

This permit is not assignable or transferable to other parties.

11. LIMITATION OF AUTHORITY

Other than for the purposes specifically described in this Permit, the PERMITTEE shall not claim at any time any interests or estate of any kind or extent whatsoever in the Property by virtue of this permit or their occupancy or use hereunder. The PERMITTEE understands that AVISTA has the right and privilege at any time to flood, sub-irrigate, drain, or otherwise affect the Property by regulation or control of waters of the Clark Fork River through the operation of AVISTA'S Cabinet Gorge or Noxon Rapids Hydroelectric Developments. The PERMITTEE releases AVISTA from any claim for property damage occurring as a result of the corresponding operation of its hydroelectric facility.

12. ACCESS

No legal access to the Property is conveyed herewith. Legal access for ingress to or egress from Property is the PERMITTEE'S sole responsibility.

13. PUBLIC USE

This permit is for private use of the Property by the PERMITTEE provided, however, that the PERMITTEE shall not in any way hinder or preclude the public's use and enjoyment of the shoreline for recreational activities. If the Property is adjacent to heavily used public recreation areas, then hunting is not allowed.

14. IMPROVEMENTS

A. Temporary facilities agreed to and approved by AVISTA such as boat docks and decks may be installed upon property provided the same are maintained and kept in a safe, secure, and stable condition. All improvements constructed on the Property must be consistent with all applicable state and federal laws and regulations.

B. Prior to approval by AVISTA, any and all required permits from governmental agencies such as the County, Fish and Game Departments, Forest Service, Conservation Districts, the Water Quality Bureau or any others must be secured by the PERMITTEE.

C. All proposed improvements must also be approved by AVISTA and a complete written description and plot plan of the improvement must be submitted by the PERMITTEE to AVISTA.

D. Absolutely no alteration, improvement, excavation, timber or brush removal or any other such change will be performed on the Property except that which is specifically stated and contained herein or with written approval of AVISTA.

E. Any further proposed changes and or additions not listed in this permit must be submitted in writing to include a complete plot plan and itemized list of proposed work for consideration and approval of AVISTA.

F. Absolutely no heavy equipment or other vehicles are permitted upon the Property without written approval by AVISTA.

G. Permanent facilities on the Property such as, but not limited to, boat ramps, storage sheds, boat houses and cabins are prohibited except as may be provided for in Item 4 herein.

H. It will be the responsibility of the PERMITTEE to maintain the metal numerical identification markers located on the shoreline. Replacement of any missing or damaged markers will be billed directly to the PERMITTEE to include the cost of material and installations.

15. INSPECTIONS

AVISTA reserves the right to enter upon and inspect the Property at any time in order to ensure that the PERMITTEE is complying with all the terms and conditions of this permit.

16. TERMINATION AND RESTORATION