post Falls, Idaho 83854

Owner Name (Print): \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Property Identification:

AIN \_\_\_\_\_

Job Address: \_\_\_\_\_

Please be advised that I (we), \_\_\_\_\_ Owner,  
authorize \_\_\_\_\_

\_\_\_\_\_ Individual(s) or Company(ies)

to act as an agent(s) on my behalf in all matters related to obtaining a permit for building and approach/access, mechanical, demolition and site disturbance work.

I (we) further understand and agree that I (we) shall remain responsible for all permit conditions, permit provisions, fees, deposits, additional charges and collections resulting from permit application processing, permit issuance and inspection of work.

\_\_\_\_\_  
(Owner Signature)

\_\_\_\_\_  
(Date)

Dear Contractor and/or Property Owner:

Kootenai County and Post Falls Highway District have minimum requirements for accessing roadways and driveways to residential properties. The Highway District's requirements are set forth in this letter. Failure to comply with these regulations has caused a multitude of problems for residents and the Highway District. This letter is provided to you as part of a continuing effort by the Highway District to improve the safety and integrity of roadways in the district.

In an effort to avoid future problems, the Highway District will be performing a thorough review before signing off on Approach Permits.

Prior to obtaining Highway District approval for an Approach Permit, the Highway District will require submission of a site plan for the lot and driveway showing:

1. A 20-foot minimum, 30-foot maximum curve radius on edge of the driveway from the edge of the roadway pavement. All of the driveway, including the radius shall be within the extension of the lot line or property line.
2. A minus 2% driveway slope from the edge of the pavement to the center of the ditch line. This allows surface water from the driveway to drain off into the ditch and not sheet drain onto the roadway.
3. A positive 3% maximum driveway slope from the center of the ditch line to the right-of-way line where the driveway goes uphill from the roadway.
4. A minus 2% driveway slope from the edge of pavement for a distance of at least 20 feet where the driveway goes downhill from the roadway.
5. The proposed driveway slope from the right-of-way line to the garage or parking pad. The Highway District suggests meeting the requirements of Kootenai County's Ordinance for private road or driveway grades. Grades of 10% or greater shall not exceed 100 feet in length.
6. A sectional drawing of the driveway within the Highway District's right-of-way showing driveway width, ditch section, maximum slopes for grading, maximum slope heights and erosion control measures to be used on the slopes. The driveway standard for the Highway District within the District's right-of-way is a width of at least 20 feet.
7. A site plan showing the location of the house and garage and/or parking pad with dimensions from side, front and rear lot lines. The site plan must provide for forward movement of all vehicles as they enter the Highway District's roads.
8. The site plan shall show the proposed location of mailbox and any mailbox turnout area.

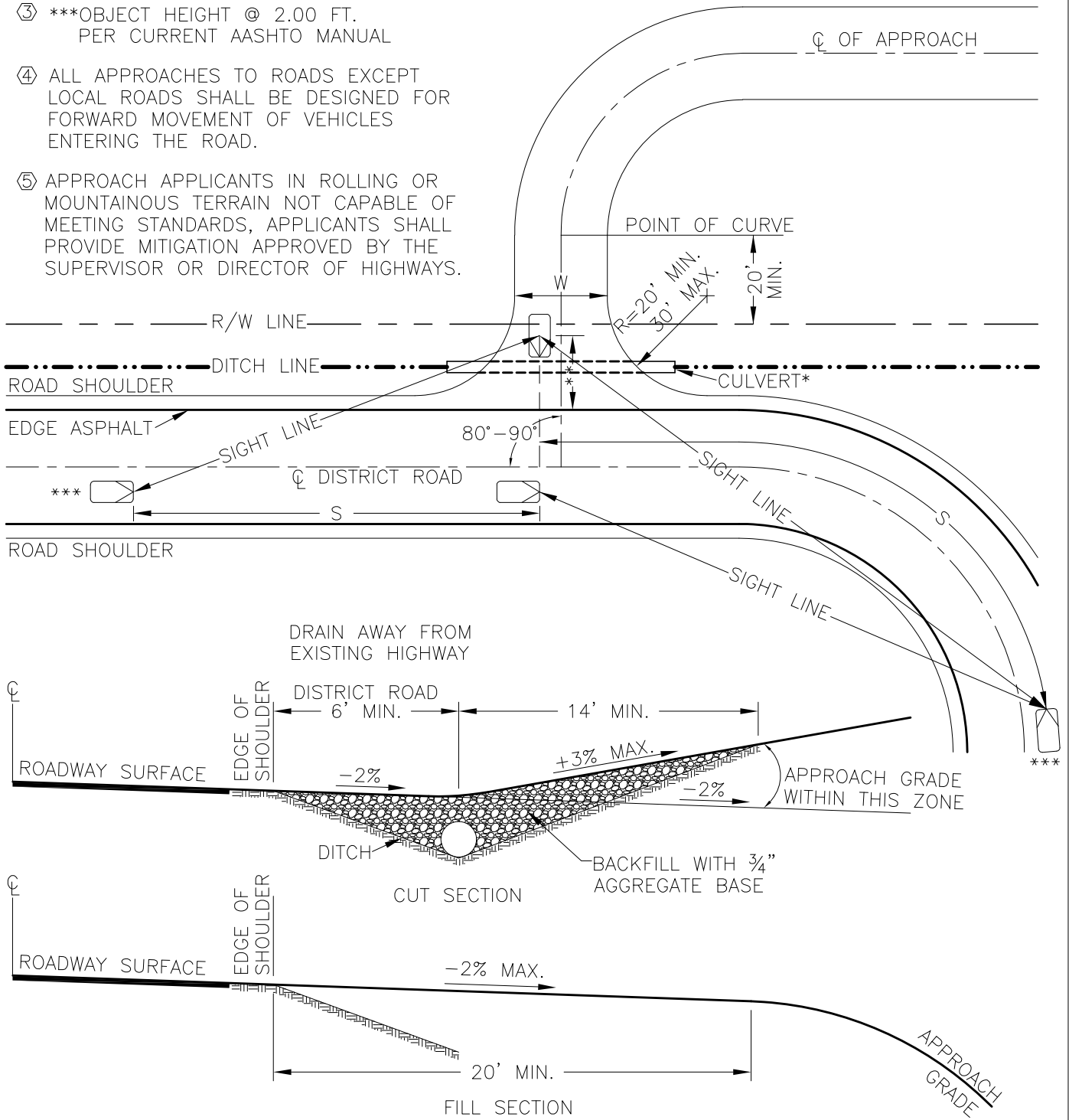
If you have any further questions, please contact our office (208) 765-3717.

## MINIMUM STOPPING SIGHT DISTANCES

DESIGN SPEED MPH	20	25	30	35	40	50	60
STOPPING DISTANCE, (S) FEET	115	155	200	250	305	425	570

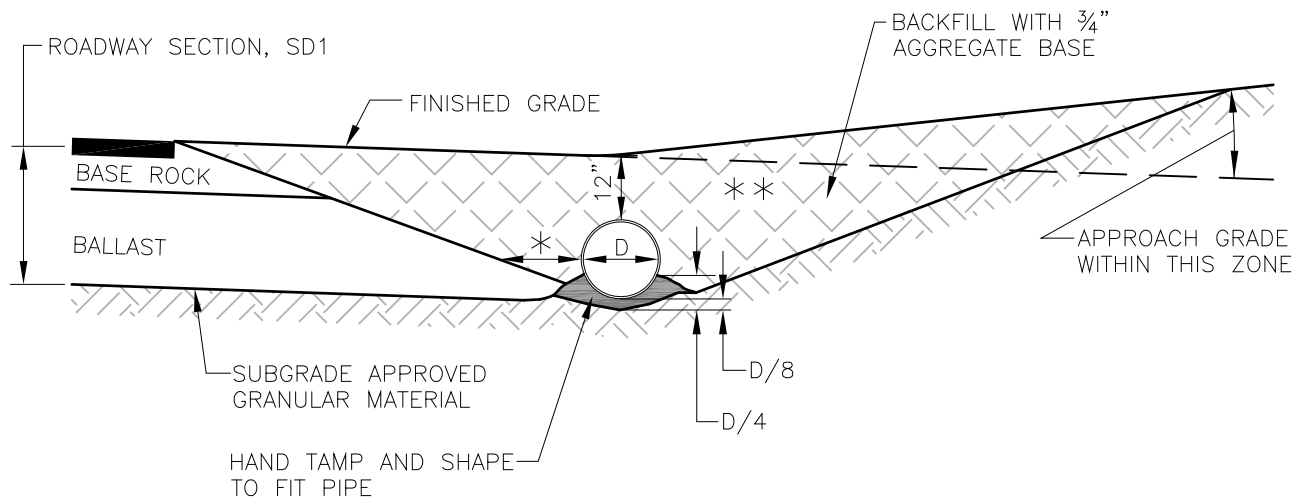
**NOTES:**

- ① \*CULVERT  
MIN. 12" DIAMETER  
MIN. 40' LENGTH
- ② \*\*10' FROM EDGE OF ROADWAY  
TO DRIVER'S EYE POSITION @ 3.50 FT.  
ABOVE ROAD
- ③ \*\*\*OBJECT HEIGHT @ 2.00 FT.  
PER CURRENT AASHTO MANUAL
- ④ ALL APPROACHES TO ROADS EXCEPT  
LOCAL ROADS SHALL BE DESIGNED FOR  
FORWARD MOVEMENT OF VEHICLES  
ENTERING THE ROAD.
- ⑤ APPROACH APPLICANTS IN ROLLING OR  
MOUNTAINOUS TERRAIN NOT CAPABLE OF  
MEETING STANDARDS, APPLICANTS SHALL  
PROVIDE MITIGATION APPROVED BY THE  
SUPERVISOR OR DIRECTOR OF HIGHWAYS.

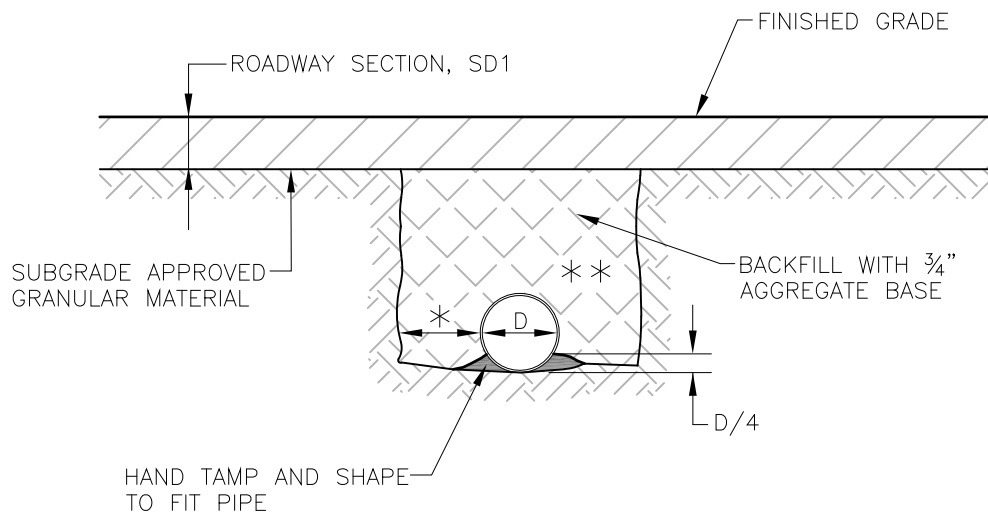


### STANDARD APPROACH POLICY

ASSOCIATED HIGHWAY DISTRICTS  
KOOTENAI COUNTY, IDAHO



ON SUBGRADE



BELOW SUBGRADE

- NOTE:
- \* D OR 12" WHICHEVER IS GREATER
  - \*\* MECHANICAL COMPACTED BACKFILL. PLACED IN 6" LAYERS. BASE MATERIAL CONFORMING TO SUB-SECTION 404.01.

TYPICAL CULVERT INSTALLATION

N.T.S.

ASSOCIATED HIGHWAY DISTRICTS  
KOOTENAI COUNTY, IDAHO

- Class I: A Class I bicycle facility is a separated multiple use path 10 to 14 feet wide. The path is physically separated from motor vehicle traffic by a 10-foot minimum open space or barrier of 4.5 feet.
- Class II: A Class II bicycle facility has a 4- to 6-foot portion of the roadway designated for preferential use by bicyclists.
- Class III: A Class III bicycle facility is a shared facility where bicyclists and motorists share the same travel lane. The travel lane should be 14 feet in width.

All bike and pedestrian projects should be designed to meet Americans with Disabilities Act (ADA) accessibility standards and American Association of State Transportation Officials (AASHTO) *A Policy on Geometric Design of Highways and Streets* (Green Book) guidelines whenever possible.

## 307. Drainage

307.01. All drainage for the development shall be designed by a Professional Engineer licensed in Idaho. Drainage plans shall be reviewed and approved by the Highway District in conjunction with the roadway plans. The minimum design flood for culvert sizing will be the 50-year flood event unless otherwise directed by the District. Any disruption of the normal drainage pattern of the area to be developed must have special consideration to facilitate future drainage of this area. It shall be the responsibility of the Developer to secure a Grading Permit from Kootenai County and to comply with the following requirements from the Highway Districts:

- 307.01.a. Approach Permit: Contractors shall have a valid permit from Kootenai County (or other local jurisdiction) for site and stormwater. This may include, but not be limited to, the following:
- A requirement that contractors have a US EPA Construction General Permit (CGP)
  - A Notice of Intent (NOI) has been filed with US EPA, where applicable
  - Permittees should be SEEP certified; a SEEP-certified foreman shall be on the project

The Kootenai County permit shall be documented in the Approach Permit.

- 307.01.b. A standard stabilized construction entrance and the requirement that Best Management Practices (BMP) are in place to protect the Highway District rights-of-way from stormwater, sedimentation, and erosion from construction zones. Site Plans should show stormwater drainage direction pre- and post-construction. Additionally, erosion and sedimentation controls, culvert locations, sheet flow direction, and conveyances should be clearly noted and provided to the Highway District with jurisdiction as part of the Approach Permit.

307.01.c. Permittees shall cover the cost for monitoring any/all stormwater discharge.

307.02. Culverts used for drainage purposes shall be corrugated steel or corrugated high-density polyethylene pipe (HDPE) Type C or Type S with approval from the Highway District. Steel culvert material thickness and cover over the top of the pipe to the road finish grade shall be in conformance with the following table and as approved by the Highway District. HDPE pipe specifications must be submitted with bury and cover details to the Highway District for approval.

Diameter (in.)	Steel Thickness (in.)	Minimum Cover Required (in.)	Apron Required
12	0.064	12	NO
15	0.064	12	NO
18	0.064	12	Yes
21	0.064	12	Yes
24	0.064	12	Yes
30	0.064	24	Yes
36	0.064	24	Yes

Corrugated metal pipe shall have 2 $\frac{3}{8}$ -inch x  $\frac{1}{2}$ -inch corrugations. Culverts or multiplate installations larger than 36 inches in diameter or any structure under fills greater than 5 feet in height shall be designed by a Professional Engineer licensed in the State of Idaho.

All culvert installations shall be in accordance with the manufacturer's requirements. The installer shall provide a copy of the installation requirements to the Highway District prior to installing culvert. Special ditch grading may be required for culverts over 12 inches in diameter and for polyethylene culverts to maintain the cover and the flow line.

307.03. Culverts under all roadways shall be a minimum of 18 inches in diameter until a length of 70-feet is reached. All culverts over 70-feet in length shall be 24-inches or more in diameter as required to accommodate the design flow. Culverts under driveway approaches shall have a minimum diameter of 12 inches and a minimum length of 40 feet (or as directed by the Highway District), meeting the requirements of 307.02.

307.04. All necessary drainage easements for maintenance of drainage paths and structures shall be shown and recorded on the plat as a part of the approved plat. Drainage easements necessary for draining stormwater across private property shall be shown on the plat with language requiring the underlying property owner to maintain said easement in a manner that will not impede or change the water velocity.

307.05. Disruption of natural drainage ditches and subsequent use of the roadway ditch to convey the natural drainage will not be acceptable.

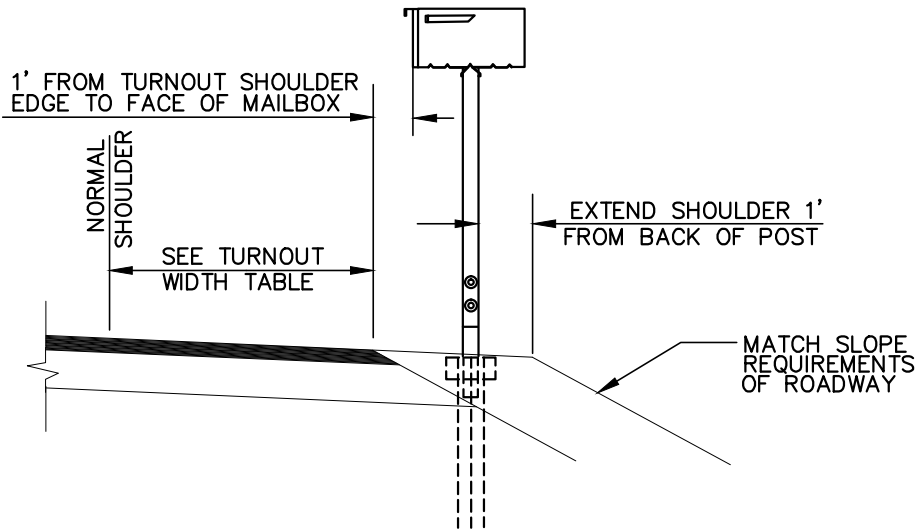
- 307.06. Drywells may be used in special circumstances where all other possibilities of taking care of storm drainage water have been explored and there is no feasible alternate to drywell installation. Should drywells be necessary they will be constructed to the standards as shown in the **Appendix**. It shall be the responsibility of the Developer to secure all permits and pay all fees for installation of the drywells.
- 307.07. When a curb and gutter roadway section is proposed, a complete storm sewer system must be designed and constructed under the supervision of a Professional Engineer licensed in the State of Idaho.
- 307.08. The increase in runoff rate generated by developments shall comply with any and all applicable Kootenai County ordinances. The developer shall be responsible for obtaining all necessary permits. Copies of all permits must be submitted with improvement plans for review by the Highway District. Perpetual maintenance of the stormwater by the development must be on file at the Highway District before a development or a final plat can be formally reviewed and/or accepted.

## **308. Structures**

- 308.01. Bridge structures, structures 20 feet in length or longer, shall be designed in accordance with 1) "Standard Specifications for Highway Bridges", latest edition, with supplements thereto prepared by the American Association of State Highway and Transportation Officials and 2) Idaho Transportation Development's Bridge Design LRFD Manual, latest edition. The minimum width of a bridge structure from the face-to-face of curb or the face-to-face of the guardrail or bridgerail should match the width of the approach roadway guardrail. The vertical clearance above waterways should be 2 feet above the design flood surface and 16 feet over other roadway surfaces. Only structures of steel or reinforced concrete shall be used.
- 308.02. Retaining walls shall be reinforced concrete, bin walls, or concrete crib walls or other approved retaining wall system. All retaining wall structures shall be designed by a Professional Engineer licensed in the State of Idaho and shall be approved by the applicable Highway District prior to construction.

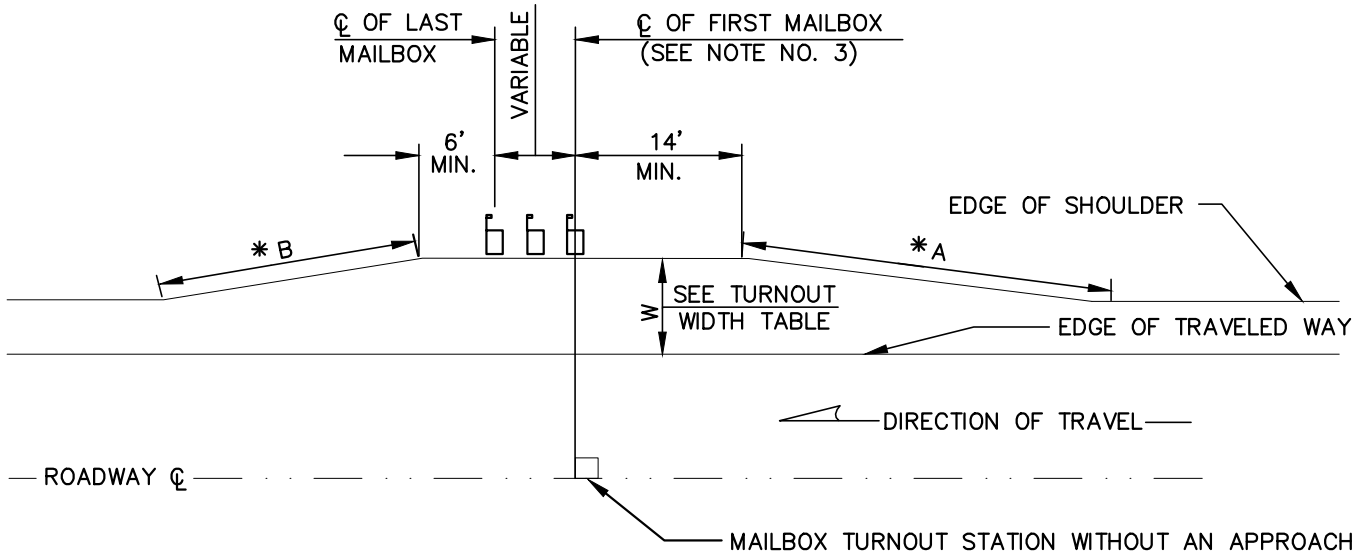
## **309. Signing, Traffic Control, and Construction**

- 309.01. All traffic control signing shall be included in the design plans, shall be in conformance with the Manual on Uniform Traffic Control Devices (MUTCD) latest edition, and be installed by the developer in accordance with the MUTCD.
- 309.02. All construction signing and permanent signing shall conform to the MUTCD, latest edition.
- 309.03. Sign-posts shall be metal square tubing type E-1 with type E-1 anchor post sleeve or 4 x 4 treated wood to be decided by each Highway District. See **Appendix** for standard drawing.



**MAILBOX SLOPE TYPICAL**

N.T.S.



\*A = 4:1 and \*B = 2.5:1 TAPERS:  
FOR ROADS WITH SPEEDS OF 40 MPH OR LESS, OR AN ADT OF 400 OR LESS.

\*A = 20:1 and \*B = 12:1 TAPERS:  
FOR ROADS WITH SPEEDS GREATER THAN 40 MPH OR AN ADT GREATER THAN 400

<i>TURNOUT WIDTH TABLE</i>		
<i>* (SEE NOTE NO. 2)</i>		
SPEED/ADT	PREFERRED	MINIMUM
55/>10000	>12'	12'
55/1500-10000	12'	10'
55/100-1500	10'	8'
55/<100	8'	8'
<40/<50	8'	8'

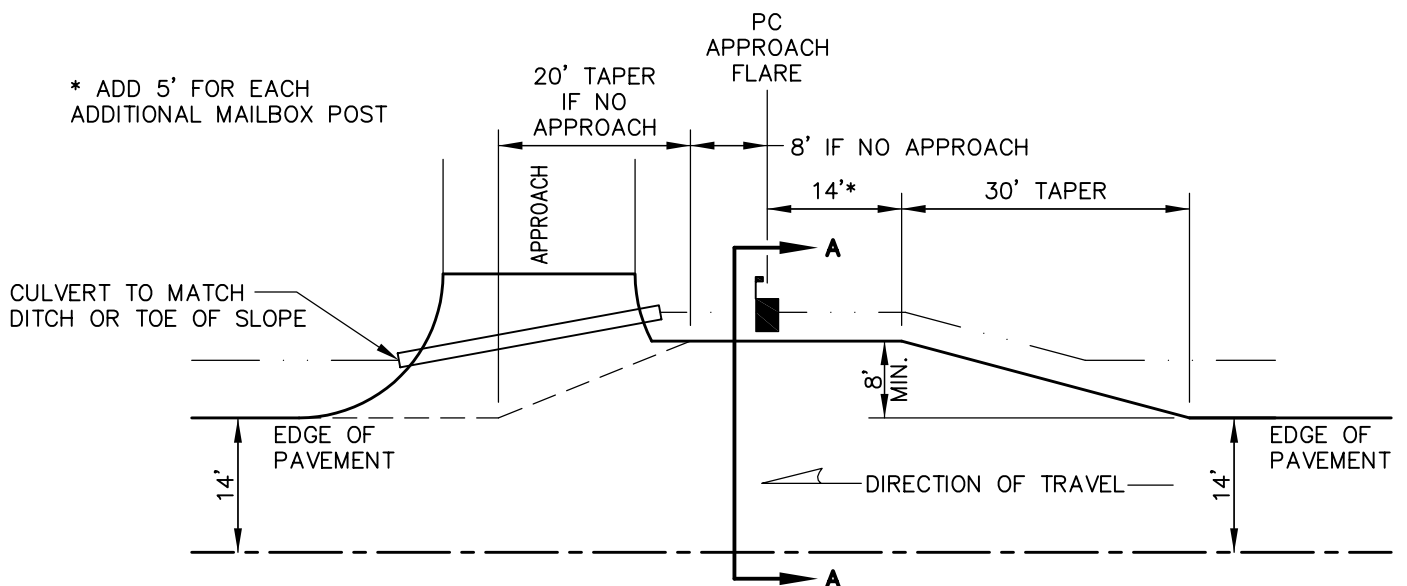
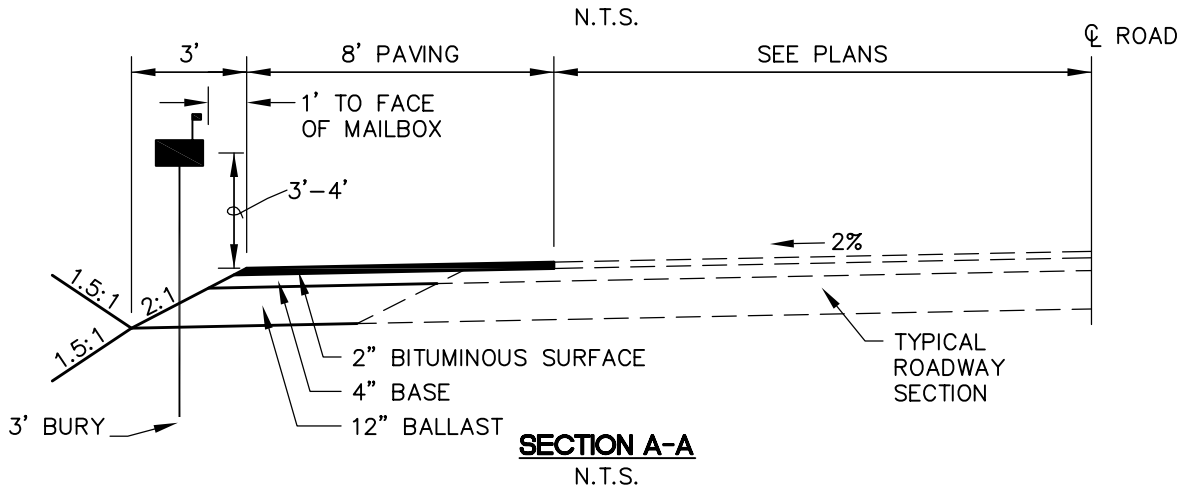
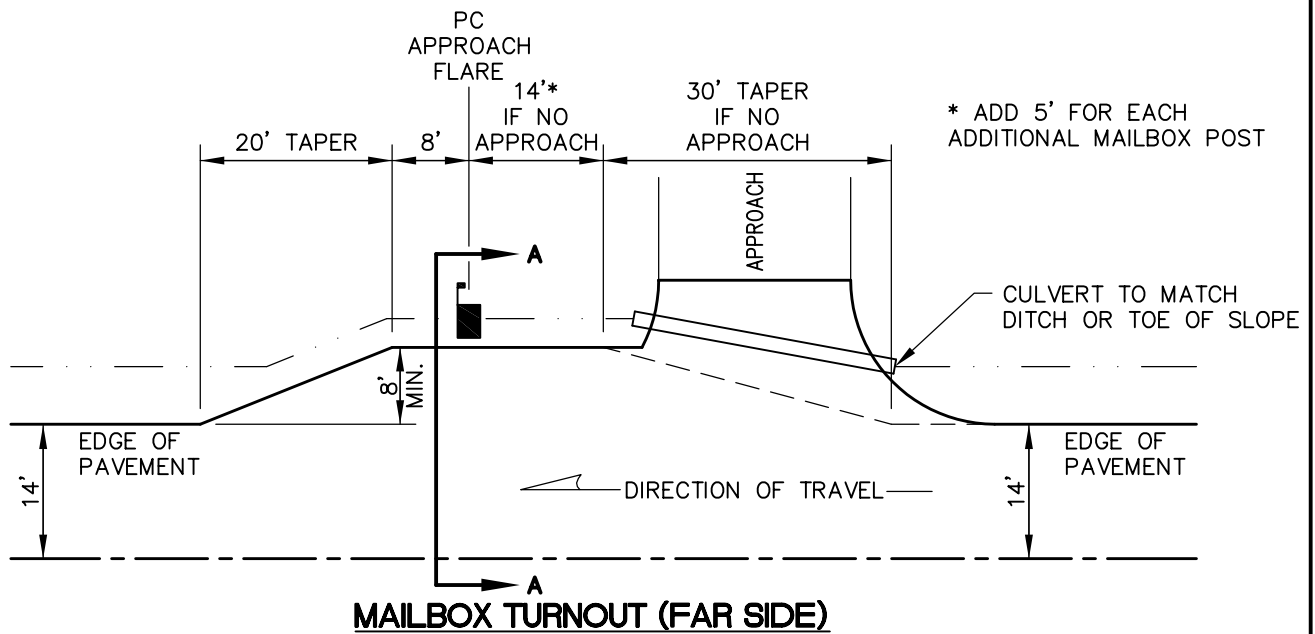
1. WHEN USING THE TURNOUT WIDTH TABLE THE "SPEED" (MPH) IS THE MAXIMUM POSTED ROADWAY SPEED. THE "ADT" IS THE AVERAGE DAILY TRAFFIC.

2. THE BALLAST REQUIREMENTS OF MAILBOX TURNOUTS SHALL BE AS THE ADJACENT ROADWAY SECTION.

3. REFER TO THE UNITED STATES POST OFFICE STANDARDS FOR MAILBOX INSTALLATION.

**MAILBOX TURNOUT DETAIL**

N.T.S.



**NOTES:**

1. STATION SHOWN ON THE PLANS IS TO MAILBOX OR CENTER OF MULTIPLE MAILBOXES.
2. MAILBOX POST AND MOUNTINGS TO CONFORM TO IDAHO TRANSPORTATION DEPARTMENT STANDARD DRAWING H-5-A, H-5-B AND H-5-C AS APPLICABLE.
3. DRAINAGE TO BE CARRIED AROUND TURNOUTS UNLESS CULVERTS ARE INDICATED ON THE PLANS.
4. CUT AND FILL SLOPES OFF BACK OF TURNOUTS TO BE 1.5:1.
5. CONTRACTOR SHALL PROVIDE ADEQUATE ACCESS TO MAILBOXES DURING CONSTRUCTION.

**MAILBOX TURNOUT (NEAR SIDE)**

N.T.S.



# Easements and Right-of-Way

## What It Can Mean to You

### Easements

An easement is a legal right of one party to use the real property of another for a specific purpose.

Granting an easement does not grant ownership of the land; it simply allows the other party to use that land in a very specific manner.

Permanent easements are required where there is a permanent transportation improvement or continuing need for maintenance.

Typical easements are for "Roadway, Drainage and Utilities" adjacent to right of way. Utilities are also allowed *in* the right of way.

### Types of Easements

- Drainage area
- Electricity
- Gas
- Propane
- Sewer
- Water
- Telephone
- Internet and cable television
- Satellite television companies
- New utilities as technology changes



If you have any of these, they are located in an easement and the companies can access this easement for maintenance and installation. As the property owner, you're giving these companies the right to come onto your property to maintain and repair these utilities. You own the land, but they have the right to use your land to access their equipment.

### How do I know if my property has an easement?

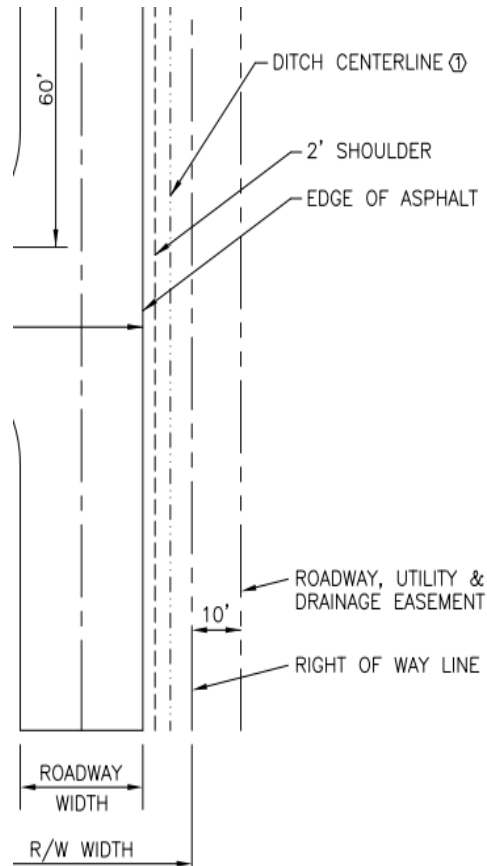
**PLAT**—If you live in a subdivision, chances are you have one. Look on the plat, available at the Kootenai County Courthouse or online at [www.kcgov.us/376/Plat-Search](http://www.kcgov.us/376/Plat-Search). Generally a plat calls out the right-of-way and the easement. It may or may not dedicate it to the Highway District.

**TITLE REPORT**—A title report will list all easements of record, i.e. one that has been recorded. It may give a broad statement regarding 'all easements of record or some similar verbiage.

**DEED**—More specific easements may be listed on the Warranty Deed, for example access to a neighboring property.

### Can I build on the easement or fill in a drainage easement?

Build, no, landscape, maybe, but if you value peace of mind, not building on that easement is the best way to go. The dominant estate owning the easement may need to access the easement and can remove anything for them to perform maintenance and installations. Utility companies and road maintenance crews do their best to work around landscaping but it is not always possible.



### What do I do?

Always check with your local building department for the installation of a fence, deck, retaining wall, even trees and shrubs. You may need a permit and there will most likely be setback requirements.

Then check with the Highway District. Right-of-way widths vary as do roadway, utility and drainage easements.



**ALWAYS – CALL BEFORE YOU DIG**

# GENERAL PROVISIONS

If required by the District, the Permittee shall give at least 24 hours advance notice prior to commencing work and at any time in the future when proposed work would restrict the flow of traffic.

During the progress of the work such barricades, lights and other traffic control devices shall be erected and maintained as may be necessary or as may be directed for the protection of the traveling public. All barricades, lights and other traffic control devices and the placement thereof shall conform to the latest Manual on Uniform Traffic Control Devices.

In accepting this permit, the Permittee, its successors and assigns, agrees to protect the Highway District, or its agents, and save it harmless from all claims actions or damages of every kind and description which may accrue to or be suffered by any person or persons, corporation or property, by reason of the performance of such work, character or materials used or manner of installation, maintenance and operation, or by the improper occupancy of rights-of-way or public place or public structure, and in case any suit or action is brought against said Highway District, its officers, or agents, for damages arising out of or by reason of any of the above causes, the Permittee, its successors or assigns, will upon notice to it of commencement of such action defend the same at its own sole cost and expense, and will satisfy any judgment after said suit of action shall have finally been determined if adverse to the Highway District, its officers or agents.

Except as herein authorized, no excavation shall be made, or obstacle placed within the limits of the highway in such a manner as to interfere with the travel over said road.

Permittee is responsible for any damages to District property or to any property in the right-of-way which is caused by the conduct of the work performed hereunder, Permittee shall restore to the same condition as existed prior to the work, the travelway and such ditches, structures and appurtenances necessary for the proper construction and maintenance of the travelway, which have been in any way disturbed or damaged by the work performed hereunder. If the work done under this permit in any manner involves the disturbance of the traveled surface of the road, said portion of the traveled surface of the road shall be restored at the completion of said work to the satisfaction of the District, said surface may be restored by the Highway District at the expense of the Permittee. If trench or pavement settlement should occur the repairs shall be made by the Permittee as directed by the District at no cost to the Highway District. If the work under this permit interferes in any way with the drainage of the highway, the grantee shall wholly and at its own expense make such provisions as the District may direct to take care of the drainage.

All work herein contemplated shall be done to conform with current government and industry standards under the supervision and to the satisfaction of the District, and the entire expense of said supervision shall be borne by the parties to whom this permit is issued.

The District hereby reserves the right to order the change of location or the removal of any structure or structures authorized by this permit at any time, said change or removal to be made at the sole expense of the party or parties to whom this permit is issued, or their successors and assigns.

All such changes, reconstruction or relocation by the Permittee shall be done in such a manner as will cause the least interference with any of the District's work and the Highway District shall in no way be held liable for any damages to the Permittee by reason of any such work by the Highway District, its agents or representatives, or by the exercise of any rights by the District upon roads, streets, public places or structure in question.

This permit or privilege shall not be deemed or held to be an exclusive one and shall not prohibit the District from granting other permits or franchise rights of like or other nature to other public or private utilities, nor shall it prevent the District from using any of its roads, streets, or public places, or affect its right to full supervision and control over all or any part of them, none of which is hereby surrendered.

The District may revoke, annul, change, amend, amplify, or terminate this permit or any of the conditions herein enumerated if Permittee fails to comply with any or all of its provisions, requirements or regulations as herein set forth or through willful or unreasonable neglect, fails to heed or comply with notices given, or if the utility herein granted is not installed or operated and maintained in conformity herewith or at all or for any cause or reason whatsoever.

The party or parties to whom this permit is issued shall maintain at his or their sole expense the structure or object for which this permit is granted in a condition satisfactory to the District.

In accepting this permit the Permittee, his successors and assigns, agree that any damage or injury done to the property of the Permittee or any expense incurred by him through the operation of a contractor, working for the District or any District employee shall be at the sole expense of the Permittee, his successors or assigns.

Neither the acceptance of this permit nor anything herein contained shall be construed as a waiver by the Permittee of any rights given it by the Constitution or laws of the State of Idaho or of the United States.

Adequate drawings or sketches shall be included showing the existing and/or planned location of the highway improvements, the traveled way, the rights-of-way lines, and where applicable, the control of access lines and approved access points.

In doing the work under this permit, Permittee and its contractors, or anyone performing work on behalf of the Permittee, have the primary responsibility for providing for the protection and safety of the traveling public. Acts by the District, in failing to detect or remedy any defect created by Permittee or its contractors or representatives, or in failing to detect or remedy any failure by Permittee or its contractors or representatives to adequately provide for the safety of the traveling public, shall not relieve the Permittee and its representatives of this primary responsibility. Permittee agrees to indemnify the District with regard to any claims arising out of any alleged failure of the District to detect or remedy either defects created by Permittee or its contractors or representatives or failures by Permittee or its contractors or representatives to adequately provide for the safety of the traveling public. Supervision of the project, including instructions as to proper traffic control devices, by the District, does not change this primary responsibility and duty to indemnify. Permittee is not obligated, however, to indemnify the District with regard to damages resulting solely from independent acts of negligence by the District if such acts are independent of conduct by the District in supervising and inspecting the work.

The Highway District makes no representation as to the right-of-way width. It shall be the Permittee's responsibility to determine the limits of the right-of-way. This permit covers operations in the right-of-way only and the Permittee is responsible for any of his actions off the right-of-way to the abutting property owners.

Sediment and Erosion Control – Comply with the Highway District's sediment and erosion control rules and County Stormwater provisions. Seed all disturbed areas.