Application for Use of State-owned Aquatic Lands

Applicant Name: Kirsch-Lane Residential Trust
County: Pierce County
Water Body: Hale Passage
Type of Authorization - Use: Lease
Authorization Number: 20-086863
Term: 12 years

Description: This agreement will allow the use of State-owned aquatic lands for the purpose of a recreational use float. It is located in Hale Passage, Fox Island, Pierce County, Washington.
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 DEPARTMENT OF NATURAL RESOURCES

I. SUBMISSION OF APPLICATION

This application form will be reviewed by the 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:

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: 12/01/10

Authorization to be Issued To (how name is to appear in the lease document): Kirsch-Lane Residential Trust

Applicant's Representative: Robert Lane

Relationship to Applicant: Co-Owner

Address: 1168 HWPk Pl. City: Fox Island State: WA Zip Code: 98333

Telephone: 206 321 2715 Fax: 253 308 0053 E-Mail: [Redacted]

FOR OFFICIAL USE ONLY

Support staff: Application Fee Received & JARPA Received & Date: 12/12/10

Land Manager: New Application: 20, 21, 22, 23, 31, 51

Land Manager Initials: NaturE Use Code

II. APPLICANT INFORMATION cont'

Department of Revenue Tax *Registration Number (Unified Business Identifier) is Required: n/a

Which of the following applies to Applicant (Check One and Attach written authority to sign - bylaws, power of attorney, etc):

Corporation ☐ Limited Partnership ☐ General Partnership ☐
State of Registration:

Sole Proprietorship ☐ Marital Community Spouse ☐ Government Agency ☐

Other ☑ (Please Explain:) Residential Trust

Has the site use been authorized before or is it currently under lease? Yes ☐ Lease Number: 
No ☑ Don’t Know ☐

III. LOCATION

The Body of Water on which the state property is located:

Case Inlet

County in which the state property is located: Pierce
Section: 06
Township: 20
Range: 02

Government Lot: n/a

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.

Physical description of Project Area (For example, Marsh, Tideflat adjacent to the Chehalis River, etc):

bedlands

Name of Owner(s) of Uplands, Shorelands, and/or Tidelands shoreward and adjacent to the Property:

Address: see attached for owners-us and adjacent owners otherwise
City: State: Zip Code:

Phone Number: Fax Number E-mail:

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.

County Parcel No(s). for adjacent properties, upland, and/or adjacent tideland properties: see attached p. 2/8
IV. USE OF PROPERTY

Describe, in detail, the proposed use of the Property: residential + recreational property

Is or will the Property be subleased to another party? Yes ☐ No ☑
If yes, submit a copy of the sublease agreement.

What are the current and past uses of the site? Same

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:

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.)
① ramp extending from boat house to beach
② Pier 6' long + 30' wide

If there are physical improvements currently on the site, who owns them? Kirschlaw Residential Trust

If there are physical improvements currently on the site, describe their condition:
① ramp is secure + functional - will need repair or rehind in 5-10 yrs
② Pier - is in excellent condition

Which, if any, of the existing physical improvements will be removed, remodeled, or reconstructed?
③ Part of Pier adjacent west property line will be removed to meet setback requirements. Remainder will be remodeled + incorporated into new pier according to current permit application

Describe any physical improvements that the applicant is proposing to construct on the site:
A Pier 30' wide + 10' long is to sit at the bulkhead. Then 6' wide + 150' long then 30' ramp and 30' deck for a total of 180' to the end of the dock. See attached plan 8/8 15/8.

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

<table>
<thead>
<tr>
<th>Applicant Name (please print):</th>
<th>Title:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Robert Lane</td>
<td>owner</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Applicant or Authorized Signature:</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Robert Lane</td>
<td>12/1/10</td>
</tr>
</tbody>
</table>
Directions

TRAVELING NORTH WEST ON HWY 16 W
1. TAKE THE EXIT TOWARD WOLLOCHET DR NW/CITY CENTER 9.3 MI
2. TURN LEFT AT PIONEER WAY 0.3 MI
3. CONTINUE ON WOLLOCHET DR NW 0.1 MI
4. CONTINUE ON 40TH ST NW 2.5 MI
5. TURN LEFT AT 70TH AVE NW 7.1 MI
6. TURN RIGHT AT 32ND ST NW 0.5 MI
7. CONTINUE ON WARREN DR NW 0.1 MI
8. SLIGHT LEFT TO STAY ON WARREN DR NW 0.8 MI
9. CONTINUE ON FOX ISLAND BRIDGE 125 FT
10. CONTINUE ON 3RD AVE 0.5 MI
11. CONTINUE ON ISLAND BLVD 0.7 MI
12. TURN LEFT AT FOX DR 1.0 MI
13. FOX DR FT TURNS RIGHT AND BECOMES 9TH AVE 0.9 MI
14. TURN LEFT AT GWAY DR 0.3 MI
15. CONTINUE ON 10TH AVE 0.2 MI
16. 10TH AVE FT TURNS LEFT & BECOMES HYAK DR 0.3 MI
17. TURN LEFT AT HYAK PL 476 FT

ARRIVE: LANE RESIDENCE - 1168 HYAK PL, FOX ISLAND, WA 98333

PURPOSE: LANDSCAPE / HARDSCAPE DEVELOPMENT AT BULKHEAD

DATUM: NGVD29

PROJECT COORDINATES:
LATITUDE N47°15'02";
LONGITUDE W122°36'33.5"

SECTION 06, TOWNSHIP 20N, RANGE 2E, W.M.

Applicant: ROBERT F. LANE
1168 HYAK PLACE
FOX ISLAND, WA 98333
CONTACT: ROB LANE

Location: FOX ISLAND, WA 98333

Agent: DALE YEAGER
4417 69TH AVE COURT WEST
UNIVERSITY PLACE, WA 98466

LANE RESIDENCE
FOX ISLAND, WASHINGTON

PLANNING & LAND SERVICES
VICINITY MAP
OCT 31, 2003
ADJACENT PROPERTY

OWNERS KEY

1. PARCEL 022006-2001
   1067 HYAK DRIVE
   STAUFFACHER, JENNIFER ETAL
   USE: RESIDENTIAL

2. PARCEL 022006-2010
   1067 HYAK DRIVE
   KINNEY, RANDEL S & KARLA K
   USE: RESIDENTIAL

3. PARCEL 022006-2005
   1111 HYAK PLACE
   NELSON, DOUGLAS A
   USE: VACANT

4. PARCEL 396500-0010
   1166 HYAK PLACE
   JOLIBOIS, JOHN & JANNAE MITTON
   USE: RESIDENTIAL

5. *PARCEL 022006-3033
   XXX HYAK PLACE
   LANE, ROBER F & LAURIE B
   USE: UTILITIES/REFUSE

6. *PARCEL 022006-3032
   1125 HYAK PLACE
   LANE, DAVID F & KAREN S
   USE: RESIDENTIAL

7. *PARCEL 022006-3031
   1121 HYAK PLACE
   LANE, ROBER F
   USE: RESIDENTIAL

8. PARCEL 022006-3034
   1115 HYAK PLACE
   MEDAK, JOHN T & CYNTHIA L
   USE: RESIDENTIAL

9. PARCEL 022006-3028
   1107 HYAK PLACE
   TAYLOR, THOMAS C JR. & JACQUELINE
   USE: RESIDENTIAL

* RESIDENTS OF COMMUNITY DOCK

LANE RESIDENCE
FOX ISLAND, WASHINGTON

ADJACENT PROPERTY

PURPOSE: LANDSCAPE / HARDSCAPE
DEVELOPMENT AT BULKHEAD

DATUM: NGVD29

PROJECT COORDINATES:
LATITUDE N47°15'02"
LONGITUDE W122°36'33.5"

SECTION 06, TOWNSHIP 20N, RANGE 2E, W.M.
HALE PASSAGE

NORTH

PROPERTY LINE

Shoreline Improvements
1. personal watercraft housing
2. fishing/diving/swimming/Accessory lean-to
3. hot tub
4. deck area
5. log wall

EXISTING BOAT RAMP

LOG BULKHEAD

EXISTING BOAT HOUSE

Permeable Paver Path

Boulders

LAWN

TO RESIDENCE

PARCEL# 022006 - 2009

SHORELINE PLAN: EXISTING

SCALE: 1" = 30'

GRAPHIC SCALE

PURPOSE: LANDSCAPE / HARDSCAPE DEVELOPMENT AT BULKHEAD

DATUM: NGVD29

PROJECT COORDINATES:
LATITUDE N47°15'02";
LONGITUDE W122°36'33.5"

SECTION 08, TOWNSHIP 20N, RANGE 2E, W.M.

Applicant: ROBERT F. LANE
11160 HYAK PLACE
FOX ISLAND, WA 98333
CONTACT: ROB LANE

Location: FOX ISLAND, WA 98333

Agent: DALE YEAGER
4417 69TH AVE COURT WEST
UNIVERSITY PLACE, WA 98466

LANE RESIDENCE
FOX ISLAND, WASHINGTON

EXISTING SHORELINE PLAN

OCTOBER '08 SHEET 4/8
Shoreline Improvements
1. personal watercraft housing
2. fishing/diving/swimming/accessory lean-to
3. hot tub
4. deck area
5. log wall

PARCEL# 022006 - 2009

SHORELINE PLAN: PROPOSED

PURPOSE: LANDSCAPE / HARDSCAPE DEVELOPMENT AT BULKHEAD

DATUM: NGVD29

PROJECT COORDINATES:
LATITUDE N47°15'02";
LONGITUDE W122°36'33.5"

SECTION 06, TOWNSHIP 20N, RANGE 2E, W.M.

Applicant: ROBERT F. LANE
1168 HYAK PLACE
FOX ISLAND, WA 98333
CONTACT: ROB LANE

Location: FOX ISLAND, WA 98333

Agent: DALE YEAGER
4417 69TH AVE COURT WEST
UNIVERSITY PLACE, WA 98466

LANE RESIDENCE
FOX ISLAND, WASHINGTON

PROPOSED SHORELINE PLAN

GRAPHIC SCALE
SCALE: 1" = 30'

OCTOBER '08 SHEET 5/8
Suggested Species for Native Infill Areas

<table>
<thead>
<tr>
<th>Drawing Symbol</th>
<th>Common Name</th>
<th>Scientific Name</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Saskatoon Serviceberry</td>
<td>Amelanchier alnifolia</td>
</tr>
<tr>
<td></td>
<td>Vine Maple</td>
<td>Acer circinatum</td>
</tr>
<tr>
<td></td>
<td>Sitka Spruce</td>
<td>Picea sitchensis</td>
</tr>
<tr>
<td></td>
<td>Evergreen Huckleberry</td>
<td>Vaccinium ovatum</td>
</tr>
<tr>
<td></td>
<td>Salal</td>
<td>Gaultheria shallon</td>
</tr>
<tr>
<td></td>
<td>Red Huckleberry</td>
<td>Vaccinium parvifolium</td>
</tr>
<tr>
<td></td>
<td>Oregon Grape</td>
<td>Mahonia aquifolium</td>
</tr>
<tr>
<td></td>
<td>Snowberry</td>
<td>Symphoricarpus albus</td>
</tr>
<tr>
<td></td>
<td>Wild Rose</td>
<td>Rosa nutkana</td>
</tr>
</tbody>
</table>

EXISTING PLANTING

EXPLOITMENII WENZIESII - MADRONE TREE

PLANTING SCHEDULE - SYMBOLOGY

PURPOSE: LANDSCAPE / HARDSCAPE DEVELOPMENT AT BULKHEAD

DATUM: NGVD29

PROJECT COORDINATES:

LATITUDE N47°15'02"
LONGITUDE W122°36'33.5"

SECTION 06, TOWNSHIP 20N, RANGE 2E, W.M.

Applicant: ROBERT F. LANE
1168 HYAK PLACE
FOX ISLAND, WA 98333
CONTACT: ROB LANE

Location: FOX ISLAND, WA 98333

Agent: DALE YEAGER
4417 69TH AVE. COURT WEST
UNIVERSITY PLACE, WA 98466

LANE RESIDENCE
FOX ISLAND, WASHINGTON

PLANTING SCHEDULE

OCTOBER '08 SHEET 7/8
PROPOSED DOCK SECTION

SHORELINE SECTION

PURPOSE: LANDSCAPE / HARDSCAPE DEVELOPMENT AT BULKHEAD

DATUM: NGVD29

PROJECT COORDINATES:
LATITUDE N47°15'02";
LONGITUDE W122°36'33.5"

SECTION 06, TOWNSHIP 20N, RANGE 2E, W.M.

Applicant: ROBERT F. LANE
1188 HYAK PLACE
FOX ISLAND, WA 98333
CONTACT: ROB LANE

Location: FOX ISLAND, WA 98333

Agent: DALE YEAGER
4417 69TH AVE COURT WEST
UNIVERSITY PLACE, WA 98466

LANE RESIDENCE
FOX ISLAND, WASHINGTON
SECTION A DOCK & SHORELINE SETBACK

OCTOBER '08 SHEET 8/8
Materials:

Exiting 6’ pier that is not on SOAL and will be remodeled and incorporated in the proposed pier has creosote pilings in excellent condition that will be retained. New pilings will be metal. The decking of the new portion of the pier and the floating dock which will extend onto SOAL will be made of composite materials (TREX). There will be no treated wood on the float or pier except for structural framing. Their will be no Styrofoam or tires on the float. The new pier and float will have 50% grating with at least 60% open spaces.

[Signature]