

Board of Canyon County Commissioners Hearing Date: October 29, 2024 *Canyon County Development Services Department*

SD2022-0005 / BAD RIVER SUBDIVION

APPLICANT/REPRESENTATIVE: PROPERTY OWNER:	William Mason Tammy/Mark Satterwhite
REQUEST:	Preliminary Plat (4 Residential Lots & 2 Road Lots)
LOCATION:	1484 Hill Rd, Melba Idaho
ANALYST: REVIEWED BY:	Jay A Gibbons Carl Anderson
P&Z RECOMMENDATION:	Approval with Conditions

SUMMARY:

The applicant requests a preliminary plat for Bad River Subdivision on a parcel zoned Conditionally Rezoned to CR-RR (Residential Rural). The application was submitted by Tammy & Mark Satterwhite and the applicant's representative is William Mason, Mason & Associates. The Planning & Zoning Commission heard the case at a public hearing held on August 1, 2024. After deliberation the Planning & Zoning Commission recommended Approval with Conditions of the proposed development (Exhibit I & II).

The Staff report packet dated October 22, 2024, and all supporting material are contained in Exhibit III. Any additional agency & public comments received for the subject public hearing, or received as a late exhibit at the previous public hearing may be found in Exhibits IV & V. A draft version of the Board's Findings of Fact, Conclusions of Law & Order (FCO) may be found in Exhibit VI. Any Additional supporting documentation provided by the applicant to considered by the Planning & Zoning Commission May be found in Exhibit VII.

EXHIBITS:

V.

- I. Planning & Zoning Commission FCOs Dated: August 15, 2024
- II. Planning & Zoning Commission Minutes Dated: August 1, 2024
- III. Staff Report Packet Dated: August 1, 2024
- IV. Agency Comments Received by: October 19, 2024
 - a. Boise Project Board of Control; Received: September 18, 2024
 - Public Comments Received by: October 19, 2024
 - a. None received
- VI. DRAFT BOCC Findings of Fact, Conclusions of Law & Order (FCOs)
- VII. Application Materials Received by: October 19, 2024
 - a. Enlarged Bad River Subdivision Plat notes
 - b. Murrell Subdivision Plat Inst. No. 2016-044443
 - c. Recorded Road Users Agreement thru subject property, Inst. No. 2022-015097

Exhibit I

Canyon County Planning & Zoning Commission Bad River Subdivision – SD2022-0005

Development Services Department



FINDINGS OF FACT, CONCLUSIONS OF LAW, & ORDER

Bad River Subdivision - SD2022-0005

Findings

The applicant, William Mason, is requesting approval of a preliminary plat, irrigation and drainage plans for Bad River Subdivision, which is a replat of Lot 4 Block 1 of the Murrell Subdivision. The preliminary plat consists of 6 lots on parcel R28608103, being 49.82 acres. Three (3) new residential lots, lot 4 contains an existing residence and shop/accessory building, the majority of which will remain in agricultural and 2 private roads lots. Each of the three (3) new residential lots will in excess of 7 acres in size and will include building envelopes to insure continued agriculture. The property is zoned CR-RR zoned and is located on 1484 Hill Rd Melba, ID in a part of the N ¹/₂ SE ¹/₄ and a part of the S ¹/₂ NE ¹/₄, section 27, T1N R2W BM, Canyon County, Idaho.

- 1. The 49.82-acre property is zoned "R-R" (Rural Residential, seven-acre average lot size; CR2020-0010).
- 2. The minimum residential lot size of 7.00 acres.
- 3. The property is not located within an area of city impact.
- 4. The property has surface irrigation water rights. The developer shall provide irrigation water to each residential lot. The development shall comply with Boise-Kuna Irrigation District requirements.
- 5. The development will be served by individual well and septic systems.
- 6. Subdivision runoff will be maintained within the subdivision (Plat Note 13, Exhibit 2g).
- 7. The development will be served by 2 private roads, Coyote Trail Ln and Bad river Ln. The road names were approved by DSD on 5/7/2024 Case No. RD2024-0008 (Exhibit 2h).
- 8. Nampa Highway District 1: approved the proposed approach location. The applicant shall comply with the requirements of NPHD at the time of construction (Exhibit 2c).
- 9. Melba Rural Fire did not provide any comments during the rezone, nor the preliminary plat application process.
- 10. The development is not located within a mapped floodplain (Flood Zone X).
- 11. The record includes all testimony, the staff report, exhibits, and documents in Case File No. SD2022-0005.
- 12. Notice of the public hearing was provided in accordance with CCZO §07-05-01. Agency notice was provided on July 22, 2024. The newspaper notice was published on June 27, 2024. Property owners were sent a notice on June 28, 2024.

Conclusions of Law

Section 07-17-09(4)A of the Canyon County Zoning Ordinance (CCZO) states, "The commission or hearing examiner shall hold a noticed public hearing on the preliminary plat. The hearing body shall recommend that the board approve, approve conditionally, modify, or deny the preliminary plat. The reasons for such action will be shown in the commission's minutes. The reasons for action taken shall specify:

- 1. The ordinance and standards used in evaluating the application;
- 2. Recommendations for conditions of approval that would minimize adverse conditions, if any;
- 3. The reasons for recommending the approval, conditional approval, modification, or denial; and
- 4. If denied, the actions, if any, that the applicant could take to gain approval of the proposed subdivision."

Upon review of the preliminary plat, the Planning and Zoning Commission finds that the plat consistent with the following subject to conditions of approval:

- Idaho Code §67-6513 (Subdivisions);
- Idaho Code §50-1301 through 50-1329 (Platting);
- Idaho Code § 22-4503 (Right-to-Farm Act, Plat note #9);
- Idaho Code, §31-3805 (Irrigation), plat note #6 & #15;
- Canyon County Zoning Ordinance, Chapter 7, Article 17 (Subdivision Regulations); and

The preliminary plat was found to be consistent with the standards of review subject to conditions (Exhibit 2g).

Conditions of Approval

- 1. All subdivision improvements (roads, shared access, irrigation and drainage swales/basins) and amenities shall be bonded or completed prior to the Board of County Commissioner's signature on the final plat.
- 2. Historic irrigation lateral, drain and ditch flow patterns shall be maintained and protected. Modification shall be approved in writing by Boise-Kuna Irrigation District, Boise Project Board of Control and Bureau of Reclamation.
- 3. All lot owners shall adhere and be bound to the recorded Bad River Subdivision Water Users Agreement. (Exhibit 2j).
- 4. Finish grades at subdivision boundaries shall match existing finish grades. Storm water runoff shall be maintained on the subject property (Exhibit 2g).
- 5. The development shall comply with Southwest District Health requirements.
- 6. The development shall comply with Melba Fire District requirements.
- 7. The development shall comply with requirements of the Nampa Highway District 1.
- 8. The developer acknowledges that Coyote Trail Lane provides access to, or will at the signing of the Final Plat for Bad River Subdivision, a number of building lots with or without secondary dwelling units as allowed by Murrel Subdivision and Bad River Subdivision. As of this date, the total Average Daily Trips (ADT) will not exceed 100 ADT requiring widening & paving as per CCZO 07-10-03 Table 1. Should any future development adding dwelling units or development of other properties currently taking access on Coyote Trail Lane push total ADT above Canyon County Code requirements referenced above, paving will be required.
- 9. Road lots #5 and #6 shall be under common ownership.

<u>Order</u>

Based upon the Findings of Fact, Conclusions of Law contained herein for Case No. SD2022-0005, the Planning & Zoning Commission recommends approval of the Preliminary Plat, irrigation and drainage plans for Bad River Subdivision to the Board of County Commissioners subject to the Conditions of Approval as enumerated herein.

RECOMMENDED FOR APPROVAL on this AMBER LEWTER COMMISSION #20234371 NOTARY PUBLIC STATE OF IDAHO MY COMMISSION EXPIRES 10/20/2029	PLANNING AND ZONING COMMISSION CANYON COUNTY, IDAHO
	Robert Sturgill, Chairman
State of Idaho) SS	
County of Canyon County)	
	24, before me Amber Lewter, a notary public, personally own to me to be the person whose name is subscribed to the within me.
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Notary: My Commission Expires: 10/20/2059

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CANYON COUNTY PLANNING & ZONING COMMISSION MINUTES OF REGULAR MEETING HELD Thursday, August 1, 2024 6:30 P.M.

1ST FLOOR PUBLIC MEETING ROOM SUITE 130, CANYON COUNTY ADMINISTRATION BUILDING

Commissioners Present :	Brian Sheets, Acting Chairman Patrick Williamson, Commissioner Harold Nevill, Commissioner Geoff Mathews, Commissioner
Staff Members Present:	Jay Gibbons, Assistant Director of Development Services Carl Anderson, Planning Supervisor Dalia Alnajjar, Engineering Supervisor Madelyn Vander Veen, Associate Planner Amber Lewter, Hearing Specialist

Acting Chairman Sheets called the meeting to order at 6:30 p.m.

Commissioner Williamson read the testimony guidelines and proceeded to the first business item on the agenda.

Item 1A:

Case No. CU2023-0016 / Larson- Approve revised FCO's.

MOTION: Commissioner Nevill moved to approve & sign the revised Findings of Facts, Conclusions of Law and Order. Motion seconded by Commissioner Mathews. Voice vote, motion carried. Acting Chairman Sheets recused himself due to not being present during that hearing.

Item 1A:

Case No. CU2020-0004-RFE – Hernandez: The applicants, Juan and Esmeralda Hernandez, represented by Dennis R. Parker, are requesting a time extension of the commencement deadline to Dec. 15, 2025 for their conditional use permit to allow a special events facility (initially approved by the Planning and Zoning Commission on June 4, 2020). The subject property is located at 8558 Linden Rd, Nampa ID 83687, also referenced as Parcel R34248, a portion of the SW quarter of Section 27, T4N, R2W, BM, Canyon County, Idaho.

Planner Madelyn Vander Veen reviewed the Staff report for the record.

Commissioner Nevill asked if the application is considered commenced. Planner Madelyn Vander Veen stated the conditional use permit is not considered commenced because on condition 8, the building permit has not been submitted yet. Commissioner Nevill asked about exhibit C1 where it says the extension is needed to get the rezone. Planner Madelyn Vander Veen explained that was a misunderstanding and as far as she knows there is no application for a rezone, she addressed exhibit C3 where it might be more helpful.

Acting Chairman Sheets affirmed the witnesses to testify.

Testimony:

Dennis Parker (Representative) - IN FAVOR - 2916 East Locust Ln, Nampa, ID 83686

Mr. Parker stated he reviewed the staff report and agrees with everything. Mr. Parker is available for questions.

Commissioner Nevill asked for clarification on why there is a delay and why the request for extension did not happen before commencement. Mr. Parker stated he was the Hernandez's realtor about 4 years ago when they bought the property and helped them get the original CUP. Mr. Hernandez was doing all the work himself with the exception of a few things he couldn't do, with those he hired an architect engineer. Mr. Parker got uninvolved in the project at that time. Two years later he got a call from Mr. Hernandez saying the project was never finished because the engineer got a better job elsewhere and never came back to finish the project. That is when Mr. Parker contacted Planner Dan Lister and they where a few days past the deadline at that point. While waiting for the hearing they found someone else and they have completed the work, they are just waiting to see about getting the CUP extended so they can get the approvals needed.

Acting Chairman Sheets clarified the reason for the extension is because the engineer didn't complete the work and Mr. Hernandez didn't let Mr. Parker know until after the deadline. Mr. Parker confirmed that to be correct. Acting Chairman Sheets asked if Mr. Parker would agree with having an additional condition stating there will be no further extensions on the case. Mr. Parker agreed.

Commissioner Nevill asked if Mr. Hernandez was aware of the commencement date. Mr. Parker stated Mr. Hernandez probably didn't because he depended on Mr. Parker due to Mr. Hernandez not being fluent in English.

Commissioner Nevill asked Staff if there is record for who attended the first CUP hearing. Commissioner Williamson stated the hearing was during COVID when they were doing WebEx hearings. Planner Madelyn Vander Veen stated the people present at the hearing were two County employees and Dennis Parker.

MOTION: Commissioner Williamson moved to close public testimony on Case CU2020-0004-RFE, seconded by Commissioner Mathews, voice vote, motion carried.

DELIBERATION:

Commissioner Nevill stated he is having a difficult time being in support because the commencement date passed.

Commissioner Williamson stated he believes Mr. Hernandez has been working diligently on the project and the engineer moved on to other projects forgetting about this one which is outside of Mr. Hernandez's control. Commissioner Williamson believes that is good cause for the extension.

Commissioner Mathews stated he believes work has commenced just the formality of getting a building permit in place hasn't happened yet. He is sympathetic to the language barriers.

Planner Madelyn Vander Veen stated the reason the application was accepted is because Staff is considering it to be in accordance with the ordinance. The ordinance states the application must be filed before the date of the expiration of the 3-year period of the commencement of the land use or prior to expiration of the 5-year period of completion of the project, it doesn't state that it has to be commenced.

Acting Chairman Sheets stated he believes they have good cause and evidence that would support the good cause. Acting Chairman Sheets would like a third condition added having no further extensions allowed.

MOTION: Commissioner Williamson moved to approve Case CU2020-0004-RFE with an additional condition # 3. Seconded by Commissioner Mathews.

Voice vote, motion carried.

Item 2B:

Case No. SD2022-0005 – Bad River: The applicant is requesting an approval of a preliminary plat, irrigation and drainage, on approximately 49.82 acres of CR-RR zoned property. The subject property, parcel R28608103 are located on 1484 Hill Rd Melba, ID in a part of the N ½ SE ¼ and a part of the S ½ NE ¼, section 27, T1N R2W BM, Canyon County, Idaho. The proposal is a replat of Lot 4 Block 1 of the Murrell Subdivision. There will be 3 new residential homes, 1 private road lot. Each of the 3 new residential parcels will not be less than 7 acres, with individual wells and septic system.

Assistant Director of Development Services Jay Gibbons reviewed the Staff report for the record.

Commissioner Williamson asked about condition 8 if there is a way to word the condition saying the road doesn't need to be paved until building permit is done. Then having a road users maintenance agreement so others can help contribute to the paving of the road. Assistant Director of Development Services Jay Gibbons stated that is how the current state of private roads occurred and are troublesome because it gets continuously pushed to the next guy.

Commissioner Nevill stated on the first page of the application it says the project is a replat and asked if replat means that the applicant has changed what they originally asked for. Assistant Director of Development Services Jay Gibbons stated that is not correct that lot 4 is asking for the replat. Commissioner Nevill asked how the lot size changes changed. Assistant Director of Development Services Jay Gibbons stated previously the land was being farmed and the Commissioners were comfortable having 7 acre lots at that time. Commissioner Nevill asked for clarification for condition 3. Assistant Director of Development Services Jay Gibbons stated they will clean up the wording for the condition but the intent is that each of the new owner will be entered and bound by the user's water agreement. Commissioner Nevill asked if the road users maintenance agreement would be in place for them to assist with paving the road. Assistant Director of Development Services Jay Gibbons stated there is one other house at this time and would defer to the applicant.

Commissioner Mathews asked if the resident is using the road then there would need to be an easement or a road users maintenance agreement to have legal access. Assistant Director of Development Services Jay Gibbons stated that is correct.

Acting Chairman Sheets asked who will own the road lots after they are built. Assistant Director of Development Services Jay Gibbons stated he isn't sure if the applicant has plans to sell them or for family. Acting Chairman Sheets stated he is curious on the ownership of the road lots. Assistant Director of Development Services Jay Gibbons stated the language on the plat notes are unclear and there would need to be some documentation showing who owns the private road.

Acting Chairman Sheets affirmed the witnesses to testify.

Testimony:

William Mason (Representative) – IN FAVOR – 924 3rd St South, Nampa, ID 83651

Mr. Mason stated this was all part of the Mural Subdivision and has a road user's maintenance agreement, once they leave the subdivision it will be a private easement for two lots. They can have a secondary residence on the lots so the maximum number of houses would be 8, having a maximum of around 80 trips per day. Mr. Mason doesn't believe paving of the road is necessary and not in accordance with the code that says 100 trips per day trips the need for paving. Mr. Mason stated they are planning on putting pressure irrigation on all the lots to be able to continue ag on the large lots.

Commissioner Nevill asked for clarification that Mr. Mason agrees with conditions 1-7 but not condition 8. Mr. Masons stated that is correct. Commissioner Nevill asked for clarification on the private road and the driveway easement. Mr. Mason used the map to explain the locations.

Commissioner Mathews asked who owns the road lot. Mr. Mason stated Coyote Trail is owned by all the original Mural Subdivision lot owners to his understanding.

Commissioner Williamson asked who will be the owner of the road lot for Bad River Road. Mr. Mason stated he currently doesn't have anything in place and is willing to have a road users maintenance agreement for just the Bad River Subdivision added to the Plat notes saying they will maintain Bad River Road.

Acting Chairman Sheets asked who will own the road lots. Mr. Masons stated the Coyote Trail is owned by an HOA of Mural Subdivision and Bad River Road will be owned by the Bad River HOA. Acting Chairman Sheets asked if Mr. Mason is ok with a condition being added to add that to the Plat notes. Mr. Mason had no objections.

Angie Cueller – IN FAVOR – 924 3rd St South, Nampa, ID 83651

Ms. Cueller stated the Satterwhite's own the little red strip on the map and that is an easement access. The future owners will be the Satterwhite's family. Ms. Cueller stated for all attempts to get the Nampa fire districts approval has failed, they have been told that they will not give additional documentation because they have submitted their approval to the County.

Brent Wecker – IN NEUTRAL – 1454 Hill Rd, Melba, ID 83641

Mr. Wecker stated he would like to have a road users maintenance agreement put in place that works for all the property owners. He see's what they are trying to do as a family and respects that he would just like the road maintenance to be worked out.

Commissioner Williamson asked if he has a driveway easement to his lot. Mr. Wecker stated that is his understanding. Commissioner Williamson asked if he would be willing to help with contributing to a paved road or would prefer it to stay gravel. Mr. Wecker stated he would be open to discussion and hasn't had issues with the Satterwhite's with maintaining the road together in the past.

Commissioner Nevill asked if Mr. Wecker is a signatory on any road users maintenance agreement. Mr. Wecker stated he isn't sure, he has signed a road users maintenance agreement. Commissioner Nevill asked Staff if they have a copy. Assistant Director of Development Services Jay Gibbons stated he isn't sure if they have a copy and will look into it.

William Mason (Applicant) - REBUTALL - 924 3rd St South, Nampa, ID 83651

Mr. Mason stated there is a road users maintenance agreement and can get a copy to Staff if they do not have one. Mr. Mason asked instead of an HOA for the Bad River if it can be called a Road Users Association.

Acting Chairman Sheets asked if there is a code that supports a Road Users Association instead of an HOA. Mr. Mason stated he isn't sure but he knows that a lot of his clients are using that verbiage.

Commissioner Williamson asked Staff if condition 8 could have a sub condition saying that it wouldn't need to be enacted if it was just the Bad River Subdivision using the road.

Acting Chairman Sheets stated he is still hung up on who is going to own the road and be responsible for it.

Commissioner Mathews stated he did a quick search and nothing came up for a road users association.

MOTION: Commissioner Mathews moved to close public testimony on Case SD2022-0005, seconded by Commissioner Williamson, voice vote, motion carried.

DELIBERATION:

Commissioner Williamson stated he is leaning towards continuing the case to have the applicant or staff get the documents for the road users maintenance agreement or HOA to figure out the ownership of the road lot.

Commissioner Mathews stated he doesn't believe they need a continuance. What needs to happen with the plat is the road lot for Coyote Trail needs to be separated out as does the lot for Bad River.

Commissioner Nevill believes it could be fixed if there are conditions having two different road user's maintenance agreements for the two different roads and two HOA's for the two different subdivisions.

Commissioner Williamson doesn't believe they can condition other subdivisions or lots not in the application.

Assistant Director of Development Services Jay Gibbons stated there is a road users maintenance agreement for Mural Subdivision on record.

Commissioner Mathews believes this creates a legal mess and needs to get it cleaned up.

Acting Chairman Sheets believes the 80 trips or 100 trips would be hard to defend. But could put a condition restricting the use of the road for any sub sequential development that they would need to take it from another access point if it increases to the 100 trips. Acting Chairman Sheets suggested an additional plat note stating Coyote Trail Road and Bad River Road shall be in common ownership and maintained by common ownership for the benefit of those lots.

Conversation ensued between the Acting Chairman and Commissioners in regards to the conditions.

MOTION: Commissioner Mathews moved to recommend approval for Case SD2022-0005 with the modification to condition 8 and a replacement condition for condition 9. Seconded by Commissioner Williamson.

Roll call vote: 4 in favor, 0 opposed, motion passed.

ACTION ITEM – APPROVAL OF MINUTES

MOTION: Commissioner Nevill moved to approve June 20, 2024 minutes. Seconded by Acting Chairman Sheets. Voice vote, motion carried.

DIRECTOR, PLANNER, COMMISSION COMMENTS:

Assistant Director of Development Services Jay Gibbons stated staff is working on a lot of different things and there will be changes on the staff reports, findings, and how they present. It is process improvement currently in draft but will be implemented soon.

ADJOURNMENT:

MOTION: Commissioner Williamson moved to adjourn, seconded by Commissioner Nevill. Voice vote, motion carried. Hearing adjourned at 8:45 PM.

An audio recording is on file in the Development Services Departments' office.

Approved this 5th day of September, 2024

Brian Sheets, Acting Chairman

Amber Lewter – Hearing Specialist



CANYON COUNTY PLANNING & ZONING COMMISSION MINUTES OF REGULAR MEETING HELD Thursday, August 15, 2024 6:30 P.M.

1ST FLOOR PUBLIC MEETING ROOM SUITE 130, CANYON COUNTY ADMINISTRATION BUILDING

Commissioners Present :	Robert Sturgill, Chairman Miguel Villafana, Commissioner Patrick Williamson, Commissioner Harold Nevill, Commissioner Geoff Mathews, Commissioner Brian Sheets, Commissioner
Staff Members Present:	Jay Gibbons, Assistant Director of Development Services Michelle Barron, Principal Planner Dan Lister, Principal Planner Amber Lewter, Hearing Specialist

Chairman Sturgill called the meeting to order at 6:30 p.m.

Commissioner Villafana read the testimony guidelines and proceeded to the first business item on the agenda.

Item 1A:

Case No. SD2022-0005 / Bad River- Approve revised FCO's.

MOTION: Commissioner Nevill moved to approve & sign the revised Findings of Facts, Conclusions of Law and Order. Motion seconded by Commissioner Mathews. Chairman Sturgill and Commissioner Villafana abstaine. Voice vote, motion carried.

Item 2A:

Case No. CR2022-0022 / Vermaas: The applicant, KM Engineering representing owner Bonnie Vance Vermaas, is requesting a conditional rezone of Parcels R37517 & R37519 from an "A" (Agricultural) Zone to an "R-1" (Single Family Residential) Zone subject to a development agreement restricting development to 13 residential lots. The subject property is located at 9713 Galloway Road, Middleton; also referenced as a portion of the NW ¼ of Section 28, T5N, R2W, Canyon County, Idaho.

Staff proposed to be tabled to a date certain of October 17, 2024.

Commissioner Nevill asked if the applicant asked to postpone after seeing the recommendation of denial. Planner Dan Lister stated that Staff sent an email saying they thought a different zone would be more appropriate but if they didn't hear back from the applicant they would schedule the hearing. The applicant had some questions about rural residential zoning but never gave a solid answer about the hearing. The hearing was scheduled and then the applicant asked for a postponement so they could work on the application to a different zone. Planner Dan Lister explained if it gets heard as is and goes in front of the Board of County Commissioners then more than likely it will get remanded back to Planning and Zoning to be reheard. Commissioner Nevill asked how any people are present for the case. Chairman Sturgill advised there is the applicant and 12 in opposition. Commissioner Williamson asked if the case is going off the 2020 Comp Plan or the 2030 Comp Plan. Planner Dan Lister advised it is the 2020 Comp Plan.

MOTION: Commissioner Sheets moved to postpone Case CR2022-0022 to a date certain of October 17, 2024. Motion seconded by Commissioner Villafana.

Discussion on the Motion:

Commissioner Nevill is not in favor because they often see the recommendation of denial and then want to change the application. He believes the best application should be brought forward first.

Commissioner Mathews agrees with Commissioner Nevill.

Roll call vote: 3 in favor, 3 opposed, motion failed.

Planner Dan Lister reviewed the Staff report for the record.

Commissioner Nevill asked if the applicant does change the zoning to RR where would they get the irrigation water. Planner Dan Lister advised each lot would have a half acre through their domestic well they could irrigate with or they would work with IDWR to get additional water rights. Commissioner Nevill asked about exhibit 2A if it would be more appropriate to call it developed for agriculture instead of undeveloped. Planner Dan Lister stated the applicant could better answer.

Commissioner Williamson asked about exhibit 3D if those subdivisions were approved before having to change the zoning maps. Planner Dan Lister stated a lot of the lots are still zoned agricultural and the subdivisions in question happened with conditional use permits in the past. Planner Dan Lister referred to exhibit 3E showing the decision years for the surrounding area.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Stephanie Hopkins (Representative) – IN FAVOR – 5725 N Discovery Way, Boise, ID 83713

Ms. Hopkins stated the neighborhood meeting happened in 2022 and in the last 2 years there has been coordination with engineering a few others for changes to the preliminary plat, the first comments she remembers seeing about the zoning was this year in early July. It was her opinion that the hearing date was talked about but not scheduled and thought she had time to revise the preliminary plat. Ms. Hopkins stated at the time of submitting the applications rezones were being heard at the same time as the preliminary plats. Her client wanted to pursue the R1 zone because of the Kelley rezone approved in 2021. Ms. Hopkins stated they want to work with staff and that was the reason for asking for the continuance so they can revise the preliminary plat to fit a rural residential zoning. Ms. Hopkins responded to Commissioner Nevill's question and stated the term undeveloped just means the lot is undeveloped from homes. Ms. Hopkins stated the owner used to raise and train horses but has aged so her son is now trying to help her develop the property so she can live in her current lot and have money for retirement. Ms. Hopkins stated staff is recommending 2.5 acre lots which is above what RR zoning states so they are going to look at the preliminary plat.

Commissioner Williamson asked why they were focusing on the plat before the rezone. Ms. Hopkins stated in general they focus on the layout of the lots to see if it will work for the zone and that is how

clients will see if their project is viable.

Commissioner Nevill asked what the agricultural use is on the lot. Ms. Hopkins stated it hasn't been irrigated for about 20 years and is not prime farm ground. Commissioner Nevill asked if they have considered providing a school bus stop. Ms. Hopkins stated they haven't considered that yet. She believes this is a small project and the subdivisions to the west may be better suited to put one up but is willing to have those conversations.

Commissioner Sheets asked if it is her intent to rework the application and resubmit it after the hearing. Ms. Hopkins stated she was working with Staff to revise the preliminary plat to align with a rural residential zone. Her intent is to change the zoning request. Commissioner Sheets asked about the excess water rights. Ms. Hopkins stated she would need to speak with her engineer.

Lyle Zufelt – IN OPPOSITION – 9965 Grand Tarahee, Middleton, ID 83644

Mr. Zufelt stated he lives in the Grand Estates Subdivision to the west of the proposed development. His subdivision is zoned RR and would have no problem if this project was zoned RR. His current concern is there is a property to the east of the 18 acres and believes this to be a first phase to a two-part phase development. Mr. Zufelt stated his subdivision attempt to keep the watering to a half acre and the other acreage has natural grasses or goats. He knows of other locations where wells are running dry because houses are to close together and that is why he would be ok with an RR zone.

Joe Strongone - IN OPPOSITION - 9617 Golden Willow St, Middleton, ID 83644

Mr. Strongone stated his property is adjacent directly south of the proposed development. He moved to the area because of the master plan saying this is an area for Ag and open country and he would like to keep it that way. Mr. Strongone stated during the neighborhood meeting most of the neighbors expressed wanting a minimum of 2.5 acres. Mr. Strongone stated it would be unfair for him to say he wants no development so he would be comfortable with 2.5 acres because it would then be consistent with the area. Mr. Strongone agrees with all of Staff's recommendation. He is against using well water for landscaping and is concerned about the neighborhood needing to drop their wells in the future.

Commissioner Nevill asked how long Mr. Strongone has lived there. Mr. Strongone advised he has lived there for 3 years. Commissioner Nevill asked if the larger lots preserve the agricultural way of life. Mr. Strongone stated they do for example there is lots with cows, goats, sheep, and llamas.

John McComb - IN OPPOSITION - 9612 Golden Willow, Middleton, ID 83644

Mr. McComb stated he is in agreeance with Staff's recommendation. He is mostly concerned about the impact the schools will have. There is also concern with the water wells running dry and where the water drainage will go.

Ted Todd - IN OPPOSITION - 9564 Golden Willow St, Middleton, ID 83644

Mr. Todd stated the schools are full, the fire department is tapped and the area is left without paramedic services almost on a daily basis. Mr. Todd stated the irrigation water is less than adequate for the existing homes.

Commissioner Williamson asked for more information on the irrigation water. Mr. Todd stated Black Canyon Water Irrigation is who supplies the area and almost on a daily basis there is pressurization problems where they have to stagger watering times.

Chairman Sturgill asked if a Rural Residential with 2-acre minimum lots is better than 1 acre lots. Mr. Todd

stated people have the right to develop their property but the property should fit the area which are all 2 acres or more with livestock.

Richard Trudeau – IN OPPOSITION – 9810 Grand Teton Trail, Middleton, ID 83644

Mr. Trudeau stated he reviewed the application, staff report and comprehensive plan and knows that it doesn't meet two criteria. One the proposal doesn't meet the comprehensive plan and secondly it isn't consistent with the surrounding area. Mr. Trudeau is also concerned about the water. Recently there has been more intrusion on the aquafer than in the past. Mr. Trudeau stated he believes the rural residential zone would be acceptable in the area.

Stephanie Hopkins (Representative) – REBUTTAL – 5725 N Discovery Way, Boise, ID 83713

Ms. Hopkins stated she believes if the revision is made to the project changing it to rural residential the project will meet the surrounding area. Ms. Hopkins stated the irrigation concerns are related to the preliminary plat.

Commissioner Williamson asked if there was consideration for a communal water well for the development. Ms. Hopkins stated there wasn't for this development because that is usually considered for larger developments. Ms. Hopkins stated after speaking with her engineer it is her understanding that the wells will be dug deeper to not affect the surrounding wells.

MOTION: Commissioner Nevill moved to close public testimony on Case CR2022-0022, seconded by Commissioner Sheets, voice vote, motion carried.

DELIBERATION:

Commissioner Mathews stated there is already overcrowding of the schools in the area and he is concerned if they approve smaller developments they aren't helping the problem they would be exasperating it. Commissioner Mathews is in favor for denial and doesn't believe a change in zoning would change his mind.

Commissioner Nevill stated he agrees with staff's recommendation, that the proposal doesn't fit the surrounding area for question 4 and for question 8 the proposal would negatively impact the schools. Commissioner Nevill is in favor of denial.

Commissioner Mathews stated for question 8 the word not needs to be deleted in the first sentence.

Commissioner Williamson stated there was testimony about EMS services being rerouted and might want to add that in the findings. As well as the fire department being stretched.

Chairman Sturgill invited consideration to continue the case to allow the applicant to come back with what they plan to ultimately present to the Board of County Commissioners.

MOTION: Commissioner Williamson moved to table Case CR2022-0022 to a date certain of October 17, 2024. Seconded by Commissioner Sheets.

Discussion on the Motion:

Commissioner Sheets stated based upon the testimony and the intent of the applicant he doesn't see any other reasonable way to handle the case other than to continue it.

Roll call vote: 5 in favor, 1 opposed, motion passed.

Item 2B:

Case No. SD2021-0039 / Alyson Meadows Subdivision: A request by Elwin Butler, PE for Cory Swain, CS2, LLC, for approval of a Preliminary Plat, irrigation and drainage plan for Alyson Meadows Subdivision. The development consists of 18 residential lots and 4 common lots, including a private road lot on approximately 40.84 acres. The average lot size is 2.00 acres. The subject property, parcel number R35590, is located at 0 Linden Road in the NW ¼ of Section 32, T4N, R3W, BM, Canyon County, Idaho.

Commissioner Villafana disclosed he farms near the parcel but has had no contact with the owners.

Planner Michelle Barron reviewed the Staff report for the record.

Chairman Sturgill asked what events would have to occur before the parcel gets annexed into the City of Caldwell. Planner Michelle Barron stated it has to be touching the city, it would then be up to the City and the owner to work out the details. Chairman Sturgill asked currently how far away from the city is the property. Planner Michelle Barron stated she doesn't currently have that information. Chairman Sturgill asked if the water infrastructure was available could they connect to the city immediately. Planner Michelle Barron stated if the structures are available and a pre-annexation agreement was signed she believes they could.

Commissioner Williamson asked if the EMS access is granted if the property to the east has an easement recorded to have EMS go in and out. Planner Michelle Barron stated the property to the east, Tranquil Place does have a turn around.

Commissioner Nevill asked about condition 6. Planner Michelle Barron stated in the rezone process the city requested they put in the infrastructure and connect to city water, they will not be connecting to city water yet but they will be putting in the infrastructure.

Commissioner Sheets asked if the annexation in the future could be involuntary. Planner Michelle Barron stated she is unsure. Commissioner Sheets asked if there is an HOA planned for the project. Planner Michelle Barron deferred to the applicant. Commissioner Sheets asked who will be owning the private road lot. Planner Michelle Barron stated it will be maintained by the people on the Road User's Maintenance Agreement (RUMA). Commissioner Sheets asked who will own the private road lot. Planner Michelle Barron deferred to the applicant.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Elwin Butler (Representative) – IN FAVOR – 3122 Suntree St, Caldwell, ID 83605

Mr. Butler stated he understands the neighbors are concerned with the project looking like city streets. The closest city utilities are located at Farmway Road which is still far away and would cost about \$500,000 to get the water lines to the property. Mr. Butler showed the future water lines from the City of Caldwell. Mr. Butler stated he wants to keep the project as a rural residential and to look rural. He has been working with the City of Caldwell to not require all the subdivision requirements such as putting in the dry line for the water. There is a ditch that feeds Pheasant Ridge Subdivision and he plans to pipe that line and the city will require that to be on a separate easement. Mr. Butler showed the location where the easement goes onto the property. There is an agreement with Rett's Acres to allow emergency vehicles onto Tranquil Place.

Chairman Sturgill asked for clarification on why the city would need to sign off. Mr. Butler stated he understands the City of Caldwell is on the final plat.

Commissioner Nevill asked if Mr. Butler agrees with the conditions of approval. Mr. Butler stated he does but would like to limit the amount of say the city has over the development. Commissioner Nevill asked who will own the road lot. Mr. Butler stated the plat says the HOA will own it.

Commissioner Williamson asked if the open ditch will be maintained by the irrigation district or privately maintained. Mr. Butler stated it will be privately maintained. Commissioner Williamson asked if the city has an idea of when they will have services there or will annex that area. Mr. Butler stated it is going to take a significant amount of effort.

Chairman Sturgill asked the estimated cost to install the dry lines. Mr. Butler stated roughly 1700 feet at about \$175 per feet.

Commissioner Sheets asked if the RUMA is going to be filed with the County or separate documentation. Mr. Butler stated it is a separate documentation.

Gary Beers - IN FAVOR- 16840 W Linden St, Caldwell, ID 83607

Mr. Beers stated he is in support of the proposed plan. Mr. Beers is wondering at what point during the process is the irrigation schedule done for joint responsibility and an enforcement process made. He is against the sewer extension requirement, the 12-inch water main, and the sidewalks. There are no sidewalks, sewer, water or anything down Linden Street. Mr. Beers feels like putting the city requirements on this project will make it stand out differently than the surrounding area. Mr. Beers doesn't see the area getting annexed for years.

Commissioner Nevill asked about the water lines. Mr. Beers stated he would like something in writing that says who is responsible for working with him and his subdivision on turning the water lines on and the water distribution between the proposed subdivision and his. Commissioner Williamson recommended speaking with a ditch rider. Commissioner Nevill asked if Mr. Beers is ok with the striping instead of sidewalks. Mr. Beers stated he just doesn't think sidewalks should be required. Commissioner Nevill confirmed it is striping and not sidewalks that is proposed.

Elwin Butler (Representative) – REBUTTAL – 3122 Suntree St, Caldwell, ID 83605

Mr. Butler stated he will deliver the water to the edge of his property at the same volume that historically been delivered and the HOA will be responsible for maintaining the pipeline and delivering the water to the property lines.

Chairman Sturgill asked about condition 6. Planner Michelle Barron explained the Board of County Commissioners previously waivered the requirement to connect to city water. Chairman Sturgill asked for the list of what the city is asking from the developer. Commissioner Williamson found some information on exhibit 6G.

MOTION: Commissioner Williamson moved to close public testimony on Case SD2021-0039, seconded by Commissioner Villafana, voice vote, motion carried.

DELIBERATION:

Commissioner Sheets stated he would be supportive of the waivers on condition 6.

Chairman Sturgill suspects it would remain a rural area for a long period of time.

Commissioner Nevill believes they should recommend waiving the cities' requirements on water, sewer, irrigation and landscaping.

Planner Michelle Barron provided the ordinance for city requirements. Assistant Director of Development Services Jay Gibbons stated the ordinance is an agreement with the city and county in 2005. The city has had updates in their ordinance since then. Conversation ensued between Commissioners and Assistant Director of Development Services Jay Gibbons in regards to the waivers.

Commissioner Sheets recommends that the Commissioner recommend to the Board of County Commissioners that they waive the City of Caldwell requirements.

Conversation ensued between Commissioners in regards to the waiver condition and findings.

MOTION: Commissioner Sheets moved to recommend approval for Case SD2021-0039 with revised condition number 6 and an additional finding number 13. Seconded by Commissioner Mathews.

Roll call vote: 6 in favor, 0 opposed, motion passed.

ACTION ITEM – APPROVAL OF MINUTES

MOTION: Commissioner Nevill moved to approve July 11, 2024 minutes. Seconded by Chairman Mathews. Commissioner Sheets abstained. Voice vote, motion carried.

DIRECTOR, PLANNER, COMMISSION COMMENTS:

Assistant Director of Development Services Jay Gibbons stated they are finalizing updated staff reports and should start seeing them in September.

ADJOURNMENT:

MOTION: Commissioner Williamson moved to adjourn, seconded by Commissioner Sheets. Voice vote, motion carried. Hearing adjourned at 9:38 PM.

An audio recording is on file in the Development Services Departments' office.

Approved this 19th day of September, 2024

Brian Sheets, Acting Chairman

ATTE

Amber Lewter – Hearing Specialist



Preliminary Plat: SD2022-0005

EXHIBIT III

HEARING DATE:	August 01, 2024
OWNER:	Tammy/Mark Satterwhite
APPLICANT/REP:	William Mason and Associates
PLANNER:	Dalia Alnajjar, Engineering Supervisor
CASE NUMBER:	SD2022-0005
LOCATION:	R28608103

PROJECT DESCRIPTION:

The applicant, William Mason, is requesting approval of a preliminary plat, irrigation and drainage plans for Bad River Subdivision, which is a replat of Lot 4 Block 1 of the Murrell Subdivision. The preliminary plat consists of 6 lots on parcel R28608103, being 49.82 acres. Three (3) new residential lots, lot 4 contains an existing residence and shop/accessory building, the majority of which will remain in agricultural and 2 private roads lots. Each of the three (3) new residential lots will in excess of 7 acres in size and will include building envelopes to insure continued agriculture. Residential Lots 1,2 & 3, will have one (1) acre building envelopes. The property is zoned CR-RR zoned and is located on 1484 Hill Rd Melba, ID in a part of the N 1/2 SE 1/4 and a part of the S 1/2 NE 1/4, section 27, T1N R2W BM, Canyon County, Idaho.



PARCEL INFORMATION: Exhibit 1 (Parcel Tool Info)

The subject parcel R28608103, is zoned "R-R" (Rural Residential, Seven-acres average minimum lot size). The parcel was rezoned to "R-R" in 2020 (CR2020-0010, Exhibit 5a). The conditional rezone was approved with four (4) conditions as indicated in Exhibit 2b, page 8. The proposed preliminary plat complies with each of these conditions. It should be noted that condition 2b prohibits secondary dwelling units on each of the new residential building lots.

PROJECT OVERVIEW

Pursuant to CCZO §07-17-09(4) – Commission Review:

- The commission or hearing examiner shall hold a noticed public hearing on the preliminary plat. The hearing body shall recommend that the board approve, approve conditionally, modify, or deny the preliminary plat. The reasons for such action will be shown in the commission's minutes. The reasons for action taken shall specify:
- *The ordinance and standards used in evaluating the application;*
- Recommendations for conditions of approval that would minimize adverse conditions, if any;
- The reasons for recommending the approval, conditional approval, modification, or denial; and
- If denied, the actions, if any, that the applicant could take to gain approval of the proposed subdivision.

Bad River Subdivision (Exhibit 2)

- <u>Acreage</u>: 49.49 acres
- <u>Average residential lot size</u>: 7.0 acres
- <u>Zoning</u>: "R-R" (Rural Residential)
- <u>Residential Lots</u>: 4 lots
- <u>Road Lots</u>: 2
- <u>Roads/Access</u>: Access to the public road system will be via Coyote Trail Lane, a private road taking access to Hill Road (Public). At the time of the Final Plat, a recorded Road User's Maintenance Agreement (RUMA) will be required pursuant to CCZO 07-10-03(1)B3.
- The development will be served by a private road, Coyote Trail Ln and Bad river Ln. The road names were approved by Tony Almeida on 5/7/2024 Case No. RD2024-0008 (Exhibit 2h).
- <u>Nampa Highway District 1:</u> approved the proposed approach location. The applicant shall comply with the requirements of NPHD at the time of construction (Exhibit 2c).
- <u>Area of City Impact</u>: The property is not located within an area of city impact.
- <u>Fire</u>: Melba Fire District did not comment. The proposed private is over 150'. Therefore, access review is required by the Melba Fire District before final plat approval.
- <u>Individual Septic wells</u> are proposed for each lot.
- <u>Irrigation Water</u> is proposed to be the owner of each lot within the property is aware of the bound by the irrigation water management terms of the agreement. (Exhibit 2j).
- <u>Drainage</u>: Subdivision runoff will be maintained within the subdivision (Plat Note 13, Exhibit 2g).

Standard of Review for Subdivision Plat:

- Idaho Code §67-6513 (Subdivisions);
- Idaho Code §50-1301 through 50-1329 (Platting);
- Idaho Code § 22-4503 (Right-to-Farm Act, Plat note #9);

• Idaho Code, §31-3805 (Irrigation), plat note #6&15;

• Canyon County Zoning Ordinance, Chapter 7, Article 17 (Subdivision Regulations); and The preliminary plat was found to be consistent with the standards of review subject to conditions (Exhibit 2g).

- The applicant is proposing a private gravel road within this development, Bad River Lane. Should properties taking access on Coyote Trail Lane are divided in the future, including the existing residence on parcel R28608010A & vacant parcel R28608010G in addition to the three (3) Bad River residential lots; the development may exceed the 100 average daily trips (ADT) standard and the road requiring Coyote Trial Lane to be upgraded, improved and paved per the CCZO 07-10-03 Private Road and Driveway Requirements. This should not be left to the eventual property owner(s) that may trigger the standard through development at a later time. Additionally, this development takes access through an adjacent development, Hill Road, that has paved public roads. Paving would be consistent with existing development.
 - Staff recommends that the Planning and Zoning Commission Recommend to the BOCC to require paving of the Coyote Trail Lane from Hill Road to a point where it leaves subject property parcel R28608103 prior to the signing of the Final Plat for Bad River Subdivision. All entitlements would remain eligible.
- CCZO Section 07-17-31(2): The commission or hearing examiner may recommend and the Board may require improvements in the subdivision, for example, curbs, gutters, sidewalks, streetlights, ribbon curbing, swales, and stormwater retention and disposal.

COMMENTS:

Notice of the public hearing was provided in accordance with CCZO §07-05-01. Agency notice was provided on July 22, 2024. The newspaper notice was published on June 27, 2024. Property owners were sent a notice on June 28, 2024.

See Exhibit 4 for all agency comments received.

RECOMMENDATION:

Staff recommends the Planning and Zoning Commission open a public hearing and discuss the proposed Preliminary Plat. Staff is recommending approval of the application as conditioned and has provided findings of fact and conclusions of law for The Planning and Zoning Commission's consideration found in Exhibit 6.

DECISION OPTIONS:

The Planning and Zoning Commission may:

- <u>Recommend approval</u> of SD2022-0005 with conditions of approval (as presented or as modified);
- <u>Recommend denial</u> of SD2022-0005 and direct staff to return with amended FCOs supporting the decision; or
- <u>Continue</u> the hearing of SD2022-0005 and request additional information to be submitted.

ATTACHMENTS/EXHIBITS:

- 1. Parcel Information Report R28608103
- 2. Application
 - a. Master Application/ Letter of Intent/Subdivision Worksheet
 - b. Development Agreement 21-007
 - c. NHD Approach Permit
 - d. Storm Drainage Master
 - e. Engineering Report
 - f. Final Plat
 - g. Preliminary Plat
 - h. Privat Road Application
 - i. DSD Review and Emails
 - j. Water Agreements
 - k. Narrative Support of Bad River Subdivision
- 3. <u>Maps</u>
 - a. Aerial
 - b. Vicinity
- 4. <u>Comments</u>
 - a. Keller Associates
 - b. Nampa Highway District
 - c. IDT comments
- 5. <u>Cases</u>
 - a. CR2020-0010
- 6. Draft FCOs w/attachment

Exhibit 2a

MASTER APPLICATION

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #140, Caldwell, ID 83605

www.canyonco.org/dsd.aspx Phone: 208-454-7458 Fax: 208-454-6633



	OWNER NAME: Tammy + Mark Satterwhite				
PROPERTY	MAILING ADDRESS: 1484 Hill Rd. Melba ID 83641				
OWNER	PHONE: EMAIL:				
I consent to this	application and allow DSD staff / Commissioners to enter the property for site inspections. If owner(s) are a business entity, please include business documents, including those that indicate the person(s) who are eligible to sign.				
Signature:	Pary Lettersto				
(AGENT)	CONTACT NAME: Will Mason				
ARCHITECT	COMPANY NAME: Mason : Associates. Inc.				
BUILDER					
	PHONE: (208) 454-0256 EMAIL: Whasonernasonandassociates. US				
	STREET ADDRESS: 1484 Hill Rd, Melba FD				
	PARCEL #: R28608103 LOT SIZE/AREA: 49.82				
SITE INFO	LOT: 4 BLOCK: 1 SUBDIVISION: Murrell Sub				
	QUARTER: N1/2 SE 1/4 & S1/2 NE 1/4 TOWNSHIP: IN RANGE: 2W				
	ZONING DISTRICT: CR-R-R FLOODZONE (YES/NO):				
HEARING	CONDITIONAL USECOMP PLAN AMENDMENTCONDITIONAL REZONE				
LEVEL	ZONING AMENDMENT (REZONE)DEV. AGREEMENT MODIFICATIONVARIANCE > 33%				
APPS	MINOR REPLATVACATIONAPPEAL				
	SHORT PLAT SUBDIVISION PRELIMINARY PLAT SUBDIVISION FINAL PLAT SUBDIVISION				
DIRECTORS	ADMINISTRATIVE LAND DIVISIONEASEMENT REDUCTIONSIGN PERMIT				
DECISION	PROPERTY BOUNDARY ADJUSTMENTHOME BUSINESSVARIANCE 33% >				
APPS	PRIVATE ROAD NAMETEMPORARY USEDAY CARE				
L	OTHER				
CASE NUMBE	R: SD2022-0005 DATE RECEIVED: 1-27-22				
RECEIVED BY	: Ω APPLICATION FEE: 1736 ∞ Ω MO CC CASH				

		Exhibit 2a
Phone (208) 454-0256 • Fax (20	Land Surveyors & Planners B Jnc. 924 3rd Street South, Suite B Nampa, ID 83651	ER OF TRANSMITTAL 26-22 Job No. JA/062 300 River Subdivision Short Plat Approved DA
Shop drawings	Hand delivery der separate cover Viathe foll PrintsPlansEngineer's repo Original mylarOther	ort Specifications
Copies Date No. 1 1 1	Description Master Application + Short Plat Cl Letter of Explanation Copy of Development a premen Subdivision worksheet and Imi Private road Name checklist + Copy of road maintance agreened Waranty deed Storm Drain Calcs + SER and M Full size Preliming Plat, Final Pla CD With above docs- Check for fees for \$ 1,730.00 che	T gation plan + Irr docs approach permit nt: 1AP
Transmitted as checked by For approval For your use As requested For review & comment For bid due by REMARKS	Approved as submitted Resubm Approved as noted Submit Returned for corrections Return	it Copies for approval Copies for distribution Corrected prints
Copy to:	Signed: Onyie (Received By: Climb	

SHORT PLAT SUBMITTAL LIST

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #140, Caldwell, ID 83605 www.canyonco.org/dsd.aspx Phone: 208-454-7458



- A. The proposed subdivision does not exceed fourteen (14) lots.
- B. No major special development considerations are involved such as development in the floodplain, hillside development, etc. and

Fax: 208-454-6633

C. All required information for both preliminary and final plat is complete and in acceptable form. **CCZO 07-17-17**

THE FOLLOWING ITEMS MUST BE SUBMITTED WITH THIS CHECKLIST:

1 Master Application completed and signed

Detailed letter fully describing the request or project, include total number of lots, buildable lots, open space lots, size of lots, and how you will mitigate negative impacts

Subdivision Worksheet

Irrigation Plan Application

🗹 Copy of Preliminary and Final Plat

Private Road application (if internal roads are private)

Basement reduction application (if requesting less than 60 feet easement width)

Preliminary Drainage plan

Preliminary Irrigation plan

Preliminary Grading plan, if applicable

D Final Drainage Plan

Difference Final Irrigation Plan

Final Grading Plan, if applicable

Deed or evidence of property interest to all subject properties.

□ \$1680 + \$10/Lot + \$100 (if in City Area of Impact) non-refundable fee

NOTES:

- 1. Short plats follow the standard public hearing process with the preliminary plat being heard by the Planning and Zoning Commission and the final plat heard by the Board of County Commissioners.
- 2. After the plat is reviewed and found to be in compliance, an **additional five (5) copies and one electronic version of the final plat** shall be submitted.

PROCESS: PUBLIC HEARING PROCESS

Mason & Associates Inc

Professional Engineers, Land Surveyors and Planners

924 3rd St. So. Ste B, Nampa, ID 83651 Ph (208) 454-0256 Fax (208) 467-4130 Email: wmason@masonandassociates.us

LETTER OF EXPLANATION SHORT PLAT

This subject property is a replat of the Murrell subdivision book 45 page 32. It is a part of the N 1/2 SE 1/4 and a part of the S 1/2 NE 1/4, section 27, T1N and R2W BM, Canyon County, Idaho. The development of this property is subject to development agreement 21-007 between Canyon County and the Satterwhites.

A Short Plat in compliance with the development agreement is requested. There will be 3 new residential homes, and 1 private road lot. Each of the 3 new residential parcels will not be less than 7 acres. The homes will be built within a 1 acre envelope and the remaining ground will continue with agricultural uses.

The lots will be served via individual wells and septic systems. Southwest District Health has been onsite, septic test holes have been dug and supporting documents are included.

Individual pressure irrigation system will be installed for each of the 3, 1 acre building envelopes. The remainder of each parcel will be irrigated as it always has been.

Negative impact is not anticipated.

SUBDIVISION WORKSHEET

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #140, Caldwell, ID 83605 <u>www.canyonco.org/dsd.aspx</u> Phone: 208-454-7458 Fax: 208-454-6633



GENER	
1.	HOW MANY LOTS ARE YOU PROPOSING? Residential (4) 3 New Non-buildable Common <u>Privite road</u>
2.	AVERAGE LOT SIZE OF THE RESIDENTIAL PARCELS
IRRIGA	TION
1.	IRRIGATION WATER IS PROVIDED VIA:
2.	WHAT PERCENTAGE OF THE PROPERTY HAS WATER?%
3.	HOW MANY INCHES OF WATER ARE AVAILABLE TO PROPERTY?
4.	HOW DO YOU PLAN TO RETAIN STORM AND EXCESS WATER ON EACH LOT?
	Swales
5.	HOW DO YOU PLAN TO PROCESS STORM WATER / EXCESS IRRIGATION WATER PRIOR TO IT ENTERING THE ESTABLISHED DRAINAGE SYSTEM?
	Swales- to be retained on individual parcels filtration through regitation
	filtration through regitation
ROADS	
NOADS	
1.	ROADS WITHIN THE DEVELOPMENT WILL BE: Public Private N/A
* Privat Plat*	e Road names must be approved by the County and the private road application submitted with the Preliminary
HILLSID	E DEVELOPMENT
1.	OF THE TOTAL LOTS REQUESTED, HOW MANY OF THE LOTS WILL CONTAIN SLOPES GREATER THAN 15%?

2. WILL THE PROPOSED ROAD (S) BE LOCATED WITHIN ANY AREA THAT HAS SLOPES GREATER THAN 15%?

Common_

Residential 🕖 Non-Buildable_____

*If YES, a grading plan is required.

SUBDIVISION WORKSHEET

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT 111 North 11th Avenue, #140, Caldwell, ID 83605 www.canyonco.org/dsd.aspx Phone: 208-454-7458 Fax: 208-454-6633



SUBDIVISIONS WITHIN AN AREA OF CITY IMPACT NIA

- 1. WILL YOU BE REQUESTING WAIVERS OF SUBDIVISION IMPROVEMENT REQUIREMENTS FROM THE CITY?
- 2. IF YES, WHICH WAIVERS WILL YOU BE REQUESTING?

IRRIGATION PLAN APPLICATION

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

	o.org/dsd.aspx Phone: 208-454-74	58 Fax: 208-454-6633	.1892
Applicant(s)	Tanny + Mark Satteruh Name		ula u anti f
ppicant(s)	1484 HIL RA	Melba ID	phone Number
	Street Address	City, State	Zip
ocation of Subject Pro	Street Address	City, State	Zip
	Two Nearest Cross St	reets or Property Address	City
ssessor's Account Nu	mber(s): R <u>28608103</u>	Section <u>27</u> Townshi	ip <u>1N</u> Range <u>Qu</u>
his land:			
	ater rights available to it.		
🔀 🛛 Has wa			ment and

Idaho Code 31-3805 states that when all or part of a subdivision is "located within the boundaries of an existing irrigation district or canal company, ditch association, or like irrigation water delivery entity ... no subdivision plat or amendment to a subdivision plat or any other plat or may recognized by the city or county for the division of land will be accepted, approved, and recorded unless:"

- a. The appropriate water rights and assessment of those water rights have been transferred from said lands or excluded from an irrigation entity by the owner; or
- b. The owner, person, firm, or corporation filing the subdivision plat or amendment to a subdivision plat or map has provided underground tile or conduit for lots of one (1) acre or less, or a suitable system for lots of more than one (1) acre which will deliver water to those land owners within the subdivision who are also within the irrigation entity with the appropriate approvals:
 - 1. For proposed subdivisions located within negotiated area of city impact, both city and county zoning authorities must approve such irrigation system in accordance with Idaho Code Section 50-1306. In addition, the irrigation entity charged with the delivery of water to said lands must be advised regarding the irrigation system.

Exhibit 2a

2. For proposed sub issions outside of negotiated areas of city ispact, the delivery system must be approved by the Fighning and Zoning Commission and the Board of County Commissioners with the advice of the irrigation entity charged with the delivery of water to said lands.

To better understand your irrigation request, we need to ask you a few questions. A list of the map requirements follows the short questionnaire. Any information missing information may result in the delay of your request before the Planning and Zoning Commission and ultimately the approval of your irrigation plan by the Board of County Commissioners.

- 1. Are you within an area of negotiated City Impact? _____ Yes _____ No If yes, please include a copy of approvals by the City Planning & Zoning Commission and City Council of your Irrigation Plan.
- 2. What is the name of the irrigation and drainage entities servicing the property?

Irrigati	ion: Boise Kuna	a			
Draina	age:				
How many	y acres is the property being	subdivided	3 Juare pure	cels	
What perc	centage of this property has v	water?			
How many	inches of water are availabl	e to the pro	operty? 48.89 acr	e feet	
How is the	e land <u>currently</u> irrigated?		Surface		Irrigation Well
	Sprinkler		Above Ground Pipe		Underground Pipe
How is the	e land to be irrigated <u>after</u> it i Sprinkler	s subdivide	d? 😡 Surface Above Ground Pipe		Irrigation Well Underground Pipe
pipes go.					
Are there i	irrigation easement(s) on the	e property?	Yes No		
		xcess water	r on each lot?		
	Draina How many What perc How is the How is the Please desc pipes go.	Drainage: How many acres is the property being What percentage of this property has we How many inches of water are available How is the land <u>currently</u> irrigated? How is the land <u>currently</u> irrigated? How is the land to be irrigated <u>after</u> it is Sprinkler Please describe how the head gate/pun- pipes go. b access of each 7 access Are there irrigation easement(s) on the	How many acres is the property being subdivided What percentage of this property has water?	Drainage:	Drainage:

11. How do you plan to remove the storm water /excess irrigation water prior to it entering the established drainage system? (i.e. oil, grease, contaminated aggregates)

I, the undersigned, agree that prior to the Development Services Department accepting this application I am responsible to have all of the required information and site plans.

I further acknowledge that the irrigation system, as approved by the Planning and Zoning Commission and ultimately the Board of County Commissioners, must be <u>bonded</u> and/or <u>installed</u> prior the Board's signature on the final plat.

Signed:	Property Owner	Date:/D/2/ (Application Submitted)
Signed:	Applicant/Representative (if not property owner)	Date:/// (Application Submitted)
Accepted By:		Date / /

Director / Staff

.

Ir: ation Plan Map Requiremen

The irrigation plan **must be on a scalable map** and show all of the irrigation system including all supply and drainage structures and easements. Please include the following information on you map:

- 1 All canals, ditches, and laterals with their respective names.
- **2** Head gate location and/or point if delivery of water to the property by the irrigation entity.
- **3** Rise locations and types, if any.
- 4 Easements of all private ditches that supply adjacent properties (i.e. supply ditches and drainage ways).
- **5** Slope of the property in various locations.
- **6** Direction of water flow (use short arrows \rightarrow on your map to indicate water flow direction).
- 7 Direction of wastewater flow (use long arrows ------ \rightarrow on you map to indicate wastewater direction).
- 8 Location of drainage ponds or swales, anywhere wastewater will be retained on the property.
- 9 Other information: _____

Also, provide the following documentation:

Copy of any water users' association / agreement (s) that are currently in effect, which outlines water schedules and maintenance responsibilities.

Boise-Kuna Irrigation District

P.O. Box 330 129 North School Ave Kuna, ID 83634 (208) 922-5608 November 02, 2020

> Mark Satterwhite 1484 HIII Rd Melba, ID 83641-0000

Acc p.: 836 Acres: 48.89 Address: 1484 HIII Rd Melba, ID 83641-0000

Legal Description:

Lt 4 Murrell Sub Sec. 27 1N 2W

Delinquent Payment

Acct. No.: 836 Name: Mark Satterwhite Date Due: Dec 20, 2020 Amount: 0.00 Boise-Kuna Irrigation District

Fall Payment

Acct. No.: 836 Name: Mark Satterwhite Date Due: Dec 20, 2020 Amount: 105.56 First half becomes delinquent if not paid on or before December 20th

Boise-Kuna Irrigation District

Carina Daymant

Delinquencies

Delinquency (Must be paid in Full)	0.00
Filing Fees	0.00
Interest due as of 12/20/2020	0.00
Total, Delinquencies:	0.00
Fall Assessment	
2019 - Unpaid Excess	0.00
2020 - Unpaid Toll	0.00
2020 - PUIS 400.00 per acre	0.00
2020 - District Assessment 1.75 per acre	85.56
2020 - Assessment Expense Fund 20.00 per acct	20.00
Total, Fall Assessment:	105.56

Spring Assessment

2020 - Excess @ \$ 18.40 per acre ft.		0.00
2021 - Toll @ \$ 69.00 per acre		3,373.41
**** Power Credit \$ 19.00 per acre		-928.91
	Total, Spring Assessment:	2,444.50
12 4/19/2	7) TOTAL AMOUNT DUE:	2,550.06
Att 640	5	

A penalty of 2% is added to the delinquent amount and the total amount bear interest of 1% per month (12% per annum) until paid. NO WATER DELIVERY WILL BE MADE UNTIL PAID IN FULL. NO FURTHER NOTICE OF AMOUNT DUE WILL BE SENT. Checks accepted only subject to final payment thereof.

Thank You!

Canyon County Development Services

111 N. 11th Ave. Room 140, Caldwell, ID 83605 (208) 454-7458

Receipt Number: 72674			Date:	1/27/2022	
Date Created: 1/27/2022 Customer's Name: Tenaya Loening	Receipt Type: Normal Receipt			Status: Active	
Comments: SD2022-0005 location 1484	HIII KO MEIDa				
CHARGES Item Being Paid For:	Application Number	Amount Daidu	Drove Dymeter		
Planning - Combining Preliminary and Final Plats	Application Number: SD2022-0005	\$1,680.00	\$0.00	<u>Unpaid Amn</u> \$0.00	
Planning - Combining Preliminary and Final Plats Additional Per Lot Fee (Per Application)	SD2022-0005	\$50.00	\$0.00	\$0.00	
	Sub Total:	\$1,730.00	_		
	Sales Tax:	\$0.00			
	Total Charges	\$1,730.00]		
PAYMENTS	Check/Ref Number:	Amount:			
Check	1514	\$1,730.00			
	Total Payments]		
ADJUSTMENTS					
	Receipt Balance:	\$0.00]		

CALCOUNTRY CA

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

1115 Albany Street • Caldwell, Idaho • 83605 • Phone (208) 454-7458 Fax: (208) 454-6633 • www.canyoncounty.org/dsd

DEVELOPMENT AGREEMENT BETWEEN CANYON COUNTY AND APPLICANT

Agreement number: 21-007

THIS AGREEMENT, made and entered into this ______ day of ______, 2021, by and between Canyon County, Idaho, a political subdivision of the state of Idaho, hereinafter referred to as "COUNTY" and Mark & Tammy Satterwhite, hereinafter referred to as "Applicant."

RECITALS

WHEREAS, Applicants have applied to County for a conditional rezone from the "A" (Agricultural) Zone to "CR-R-R" (Conditional Rezone - Rural Residential) Zone (CR2020-0010), which are legally described in the attached EXHIBIT "A," incorporated by reference herein (hereinafter referred to as "Subject Property"); and

WHEREAS, Parcel R28608103, approximately 49.82 acres, is owned by the Applicant.

WHEREAS, on the 13 day of 3, 2021 the Canyon County Board of Commissioners approved a conditional rezone with conditions of the Subject Property to a "CR-R" (Conditional Rezone - Rural Residential) Zone, which was done with Applicant's approval. The conditions of the approval for the conditional rezone are attached hereto as EXHIBIT "B".

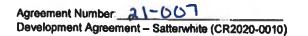
WHEREAS, the parties desire to enter into an agreement to comply with Canyon County Code of Ordinances §07-06-07(2) & 07-06-07(7), Canyon County Zoning Ordinance No. 16-007 or as amended, and to ensure the Applicants will implement and be bound by the conditions of the rezone order issued by the Canyon County Board of Commissioners; and

NOW THEREFORE, the parties hereto do hereby agree to the following terms:

SECTION 1. AUTHORIZATION.

This Agreement is authorized and required by Idaho Code §67-6511A; Canyon County Code of Ordinances 07-06-07 (Conditional Rezoning).





CHRIS YAMAMOTO CANYON COUNTY RECORDER Pgs=9 MBROWN NO FEE AGR CANYON COUNTY

Page 1

SECTION 2. PROPERTY OWNER.

Applicants are the owner(s) of Subject Properties which is located in the unincorporated area of Canyon County, Idaho, more particularly described in EXHIBIT "A", attached hereto and incorporated herein, which real property is the subject matter of this Agreement. Applicants represent that they currently hold complete legal or equitable interest in the Subject Properties and that all persons holding legal or equitable interests in the Subject Properties or the operation of the business are to be bound by this Agreement.

SECTION 3. RECORDATION.

Pursuant to Idaho Code §67-6511A and Canyon County Code of Ordinances, this Agreement shall be recorded by the Clerk in the Canyon County Recorder's Office and will take effect upon the adoption, by the Board of County Commissioners, of the amendment to the zoning ordinance as set forth herein.

SECTION 4. TERM.

The parties agree that this Agreement shall run with the land and bind the Subject Property in perpetuity, and shall inure to the benefit of and be enforceable by the parties, and any of their respective legal representatives, heirs, successors, and assignees. Provided, however, this Agreement shall terminate if the Board of County Commissioners subsequently rezones the property to allow for a higher density use or if annexation of the Subject Property by a city occurs. In this event, however, the Agreement shall only terminate in regards to the portion of the Property that is actually rezoned or annexed, while the remainder of the Property shall remain subject to the Agreement.

If any of the privileges or rights created by this Agreement would otherwise be unlawful or void for violation of (1) the rule against perpetuities or some analogous statutory provision, (2) the rule restricting restraints on alienation, or (3) any other statutory or common law rules imposing time limits, then such provision shall continue until twenty-one (21) years after the death of the last survivor of the now living lawful descendants of George Herbert Walker Bush, former President of the United States, or for such shorter period as may be required to sustain the validity of such provision.

SECTION 5. MODIFICATION.

This Agreement may be modified only in writing signed by the parties, or their successors in interest, after complying with the notice and hearing procedures of Idaho Code §67-6509 and the requirements of Canyon County Code of Ordinances. The modification proposal must be in the form of a revised Development Agreement and must be accompanied by a statement demonstrating the necessity for the requested modification.

SECTION 6. APPLICATION OF OTHER LAWS TO THE SUBJECT PROPERTIES.

This Agreement shall not prevent the County in subsequent actions applicable to the Subject Properties from applying new rules, regulations, or policies that do not conflict with this Agreement.

SECTION 7. COMMITMENTS.

Applicants will fully and completely comply with the conditions of the approved conditional rezone of the Subject Properties from "A" (Agricultural) Zone to "CR-R-R" (Conditional Rezone - Rural Residential) Zone, which conditions are attached hereto as EXHIBIT "B".

SECTION 8. USES, DENSITY, AND HEIGHT AND SIZE OF BUILDINGS

The density or intensity of use of the Subject Properties is specified in the commitments of Section 7 unless conditioned otherwise (see Exhibit "B"). The uses and maximum height and size of the buildings on the Subject Properties shall be those set pursuant to law, including those contained in the Canyon County Code of Ordinances, that are applicable to an "CR-R-R" (Conditional Rezone - Rural Residential) zone and those provisions of law that are otherwise applicable to the Subject Property.

SECTION 9. LIABILITY AND INDEMNITY OF COUNTY.

A. COUNTY REVIEW.

Applicants acknowledge and agree that the County is not and shall not be, in any way, liable for any damages or injuries that may be sustained as a result of the County's review and approval of any plans or improvements, or the issuance of any approvals, permits, certificates or acceptances, relating to the use and development of the property described in EXHIBIT "A," and that the County's review and approval of any such plans and the improvements or the issuance of any such approvals, permits, certificates, or the issuance of any such approvals, permits, certificates, or acceptances does not, and shall not, in any way, be deemed to insure or ensure Applicants or any of Applicants' heirs, successors, assigns, tenants, and licensees, against damage or injury of any kind and/or at any time.

B. COUNTY PROCEDURES.

Applicants acknowledge that notices, meetings, and hearings have been lawfully and properly given and held by the County with respect to Applicant's conditional rezone application in Development Services Department Case Number CR2020-0010 and any related or resulting development agreements, ordinances, rules and regulations, resolutions or orders of the Board of County Commissioners. Applicants agree not to challenge the lawfulness, procedures, proceedings, correctness or validity of any of such notices, meetings, hearings, development agreements, ordinances, rules, regulations, resolutions or orders.

C. INDEMNITY.

Applicants agree to, and do hereby, defend, hold harmless and indemnify the County, the Board of County Commissioners, all County elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any such parties in connection with (i) the County's review and approval of any plans or improvements, or the issuance of any approvals, permits, certificates, or acceptances relating to the use and/or development of the Subject Properties; (ii) any actions taken by the County pursuant to Subsection 9(B) of this Agreement; (iii) the development, construction, and maintenance of the property; and (iv) the performance by County of its obligations under this Agreement and all related ordinances, resolutions, or other agreements.

D. DEFENSE EXPENSES.

Applicants shall, and do hereby agree, to pay, without protest, all expenses incurred by the County in defending itself with regard to any and all of the claims identified in Subsection 9 of this Agreement. These expenses shall include all out-of-pocket expenses, including, but not limited to, attorneys' and experts' fees, and shall also include the reasonable value of any services rendered by any employees of the County.

SECTION 10. PERIODIC REVIEW.

The County's Development Services Department will administer the Agreement after it becomes effective and will conduct a review of compliance with the terms of this Agreement on a periodic basis, including, but not limited to, each time a development of the Property is platted. Applicants shall have the duty to demonstrate Applicants' compliance with the terms of this Agreement during such review.

SECTION 11. REQUIRED PERFORMANCE.

Applicants shall timely carry out all steps required to be performed and maintain all commitments set forth in this Agreement and as set forth in County laws, ordinances, rules and regulations as they pertain to the Subject Property including, but not limited to, those concerning the commencement of development, completion of development, preliminary platting and final platting.

SECTION 12. DEFAULT AND REMEDIES.

In the event of a default or breach of this Agreement or of any of its terms or conditions, the party alleging default shall give the breaching party not less than thirty (30) days, Notice of Default, in writing, unless an emergency exists threatening the health and safety of the public. If such an emergency exists, written notice shall be given in a reasonable time and manner in light of the circumstances of the breach. The time of the giving of the notice shall be measured from the date of the written Notice of Default. The Notice of Default shall specify the nature of the alleged default and, where appropriate, the manner and period of time during which said default may be satisfactorily cured. During any period of curing, the party charged shall not be considered in default for the purposes of termination or zoning reversion, or the institution of legal proceedings. If the default is cured, then no default shall exist and the charging party shall take no further action.

SECTION 13. ZONING REVERSION CONSENT.

The execution of this Agreement shall be deemed written consent by Applicants to change the zoning of the Subject Properties to its prior designation upon failure to comply with the terms and conditions imposed by the approved conditional rezone and this Agreement. No reversion shall take place until after a hearing on this matter pursuant to Idaho Code §67-6511A. Upon notice and hearing, as provided in this Agreement and in Idaho Code §67-6509, if the properties Agreement Number: <u>a)-DO7</u> Page 4 described in attached EXHIBIT "A " are not used as approved, or if the approved use ends or is abandoned, the Board of County Commissioners may order that the property will revert to the zoning designation (and land uses allowed by that zoning designation) existing immediately prior to the rezone action, i.e., the Subject Properties conditionally rezoned from "A" (Agricultural) Zone designation to "CR-R-R" (Conditional Rezone - Rural Residential) Zone designation shall revert back to the "A" (Agricultural) Zone designation.

SECTION 14. COMPLIANCE WITH LAWS.

Applicants agree that they will comply with all federal, state, county and local laws, rules and regulations, which appertain to the Subject Property.

SECTION 15. RELATIONSHIP OF PARTIES.

It is understood that this Agreement between Applicants and the County is such that Applicants are an independent party and are not an agent of the County.

SECTION 16. CHANGES IN LAW.

Any reference to laws, ordinances, rules, regulations, or resolutions shall include such laws, ordinances, rules, regulations, or resolutions as they have been, or as they may hereafter be amended.

SECTION 17. NOTICES.

Except as otherwise provided in this Agreement and/or by law, all notices and other communications in connection with this Agreement shall be in writing and shall be deemed delivered to the addressee thereof, (1) when delivered in person on a business day at the address set forth below, or (2) in the third business day after being deposited in any main or branch United States post office, for delivery by properly addressed, postage paid, certified or registered mail, return receipt requested, at the addresses set forth below.

Notices and communications required to be given to County shall be addressed to, and delivered at, the following address:

Director Development Services Department Canyon County Administration 111 North 11th Avenue, #140 Caldwell, Idaho 83605

Notices and communications required to be given to Applicants shall be addressed to, and delivered at, the following addresses:

Name: Mark and Tammy Satterwhite Street Address: 1484 Hill Road City, State, Zip: Melba, ID 83641 A party may change its address by giving notice, in writing, to the other party, in the manner provided for in this section. Thereafter, notices, demands, and other pertinent correspondence shall be addressed and transmitted to the new address.

SECTION 18. TERMINATION.

This Agreement may be terminated in accordance with the notice and hearing procedures of Idaho Code §67-6509, and the zoning designation upon which the use is based reversed, upon failure of Applicants, a subsequent owner, or other person acquiring an interest in the property described in attached EXHIBIT "A" to comply with the terms of this Agreement. Applicants shall comply with all commitments in this Agreement prior to establishing the approved land use.

SECTION 19. EFFECTIVE DATE.

The commitments contained in this Agreement shall take effect in the manner described in this Agreement upon the County's adoption of the amendment to the zoning ordinance as set forth herein.

SECTION 20. . TIME OF ESSENCE.

Time is of the essence in the performance of all terms and provisions of this Agreement.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

BOARD OF COUNTY COMMISSIONERS CANYON COUNTY, JOAHO

Commissioner, Pam White

the Kaci nissioner

Commissioner Leslie Van Beek

ATTEST: Chris Yamamoto, Clerk

DATE:

Agreement Number: 21-607 Development Agreement - Satterwhite (CR2020-0010)

APPLICANTS

terwhite, Property Owner

ammy Satterwhile, Property Owner



Page 6

(All Applicants must sign and their signatures must be notarized)

STATE OF IDAHO) ¥ss. County of Canyon) On this 29th day of <u>Manual</u>, 20<u>21</u>, before me, a notary public, personally appeared known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he/she executed the same on behalf of the Applicant. Notary Public for Idaho Residing at: My Commission Expires: $4 - \frac{1}{2}$ JULIE FULLER-MONETT NGTARY PUBLIC - STATE OF IDAHO COMMISSION NUMBER 20200364 MY COMMISSION EXPIRES 4-2-2021 STATE OF IDAHO)) ss. County of Canyon) On this 29th 2021, before me, a notary public, personally appeared day of , known to me to be the person whose name is supscribed to the within and foregoing instrument and acknowledged to me that he/she executed the same on behalf of the Applicant. 1100 Notary Public for Idaho Residing at: Minile My Commission Expires: ______ JULIE FULLER-MONETT NOTARY PUBLIC - STATE OF IDAHO COMMISSION NUMBER 20200364 MY COMMISSION EXPIRES 4-2-2028 Agreement Number: 21-007 Page 7 Development Agreement - Satterwhite (CR2020-0010)

EXHIBIT "A"

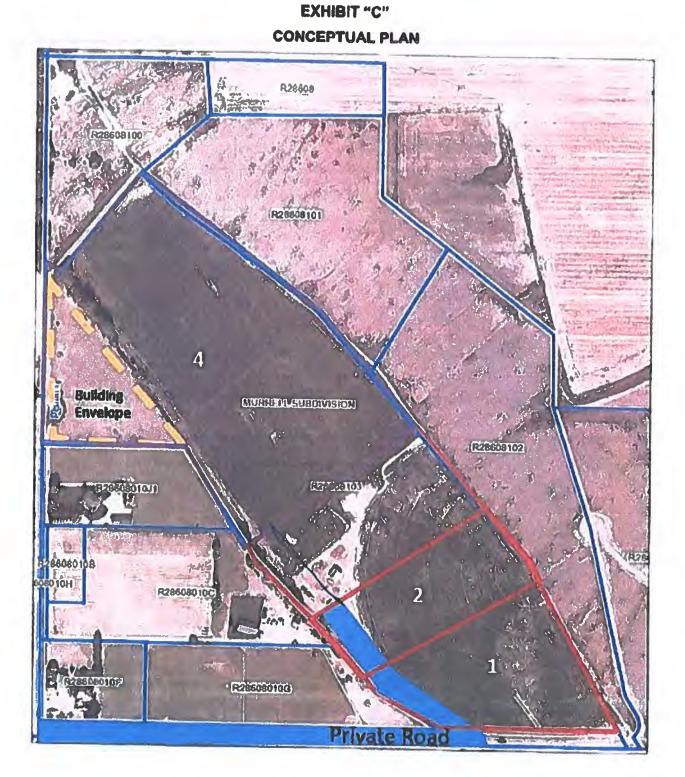
LEGAL DESCRIPTION - R28608103

Lot 4 in Block 1 of Murrell Subdivision, accroding to the official plat thereof, filed in Book 45 of plats at Page (s) 32, records of Canyon County, Idaho (Instrument #2016-044443)

EXHIBIT "B"

CONDITIONS OF APPROVAL

- 1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules and regulations that pertain to the property.
- 2. The subject parcels, approximately 49.82 acres, shall be divided in accordance with Chapter 7, Article 17 of the Canyon County Zoning Ordinance (Subdivisions) in general compliance with the Conceptual Plan, attached herein as Exhibit "C", subject to the following restrictions:
 - a. The division of the parcel shall not exceed a total of four lots. Further divisions are prohibited unless approved by subsequent comprehensive plan amendment, rezone and platting applications.
 - b. Secondary dwellings are prohibited on Lots 1, 2 and 3.
 - c. Lots 1, 2 and 3 shall have a seven (7) acre minimum lot size. Each lot shall have a one acre building envelope where residential and accessory structures shall be located. Areas outside of the building envelopes are to remain open (except for agricultural-exempt structures) for agricultural purposes only.
 - d. Lot 4 shall have a 4.5 acre or less building envelope west of the existing drainage easement near Hill Road where an existing dwelling and accessory structure are located. Area outside of the building envelope is to remain open for agricultural purposes only.
 - e. The subsequent plat shall include a pressurized irrigation system.
 - f. At the time of subdivision plat submittal, an agricultural preservation and irrigation plan shall be submitted. The plan shall include:
 - 1. Adequate irrigation (uses and methods) shall be demonstrated to ensure on-going agricultural uses can be supported without disturbing neighboring irrigation uses; and
 - 2. Building envelope locations on Lots 1, 2 and 3 (Exhibit "C") that support preservation of farmland.
 - i. Subject to the conditions of this development agreement, conceptual configurations of Lots 1, 2 and 3 shown on Exhibit "C" may be modified if the configuration better supports agricultural preservation and irrigation of over 40 acres of farmland.
- 3. Historic irrigation lateral, drain and ditch flow patterns shall be maintained and protected. Modification including any crossings shall be approved in writing by Boise-Kuna Irrigation District, Boise Project Board of Control and Bureau of Reclamation.
- 4. The developer shall comply with CCZO §07-06-07 (4) Time Requirements: "All conditional rezones for a land use shall commence within two (2) years of the approval of the board." Commencement shall be the submittal of a plat in accordance with Chapter 7, Article 17 of the Canyon County Zoning Ordinance.



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4507 12th Avenue Road Nampa, ID 83666 RICT Phone: 208.456.5576 Mobile: 208.989.9930 Fax: 208.467.9916 representative of owner) of the proposed property to be served, a representative of owner) of the proposed property to be served, a served, at 208.467.9916 agree to do the work requested herein in accordance with the General Provisions printed on Page 2, the Spec Provisions, and the Plans made a part of this Permit. MAIN C MIE or APPLICANT/PERMITTEE MAIN C MIE or APPLICANT/PERMITTEE SigNATURE or APPLICANT/PERMITTEE MADDRESS DATE MABA STATE MADDRESS DATE MADDRESS DATE MADDRES STATE MADDRES STATE SIDE OF ROAD: North South Use of existing Commerical Yes SECTION II - WORK AUTHORIZATION (ro BE COMPLETED BY HIGHWAY DISTRICT) ROAD NO. SUB DIV. NO. ROAD NO. SUB DIV. NO. ROAD NO. SUB DIV. NO. ROAD CLASSIFICATION: CULVERT(S) REQUIRED: Arterial Yes., 12' dia x 40' long Commercial Collector Files, 12' dia x 40' long Commercial Collector SPECIAL PROVISIONS: Statione	+ 7 eddy	. (r (NHD-002 Rev Mar 2013
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23-21	APPROACH REQUIRED				achments,
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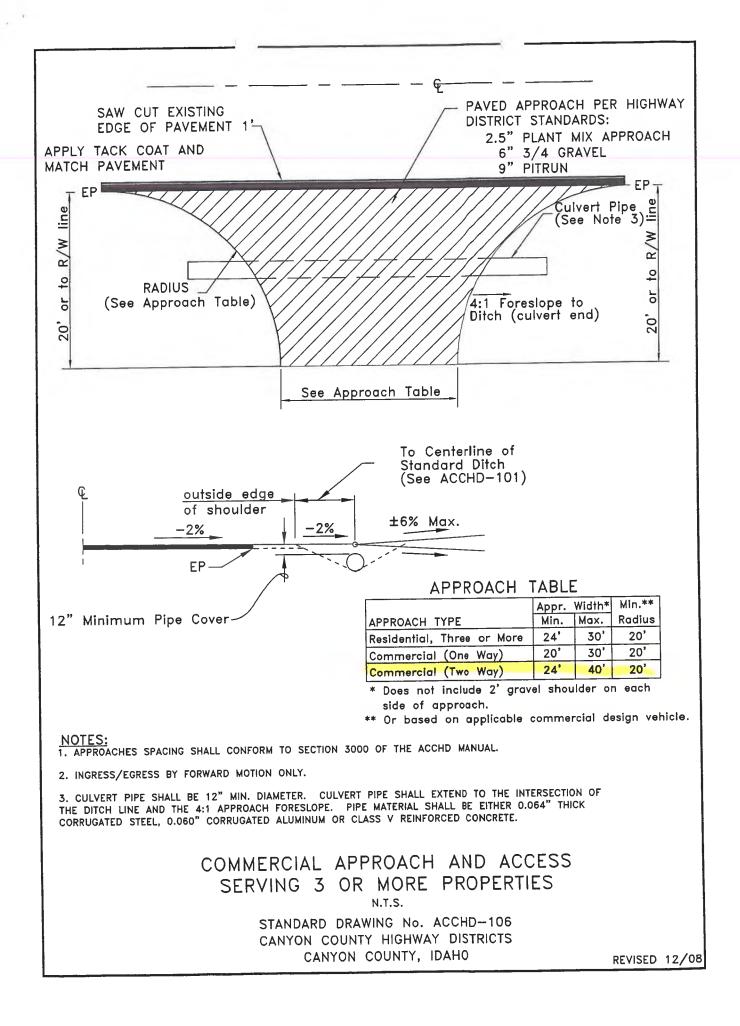
This Permit expires sixty (60) days from issue date. Permittee must complete work and call for final inspection at (208) 467-6576 prior to Permit expiration, or forfeit fee and deposit.

FINAL APPROVAL GRANTED BY: ___

GENERAL PROVISIONS

- A security deposit may be required with this permit. If the work under this permit is properly completed and inspected within the permit period, then the deposit will be refunded. If the work is not properly completed within the permit period, the Highway District may at its discretion complete the work itself. The costs of any such work done by the Highway District will be charged against the deposit, and any charges beyond the deposit will be invoiced to the permittee.
- Approaches shall be for the bona fide purpose of securing access and not for the purpose of parking, conducting business or servicing vehicles on the highway right-of-way.
- 3. No revisions or additions shall be made to an approach or its appurtenances on the right-of-way without the written permission of the Highway District.
- 4. The permittee shall furnish all material, labor and equipment involved in the construction of the approach and its appurtenances. This shall include furnishing drainage pipe of a size specified on the permit, curb and gutter, concrete sidewalk, etc. where required. Materials and workmanship shall be good quality and are sugject to inspection by the Highway District.
- 5. The Highway District reserves the right to make at any time, such changes, additions, repairs and relocations to any approach or its appurtenances within the highway right-of-way as may be necessary to permit the relocation, reconstruction, widening and maintenance of the highway and/or to provide proper protection to life and property on or adjacent to the highway.
- 6. Driveways and rural approaches shall conform to the plans made a part of this permit. Adequate drawings or sketches shall be included showing the design, construction requirements and proposed location of the approach. All approaches shall be in accordance with the standard provisions set forth in the <u>Highway</u> <u>Standards and Development Procedures for the Association of Canyon County Highway Districts</u>.
- 7. The Highway District may change, amend or terminate this permit or any of the conditions herein enumerated if permittee fails to comply with its provisions or requirements as set forth herin.

- 8. During the construction of the approach(es), such barricades, signs and other traffic control devices shall be erected and maintained by the permittee, as may be deemed necessary by the Highway District. Said devices shall conform to the current issue of the <u>Manual on Uniform Traffic Control Devices for Streets and Highways</u>. Parked equipment and stored materials shall be as far from the travel way as feasible. Items stored within 30 feet of the travel way shall be marked and protected.
- 9. In accepting this permit, the permittee, its successors and assigns, agrees to hold the Highway District harmless from any liability caused by the installation, construction, mainentnance or operation of the approach(es).
- 10. If the work done under this permit interferes in any way with the drainage of the highway, the permittee shall wholly and at his own expense make such provision as the Highway District may direct to correct said drainage.
- 11. On completion of work under this permit, all rubbish and debris shall be immediately removed and the roadway and roadside shall be left neat and presentable and to the satisfaction of the Highway District.
- 12. The permittee shall maintain at his or their sole expense the structure or object for which this permit is granted in a condition satisfactory to the Highway District.
- 13. 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.
- 14. No work shall be started until an authorized representative of the Highway District has given notice to the permittee to proceed.
- 15. This permit shall be void unless the work it covers is completed before the permit completion date.
- 16. The Highway District hereby reserves the right to order the change of location or the removal of any structure(s) or facilit(ies) authorized by this permit. Said change or removal is at the sole expense of the permittee, or its successors and assigns.



AMENDMENT TO EASEMENT AND ROAD MAINTENANCE DECLARATION

THIS AMENDMENT TO EASEMENT AND ROAD MAINTENANCE DECLARATION ("Amendment") is made and entered into effective this ______ day of ______, 2021 by and between BRENT L. WECKER and ANGELA D. WECKER, husband and wife, of 1454 Hill Road, Melba, Canyon County, Idaho ("Wecker"), CARMELO VILLA-LOPEZ, a married man dealing with his sole and separate property, of 813 W. Florida Ave., Nampa, Canyon County, Idaho ("Villa-Lopez"), and MARK SATTERWHITE and TAMMY SATTERWHITE, husband and wife, of 1484 Hill Road, Melba, Canyon County, Idaho ("Satterwhite").

RECITALS

A. Edmond E. Murrell and Kimberly A. Murrell, husband and wife, ("**Murrells**") formerly owned three (3) separate parcels of real property located in Canyon County, Idaho, referred to herein as Parcels 3, 4 and 5.

B. On July 28, 2016 Murrells recorded an Easement and Road Maintenance Declaration, Canyon County, Idaho Instrument No. 2016-030145 ("Original Declaration"), providing, among other things, for access benefitting and road maintenance obligations burdening Parcels 3, 4 and 5 ("Parcels,").

C. Murrells subsequently sold Parcel 3 to Satterwhite, Parcel 4 to Villa-Lopez, and Parcel 5 to Wecker.

D. Satterwhite has received approval for a conditional rezone of Parcel 3 permitting a subdivision that will add three (3) additional lots on Parcel 3.

E. Section 12 of the Original Declaration provides for amendment of the Original Declaration by mutual written consent of all owners.

F. The undersigned, representing all owners of the Parcels, have agreed to this Amendment for the purpose of providing for upgrades to the roadway, improved maintenance practices, and the inclusion of the three (3) additional lots on Parcel 3 in the benefits and burdens of the Original Declaration and this Amendment.

AGREEMENT

NOW THEREFORE, in consideration of the recitals above, which are incorporated herein, the parties agree as follows:

1. <u>Inclusion of Additional Lots.</u> The three (3) additional lots to be subdivided from Parcel 3, creating a total of four (4) separate lots thereon, shall be included as Parcels for all purposes in the benefits and burdens of the Original Declaration. The four lots on Parcel 3 are legally described on **Exhibits A through D**, inclusive, attached and incorporated by this reference as if set forth in full.

2. <u>Roadway Improvements</u>. In light of the increased traffic usage associated with the three (3) additional lots, Satterwhite shall, at Satterwhite's sole expense, improve the existing roadway from Hill Road to the easterly boundary of Parcel 3 by construction of a 20-foot-wide all-weather driving surface, including a 6-inch gravel base and replacement of the existing drain culvert to accommodate the road widening. The culvert shall be constructed to the satisfaction of the local rural fire district for purposes of emergency vehicle passage. All construction to conform to applicable standards, performed in a workmanlike manner with materials generally acceptable in similar road construction projects. Road construction shall be substantially complete before commencing construction of improvements on any lot on Parcel 3 and, in any event, within eighteen (18) months of the date of the last signature on this Amendment.

3. <u>Maintenance</u>. In addition to all other maintenance provided for in the Original Declaration, the owners of all properties benefitting from the Original Declaration and this Amendment shall, in the manner provided at Section 4 of the Original Declaration:

- i. Maintain the road in substantially the same condition existing at completion of the roadway improvements described in Section 2, above.
- ii. Treat the roadway with dust control products at least annually. Dust control products shall be consistent with those generally acceptable in similar dust abatement efforts by the local public highway authority.
- iii. Grade the roadway to a smooth and even finish free of potholes and "washboard" surfaces at least quarterly.
- iv. Employ effective measures to protect against excessive mud being tracked onto the road from agricultural uses and immediately clear the roadway of any such mud originating from the owner's own property.

4. Except as modified by this Amendment, the Original Declaration shall remain in effect and applicable to all properties described therein and herein. To the extent of any

inconsistency between the Original Declaration and this Amendment, this Amendment shall control.

IN WITNESS WHEREOF, each party to this Amendment to Easement and Road Maintenance Declaration has caused it to be executed on the date first set forth above.

BRENT L. WECKER

ANGELA D. WECKER

STATE OF)
) ss.
County of)

On this ______ day of ______, 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared BRENT L. WECKER and ANGELA D. WECKER, known to me to be the persons whose names are subscribed to the within and foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

NOTARY PUBLIC FOR ______ Residence: My Commission Expires:

*SEAL

MARK SATTERWHITE

TAMMY SATTERWHITE

STATE OF _____) ss. County of _____)

On this ______ day of ______, 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared MARK SATTERWHITE and TAMMY SATTERWHITE, known to me to be the persons whose names are subscribed to the within and foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

NOTARY PUBLIC FOR ______ Residence: My Commission Expires:

*SEAL

CARMELO VILLA-LOPEZ

STATE OF)
) ss.
County of)

On this ______ day of ______, 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared CARMELO VILLA-LOPEZ, known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

NOTARY PUBLIC FOR ______ Residence: My Commission Expires:

*SEAL

<u>List of Exhibits:</u> Exhibit A – D (legal descriptions of all lots on Parcel 3)

AMENDMENT TO EASEMENT AND ROAD MAINTENANCE DECLARATION, Page 5

2019-018821 RECORDED 05/03/2019 03:24 PM CHRIS YAMAMOTO CANYON COUNTY RECORDER Pgs=1 DLSTEPHENS S15 00 TYPE DEED ALLIANCE TITLE - BOISE PRODUCTION ELECTRONICALLY RECORDED

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:428777

FOR VALUE RECEIVED

Edmond E. Murrell and Kimberly A. Murrell, husband and wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Mark Satterwhite and Tammy Satterwhite, husband and wife

whose current address is

1484 Hill Road Melba, ID 83641

the grantee(s), the following described premises, in Canyon County, Idaho, TO WIT:

Lot 4 in Block 1 of Murrell Subdivision, according to the official plat thereof, filed in Book 45 of Plats at Page(s) 32, records of Canyon County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: April 30, 2019

Edmond E. Murrell

Komberly A. Mune Kimberly A. Murrell

State of washington County of CINR

On this 3 day of 3 day of 3 2019, before me, the undersigned, a Notary Public in and for said state, personally appeared Edmond E. Murrell and Kimberly A. Murrell, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

TOTOL SH MOND Notary Public for the State of When we Residing at: UMNS, WA Commission Expires: A OutBalaca

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1	Notary Public
1	State of Washington
	My Appointment Expires
4	Apr 22, 2021
A.m.	and the second se

File No. 428777

Storm Drainage Master for Bad River Subdivision

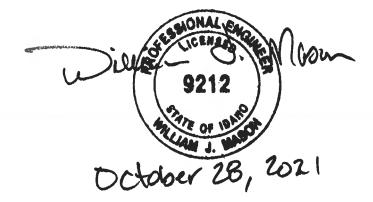
Owner: Tammy Satterwhite 1484 Hill Road Melba, ID 83641

Mason &

Professional Engineers, Land Surveyors and Planners 924 3rd St. So., Suite B, Nampa, ID 83651 Ph (208) 454-0256 Fax (208) 467-4130

Job No. JN0621

Date: October 28, 2021





JN0621SD.xls

CALCULATION METHODOLOGY

FLOW CALCULATIONS

Flow for the basin areas are calculated using the Rational Method. The "C" coefficient used in the calculations is based on weighted values as shown. Conveyance facilities are designed for a 25-year return frequency storm and the worst case condition between 10 minutes and 1 hour. The worst case storm for flow is the 10-minute duration.

HYDRAULIC GRADE CALCULATIONS

These calculations employ the Manning Equation. The hydraulic grade is based on calculated flow.

EQUATIONS USED IN CALCULATIONS

RATIONAL METHOD Q=CiA

where: Q = Runoff Rate, cfs C = Runoff Coefficient i = Storm Intensity, in./hr. A = Basin Area(s), acres

MANNING EQUATION V=1.49R^{2/3}S^{1/2}/n

where: V = Velocity, fps R = Hydraulic Radius, ft.

S = Channel Slope, ft./ft.

n = Manning Roughness Coefficient



RETENTION BASIN AREA 1

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(min)	(hrs)	(in/hr)	(cfs)	(cfs)	(cf)	(cf)	(cf)	(cf)	(cf)	(cf)		
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15	0.25	2.62	1.579	1.579	1,421	1,635	82		5,580	0		
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TIME REQUIRED TO DISSIPATE VOLUME TIME = 5 hours

SAND BED DEPTH =

VOID SPACE IN SAND=

VOID SPACE IN DRAIN ROCK= PERCOLATION RATE =

VOLUME IN VOIDS =

PERCOLATION VOLUME =

INFILTRATION BED STORAGE =



0 cf

>

5825 cf 2870 cf

THEREFORE STORAGE IS ADEQUATE

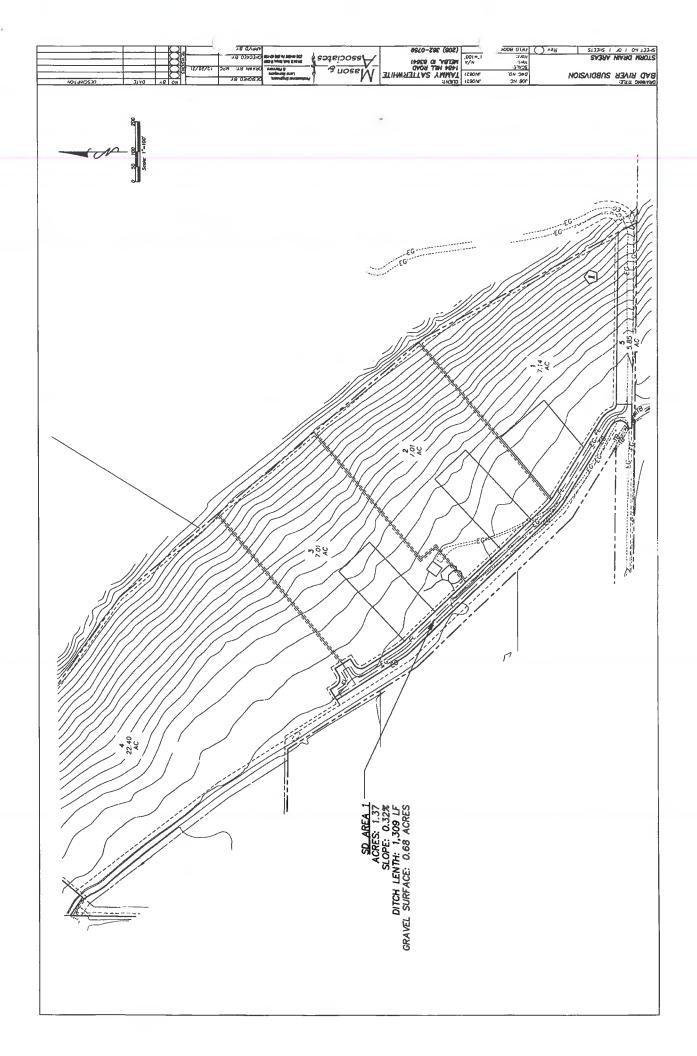
0 cf

0 cf

25%

40% 0.50 in/hr

TOTAL STORED VOLUME =



Mason & Associates Inc.

Professional Engineers, Land Surveyors and Planners

924 3rd St. So. Nampa, ID 83605 Ph (208) 454-0256 Fax (208) 467-4130

SUBDIVISION ENGINEERING REPORT

FOR

BAD RIVER SUBDIVISION

A RE-PLAT OF LOT 4 BLOCK 1 OF MURRELL SUBDIVISION, BOOK 45 PAGE 32, Located in a part of the N 1/2 SE 1/4 AND A PART OF THE S 1/2 NE 1/4, SECTION 27, T. 1 N., R. 2 W., B.M., CANYON COUNTY, IDAHO 2022



Description of Project

Bad River Subdivision is located in Canyon County, Idaho, north and east of the City of Melba.

The property is a re-plat of lot 4 block 1 of Murrell Subdivision, book 45 page 32, A part of the N 1/2 SE 1/4 and a part of the S 1/2 NE 1/4, Section 27, T. 1 N., R. 2 W., B.M., Canyon County, Idaho.

The Owner is Mark & Tammy Satterwhite (1484 Hill Road, Melba, ID 83641, (208) 362-0759).

The Area of the subdivision is approximately 49.40 acres with 6 lots, four being residential lots and 2 private road lots. Minimum residential lot size is 7 acres with each having a 1 acre building envelope leaving the balance for agriculture use.

Four (4) single-family building lots contained to 1.0 acre minimum building envelopes are proposed (one house and system is preexisting). Each lot will be 7 acres minimum. Land-use is zoned CR-RR.

Informational Plat Map

A copy of the Informational Plat Map is attached. The map contains the elements required by Southwest District Health Department.

Specifications and maps (8-1/2x11) of each individual lot are attached.

Test Holes

Groundwater was not encountered at the depths the test holes were advanced. This project does not appear to be adversely impacted by high groundwater.

Test hole numbering and lot numbering is as follows: TH# 1-Lot 1, TH# 2-Lot 2 and TH# 3- Lot 3. Test holes used for well & septic were chosen by proximity to the proposed septic system area and acceptable soil composition.

Soils encountered in the selected test pits were judged to be suitable for treatment and disposal of effluent in accordance with the Technical Guidance Manual for Individual and Subsurface Sewage Disposal Systems.

Soil profiles are included on the Information Map and on the individual maps. See attached.

A copy of the NRCS soil map and descriptions are attached.

Standard trench systems are proposed, based upon test hole information.

As shown on the attached maps, adequate area will exist for primary and replacement systems.

In the event the owner or contractor desires to construct the septic drainfield in a different location than the test pit(s) provided for each lot, additional test pits may be required by the Health District to verify the soil and/or groundwater conditions for that location.

Community or Central Subsurface Sewage Disposal System

This is not applicable to this project.

Wells (individual)

As demonstrated on the informational plat map, each lot meets the recommended setbacks for individual wells.

At this time, there appears to be adequate supply of groundwater to meet the domestic needs of the lots in the subdivision. Additional demand should not adversely affect the existing groundwater table.

Water quality in private wells is not monitored by the Health District or other agencies. It is the responsibility of the well owner to ensure that water used for domestic purposes is suitable for consumption and other uses. At the time of this report the Statewide Groundwater Quality Monitoring Program (maintained by the Idaho Department of Water Resources) has been suspended. Well owners and well drillers are advised to test water bearing zones during construction of new wells, and to locate screens and seals to best provide suitable potable water, and to protect cross-contamination between aquifers. Well owners may find additional information on the health effects of contaminants at Southwest District Health Department.

Public Water Systems (community & non-community)

This is not applicable to the project.

Other Items as Needed

At the time of this report, no known hazards to safety (abandoned mine shafts, chemicals, nearby landfills, etc...) exist onsite nor are they known to have historically existed onsite.

ENGINEERING REPORT BAD RIVER SUBDIVISION Lot 1 Block 1 Sheet 1 of 3

STANDARD TRENCH

Designated Areas: BAD RIVER SUBDIVISION- Lot 1, Block 1 Requires Extended Treatment Package System to reduce nitrate concentrations. Requires 1' separation installation from rock layer and 2' separation from impermeable layer.

Test Pits:	T.H. No. 1, See attached Septic Drainfield Placement Map
Soil Design Subgroup	B-2, Sandy Loam

0.45 GPD/ft2

Depth to normal high groundwater from existing ground surface: >10'

SIZING REQUIREMENTS:

Depth of system: In accordance with the technical guidance manual.

Number of bedrooms:	Three (3) single family residential @ 250 gpd/unit.
Total trench area:	556 square feet
Number of bedrooms:	Four (4) single family residential @ 300 gpd/unit.
Total trench area:	667 square feet

The finished grade of gravel over the drain pipe shall be covered with geotextile or an equivalent as shown in the "Technical Guidance Manual".

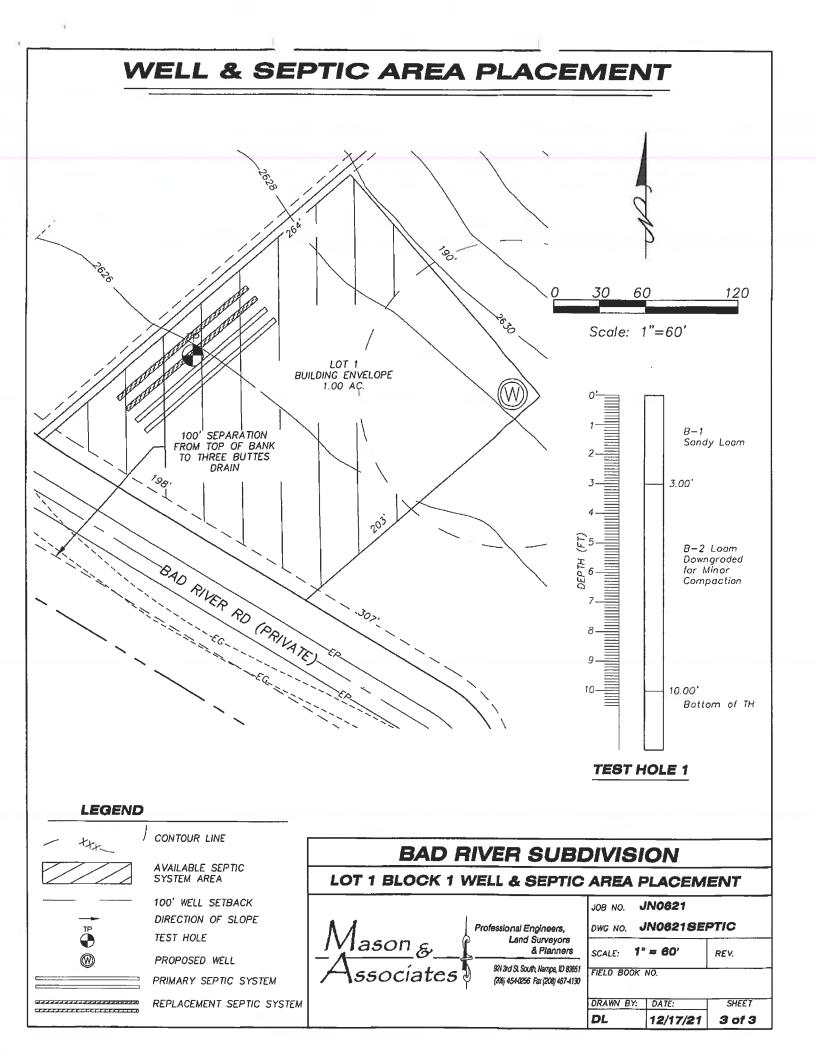
A GRAVELESS TRENCH SYSTEM is acceptable as an alternative system.

SEPTIC TANK SIZE REQUIREMENTS:

Minimum Liquid Capacity:	1,000 gallons
Number of bedrooms per lot:	Three (3) or Four (4)

*Provide for 250 gallon additional liquid capacity for the equivalent of bedrooms numbering more than four (4)

- 1. Any system serving residences of more than four (4) bedroom single family homes shall have drainfields sized in accordance with the requirements listed under Area Requirements and Total Trench Lengths for Standard Subsurface Sewage Disposal Systems of the Technical Guidance Manual.
- 2. Restrictions by SWDH: "Lots shall not be reduced in size without prior approval from SWDH."
- 3. Alternative systems described in the Technical Guidance Manual and approved by the Southwest District Health Staff may be utilized.
- 4. If hard pan is encountered excavate through hard pan layers and backfill to design depth with ASTM C-33 sand.
- 5. Adding or removing any soil during development, within areas of septic system, is prohibited without reviewing with SWDH.
- 6. Any lots being considered for more than 4 bedrooms will require additional Test Holes.
- 7. All wells must be located a minimum of 100 feet from septic drainfields, and a minimum of 50 feet from septic tanks.
- 8. Water quality in private wells is not monitored by the Health District or other agencies. It is the responsibility of the well owner to ensure that water used for domestic purposes is suitable for consumption and other uses. At the time of this report, water quality in aquifers in the project vicinity is generally good, with some limitations. Testing data for wells located adjacent to the proposed development, as reported by the Statewide Groundwater Quality Monitoring Program (maintained by the Idaho Department of Water Resources) are attached. Nitrate levels in these wells tested below the MCL. Well owners and well drillers are advised to test water bearing zones during construction of new wells, and to locate screens and seals to best provide suitable potable water, and to protect cross-contamination between aquifers. Well owners may find additional information on the health effects of arsenic and other contaminants at Southwest District Health Department.



ENGINEERING REPORT BAD RIVER SUBDIVISION Lot 2 Block 1 Sheet 1 of 3

1

STANDARD TRENCH

Designated Areas:BAD RIVER SUBDIVISION- Lot 2, Block 1Test Pits:T.H. No. 2, See attached Septic Drainfield Placement Map

Soil Design Subgroup: B-2, Sandy Loam 0.45 GPD/ft2 Depth to normal high groundwater from existing ground surface: >10'

SIZING REQUIREMENTS:

Depth of system: In accordance with the technical guidance manual.

Number of bedrooms:	Three (3) single family residential @ 250 gpd/unit.
Total trench area:	566 square feet
Number of bedrooms:	Four (4) single family residential @ 300 gpd/unit.
Total trench area:	667 square feet

The finished grade of gravel over the drain pipe shall be covered with geotextile or an equivalent as shown in the "Technical Guidance Manual".

A GRAVELESS TRENCH SYSTEM is acceptable as an alternative system.

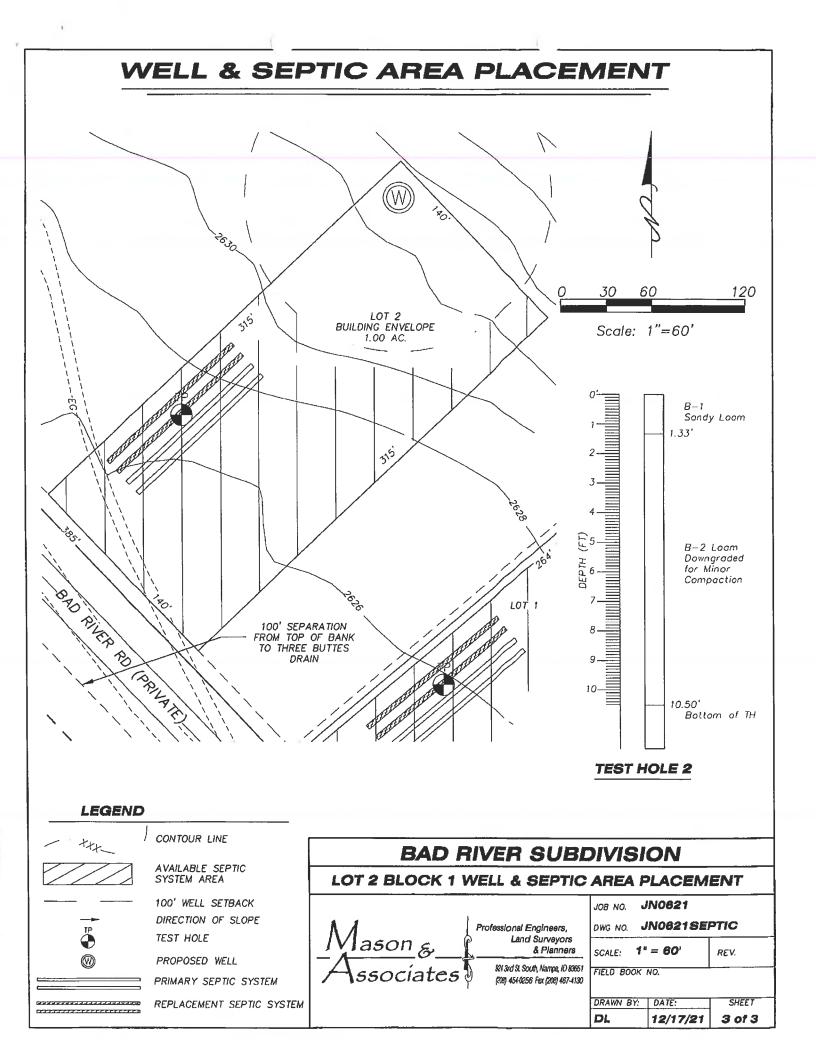
SEPTIC TANK SIZE REQUIREMENTS:

Minimum Liquid Capacity:	1,000 gallons
Number of bedrooms per lot:	Three (3) or Four (4)

*Provide for 250 gallon additional liquid capacity for the equivalent of bedrooms numbering more than four (4)

*Notes:

- 1. Any system serving residences of more than four (4) bedroom single family homes shall have drainfields sized in accordance with the requirements listed under Area Requirements and Total Trench Lengths for Standard Subsurface Sewage Disposal Systems of the Technical Guidance Manual.
- 2. Restrictions by SWDH: "Lots shall not be reduced in size without prior approval from SWDH."
- 3. Alternative systems described in the Technical Guidance Manual and approved by the Southwest District Health Staff may be utilized.
- 4. If hard pan is encountered excavate through hard pan layers and backfill to design depth with ASTM C-33 sand.
- 5. Adding or removing any soil during development, within areas of septic system, is prohibited without reviewing with SWDH.
- 6. Any lots being considered for more than 4 bedrooms will require additional Test Holes.
- 7. All wells must be located a minimum of 100 feet from septic drainfields, and a minimum of 50 feet from septic tanks.
- 8. Water quality in private wells is not monitored by the Health District or other agencies. It is the responsibility of the well owner to ensure that water used for domestic purposes is suitable for consumption and other uses. At the time of this report, water quality in aquifers in the project vicinity is generally good, with some limitations. Testing data for wells located adjacent to the proposed development, as reported by the Statewide Groundwater Quality Monitoring Program (maintained by the Idaho Department of Water Resources) are attached. Nitrate levels in these wells tested below the MCL. Well owners and well drillers are advised to test water bearing zones during construction of new wells, and to locate screens and seals to best provide suitable potable water, and to protect cross-contamination between aquifers. Well owners may find additional information on the health effects of arsenic and other contaminants at Southwest District Health Department.



ENGINEERING REPORT BAD RIVER SUBDIVISION Lot 3 Block 1 Sheet 1 of 3

STANDARD TRENCH

Designated Areas:BAD RIVER SUBDIVISION-- Lot 3, Block 1Test Pits:T.H. No. 3, See attached Septic Drainfield Placement Map

Soil Design Subgroup: B-2, Sandy Loam 0.45 GPD/ft2 Depth to normal high groundwater from existing ground surface: >10'

SIZING REQUIREMENTS:

Depth of system: In accordance with the technical guidance manual.

Number of bedrooms:	Three (3) single family residential @ 250 gpd/unit.
Total trench area:	566 square feet
Number of bedrooms:	Four (4) single family residential @ 300 gpd/unit.
Total trench area:	667 square feet

The finished grade of gravel over the drain pipe shall be covered with geotextile or an equivalent as shown in the "Technical Guidance Manual".

A GRAVELESS TRENCH SYSTEM is acceptable as an alternative system.

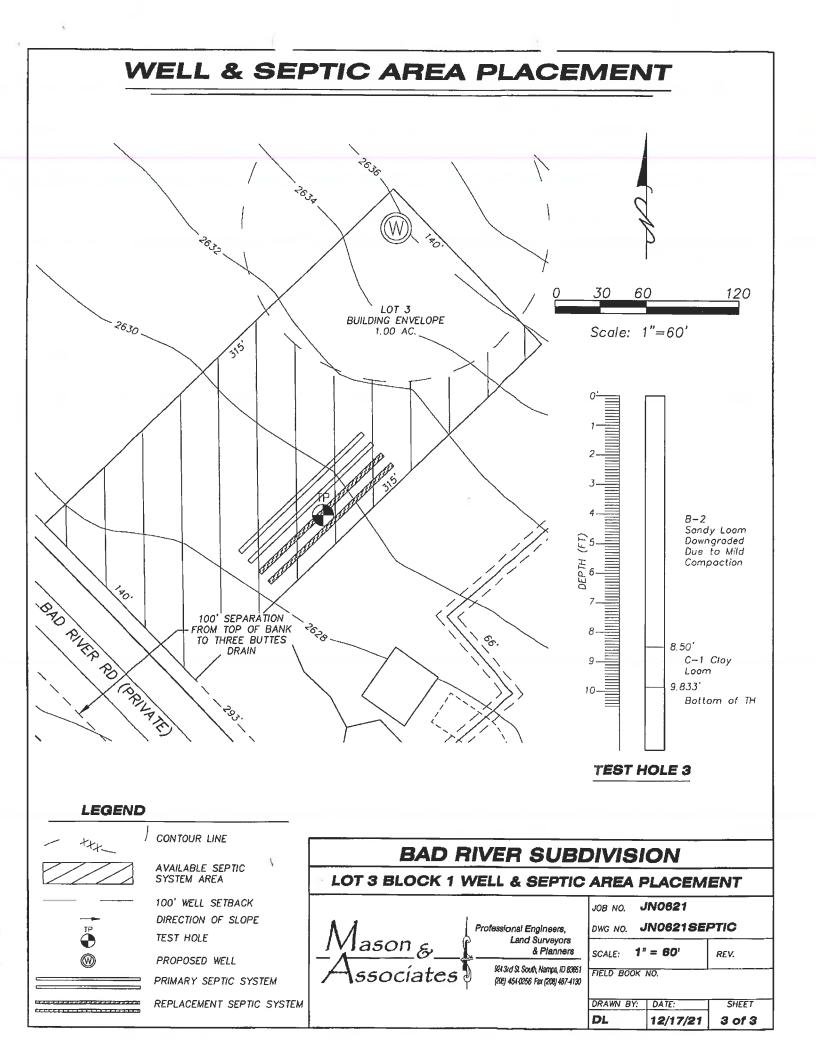
SEPTIC TANK SIZE REQUIREMENTS:

Minimum Liquid Capacity:	1,000 gallons
Number of bedrooms per lot:	Three (3) or Four (4)

*Provide for 250 gallon additional liquid capacity for the equivalent of bedrooms numbering more than four (4)

*Notes:

- 1. Any system serving residences of more than four (4) bedroom single family homes shall have drainfields sized in accordance with the requirements listed under Area Requirements and Total Trench Lengths for Standard Subsurface Sewage Disposal Systems of the Technical Guidance Manual.
- 2. Restrictions by SWDH: "Lots shall not be reduced in size without prior approval from SWDH."
- 3. Alternative systems described in the Technical Guidance Manual and approved by the Southwest District Health Staff may be utilized.
- 4. If hard pan is encountered excavate through hard pan layers and backfill to design depth with ASTM C-33 sand.
- 5. Adding or removing any soil during development, within areas of septic system, is prohibited without reviewing with SWDH.
- 6. Any lots being considered for more than 4 bedrooms will require additional Test Holes.
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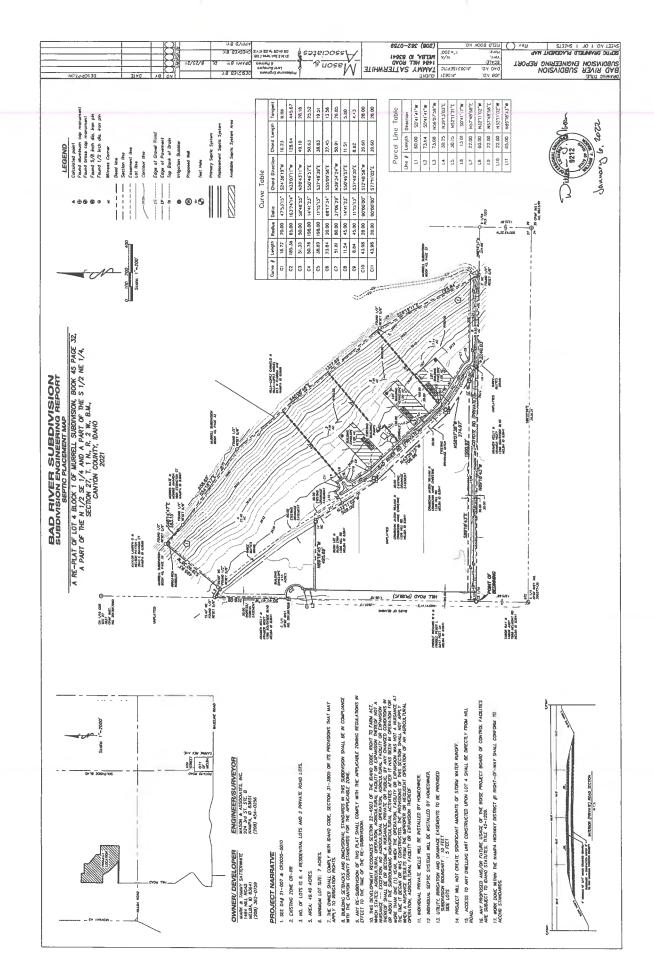


ENGINEERING REPORT BAD RIVER SUBDIVISIONLot 4 Block 1 Sheet 1 of 1

5

3

Designated Areas:BAD RIVER - Lot 4, Block 1Test Pits:N/A - Existing House and System





APPENDIX

- A. Well Driller's Reports
- B. Soil Types

Well Driller's Reports

Form 238-7 IDAHO DEPARTMENT OF WATER RESOURCES Office Use Only 6/02 WELL DRILLER'S REPORT Inspected by			
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4. USE: Municipal Monitor Irrigation Thermal Injection Other S. TYPE OF WORK check all that apply (Replacement etc.) Mew Well Modify Abandonment Other S. TYPE OF WORK check all that apply (Replacement etc.) Mew Well Modify Abandonment Other S. TYPE OF WORK check all that apply (Replacement etc.) MAR TO Cable Mud Rotary Other Saai Material From To Cable Mud Rotary Other Saai Material From To Cable Modify Was drive shoe used? YY N Shoe Depth(s) 23 - 1111111 Was drive shoe used? YY N How? B. CASING/LINER: Sauge Material Casing Liner MAR 2 4 201 Length of Headpipe /// B		x	
Image: Stress	~;	$\hat{\mathbf{x}}$	-
Inhermal Injection 5. TYPE OF WORK check all that apply (Replacement etc.) Mew Well Modify 6. DRILL METHOD: XAir Rotary Cable 7. SEALING PROCEDURES Seal Material From 7. Seal Material From To 6. CASING/LINER: Diameter From Casing Lingth of Headpipe Image: Material Casing Lingth of Headpipe Image: Material Casing Material Casing Casing Casing Lingth of Headpipe Image: Material Casing Material Casing Casing Water Resource Water Resource Water Resource Water Resource Water Resource Water Resource MAR 2 4 201 Wester Resource Water Resource Marce Resource Water Resource Water Resource Water Resource Seal Material Casing Lingth of Headpipe Water Resource Water Resource </td <td></td> <td>~</td> <td>⊢</td>		~	⊢
			<u> </u>
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Alvew Well Modify Abandonment Other 6. DRILL METHOD: Air Rotary Cable Mud Rotary Other 7. SEALING PROCEDURES Seal Material From To Gelgbpl/ Volume Seal Placement Method Usesder Algorithm Mass drive shoe used? AY N Shoe Depth(s) 2.387-144444 Was drive shoe used? AY N Shoe Depth(s) 2.387-144444 Marcelal Casing Liner Wast drive shoe used? AY N Shoe Depth(s) 2.387-144444 Max drive shoe used? AY N Shoe Depth(s) 2.387-144444 Wasterial Casing Liner Watter Resource Marcelal Marcelal B. CASING/LINER: Diameter Casing Length of Headpipe // On Marcelal // On Marcelal			
6. DRILL METHOD: Mud Rotary Other YAir Rotary Cable Mud Rotary Other 7. SEALING PROCEDURES Seal Material From To Grego/ Volume Seal Placement Melhod Seal Material From To Grego/ Volume Seal Placement Melhod Image: Comparison of Comparison	-+		<u> </u>
XAir Rotary Cable Mud Rotary Other Seal Material From To Version Var Bolzert Version <			┝
7. SEALING PROCEDURES Seal Material From To delight/ Volume Seal Placement Method (UESHCA BEAT O /9 f00/bs f0'overbore Was drive shoe used? XY N Shoe Depth(s) 238'-114'' Was drive shoe used? XY N Shoe Depth(s) 238'-114'' Was drive shoe seal tested? Y N How?			L
7. SEALING PROCEDURES Seal Material From To delight/ Volume Seal Placement Method (Uestern Bent O 1001/bs 10001/bs 10001/bs 10001/bs Was drive shoe used? XY N Shoe Depth(s) 238-1147 10001/bs Was drive shoe used? XY N Shoe Depth(s) 238-1147 10001/bs Was drive shoe seal tested? Y N How? 10001/bs 10001/bs 8. CASING/LINER: Diameter From To Gauge Material Casing Liner Welded Threaded Diameter From To Gauge Material Casing Iner 10001/bs 10001/bs Length of Headpipe 10-814/b 250 Stoct 100000 100000 Watter RESOURC Western Resource 9. PERFORATIONS/SCREENS PACKER TYPE Perforation Method From To Stoc State Number Diameter Material Casing Liner From To Stoc State Number Diameter Material Casing Liner			
Seal Material From To Original Operation From To Original Operation (Uestinal Bend Operation 0 19 100/bis			
Western Bent 0 19 100/bs 10*0verbore Was drive shoe used? N Shoe Depth(s) 23 11/14 Was drive shoe seal tested? Y N Shoe Depth(s) 23 11/14 Was drive shoe seal tested? Y N Shoe Depth(s) 23 11/14 11/14 Was drive shoe seal tested? Y N How? 11/14 11/14 11/14 B. CASING/LINER: Casing Liner Welded Threaded RECEIVE Diameter From To Gauge Material Casing 11/14 Length of Headpipe 10 10 10 11/14 11/14 11/14 Length of Headpipe 10 11/14			
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Was drive shoe seal tested? Y Y How? 8. CASING/LINER: Diameter From To Gauge Material Casing Liner Welded Threaded RECEIVE MAR 2 4 201 Water area Water area MAR 2 4 201 Marea Marea Water area Marea			
8. CASING/LINER: Diameter From To Gauge Material Casing Liner Welded Threaded RECEIVE G # 2 A284/2 A50 Stock Image: Casing Imag			
Diameter From To Gauge Material Casing Liner Welded Threaded 6 7 <t< td=""><td></td><td></td><td></td></t<>			
Diameter From To Gauge Material Casing Liner Welded Threaded 6 7 <t< td=""><td></td><td></td><td></td></t<>			
G F 2 2350 Steel Image: Steel			
Length of Headpipe Image: Constraint of the adpipe Image:)		
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Packer XY □ N Type 3- Rib WESTERN REGIO 9. PERFORATIONS/SCREENS PACKER TYPE, Perforation Method Pouble (upul) Screen Type & Method of Installation Double (upul) From To Slot Size Number Diameter_ Material Casing Liner Casing Liner		3	
9. PERFORATIONS/SCREENS PACKER TYPE Perforation Method Form To Slot Size Number Diameter Material Casing Liner			
Perforation Method Factory Double Louit Screen Type & Method of Installation Continuos coound PVC			
Perforation Method Factory Double Louit Screen Type & Method of Installation Continuos coound PVC			
Screen Type & Method of Installation Continuos Cound Processor From To Stot Size Number Diameter Material Casing Liner			
From To Stot Size Number Diameter Material Casing Liner			
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	(Meas	sure	ble)
	,	<i>7-</i> 7	
	,-10		<u>د /</u>
14. DRILLER'S CERTIFICATION			
10. FILTER PACK I/We certify that all minimum well construction standards were comp	ed with a	at th	е
Filter Material From To Weight / Volume Placement Method time the rig was removed.			
Company Name Proprision Livelle EXC.	irm No	5	2
Company Name Precision Well g EXC. principal Driller Of Autom Date Date	inn NO.≩ — ∕	-	
1, STATIC WATER LEVEL OR ARTESIAN PRESSURE: Principal Driller	<u> 5-18</u> -	-0	25
28 fl. below ground Artesian pressurelb.			
Depth flow encounteredft. Describe access port or control devices: Driller or Operator II DateDate			
San: Seal Well Cap Operator Date			
Date Date Principal Driller and Rig Operator Required.			
Operator I must have signature of Driller/Operator I	,		

Form 233 UL 2 8 1998 IDAHO DEPARTMENT OF WATE WATER RESOURCES WESTERN REGIONO 7.2.2.2 1. WELL TAG NO. D DRILLING PERMIT NO. 63-98 (2) 0460 000 Other IDWR NO.		5413 In Tr STS: La	Office Use Onl spected by wp Rge 1/4 1/4 st: : Long: stir _ Flowing	_Sec 1/4 : :
	Yield gal./min.	Drawdown	Pumping Level	Time
Name	22	NA	515	30 Min
Address 1108 E 2/2 St City Meridian State Lil Zip 83642	25	NA	535	30 Min
3. LOCATION OF WELL by legal description: Sketch map location must agree with written location.		a.u. Settness	V Free, Some	ter Encounter 355
Twp. / North 🖉 or South 🗆	Dia. From To		, Water Quality & Ter	nperature Y N
Rge. Z East C or West K	10 0 5	Sandy Sa		
Sec. <u>27</u> , <u>1/4</u> <u>56</u> <u>1/4</u> <u></u>	10 5 12 10 12 18	Broken L		
Lat: : : Long: :/ . : Co	8 18 95	Solid La		
s Address of Well Site 1454 14:11 KO	8 95 97	Broken L		<u> _ </u>
City Meller	8 97 162	Solid Lan		
(Give at least name of road + Distance to Road or Lordmark)	8 168 172	Broken wit	4 Brn Clay L	ayers .
Lt BlkSub. Name	8 172 345		This Bra Clay	Liver
4. USE:	8 345 3.50	Brn Clay		
✓. OSE. Ø Domestic □ Municipal □ Monitor □ Irrigation	6 352 355	Bhu Clay		
□ Thermal □ Injection □ Other	6 355 356	Blu fine S	Sund SGPAL	×
5. TYPE OF WORK check all that apply (Replacement etc.)	6 356 445	Blu Chay		
K New Well D Modify D Abandonment D Other	6 445 447	Blu five S	Sand 56PM	X
6. DRILL METHOD SAir Rotary Cable Mud Rotary Ci Other	6 447 556	Blu Clay	2 0 0-02	
	6 558 561	Bly Clark	Sund 20 GPM	7 ×
7. SEALING PROCEDURES	6 561 567	Blu Clay +	This sand I	uyers X
SEAL/FILTER PACK AMOUNT METHOD Material From To Sacks or	- 2	010		3
Dry Grin Bent 0 345 50016 Overbore		Ficked up	a total of a	GPM
+ Well Cullings		+10m 556 V	567 Sam	<u>vy</u>
	6 567 600	Bly Clay 1	Vc Water Bac	k P.71.0
Was drive shoe used?		10 567		
8. CASING/LINER:				
Diameter From To Gauge Material, Casing Liner Welded Threaded				—— <u> </u>
6 +2 552 1/4 Steel K . K .	RECE	IVED		[
		WICF	POFILMED	
Length of Headpipe Length of Tallpipe	AUGO	4 1998	D	
	Department of Ve	ater Besources	4 3 1902	<u> </u>
Perforations Method Wash down			ាភព	
Screens Screen Type Stankes Sand Hacked	Completed D	epth 567		(Measurable)
From To Slot Size Number Diameter Material Casing Liner	Date: Started	7/6/98	Completed	1/27/98
552 567 16 San picked SS Screens				/ /
	13. DRILLER'S		ON in standards were compli	ad with at
	the time the rig was r	emoved.		
	Company Name	mestic P	mp + 12.4/_	483
10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:		, , ,	- Firm	NO.
5.52 ft. below ground Artesian pressureIb.	Firm Official	A	Date	÷
Depth flow encountered the Describe access port or control devices: Sandary Well ap	and	VA)	_ / _	60
usticos www. well Cap	Driller or Operate	Habarrow	マ Data フノスフィ	198

Form 238-7 1/78

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

yB.

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

4. METHOD DRILLED 8 0 2 Topsoil	
Address Rt. 1 W. king Rd. Kuna, Ida. Flowing? Yes XX No G.P.M. flow Owner's Permit No. p.s.i. Controlled by: Valve Casp Plug 2. NATURE OF WORK S. WELL TEST DATA XM Pump Bailer Air Other 2. NATURE OF WORK S. WELL TEST DATA XM Pump Bailer Air Other 3. PROPOSED USE	
Owner's Permit No. Controlled by: Valve Cap Plug 2. NATURE OF WORK Temperature OF. Quality 2. NATURE OF WORK 8. WELL TEST DATA 2. Mandoned (describe method of abandoning) Discharge G.P.M. Pumping Level Hours Pumped 3. PROPOSED USE 30 24 2. Matter is industrial Stock Waste Disposal or Injection 9. LITHOLOGIC LOG '73533 9. LITHOLOGIC LOG '73533 4. METHOD DRILLED 8 0 2 Topsoil 8. WELL CONSTRUCTION 8 6 13 Rock & cinders 6. Soft rock Steel Concrete Other 8 25 30 6. Soft rock Steel Concrete Other 8 30 45 Sock & cinders 8. Weill construction Concrete Other 8 30 45 Sock & cinders 9. Weill construction 8 25 Sock & cinders 8 30 45 Sock & cinders 8. 30 45 Sock & cinders 8 50 SC Cinders 8 55 <td< td=""><td></td></td<>	
Owner's Permit No. Controlled by: Valve Cap Plug 2. NATURE OF WORK Temperature OF. Quality 2. NATURE OF WORK 8. WELL TEST DATA 2. Mandoned (describe method of abandoning) Discharge G.P.M. Pumping Level Hours Pumped 3. PROPOSED USE 30 24 2. Matter is industrial Stock Waste Disposal or Injection 9. LITHOLOGIC LOG '73533 9. LITHOLOGIC LOG '73533 4. METHOD DRILLED 8 0 2 Topsoil 8. WELL CONSTRUCTION 8 6 13 Rock & cinders 6. Soft rock Steel Concrete Other 8 25 30 6. Soft rock Steel Concrete Other 8 30 45 Sock & cinders 8. Weill construction Concrete Other 8 30 45 Sock & cinders 9. Weill construction 8 25 Sock & cinders 8 30 45 Sock & cinders 8. 30 45 Sock & cinders 8 50 SC Cinders 8 55 <td< td=""><td></td></td<>	
2. NATURE OF WORK 8. WELL TEST DATA XMew well Deepened Replacement Abandoned (describe method of abandoning) Discharge G.P.M. Pumping Level Hours Pumped 30 24 3. PROPOSED USE Value Disposal or Injection 9. LITHOLOGIC LOG 73533 Industrial Stock Waste Disposal or Injection 9. LITHOLOGIC LOG 73533 4. METHOD DRILLED (specify type) 8 0 2 Topsoil 8. WELL CONSTRUCTION Reverse rotary 8 13 15 Crevice- lost mud 6. Soft schedule: Steel Concrete Other 8 30 45 Rook & cinders 7. VELL CONSTRUCTION From To 8 50 50 Red cinders 8 8 30 45 Rook 65 70 Sedimentary gunk 8 5. WELL CONSTRUCTION From To 8 50 55 Red cinders 6 Inches 15 feet 250 feet 8 50 Soft rock 6 8 50	
XX New well Deepened Replacement Abandoned (describe method of abandoning)	
□ Abandoned (describe method of abandoning) □	
□ Abandoned (describe method of abandoning) □	
30 24 30 25 30 25 30 2 30 2 30 2 30 2 30 45 30 45 30 45 30 45 30 45 30 45 30 45 30 45 30 45 30 45	ter
Image: Stock Irrigation Test Municipal Industrial Stock Waste Disposal or Injection Hole Depth Material Yes Image: Other (specify type) Image: Other To Material Yes Image: Other (specify type) Image: Other	ter
Image: Stock Irrigation Test Municipal Industrial Stock Waste Disposal or Injection Hole Depth Material Yes Image: Other (specify type) Image: Other To Material Yes Image: Other (specify type) Image: Other	ter
□ Industrial □ Stock □ Waste Disposal or Injection □ Other General (specify type) Hole □ Depth Material Yes 4. METHOD DRILLED 8 0 2 Topsoil 8 2 6 Hardpan 8 2 6 Hardpan □ Rotary □ Air □ Hydraulic □ Reverse rotary 8 6 13 Rock 8 13 15 Crevice- lost mud 0 2 Cable □ Dug □ Other 8 15 25 Rock & cinders 0 0 13 15 Crevice- lost mud 0 5. WELL CONSTRUCTION 8 25 30 Red cinders 8 30 45 Rock 0 2 13 15 Crevice- lost mud 0 Casing schedule: 2 Steel □ Concrete □ Other To 8 50 55 Cinders 0 0 0 0 -250 Inches 6 Inches + 12 feet 250 feet 250 feet 250 feet 0 0 0 0 -257 Inches 5 inches 263 feet 263 feet 8 70 80 Soft rock 0 0 0 0 0 -257 Inches 5 inches 263 feet 267 feet 8 80 100 0 0 0 0 0	ter
□ Industrial □ Stock □ Waste Disposal or Injection Hole Depth Material Waste Disposal or Injection □ Other (specify type) Diam. From To Material Yes 4. METHOD DRILLED 8 0 2 Topsoil Yes △ Rotary □ Air □ Hydraulic □ Reverse rotary 8 6 13 Rock Image: Constant of the sector of t	ter
4. METHOD DRILLED 8 0 2 Topsoil 9 A. METHOD DRILLED 8 2 6 Hardpan 9 Cable Dug Other 8 13 15 Crevice- lost mud 9 S. WELL CONSTRUCTION 8 25 30 Red cinders 9 9 Casing schedule: Steel Concrete Other 70 8 55 Cinders 9 Thickness 0iameter From 70 8 55 Cinders 9 .257 inches 250 feet 258 feet 8 70 Soft rock 9 .257 inches 263 feet 267 feet 8 8 100 Black cinders .257 inches 263 feet 267 feet	
4. METHOD DRILLED 8 2 6 Hardpan Rotary Air Hydraulic Reverse rotary 8 13 15 Crevice-lost mud 8 25 Rock & cinders 8 30 45 Rock & cinders 8 50 55 Cinders 70 8 55 65 Rock	No
Botary Air Hydraulic Reverse rotary 8 6 13 Rock Loble Dug Other 8 13 15 Crevice-lost mud 8 13 15 25 Rock cinders 5. WELL CONSTRUCTION 8 25 30 Red cinders 6 Concrete Other 8 45 SO Red cinders 7 Thickness Diameter From To 8 55 65 Rock 250 Inches 1 Inches 1 feet 254 feet 8 55 65 Rock 257 Inches 5 Inches 250 feet 258 feet 8 70 80 Soft rock 14 257 Inches 5 Inches 263 feet 267 feet 8 80 100 Black cinders	X X
E Cable Dug Other 8 15 25 Rock & cinders 5. WELL CONSTRUCTION 8 25 30 Red cinders 6 Concrete Other 8 45 50 Red cinders 7. Altor of the cinders 8 55 6 Red cinders 8 1. Concrete Other 70 8 55 6 Rock 250 Inches 6 Inches 12 feet 254 feet 8 55 65 Rock 257 Inches 5 Inches 250 feet 258 feet 8 70 80 Soft rock 10 257 Inches 5 inches 263 feet 267 feet 8 80 100 Black cinders	X
5. WELL CONSTRUCTION 8 25 30 Red cinders Casing schedule: Steel Concrete Other 8 30 45 Rock Casing schedule: Steel Concrete Other 8 50 Red cinders .250 inches 6 Inches 12 feet 254 feet .257 inches 5 inches 250 feet 258 feet 8 70 So Soft rock .257 inches 5 inches 263 feet 267 feet 8 80 100 Black cinders	X.
Casing schedule: $\stackrel{\frown}{=}$ Steel \Box Concrete \Box OtherConcrete \Box OtherThicknessDiameterFromTo.250inches6inchesinches1.257inches5inches250.257inches250inches263.257inches263feet267feet267feet267feet267feet267feet8880100Black cinders	x
Casing schedule: let Steel \Box Concrete \Box OtherTo icknessThicknessDiameterFromToS 05565Other85055ConcreteOtherTo85055ConcreteTo855ConcreteTo855ConcreteTo855Concrete70Sedimentary gunkInches250feet258feet257Inches263feet267feet880Soft rockInches263feet267feet880Loop Black cinders	X
$\begin{array}{c c c c c c c c c c c c c c c c c c c $	x
	X
	X X X
Was casing drive shoe used? Yes No Reference to the shoe used?	X X
Was a packer or seal used? Yes No 8 110130 C1 ndong	X
How perforated? Gradow Knife Torch 8 13545 NOCA	Ϋ́,
	χ_
perforations feet feet 6 175004 Courses and the state	
perforations feet 6 175204 Course gravel & clay X Well screen installed? b Yes No 6 204219 Muddy sand X Manufacturer Johnson 6 219221 Clay X	_
Manufacturer's name_Johnson6 221228 Sandy clay X	<u>A</u>
Diameter OT Slot size 25 Set from 258 feet to 263 feet 6 230952 Set and a low	X
Weil screen installed A Yes No Manufacturer's nameJohnson Johnson 6 219221 Clay Type Stainless steel Model No. 405 6 221228 Sandy clay X Diameter OT_Slot size 25 Set from feet tofeet to Stainless standy clayX Gravel packed? Yes A No Size of gravel	
Placed from feet to feet	
Surface seal depth Material used in seal: Cement grout	
Solice precedure under Control Ven cuttings 100	
Overbore to seal depth MAR 2 1982 AUC 20 101	
Method of joining casing: Threaded Welded Solvent Weld Department of Water Resources	
U Cemented between strata	\boldsymbol{b}
Describe access port 10. Work started April 13-81 finished June 22-81	
EXECATION OF WELL 11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards we	
N Compled with at the time the rig was removed,	re
Subdivision Name	
Firm NameEngleman Well Dri Firm No. 47	-
Address Rt. 3 Box 3397-A pate June 30,8	<u>ı</u>
Lot No Block No Signed by (Firm Official)	
and and	4 J
(Operator)	1
<u>SE % SE % Sec. 27</u> , T. 1N N/S, R. 2WE/W.	

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

Form 238-7 6/07



IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

1. WELL TA	G NO. D	008337	7			12 9	STATI	C 14/AT		1				
Orliting Pern	nit No	892	271			Depti	o first wa	U WAI		L and WE	LL TESTS: Static water level (fi	400		
mater right t	or injection	weli #				Wate	r temp. (*F) 60		Bottom b	ole temp. (°F) 60) 162		
A. OTTILL						Desc	ribe acce	ess port	Sanitary	Well Cap				
Name Sat Address 14	04 11:11 6)				- Well			?					
City Molh		(d.		te ID Zip			lown (leel		charge or	Test duration			FI	owing
3. WELL LO	CATION		Sta	te <u>ID</u> Zip	83641		230	<u>ya</u> a	id (gpm)	(minutes)	Pump Bailer	Air		lesian
Two 1	North		" [[—]]	2 5	🗌 or West 🔀		230		150			X		
Sec. 27		ESI OF SUU SI	ui∟_i Kge Ni 4/4		or West 🔀	Water	Quality	. toot or		Good/No		Ш	1	
Sec. 27		10 acr	res 40	acres 1/4	1/4 Diacres	13.1	ITHO	OGIC	LOG and	GOOUNO	or abandonme			
Gov't Lot			County Car	nyon		Bore		1					-	
Lat	4	<u>3° 23.6</u>	63	(Deg. and [Decimal minutes)	Dla.		To	Remark	ks, lithology of	r description of repai ant, water temp.	rs or	W	ater
Long.	11	<u>6 - 33.7</u>	84	(Deg. and (Decimal minutes)	(in) 10	(ft) 0	(11)	Top Soil	abandonme	ent, water temp.		Y	
United of their	ONR ORIN	19				10	2	28	Clay					X
Elive at intra mane of south + [Islance to Road or I	and starts	City	Melda		10		58	Lava Ro	ck/wstrips				X X
LOL	Blk		Sub. Nai	me		10	58	60	Lava Ro	ck				Î
4. UOE:						8	60 162		Lava Ro Lava /w	<u>ck</u>				X
	Municip	Dal Mor	nitor 🛄 Irri	gation 📙 Ther	mal 🔲 Injection		102	ZJZ	Lava (W	CTACKS			X	
5. TYPE OF	NORK													
New Well	Replac	ament well	Modify	avietian well										
Abandonme		her		eviorità men										
6. DRILL ME	THOD:													
Air Rotary	Mud R	lotary	Cable 🔲	Other										
1. SEALING	PRUCEL	JURES											\neg	
Seal material Med Chips	From (ft)	To (ft)	Quantity (ibs o	x ft ³) Placeme	nt method/procedure					RE	CEIVE		$\neg \uparrow$	\neg
med onlys			31 Bag	8	Poured	 +					IVE	0		
8. CASING/LI	NER									JA	CEIVE N 17 2020			
Diameter From	To	Gauge/	-	7						WATE				-
(nominal) (fl) 6" +2		chedule	Material		Threaded Welded				<u>`</u>	WEST	RESOURCES		-	
		250 Ste sc40 PV												
4.0 JE	202 8	5040 190	<u> </u>						N					
	╎──┼												\rightarrow	-
Was drive shoe u	sed?	Y XIN	Shoe Dee										-+	-
9. PERFORAT	TIONS/S	CREENS	t once Dah	ui(s)										
Perforations		N Metho	d Skill Sa	w		+							_	
Manufactured scn	een 🔲	Y 🛛 N	Туре								·····		+	
Method of installa	tion Set	<u>In</u>				\square							+	
From (ft) To (ft)	Slot size	Number/fil	Diameter	Material	Gauge or Schedule	\vdash								
212 252	1/8		(nominal) 4.5	PVC	Sch 40	Comoio	ted Doo	th (Meas					⊥∟	
				110	001140	Date:		11/	12/2019		0	210040	2	252
								'S CE	RTIFICAT	ION	Completed 11/2	8/2019	-	
Length of Headpip	e <u>8'</u>		Length of	Tailpipe 0	·	I/We ce	rtify tha	t all mini	mum well c	onstruction s	tandards were com	olied wit	ih at	
	_ N _ 1	Туре					s uie ng	was ren	noved.					
10. FILTER PA						Compar	iy Name	Can	Ada Wel	Drilling a	nd Pump Co. No	. 304		
r aust material	From (ft)	To (ft) C	Mantity (lbs or	ft ³) Place	ment method	*Principa	al Driller	Earl S	kinner X	Earl St	innerDate_	1/14/2	202()
<u> </u>						*Driller				-	Date			
11. FLOWING	ARTESI	AN:]	*Operate	or li Bra	ad Skir	nner 🥔			A 14 4 14		
Flowing Artesian?	DY [esian Pressu	ne (PSIG)					14		Dole	4/14/2	2020	<u> </u>
Describe control de	evice					Operato	ri <u> </u>	* Sinnet	um of Dring	nol fulles	Date			
								Jugital		hai nuniel aug	rig operator are req	uired.		

RECEIVED

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SEP 68 2020 IDAHO DEPARTMENT OF WATER RESOURCES WATER RESOURCES WELL DRILLER'S REPORT

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Name Owner The result of the			RMEL		A LOPO	Z					. Descr	ibe acces	is nort	WELL CA	Boltoni 110ia	temp. (*	r) <u>·</u>			-
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Convertient							100 acr	15			Dia.			Remark	s, lithology or desc	ription of a	repairs or		Wat	er
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Address of Weil Site MADDRCSS HILL ROAD OFF MELBA ROAD 	Lat. 45	6		23.10			(Deg), and D	iscimal m	inutes)				10- 301	•					<u>X</u>
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S. TYPE OF WORK: Image: Strategy of Work well Ima	X Dome	stic	Munici	pal 🔲	Monitor	🔲 Irrigat	ion 🔲	Therr	nal 🗋	Injection		00								
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□ Anendomment Other				comont s	undi 🗖 I	Modify av	lotion we	ali			6	210	225							
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BENTONIGHT 0 46 2100 LPS POOR IN ************************************											6	235	245	CLAY MD	ED WITH LAVA	CHIPS				X
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0 4.3 2.30 STEEL Ist	THOUT MANY			Schedul	9 /144		-	_	_		6	290	297	RED CEN	DER			+	-+	x
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Was drive shoe used? Y I N Shoe Depth(s)																				
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9. PERFORATIONS/SCREENS: Perforations Y N Method Manufactured screen Y N Type Method of installation From (t) To (t) Stot size Numberiti Method of installation	Was drive	shoe u	used?		N Shoe	Depth(s)	-1				8	340	380	MULTICO		-		_ 	_	
Manufactured screen Y N Type Method of installation													000	INIOL II-OC	CORED GRAVE	E		'	<u> </u>	
Manufactured screen Y N Type Method of installation	Perforatio	ns 🔲		Meth	bd									<u> </u>				+		
Method of installation	Manufact	ured sci	reen 🔽																+	
From (ft) To (ft) Skot size Number/ti Diameter Geuge or Schedule											·									
Image: Completed Depth (Measurable): 345 Completed Depth (Measurable): 345 Date Completed: 04/15/2020 Date Completed: 04/30/2020 1 Length of Headpipe Length of Headpipe Length of Headpipe Length of Tailpipe Packer I Y IN Type 10.FiltER PACK: Filter Material From (ft) To (ft) Quantily (ibs or ft) Placement method ''Operator II Operator II Date Operator II Date Detence ''Depth (ft Depth (ft Dept	(· · · · ·			Diamet	er L					,									
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Length of Headpipe Length of Tailpipe Packer I Y IN Type Company Name 10.FiltTER PACK: Company Name Filter Material From (ft) To (ft) Quantily (ibs or ft ²) Placement method Placement method *Principal Driller Company Name *Operator II Date *Operator II Date Operator II Date Y N Arteslan Pressure (PSIG)			<u> </u>		_			<u> </u>			14. DI	ULLER'	S CER	TIFICATIO	N:					
Packer [] Y [] N Type Company Name KNIE PUMP&DRILLING Co. No. 417 10.FiLTER PACK: Company Name KNIE PUMP&DRILLING Co. No. 417 *Principal Driller Mill C. U.U.C. Date Date *Operator II Date Date 11. FLOWING ARTESIAN: Operator II Date Flowing Artesian? [] Y [Z] N Artesian Pressure (PSiG) *Principal Driller Date											∣ l/Wec	ertify that	all min	imum well o	construction stan	dards we	re comp	lied w	ith a	!
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Operator II Date 11. FLOWING ARTESIAN: Operator II Date Flowing Artesian? Y IX N Artesian Pressure (PSiG) Date	Filter	Material	Fro	m (fl)	To (ft)	Quantity (Ibr	or ft [])	Pla	cement m	ethod		1	1/2	1	<u> </u>		-			
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11. FLOWING ARTESIAN: Operator I Date Flowing Artesian? Y X N											*Opera	ntor II				D)ate			
Flowing Artesian? 🗋 Y 🗵 N Artesian Pressure (PSIG)	11. FLO	NING A	RTESI	AN:			L				1									
Describe control device WELL CAP Signature of Principal Driller and rig operator are required.	Flowing A	rtesiana		X N /	vrtesian P	ressure (I	PSIG)													-
	Describe	control	device)	MELL	CAP						- aign	ature of	rnncip	al Driller a	nd rig operator	are requ	ired.			

Form 238-7 6/07



pipe wellal to casing

Flowing

artesian

Water Y Ν

IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

1. WELL TAG NO. D 00 58918		40.03								
Drilling Permit No. 910572-859222		 12. STATIC WATER LEVEL and WELL TESTS: Depth first water encountered (ft) <u>16</u> Static water level (ft) <u>16</u> 								
Water right or injection well #63-3333/		Depth	tirst wat	er encou	ntered (ft)	/6/ Sta	atic water le	evel (ft)	167	
2. OWNER: Kelly Kramer		vvater	temp, (*	F)		Bottom hole	e temp. (°F)	66		
Name Kelly Kromer		Desch	De acce	ss port_	11. 1%	realed p			100	202
Address 1258C Southside Blud		Well t	est: down (feel	, Dis	charge or	Test duration	Test me		6	louis
City <u>Melber</u> State <u>10</u> Zip <u>83</u>	HI			/ yie	ld (gpm)	(minutes)		-	<u> </u>	lowir rtesia
3.WELL LOCATION:	<u></u>	- <u> </u>	inch	5	0	30		X		
		Water	quality t		mments: _	I				
Twp North 🔀 or South 🗌 Rge East 🗌 or	West 🔀					epairs or aban				
Sec. <u>27</u> <u>SW</u> 1/4 <u>SW</u> 1/4 <u>SE</u> 1/4		Bore	From	To		s, lithology or desc		· · · · · · · · · · · · · · · · · · ·	141	ater
Gov't Lot County Convon		Dia. (in)	(ft)	(ft)	Number	abandonment, w	ater temp.	pairs or	Y	
Lat. <u>43</u> ^o <u>23.2.42</u> (Deg. and Decim)	at minutes)	20	0	11	Top.	sail				\vdash
Long 116 ° 3.3 791 (Dec and Decim	ai minu(es)	20	11	30	Basa					<u> </u>
Long. <u>116</u> ° <u>33. 791</u> (Deg. and Decimi Address of Well Site <u>Conser of Marko RJ</u> 1 Hill <u>Rd.</u>	ai minu(es)	16	30	116	Basal	rt				
(Give all cast name of road + Distance to Road or Landmark) CityCity			116	117	Cind					
			117	123	Busa	H - Brown	cinders	luyer		
Lot Blk Sub. Name			123	143	Busul					⊢
4. USE:			143	144	Cinut	rs - tun			$+ \cdot \cdot$	
Domestic Municipal Monitor Infigation Thermal Other	Injection		144	180	Basyl				ĻΧ	<u> </u>
					C. Ind Basa				X	<u> </u>
5. TYPE OF WORK:			215	220	Current Current	ers & clay	. Frank		$+ \mathbf{v}$	
Abandonment Other			225			AS - Black			+	-
6. DRILL METHOD:				250	ASH -	TON				┢
Air Rotary 🗌 Mud Rotary 💢 Cable 🔲 Other			250	257		-ton -stic	oku		1-	
7. SEALING PROCEDURES:		16	257	270	Basen	A.			X	
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Bentenite O 60 6300 #5 OVERBURG	Dry piur		276	289	Busah	t solt			X	
#8 granulas			289		Basul1					
8. CASING/LINER:			294		Busal	t-broken			X	ļ
(nominal) (ft) 10 (ft) Schedule Material Casing Liner Threa			29 <u>5</u> 305	305	Basal	<u> </u>			+	⊢
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12 00 269 274 2250 STEEL D	9		311		Clades	bhok - Tul		6	† î x	├
				323	Bosal	+	-0/100	(370)		⊢
			323	330		TUN		<u>.</u>	X	┢──
			3311	332		I CUQISE	0		1¥	<u> </u>
Was drive shoe used? TY TN Shoe Depth(s)										
9. PERFORATIONS/SCREENS:	p		C-1-1/		Carel	back to	325			
Perforations ZY N Method Factory CS	·	PEC		ED						
Manufactured screen		NOV	1) 5	010						L
Method of installation		INDA	<u> </u>							
From (ft) To (ft) Slot size Number/ft Diameter Material Gauge	or Schedule	ATER F	ESOU	RCES				·····	1	I
(nominal)	V	VESSTAR	神中国的	al (Via las	urable):	325				
204 269 626 780 12 51001 023	50	Date S	larted: *	718	(10)	Date Com	pleted: 10	120	110	
		14. DF	RILLER	S CERT	IFICATIO	N:				
]	I/We c	ertify tha	t all mini was ren	mum well o	construction star	ndards wer	e compli	ed with	at
Length of Headpipe Length of Tailpipe						1.h				
Packer 🔲 Y 🔎 N Type		Compa	any Nam	e_ <i>I01</i>	instan	Drilling	Co	. No	72	
10.FILTER PACK:		*Princi	pal Drille	r	am C	afrator	De	ate <u>///</u>	5/11	1
Filter Material From (it) To (fi) Quantity (ibs or ft ³) Placeme	ent method			- 1	2.1	1-1-7				
		*Driller	·	-spc	An Yest	MAN	Da	ate <u>///</u>	<u>8/1(</u>)
		*Opera	tor II				Da	ate	-	
11. FLOWING ARTESIAN:	J	Onara								
Flowing Artesian?		Operat					Da	te		
Describe control device		* Sign	ature of	Princip	al Driller a	nd rig operator	are requi	red.		

Date

Soil Types



USDA United States Department of Agriculture



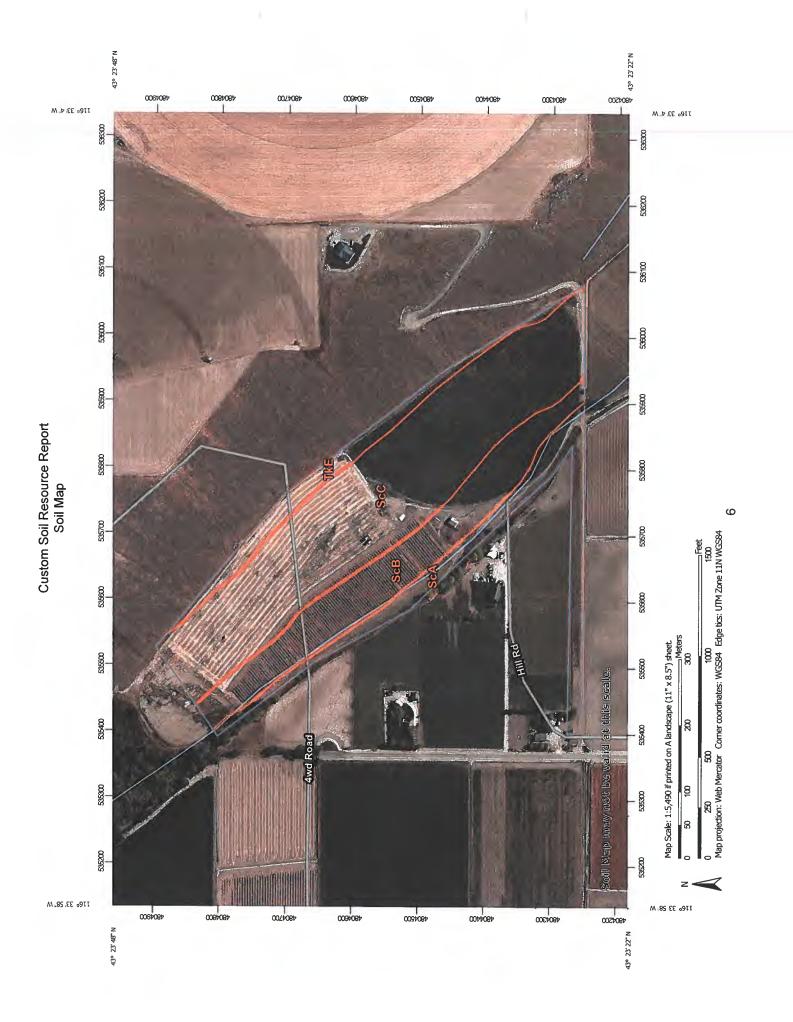
Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Canyon Area, Idaho

BAD RIVER





Custom Soil Resource Report

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MAP INFORMATION	The soil surveys that comprise your AOI were mapped at	1.20,000.	Warning: Soil Map may not be valid at this scale.	Enlargement of mans housed the scale of manning can see	Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil	line placement. The maps do not show the small areas of contraction soils that could have been shown at a more detailed	contrasting soils that could have been shown at a more detailed scale.		Please rely on the bar scale on each map sheet for map measurements.		Source of Map: Natural Resources Conservation Service Web Soil Survey URL:	Coordinate System: Web Mercator (EPSG:3857)	Maps from the Web Soil Survey are based on the Web Mercator	projection, which preserves direction and shape but distorts distance and area A miniertion that mesonies area such as the	Albers equal-area conic projection, should be used if more	accurate calculations of distance or area are required.	This product is generated from the USDA-NRCS certified data as	of the version date(s) listed below.	-	Survey Area Data: Version 18, Sep 9, 2021	Soil map units are labeled (as space allows) for map scales	1:50,000 or larger.	Date(s) aerial images were photographed: Jul 14, 2010-Mar	11, 2017	The orthophoto or other base map on which the soil lines were	compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of man unit houndaries may be ovident
Q	🗐 Spoil Area	👌 Stony Spot	🔊 Very Stony Spot	ថ្លុំ Wet Spot	∆ Other	Special Line Features	Water Features	Streams and Canals	Transportation Rails	Interstate Highways	US Routes	Major Roads	Local Roads	Background	Aerial Photography											
MAP LEGEND		Area of Interest (AOI)	Soil Map Unit Polvaons		S	Snecial Point Features		bit	Clay Spot	Closed Depression	Gravel Pit	Gravelly Spot	Landfill	Lava Flow Backg	Marsh or swamp	Mine or Quarry	Miscellaneous Water	Perennial Water	Rock Outcrop	Saline Spot	Sandy Spot	Severely Eroded Spot	Sinkhole	Slide or Slip	Sodic Spot	
	Area of Interest (AOI)		Soils		•	Snecial P	(o)		ж	\$	*	*;	٩	~	뀌	¢	0	0	>	÷	•••	ψ	\$	A	Ø	

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
ScA	Scism silt loam, 0 to 1 percent slopes	6.5	14.5%
ScB	Scism silt loam, 1 to 3 percent slopes	10.3	23.0%
ScC	Scism silt loam, 3 to 7 percent slopes	24.6	55.0%
TKE	Trevino-Rock outcrop complex, 0 to 20 percent slopes	3.4	7.5%
Totals for Area of Interest		44.7	100.0%

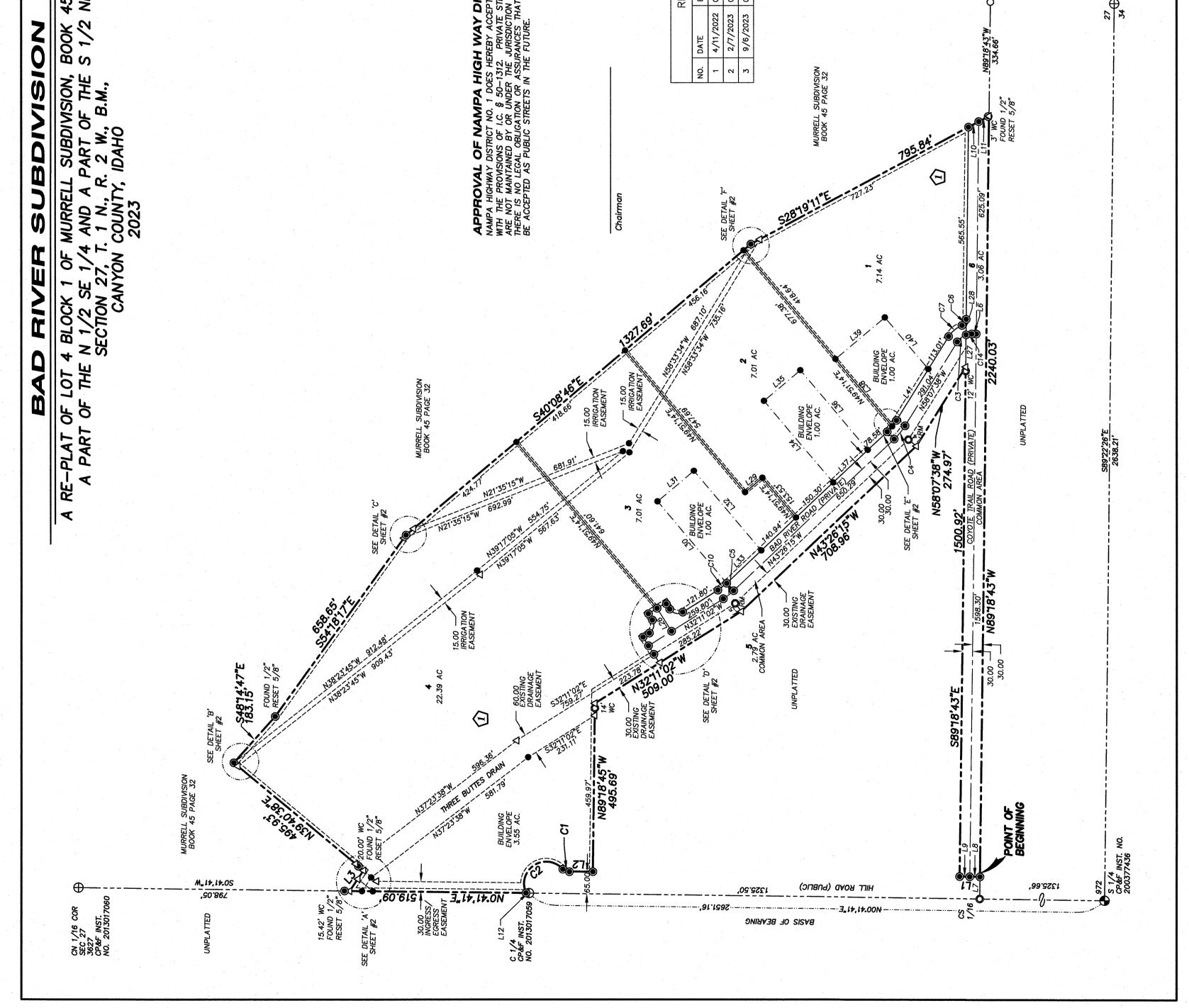
Map Unit Legend

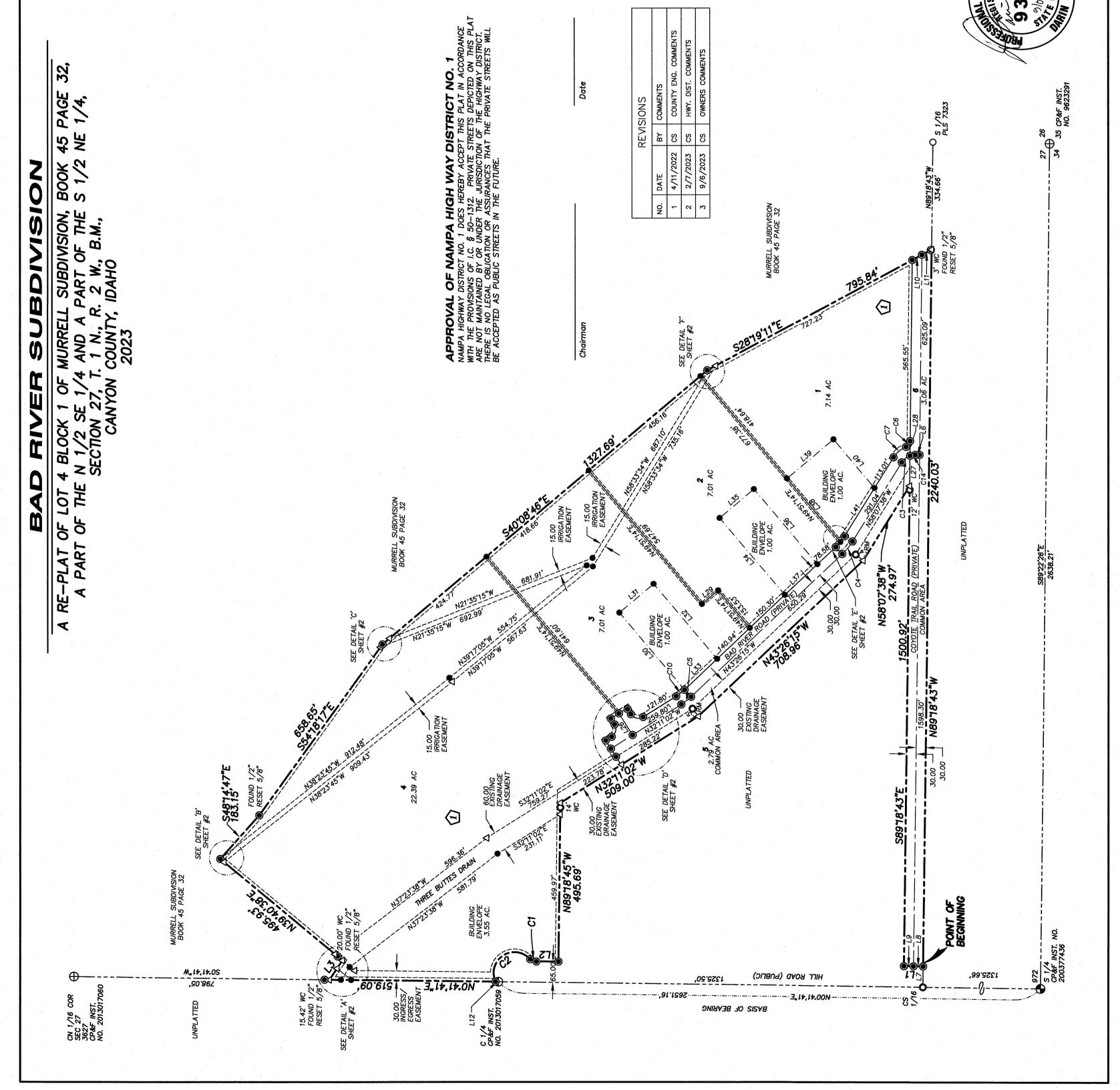
Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

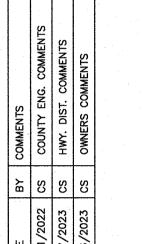




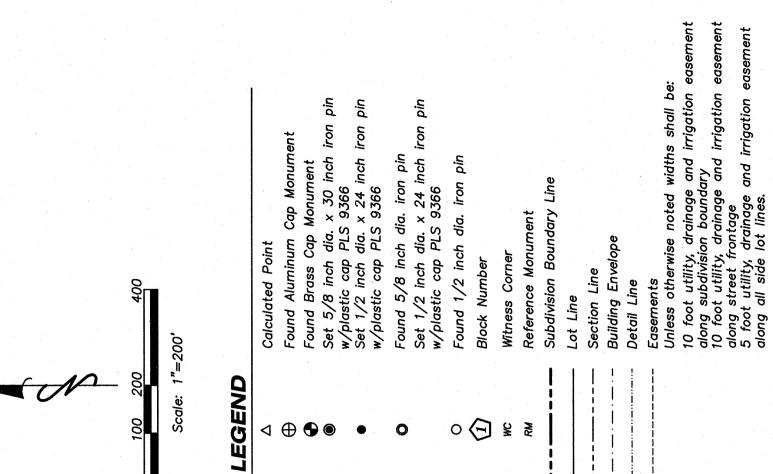
REVISIONS	COMMENTS	COUNTY ENG. COMMENTS	HWY. DIST. COMMENTS	
REVIS	ВΥ	CS	SS	
LL.	DATE	4/11/2022 CS	2/7/2023 CS	2000/0/0
	NO.	1	2	1

REVISIONS	COMMENTS	COUNTY ENG. COMMENTS	HWY. DIST. COMMENTS	OWNERS COMMENTS	
REVI	ВΥ	S	S	cs	
L	DATE	4/11/2022 CS	2/7/2023	9/6/2023	

REVISIONS	COMMENTS	COUNTY ENG. COMMENTS	HWY. DIST. COMMENTS	OWNERS COMMENTS	
SEVI	ВΥ	SS	SS	cs	
Luda	DATE	4/11/2022 CS	2/7/2023	9/6/2023	



•	SHEET INC	SHEET 1 - PLA SHEET 2 - DET	SHEET 3 - CER	+	



DEX

ALS PLAT MAP, NOTES, & LINE/CURVE TABLES RIFICATE OF OWNERS RTFICATES AND APPROVALS

Exhibit 2f

ason &



924 3rd St. South, Nampa, ID 83651 (208) 454-0256 Fax (208) 467-4130

SHEET 1 of 4

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ANN HOLTHE 9366 ST

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ZO	BOOK 45 PAGE S 1/2 NE 1/4,
UBDIVISION	RELL SUBDIVISION, BOOK 45 PA
	RELL D A P

B.M., r. 1 N., R. 2 W., county, idaho 2023

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	• .•								-			-		
	Tangent	8.88	445.67	17.68	25.52	19.51	13.56	26.85	10.69	10.88	16.55	28.00	28.00	8.75
	Chord Length	16.23	128.64	33.34	50.63	38.83	22.45	50.91	21.33	21.71	32.94	39.60	39.60	17.24
Curve Table	Chord Direction	N24.38'19"E	W"11'70'5EN	W.38.38,59"W	S50'46'57"E	S37.48'39"E	S55'09'56"E	N39 · 34 [*] 24 [*] W	S54 · 29'15"E	S47'08'33"E	S37.48'39"E	S12*48'58"W	S77"11"02"E	N914'32"W
Curve	Delta	47.53'15"	163'24'14"	38"57"18"	14.41'23"	11 15'13"	68'17'34"	37.06'29"	7.16'47"	7.24'36"	11.15'13"	.00,00.06	.00,00.06	19.51'37"
	Radius	20.00	65.00	50.00	198.00	198.00	20.00	80.00	168.00	168.00	168.00	28.00	28.00	50.00
	Length	16.72	185.38	33.99	50.76	38.89	23.84	51.81	21.35	21.73	33.00	43.98	43.98	17.33
	Curve #	ស	C2	C13	5	C5	9 C	c7	83	60	C10	C12	C13	C14
1			• • • • • • • • • • • • • • • • • • • •	•••••										

73.08

N0'41'41"E S56'07'59"E

2 3

N0'41'41" Direction

30.25

N39'13'03"E N52"11"21"E

4 5

73.64

Table

Parcel Line

65.00

30.15

13.01

S0.41'17"W

9

34.30

S28'19'11"E S28'19'11"E

L10

6

E

48.52

8.64

30.00

S89'18'43"E N0'41'41"E N0'41'41"E

L8

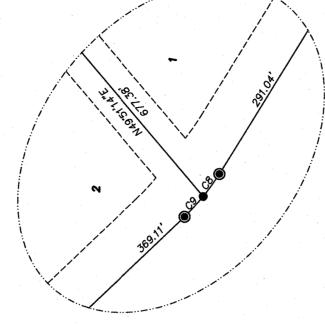
30.15

22.00

42.92

10.78

30.00 30.00



681.91

IRRIGATION 15.00

1327.69

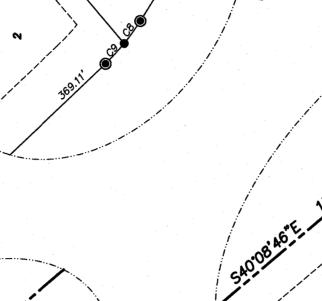
N21.35'15"W

540⁰⁸46°E

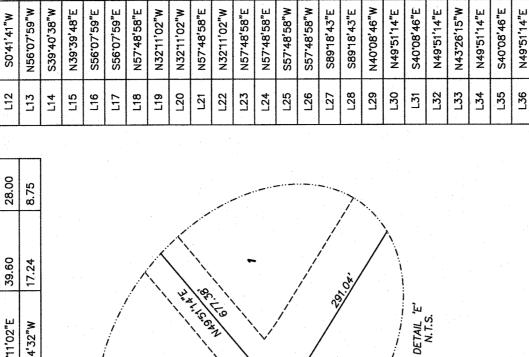
FOUND 1/2" RESET 5/8"

N21:35'15"W

692.99'



DETAIL 'C' N.T.S.



30.00

22.00

30.00 80.00

30.00

307.15

140.23

140.00

S40.08'46"E

1321.69

60/··

WSo Jan

307.1

N49.51'14"E

190.00

S40'08'46"E

S49°51'14"W N58°07'38"W

L40 L41

258

N49*51*14"E

L38 L39

N43.26'15"W

L37

315.20 140.00

Professional Engineers, Land Surveyors & Planners



924 3rd St. South, Nampa, ID 83651 (208) 454-0256 Fax (208) 467-4130

ssociates

ason

10/12/21 of 4

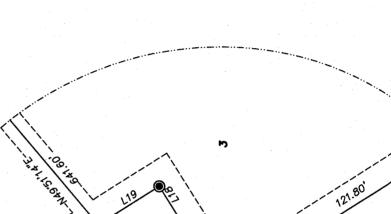
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BK.____

PG

15.00' IRRIGATION EASEMENT

M. F. C. OS



195

DETAIL 'F' N.T.S.

5281911"E

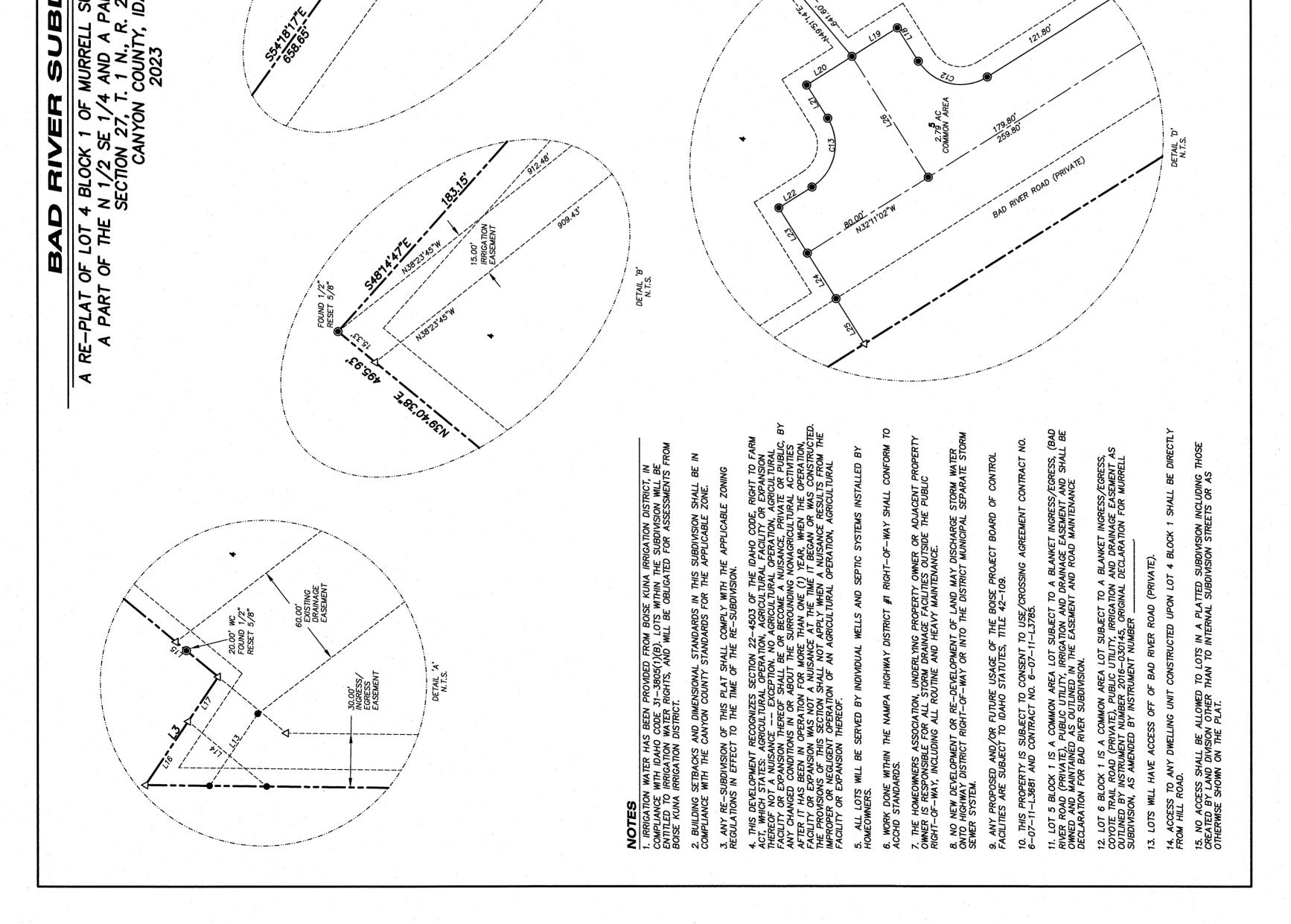
29.78

.9/.5r

1. 10. 1-

N

FOUND 1/2" RESET 5/8"



SUBDIVISION

BAD RIVE

ACKNOMLEDGMENT STATE OF IDAHO COUNTY OF CANYON \$ SS

Be it remembered that on this day of 20, before me, the undersigned, a notary public in and for said state, personally appeared MARK SATTERWHITE, who is known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

In witness whereof, I have hereunto set my hand and notarial seal the day last above written.

Notary Public for _____ Residing at Commission expires

ACKNOWLEDGMENT STATE OF IDAHO COUNTY OF CANYON SS

Be it remembered that on this day of 20, before me, the undersigned, a notary public in and for said state, personally appeared TAMMY SATTERWHITE, who is known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

In witness whereof, I have hereunto set my hand and notarial seal the day last above written.

Notary Public for _____ Residing at Commission expires

CERTIFICATE OF SURVEYOR I, Darin Holzhey do hereby certify that I am a Professional Land Surveyor licensed by the State of Idaho, and that this plat as described in the Owners Certificate and the attached plat, was drawn from an actual survey made on the ground under my direct supervision and accuratley represents the points platted theron in conformity with the state of Idaho codes relating to plats, surveys, and the corner perpetuation and filing act, Idaho code 55–1601 through 55–1612.

Darin Holzhey

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P.L.S. License No. 9366

JN0621BS 09/15/21 SHEET 3 of 4

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BK.

 CAMERS. CENTRICALE CAMERS. CENTRICALE CAMERS. CENTRICALE CAMERS. Constraining the finance stration constraints of the stration constraints and strating constraints and stration constrai		
SUBDIVISION BEING A RE-PLAT OF ALL OF LOT 4 BLOCK 1 OF MURPRELL SUBDIVISION IN TARKE 32 RECORDEN IN THE CANYON COUNTY IDAHO, MORE PARTIOLLARLY DESCRIPTION IF 1 THE SOUTHWEST CORNER OF THE SL/3. (AT THE SOUTHWEST CORNER OF THE SL/3. (AT THE SOUTHWEST CORNER OF THE SL/4.) (AT THE SOUTHWEST CORNER OF THE SL/4.) (AT THE SOUTHWEST CORNER OF THE NL/3. (AT THE A DISTANCE OF 56.00 FEET) (AT 4.1" E A DISTANCE OF 60.00 FEET) (AT 4.1" E A DISTANCE OF 500.00 FEET) (AT 4.1" E A DISTANCE OF 200.00 FEET) (AT 4.1" E A DISTANCE OF 200.00 FEET) (AT 4.1" E A DISTANCE OF 203.00 FEET) (AT 4.1" E A DISTANCE OF 203		ERWHITE BEING FIRST DULY SWORN, DEPOSE AND SAY WE ARE WORE PARTICULARLY DESCRIBED IN THE LEGAL DESCRIPTION BEL NOT DEDICATED TO THE PUBLIC. HOWEVER, THE RIGHT TO USE S NOT DEDICATED TO THE PUBLIC. HOWEVER, THE RIGHT TO USE S PETUALLY RESERVED FOR PUBLIC UTLITIES AND SUCH OTHER US AT AND NO PERMANENT STRUCTURES OTHER THAN THOSE FOR U URPOSES IS TO BE ERECTED WITHIN THE LIMITS OF SAID EASEME WILL RECEIVE DOMESTIC WATER FROM A WATER SYSTEM COMMON RVED BY INDIVIDUAL WELLS.
 A.T. THE SOUTHWEST CORVER OF THE SET/4; O. 41' 41' E A DISTANCE OF 1325.66 FEET ALONG THE WEST BOUNDARY OF THE SWI/4 HE SOUTHWEST CORVER OF THE MI/2 SET/4; D. 18' 43' E A DISTANCE OF 65.00 FEET; O. 41' 41' E A DISTANCE OF 65.00 FEET; O' 41' 41' E A DISTANCE OF 1500.92 FEET; O' 41' 41' E A DISTANCE OF 708.96 FEET; D' 33' W A DISTANCE OF 708.96 FEET; D' 33' W A DISTANCE OF 708.96 FEET; D' 41' 41' E A DISTANCE OF 708.96 FEET; D' 41' 41' E A DISTANCE OF 708.96 FEET; D' 41' 41' E A DISTANCE OF 708.96 FEET; D' 41' 41' E A DISTANCE OF 708.96 FEET; D' 41' 41' E A DISTANCE OF 708.96 FEET; D' 41' 41' E A DISTANCE OF 708.96 FEET; O' 41' 41' E A DISTANCE OF 708.96 FEET; O' 41' 41' E A DISTANCE OF 73.06 FEET; O' 41' 41' E A DISTANCE OF 73.06 FEET; O' 41' 41' E A DISTANCE OF 73.06 FEET; O' 41' 41' E A DISTANCE OF 73.06 FEET; O' 41' 41' E A DISTANCE OF 73.06 FEET; O' 41' 41' E A DISTANCE OF 73.06 FEET; O' 41' 41' E A DISTANCE OF 73.06 FEET; O' 41' 41' E A DISTANCE OF 73.06 FEET; O' 59' E A DISTANCE OF 73.06 FEET; O' 69' E A DISTANCE OF 73.06 FEET; O' 69' E A DISTANCE OF 73.06 FEET; O' 69' S' E A DISTANCE OF 73.06 FEET; O' 69' S' E A DISTANCE OF 240.03 FEET TO THE POINT OF BEGNNING. O' 69' S' E A DISTANCE OF 73.06 FEET; O' 69' S' E A DISTANCE OF 73.06 FEET; O' 69' S' E A DISTANCE OF 73.06 FEET; O' 69' S' E A DIST		OF ALL OF LOT 4 BLOCK 1 OF MURRELL SUBDIVISION II CANYON COUNTY RECORDER'S OFFICE BEING A PORTION S1/2 NE1/4 OF SECTION 27, TOWNSHIP 1 NORTH, RANG CANYON COUNTY IDAHO, MORE PARTICULARLY DESCRIBI
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NG THE NORTHERY, WESTERY, KASTERY, AND SOUTHERY BOUNDARES OF LOT 4 THE CONSESS AND DISTANCES. O' 41' 41" E A DISTANCE OF 50.00 FEET; 9' 18' 43" E A DISTANCE OF 730.92 FEET; 8' 07' 38" W A DISTANCE OF 730.96 FEET; 3' 26' 15" W A DISTANCE OF 708.96 FEET; 9' 11' 02" W A DISTANCE OF 708.96 FEET; 9' 14' 15" E A DISTANCE OF 708.96 FEET; 9' 14' 41" E A DISTANCE OF 708.96 FEET; 9' 14' 41" E A DISTANCE OF 708.96 FEET; 0' 4' 41" E A DISTANCE OF 70.96 FEET; 0' 6' 4' 41" E A DISTANCE OF 70.06 FEET; 0' 6' 4' 41" E A DISTANCE OF 70.96 FEET; 0' 6' 4' 41" E A DISTANCE OF 70.96 FEET; 0' 6' 4' 41" E A DISTANCE OF 70.96 FEET; 0' 6' 4' 41" E A DISTANCE OF 70.96 FEET; 0' 6' 4' 4'' E A DISTANCE OF 70.06 FEET; 0' 6' 4' 4'' E A DISTANCE OF 70.06 FEET; 0' 6' 4'' 4'' E A DISTANCE OF 70.06 FEET; 0' 6' 4'' 4'' E A DISTANCE OF 70.06 FEET; 0' 6' 4'' 4'' E A DISTANCE OF 70.06 FEET; 0' 6' 4'' 4'' E A DISTANCE OF 70.06 FEET; 0' 10'' 4'' E A DISTANCE OF 70.06 FEET; 0' 10'' 4'' 4'' E A DISTANCE OF 70.06 FEET; 0' 10'' 4'' A D		S 89 18' 43" E A DISTANCE OF 65.00 FEET TO THE POINT OF
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 9. 18' 4.3" E A DISTANCE OF 1500.32 FEET; 8' 0' 38" W A DISTANCE OF 274.97 FEET; 3' 26' 15" W A DISTANCE OF 708.96 FEET; 2' 11' 02" W A DISTANCE OF 708.96 FEET; 9' 18' 45" W A DISTANCE OF 73.64 FEET; 9' 14' 41" E A DISTANCE OF 73.64 FEET; NG A CURVE TO THE RIGHT, HAVING A RADIUS OF 20.00 FEET, A DELTA ANGLE OF 47' 5. O' 41' 41" E A DISTANCE OF 73.64 FEET; NG A CURVE TO THE LEFT, HAVING A RADIUS OF 65.00 FEET, A DELTA ANGLE OF 163' 2. O' 41' 41" E A DISTANCE OF 73.08 FEET; NG A CURVE TO THE LEFT, HAVING A RADIUS OF 65.00 FEET, A DELTA ANGLE OF 163' 2. O' 56' E A DISTANCE OF 73.08 FEET; 6' 0' 59" E A DISTANCE OF 132.65 FEET; 6' 0' 59" E A DISTANCE OF 132.56 FEET; 6' 18' 17" E A DISTANCE OF 132.56 FEET; 6' 18' 17" E A DISTANCE OF 132.56 FEET; 6' 19' 11" E A DISTANCE OF 132.56 FEET; 6' 19' 11" E A DISTANCE OF 73.08 FEET; 6' 19' 11" E A DISTANCE OF 132.56 FEET; 6' 19' 11" E A DISTANCE OF 132.56 FEET; 6' 19' 11" E A DISTANCE OF 2240.03 FEET TO THE POINT OF BEGINNING. 6' 18' 17" E A DISTANCE OF 2240.03 FEET TO THE POINT OF BEGINNING. 6' 18' 11" E A DISTANCE OF 2240.03 FEET TO THE POINT OF BEGINNING. 6' 18' 11" E A DISTANCE OF 2240.03 FEET TO THE POINT OF BEGINNING. 6' 18' 45" W A DISTANCE OF 2240.03 FEET TO THE POINT OF BEGINNING. 7' 18' 11" E A DISTANCE OF 2240.03 FEET TO THE POINT OF BEGINNING. 7' 18' 11" E A DISTANCE OF 2240.03 FEET TO THE POINT OF BEGINNING. 8' 18' 45" W A DISTANCE OF 2240.03 FEET TO THE POINT OF BEGINNING. 8' 18' 45" W A DISTANCE OF 2240.03 FEET TO THE POINT OF BEGINNING. 8' 18' 45" W A DISTANCE OF 2240.03 FEET TO THE POINT OF BEGINNING. 8' 19' 11" E A DISTANCE OF 2240.03 FEET TO THE POINT OF BEGINNING. 8' 19' 11" E A DISTANCE OF 2240.03 FEET TO THE POINT OF BEGINNING. 		N 00. 41' 41" E A DISTANCE OF
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2' 11' 02' W A DISTANCE OF 509.00 FEET; 9' 18' 45' W A DISTANCE OF 495.69 FEET; 0' 41' 41' E A DISTANCE OF 73.64 FEET; 0' 41' 41' E A DISTANCE OF 73.64 FEET; 0' 41' 41' E A DISTANCE OF 73.64 FEET; NG A CURVE TO THE RIGHT, HAVING A RADIUS OF 20.00 FEET, A DELTA ANGLE OF 163' 2. ING A CURVE TO THE RIGHT, HAVING A RADIUS OF 50.00 FEET, A DELTA ANGLE OF 163' 2. OF A CURVE TO THE LETT, HAVING A RADIUS OF 50.00 FEET, A DELTA ANGLE OF 163' 2. OF 41' 41' E A DISTANCE OF 519.09 FEET; 9' 40' 36' E A DISTANCE OF 73.08 FEET; 9' 40' 36' E A DISTANCE OF 183.15 FEET; 4' 18' 17'' E A DISTANCE OF 183.15 FEET; 4' 18' 17'' E A DISTANCE OF 183.15 FEET; 4' 18' 17'' E A DISTANCE OF 132.069 FEET; 9' 18' 47'' E A DISTANCE OF 132.069 FEET; 9' 18' 47'' E A DISTANCE OF 132.769 FEET; 9' 18' 47'' E A DISTANCE OF 132.769 FEET; 4' 18' 17'' E A DISTANCE OF 132.7569 FEET; 9' 18' 43'' W A DISTANCE OF 224.0.35 FEET; 9' 19' 11'' E A DISTANCE OF 224.0.35 FEET; 10' 10'' 46''' F A DISTANCE OF 224.0.35 FEET; 10'' 41''' W A DISTANCE OF 224.0.35 FEET; 10''''''''''''''''''''''''''''''''''''		N 43' 26' 15" W A DISTANCE OF 708.96
9' 18' 45" W A DISTANCE OF 495.69 FEET; 0' 41' 41" E A DISTANCE OF 73.64 FEET; 0' 41' 41" E A DISTANCE OF 73.64 FEET; NG A CUPVE TO THE RIGHT, HAVING A RADIUS OF 20.00 FEET, A DELTA ANGLE OF 47' 5. IOSE LONG CHORD BEARS N 24' 38' 19" E A DISTANCE OF 16.23 FEET; NG A CUPVE TO THE LEFT, HAVING A RADIUS OF 65.00 FEET, A DELTA ANGLE OF 163' 2. IOSE LONG CHORD BEARS N 33' 07' 11" W A DISTANCE OF 128.64 FEET; NG A CUPVE TO THE LEFT, HAVING A RADIUS OF 65.00 FEET, A DELTA ANGLE OF 163' 2. IOSE LONG CHORD BEARS N 33' 07' 11" W A DISTANCE OF 128.64 FEET; NG 41' 41" E A DISTANCE OF 73.08 FEET; 6' 40' 36" E A DISTANCE OF 73.08 FEET; 6' 40' 36" E A DISTANCE OF 133.15 FEET; 6' 40' 36" E A DISTANCE OF 133.15 FEET; 6' 40' 36" E A DISTANCE OF 132.769 FEET; 6' 40' 36" E A DISTANCE OF 132.769 FEET; 6' 19' 17" E A DISTANCE OF 132.769 FEET; 6' 19' 11" E A DISTANCE OF 132.769 FEET; 6' 19' 11" E A DISTANCE OF 795.84 FEET; 6' 19' 11" E A DISTANCE OF 236.0.03 FEET TO THE POINT OF BEGINNING. 9' 16' 43" W A DISTANCE OF 236.0.35 FEET TO THE POINT OF BEGINNING. 9' 18' 43" W A DISTANCE OF 236.0.35 FEET TO THE POINT OF BEGINNING. 9' 18' 43" W A DISTANCE OF 236.0.35 FEET TO THE POINT OF BEGINNING. 8' 19' 11" E A DISTANCE OF 236.0.35 FEET TO THE POINT OF BEGINNING. 9' 18' 43" W A DISTANCE OF 236.0.35 FEET TO THE POINT OF BEGINNING. 8' 19' 11" E A DISTANCE OF 236.0.03 FEET TO THE POINT OF BEGINNING. 8' 19' 11" E A DISTANCE OF 2240.03 FEET TO THE POINT OF BEGINNING. 8' 19' 11" E A DISTANCE OF 2240.03 FEET TO THE POINT OF BEGINNING. 8' 19' 11" E A DISTANCE OF 2240.03 FEET TO THE POINT OF BEGINNING. 8' 19' 11" E A DISTANCE OF 2240.03 FEET TO THE POINT OF BEGINNING. 8' 19' 11" E A DISTANCE OF 2240.03 FEET TO THE POINT OF BEGINNING. 8' 19' 11" E A DISTANCE OF 2240.03 FEET TO THE POINT OF BEGINNING. 8' 19' 11" E A DISTANCE OF 2240.03 FEET TO THE POINT OF BEGINNING. 8' 19' 11" E A DISTANCE OF 2240.03 FEET TO THE POINT OF BEGINNING. 8' 19' 11" E A DISTANCE OF 2240.03 FEET TO THE POINT OF DISTANCE OF 2240.03 FEET TO THE	-	N 32. 11' 02" W A DISTANCE OF 509.00
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0' 41' 41" E A DISTANCE OF 519.09 FEET; 6' 07' 59" E A DISTANCE OF 73.08 FEET; 9' 40' 38" E A DISTANCE OF 495.93 FEET; 8' 14' 47" E A DISTANCE OF 183.15 FEET; 4' 18' 17" E A DISTANCE OF 658.65 FEET; 0' 08' 46" E A DISTANCE OF 1327.69 FEET; 9' 19' 11" E A DISTANCE OF 795.84 FEET; 9' 19' 11" E A DISTANCE OF 795.84 FEET; 9' 18' 43" W A DISTANCE OF 795.84 FEET; 9' 18' 43" W A DISTANCE OF 2240.03 FEET TO THE POINT OF BEGINNING SUBDIVISION CONTAINS 49.403 ACRES, MORE OR LESS, SUBJECT TO ANY RESERVATIONS, RESTRICTIONS AND CONVEYANCES OF RECORD. RWHITE		ENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 65.00 FEET, A DELTA ANGLE OF 163 [•] 2 , AND WHOSE LONG CHORD BEARS N 33 [•] 07 [•] 11 ^{°°} W A DISTANCE OF 128.64 FEET;
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		SUBDIVISION CONTAINS 49.403 ACRES, MORE OR LESS, SUBJECT TO ANY RESERVATIONS, RESTRICTIONS AND CONVEYANCES OF RECORD.
		SA

R SUBDIVISION

CERTIFICATION OF CANYON COUNTY PLANNING AND ZONING COMMISSION

Chairman

Date

APPROVAL OF CANYON COUNTY COMMISSIONERS

ACCEPTED AND APPROVED THIS DAY OF 20 BY THE BOARD OF COUNTY COMMISSIONERS OF CANYON COUNTY, IDAHO.

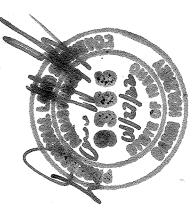
CHAIRMAN

CLERK

CERTIFICATE OF COUNTY TREASURER I, TRACIE LLOYD, COUNTY TREASURER IN AND FOR THE COUNTY OF CANYON, STATE OF IDAHO, PER THE REQUIREMENTS OF I.C.50–1308, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND/OR DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND/OR DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS PROPOSED SUBDIVISION HAVE BEEN PAID IN FULL. THIS CERTIFICATE IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

COUNTY TREASURER

DATE

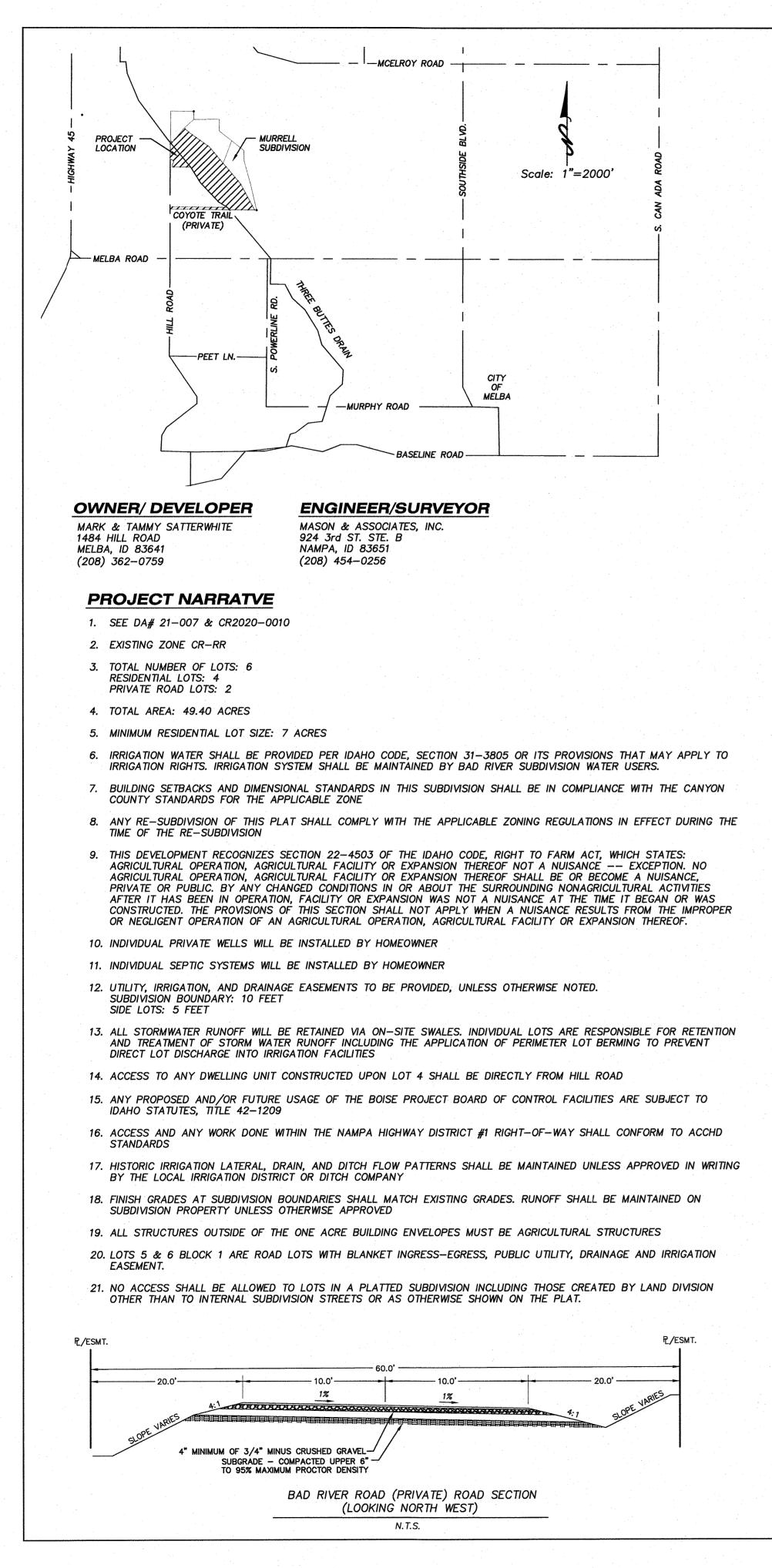


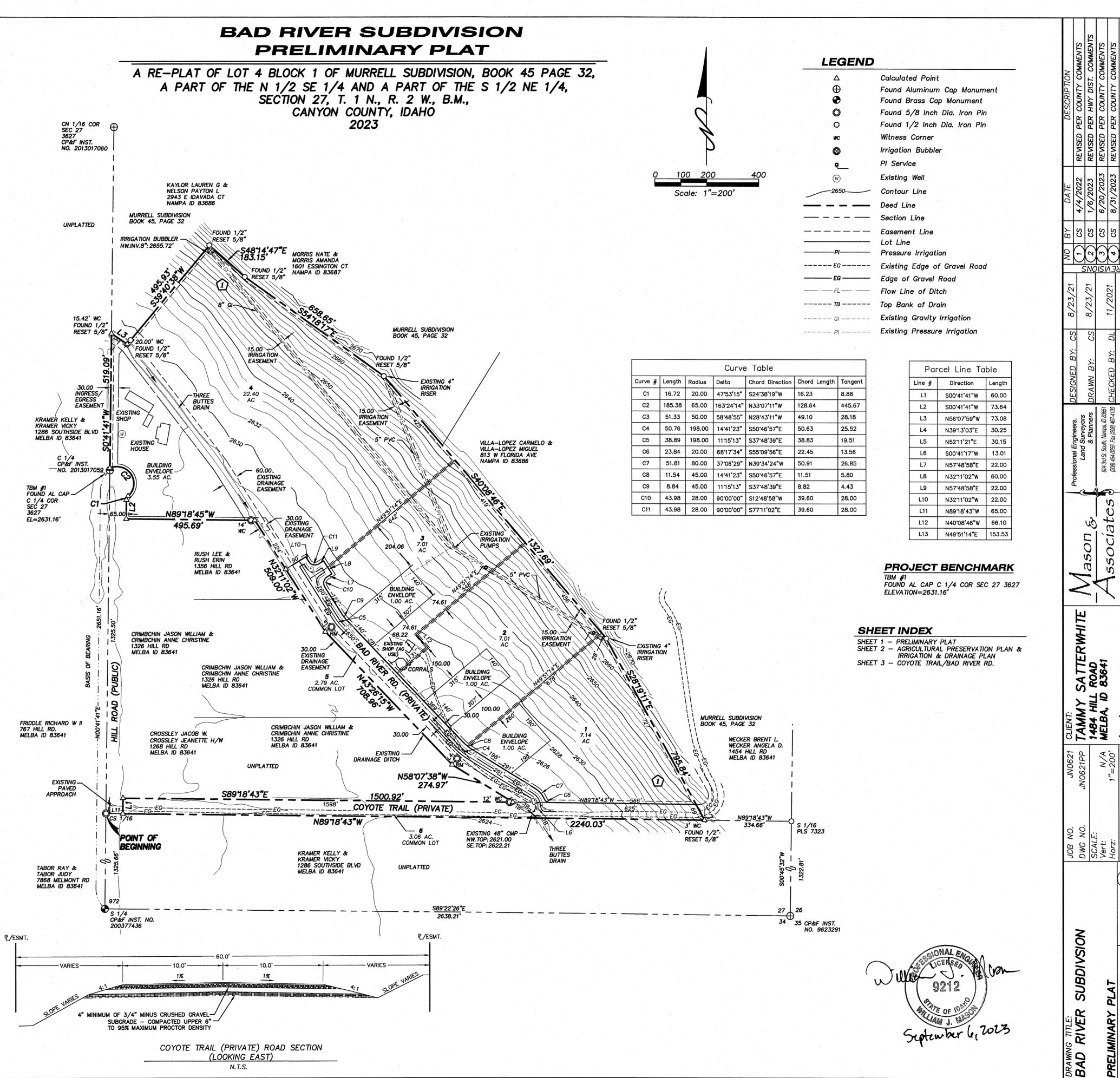
JN0621BS 09/15/21 SHEET 4 of 4

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BK.

HEALTH CERTIFICATE SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE BEEN SATISFIED. SANITARY RESTRICTION MAY BE REIMPOSED, IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL. RIVE **APPROVAL OF NAMPA HIGH WAY DISTRICT NO. 1** NAMPA HIGHWAY DISTRICT NO. 1 DOES HEREBY ACCEPT THIS PLAT IN ACCORDANCE WITH THE PROVISIONS OF I.C. § 50–1312. PRIVATE STREETS DEPICTED ON THIS PLAT ARE NOT MAINTAINED BY OR UNDER THE JURISDICTION OF THE HIGHWAY DISTRICT. THERE IS NO LEGAL OBLIGATION OR ASSURANCES THAT THE PRIVATE STREETS WILL BE ACCEPTED AS PUBLIC STREETS IN THE FUTURE. **CERTIFICATE OF COUNTY SURVEYOR** 1, THE UNDERSIGNED, PROFESSIONAL LAND SURVEYOR FOR CANYON COUNTY, HEREBY CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND VACATIONS. DATE BAD DATE Date DISTRICT HEALTH DEPARTMENT, REHS CANYON COUNTY SURVEYOR Chairman



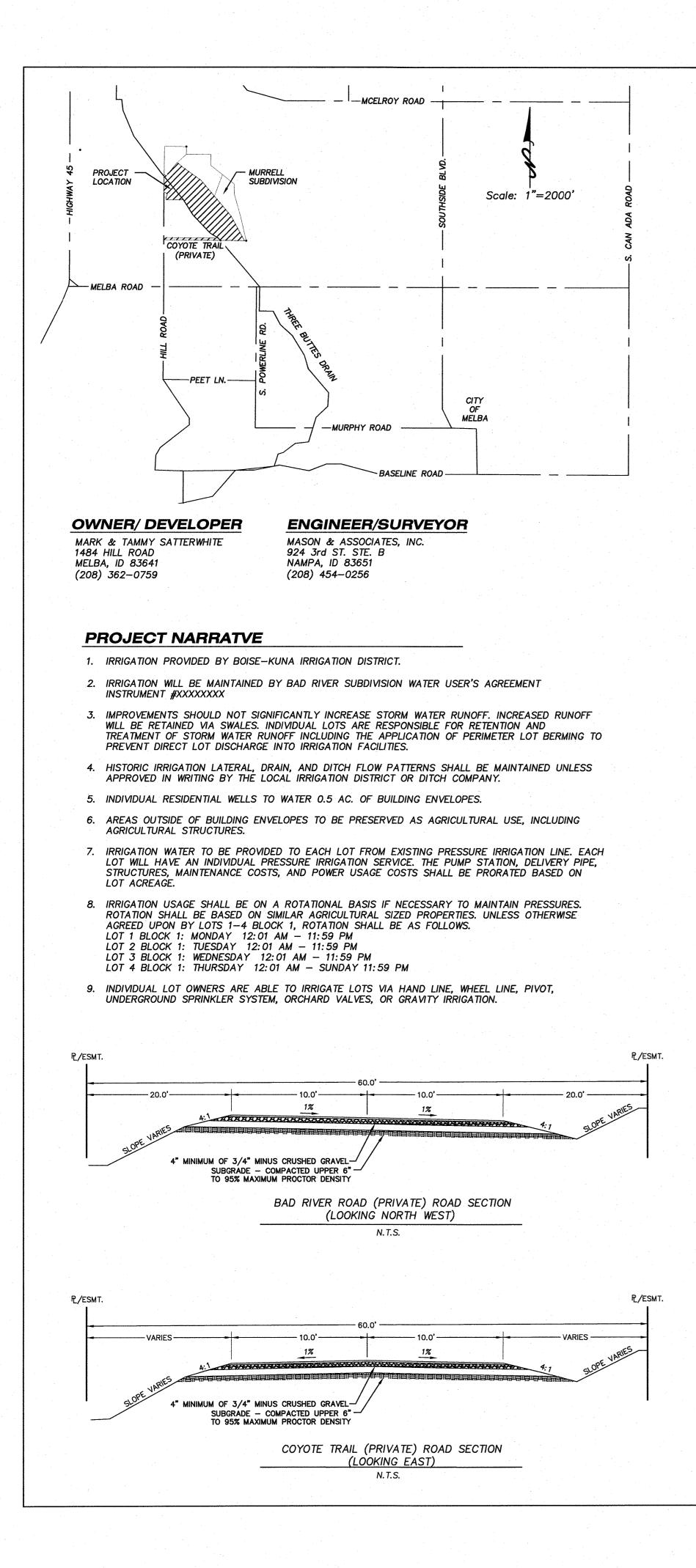


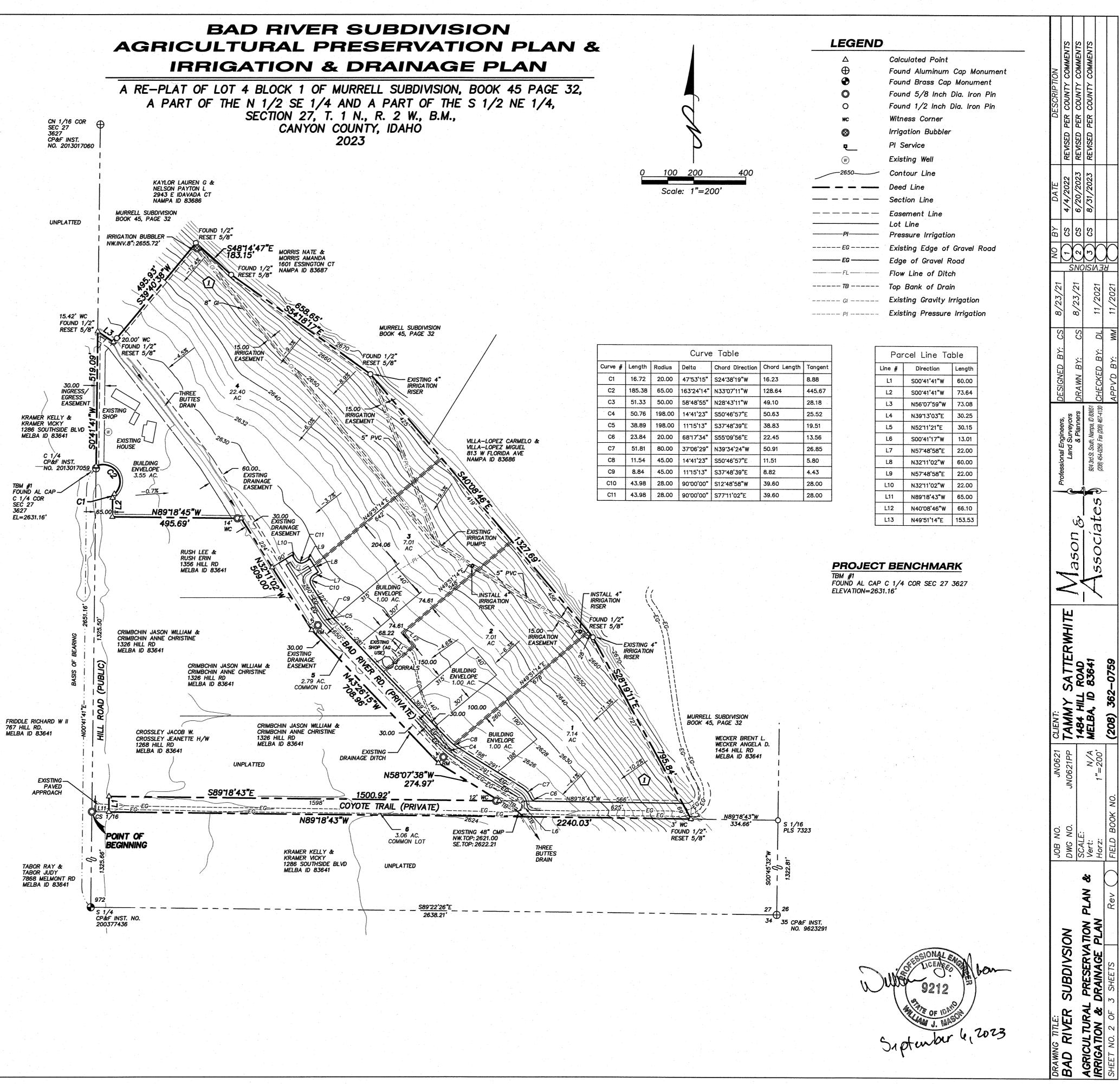
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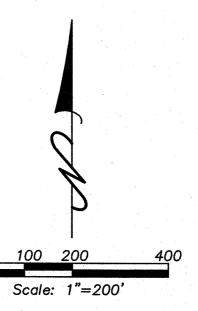
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PI	Pressure Irrigation
EG	Existing Edge of Gravel Roo
EG	Edge of Gravel Road
- FL	Flow Line of Ditch
ТВ	Top Bank of Drain
GI	Existing Gravity Irrigation
PI	Existing Pressure Irrigation

		Curve	e Table		
Length	Radius	Delta	Chord Direction	Chord Length	Tangent
16.72	20.00	47 * 53'15"	S24*38'19"W	16.23	8.88
185.38	65.00	163'24'14"	N33'07'11"W	128.64	445.67
51.33	50.00	58 · 48'55"	N28'43'11"W	49.10	28.18
50.76	198.00	14*41'23"	S50*46'57"E	50.63	25.52
38.89	198.00	1115'13"	S37 · 48'39"E	38.83	19.51
23.84	20.00	68 ' 17'34"	S55'09'56"E	22.45	13.56
51.81	80.00	37*06'29"	N39 · 34'24"W	50.91	26.85
11.54	45.00	14•41'23"	S50'46'57"E	11.51	5.80
8.84	45.00	11'15'13"	S37 · 48'39"E	8.82	4.43
43.98	28.00	90.00,00	S12'48'58"W	39.60	28.00
43.98	28.00	90.00,00,	S77'11'02"E	39.60	28.00

Par	ıble	
Line #	Direction	Length
L1	S00'41'41"W	60.00
L2	S00'41'41"W	73.64
L3	N56'07'59"W	73.08
L4	N3913'03"E	30.25
L5	N52'11'21"E	30.15
Ľ6	S00'41'17"W	13.01
L7	N57 * 48'58"E	22.00
L8	N32'11'02"W	60.00
L9	N57*48'58"E	22.00
L10	N32'11'02"W	22.00
L11	N89'18'43"W	65.00
L12	N40'08'46"W	66.10
L13	N49'51'14"E	153.53





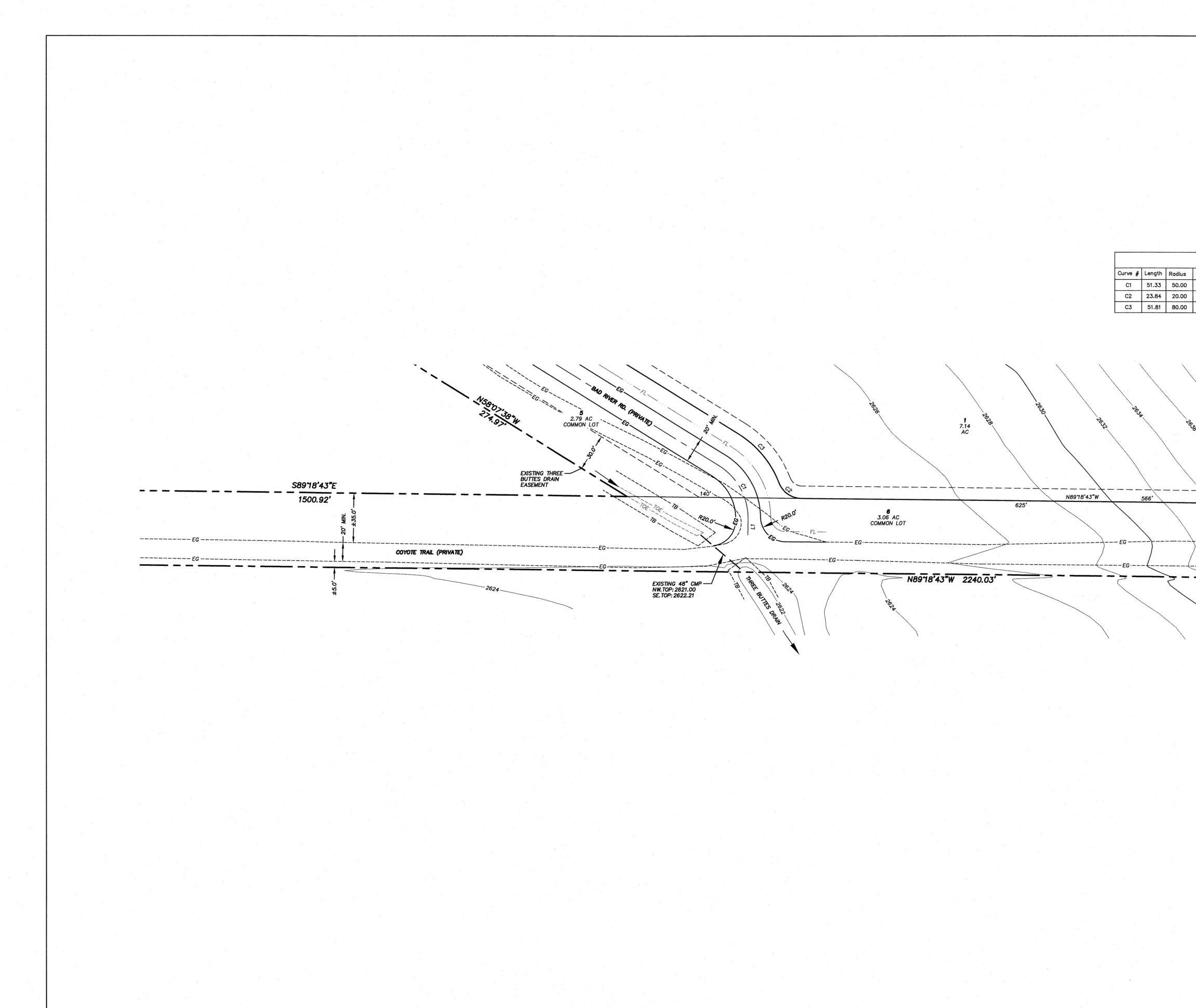


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	Easement Line
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	Pressure Irrigation
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	Top Bank of Drain
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	Curve	e Table		
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198.00	11"15'13"	S37 · 48'39"E	38.83	19.51
20.00	68 ° 17 ' 34"	S55'09'56"E	22.45	13.56
80.00	37'06'29"	N39'34'24"W	50.91	26.85
45.00	14.41'23"	S50°46'57"E	11.51	5.80
45.00	11"15'13"	S37 · 48'39"E	8.82	4.43
28.00	90.00,00.	S12*48'58"W	39.60	28.00
 28.00	90.00,00,	S77'11'02"E	39.60	28.00

	Par	ble	
	Line #	Direction	Length
	L1	S00'41'41"W	60.00
	L2	S00'41'41"W	73.64
	L3	N56'07'59"W	73.08
	L4	N3913'03"E	30.25
	L5	N52'11'21"E	30.15
	L6	S00'41'17"W	13.01
	L7 .	N57'48'58"E	22.00
	L8	N32'11'02"W	60.00
	L9	N57'48'58"E	22.00
	L10	N32'11'02"W	22.00
	L11	N89'18'43"W	65.00
	L12	N40'08'46"W	66.10
-	L13	N49'51'14"E	153.53



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PRIVATE ROAD NAME CHECKLIST

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT 111 North 11th Avenue, #140, Caldwell, ID 83605 www.canyonco.org/dsd.aspx Phone: 208-454-7458 Fax: 208-454-6633



Private roads serving more than 2 permanent dwellings or inhabited buildings shall be named and signed. CCZO 07-10-03 (3.A.5)

THE FOLLOWING ITEMS MUST BE SUBMITTED WITH THIS CHECKLIST:

 I am applying for:
 Image: Mew Road Name
 Image: Change an Existing Road Name

 Image: Master Application completed and signed
 Image: Site plan, sketch, or record of survey with easement length, width, location, configuration, and the two nearest cross streets. The easement or right-of-way parcel that is intended for the private road MUST BE HIGHLIGHTED!

 Image: Name Change Application (if changing the name of an existing road)
 Image: Name Change Application (if changing the name of an existing road)

 Image: A printed list of names and addresses of all persons having legal right to use the road
 Image: A copy of the Road Name verification from Canyon County Development Services, usually an email (see #2 below)

 Image: A list proposing a minimum of 5 distinct road names in preferential order, i.e. first choice as number one, etc
 Image: A copy of the easement legal description and Road User's Maintenance Agreement (RUMA)

Easement Reduction application (if requesting an easement less than 60 feet wide down to 28 feet)

□ Your engineers certification that road meets the minimum County Private Road requirements and proof the sign is installed is required before the certificate of occupancy is issued, record of survey or platting is approved

\$300 non-refundable fee or \$80 if combined with another application such as Administrative Land Division, Short Plat Subdivision, Easement Reduction or other application

NOTES:

- 1. The purpose of this application is to ensure the public health, safety, general welfare, peace, good order, comfort and convenience of the county and provide a coordination of street names and numbering grid system, coordination of addresses for quick efficient delivery of emergency services and administration of enforcement by defining powers and duties of the director.
- Prior to submitting this application please propose a minimum of five (5) distinct road names in preferential order to Tony Almeida at <u>talmeida@canyonco.org</u> so the proposed names can be checked to verify they are not already used within the County.
- 3. You may request a current and reserved road names list so you can verify on your own if your proposed road name is used or reserved. Current and reserved road name list are in excel format (.xlsx). You may also download the list from our website, named "Current Road Names Table Public.pdf" located under the GIS tab; <u>https://www.canyonco.org/elected-officials/commissioners/development-services.</u> Proposed road names will only be reserved for sixty (60) days from when the application was accepted by Canyon County Development Services. If the sixty (60) days have expired you will need to reply.
- 4. Words that are difficult to spell or pronounce are generally prohibited. The Director may reject a street name if the street name is found to be vulgar, rude or offensive. Private road names cannot be first, last names, or initials. Proposed roads names cannot use words, sound alike or similar spelling from an existing road name. If the parties who have the legal right to utilize the road cannot agree on a name, the Development Services Director will take suggestions from all parties and make the final decision and approval. (§ 06-05-13(13))
- 5. Please note that the County makes every effort to notify public and private agencies of new address, address changes or new private roads. The County cannot guarantee the agencies will update their records to reflect this new address, address change or new private road. It is suggested that you make "Suggested Edits" on Google Maps to update your new private road and new addresses.

PRIVATE ROAD NAME APPLICATION

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT 111 North 11th Avenue, #140, Caldwell, ID 83605 www.canyonco.org/dsd.aspx Phone: 208-454-7458 Fax: 208-454-6633



Addressing Ordinance CCZO 06-05-09(28) & 06-05-11(1, 3): All street names shall be approved by the Director within the unincorporated area of the County designated for addressing by the County. The right to use a street or private road name, its accompanying street designation and right to install a sign for a street. Proposed street and private road names for new subdivisions, proposed new private roads. Applicant(s): Tammy + Mark Satteruhite Phone: **Please Print Name** 1484 City/State Zin Location of Private Road: East of Hill Rd North of Melba Rd **Two Nearest Cross Streets** Parcel Number of owner requesting private road name: R28608103 The following must be provided as part of this application: 1. A dimensioned sketch showing the location, configuration and length of the private road.

- 2. A typewritten or printed list of names and addresses of all persons having a legal right to use the road. (They must sign below.)
- 3. A list containing a minimum of three proposed road names in preferential order, i.e. first choice as number one, etc. μ_e Λ_a . First Choice: Bab River

b.

b. Second Choice: <u>Coyote Trail</u> c. Third Choice: <u>Sunflower Lane</u>

4. If project requires multiple road names provide road names use this section. Mark on sketch which road names

belongs to each road segment. If more than three road names are needed, please write them on a separate piece of

paper.		
Shore willa.	First road name :	Sunset Lane
offort b.	Second road name:	Dove Lane
on Eg c	Third road name:	Cayate Trail

NOTE: Words that are difficult to spell or pronounce are generally prohibited. The Director may reject a street name if the street name is found to be vulgar, rude or offensive. Private road names cannot be first, last names, or initials. Proposed roads names cannot use words, sound alike or similar spelling from an existing road name. If the parties who have the legal right to utilize the road cannot agree on a name, Development Services Department will take suggestions from all parties and make the final decision and approval. (§ 06-05-13(13)). Please note that The County makes every effort to notify public and private agencies of new address, address changes or new private roads. The County cannot guarantee the agencies will update their records to reflect this new address, address change or new private road. It is suggested that you make "Suggestion Edits" on Google Maps to update your new private road and new addresses.

We, the undersigned, declare that we are owners of all or portions of the land upon which the private road lies or have legal right of ingress and egress upon said road. We understand that we are responsible for the purchasing of a <u>blue private road sign</u> of a design approved by the Board of County Commissioners, and installed in accordance with the most current edition of the Manual Of Uniform Traffic Control Devices, such installation to be inspected and approved by the County Engineer. *We further understand that our appress will change as a result of naming this private road.*

Office Use Only:	Case #:	Received by:	Date:	Fees:	Receipt #:
	Directo	or / Staff Signature		Applicati	on Accepted
Accepted By:			Dates		
<i>,</i>	ppicanty Property Owne		nttach additional shee	ets if more signatu	ires are required)
Signed:	pplicant/Property Owne		ne:	D	ate:
Signed 25	applicant/Property Owne		ne: <u>CARIYE</u>	<u>lo</u> 0	Date: <u>5/27/2</u> 024
Signed:	pplicant/Property Owne		ne: Brent L	Vecker o	Date: 5/14/24
Signed:	rimary Applicant/Prope	/			pplication Date



Canyon County, 111 North 11th Avenue, #310, Caldwell, ID 83605 **Engineering Division**

Preliminary Plat Check-List

Applicant: Mason and Associates	Case Number: SD2022-0005
Subdivision Name: Bad River Subdivision	Plat Date (Review #): 6-6-2023

CANYON COUNTY CODE OF ORDINANCES 07-17-09

The information hereinafter required as part of the preliminary plat submitted shall be shown graphically or by note on plans, and may comprise several sheets showing various elements or required data. *Italicized items are supplemental to CCZO 07-17-09.*

GENERAL REVIEW ITEMS	Meets Code / Comments
1. Complete initial review of all information given graphically and by note on the plat	
2. Check for compliance with FCOs and/or Development Agreement from entitlement process if applicable	
3. Check for compliance with CCO Chapter 9 - Areas of City Impact. Chapter 9 lists requirements unless waived.	
4. Check for applicable agency comment. These comments could have been made at the entitlement stage or after.	
5. Make note of agencies that should be noticed if not typically included on the notice list and pass information along to planner	
Items A through E below are directly from CCZO 07-17-09. Italicized items are checklist items rela requirements found in ordinance and may not be strictly required.	
A. FORM OF PRESENTATION	Meets Code / Comments
1. Scale of Drawing (No more than 1"=100' unless approved by DSD prior to submission)	1" = 200' possibly approved by Keller
 2. Size of Drawing (No larger than 24' x 36") Obtain electronic version of all submittals 	meets
B. IDENTIFICATION AND DESCRIPTIVE DATA	Meets Code / Comments
1. Proposed name of subdivision and its location by section, township, and range	<u>meets</u>

Name of sub needs to be reserved through DSD GIS	
• Warne of sub needs to be reserved through DSD OIS	
2. Reference by dimension and bearing to a section corner or quarter	Yes
section corner	
3. Name, address and phone number of developer	yes
4. Name address and phone number of the person preparing the plat	Yes
5. North arrow	yes
	,
6. Date of preparation	4/4/22 revised
	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
7. Revision block showing dates if any revisions subsequent to the	Yes
original preparation date. The revision block shall be part of the title	165
block which shall be placed along the right edge of the drawing sheet.	
8. Vicinity map drawn to scale, clearly showing proposed subdivision	Yes—why so large
location in relationship to adjacent subdivisions, main arterial routes,	
collector streets, etc.	
 Check for consistency between pre-plat and vicinity map 	

C. EXISTING CONDITIONS DATA	Meets Code / Comments
1. 2 Foot Contours shown unless otherwise approved; show all areas in excess of 15% slope	Yes
2. Location of water wells, streams, canals, irrigation laterals, private ditches, washes, lakes or other water features; direction of flow; location and extent of known areas subject to inundation.	Well on lot 4
 3. Location, widths and names of all platted streets, railroads, utility rights of way of public record, public areas, permanent structures to remain including water wells and municipal corporation lines within or adjacent to the tract Future use of remaining wells, if applicable 	Show House and accessory structures on Lot 4
4. Name, book and page numbers of any recorded adjacent subdivisions having a common boundary with the tract	Yes
 5. Existing zoning classification, by note Proposed zoning, by note, if new zoning is being proposed concurrently with pre-plat application 	CR RR/yes
6. Approximate acreage of the tract, by note	#4 yes
7. Boundary dimensions of the tract	Yes
8. Names and addresses of adjoining property owners within three hundred (300) feet of the exterior boundary of the tract	Yes

D. PROPOSED CONDITIONS DATA	Meets Code / Comments	
 Road layout, including location, width and proposed names of roads, alleys, pathways, easements, and roadway connections, if any, to an adjoining platted tract Confirmation that highway district will allow proposed access if new access is on an arterial Check alignment of stub streets with adjacent developments, if applicable Private roads shall not have direct access to arterials or local roads within a platted subdivision (ACCHD 2020.040) Private road names need to be reserved through DSD GIS. Private roads require a separate application. Public road names must be checked for availability with DSD GIS If typical sections are shown make sure they are consistent with what will be required 	Private Road application? Need detail of Road Lots Why road lot to AG portion of lot 4 versus an Agricultural easement Provide road detail—Coyote Trail (Private)	
 2. Typical lot dimensions including curvilinear data to scale; each lot numbered individually; total number of lots by type and grand total. A private road must be a lot. Curve table is present and matches data shown graphically Minimum lot size Average lot size (calculated as total residential area divided by the number of residential lots) Check block numbering Consider any phasing shown 	Provide bearings on internal lot lines	
 3. Location, width and use of easements Provide documentation of or reference to any existing easements, especially access easements for existing parcels that are part of the plat. Show easements for all shared infrastructure 	Provide a clear detail of intersection of Bad River Road (private) Coyote Trail (private) and the 30 foot existing drainage easement	
4. Designation of all land to be dedicated or reserved for public use with use indicated	Yes	
5. If plat includes land for which multi-family, commercial, or industrial use is proposed, such areas shall be clearly designated together with existing zoning classification and status of zoning change, if any	Na	
6. If the proposed subdivision is part of a larger area intended for development, a development master plan of the entire area shall be provided	Na	
 7. Appropriate information that sufficiently details the proposed development within any special development area such as hillside, PUD, flood plain, cemetery, manufactured home, large scale development, hazardous and unique areas of development Check mapping layers for above special development items. Include wetland and natural drainage ways. Consider recommended conditions related to special development areas and related reports 	yes	

8. All roads must be labeled as either "private" or "public" behind or	yes
beneath the road name	
E. PROPOSED UTILITY METHODS	<u>Meets Code / Comments</u>
 Sewage: A statement as to the type of proposed sanitary sewage facilities Preliminary location/layout of proposed sewage facilities Nutrient-Pathogen study if required by SWDH If sewage facilities will be shared, provide preliminary arrangements for future operation and maintenance of the facilities, including financial arrangements. Also include preliminary sewer plan. DSD should complete high level feasibility review of shared utilities Water Supply: A statement as to the type of proposed water supply facilities If potable water facilities will be shared, provide preliminary arrangements for future operation and maintenance of the facilities. 	Note #11 Note #10
preliminary potable water plan. DSD should complete high level feasibility review of shared utilities	
 3. Storm Water Disposal: A statement as to the type of storm water disposal facilities which may include evidence as may be required relative to the design and operation of proposed storm water system Include statement that all storm water shall be retained on site, if appropriate Consider any required protection for roadside swales during home construction and/or long-term protection from landscaping, roadside parking, regrading/filling swale, ect Maintenance easements for storm drain facilities treating drainage from public roads should be in place 	Note #13 & 18
 4. Irrigation System: A statement as to the proposed irrigation system, which may include evidence as may be required relative to the design and operation of any proposed irrigation system Irrigation Supply And Distribution Systems: The developer shall disclose, pursuant to Idaho Code section 31-3805, and file as part of the preliminary plat with DSD, evidence that an adequate irrigation supply and distribution system to serve the land within the plat to be recorded will be provided and must include consideration of using existing water rights that go with the land being platted. Such evidence shall include, but not be limited to, the following: Copies of the plans of the proposed distribution system for the lots and areas to be served in the proposed development; and Copies of the community association's or similar organization's documents which may be required precedent 	Note #6 & 15 Plan page 2A of 2

to the establishment of an irrigation distribution system within the proposed development.		
5. Utility Easement: The utility easement width shall be a minimum of ten (10) feet from the exterior boundaries and five (5) feet from the interior boundaries. Utility easements shall be shown graphically on the plat.		
GENERAL RECOMMENDED CONDI	TIONS	
1. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.		
2. Development shall comply with requirements of the local highway district. Evidence shall include written correspondence from the highway district prior to the first public hearing held for the preliminary plat and highway district signature on the final plat.		
 Development shall comply with irrigation district requirements. Evidence shall include written correspondence from the irrigation district prior to the first public hearing held for the preliminary plat and prior to Board of County Commissioner's signature on the final plat. 		
 Development shall comply with Southwest District Health requirements. Evidence shall include written correspondence from the Southwest District Health prior to the first public hearing held for the preliminary plat and Southwest District Health signature on the final plat. 		
5. Development shall comply with Fire District requirements. Evidence shall include written correspondence from the Fire District prior to the first public hearing held for the preliminary plat and prior to Board of County Commissioner's signature on the final plat.		
6. After preliminary plat approval applicant shall provide GIS data conta linework to be included in Development Services GIS mapping. (Solo		

FOR DEVELOPMENT SERVICES INTERNAL USE ONLY

Date Reviewed	Reviewer	COMPLIANCE WITH CONDITIONS OF APPROVAL
6 <u>-6-23</u>	DL, DR, IK, MV, Stephanie	
8-3-22	Keller review completed- letter in file	

Pink	Planning
Blue	Planning & Engineering
Green	Engineering

Exhibit 2j

RECORDING REQUESTED BY AND WHEN RECORDED RETURN TO:

Mark and Tammy Satterwhite

(Space Above For Recorder's Use)

BAD RIVER SUBDIVISION WATER USER AGREEMENT

This Agreement and Declaration is made effective as of January _____, 2024, by Mark and Tammy Satterwhite, individuals ("Declarant"), as current owners of the subject real property. The real property subject to this Agreement, includes, but is not limited to, the real property identified and described on **Exhibit A**, attached and incorporated by this reference ("Bad River Subdivision" or "Property"). Additional real property may be annexed into the Property.

AGREEMENT

- 1. *Purpose*. The purpose of this Agreement is to ensure that each Owner of a lot within the Property is aware of and bound by the irrigation water management terms of the Agreement and the Agricultural Preservation and Irrigation Plan attached as **Exhibit B**, and incorporated by this reference.
- 2. *Run with the Land.* These terms shall run with the land and lots constituting the Property, and shall be binding upon every lot, parcel, or portion of the Property and any interest therein. These terms shall inure to the benefit of and be binding upon Declarant, Declarant's successors in interest, and each Owner, and such Owner's respective successors in interest.
- 3. *Owner Compliance.* Declarant and each subsequent Owner shall be bound by the terms and conditions outlined in this Agreement and by the terms of the Agricultural Preservation and Irrigation Plan.
- 4. *Compliance with Regulations.* All Users shall comply with local, state, and federal regulations pertaining to water use, conservation, and any other applicable laws.
- 5. *Enforcement.* This Agreement may be enforced by the Declarant, Declarant's successors, or any Owner of real property described in Exhibit A through legal proceedings.
- 6. *Recording with County Recorder:* The Declarant agrees to promptly record this Agreement with the office of the County Recorder of Canyon County, Idaho.

IN WITNESS WHEREOF, the Declarant has executed this Agreement effective as of this day of _____, 2024.

Mark Satterwhite, Declarant

Tammy Satterwhite, Declarant

STATE OF IDAHO }	
}	
COUNTY OF CANYON }	
On this day of	, 2024, before me, Public, personally appeared MARK SATTERWHITE,
	person whose name is subscribed to the within instrument,
(Seal)	
	Notary Public
	Printed Name:
	Commission Expires:
STATE OF IDAHO }	
}	
COUNTY OF CANYON }	
On this day of, a Notary I	, 2024, before me, Public, personally appeared TAMMY SATTERWHITE,
	person whose name is subscribed to the within instrument,
(Seal)	
	Notary Public
	Printed Name:

Commission Expires:_____

EXHIBIT A

LEGAL DESCRIPTION - R28608103

Lot 4 in Block 1 of Murrell Subdivision, according to the official play thereof, filed in Book 45 of plats at Page(s) 32, records of Canyon County, Idaho (Instrument #2016-044443).

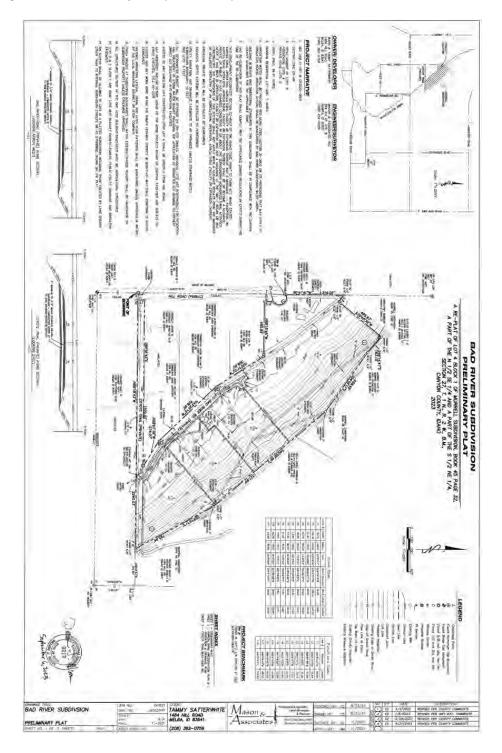
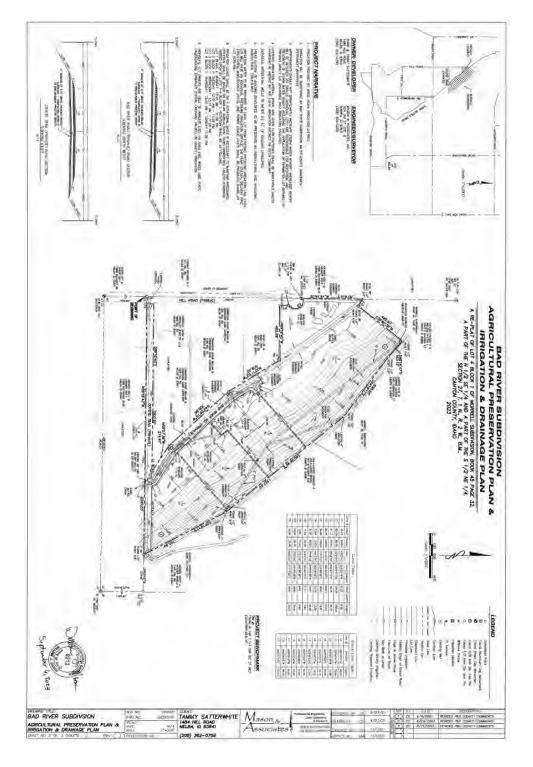


EXHIBIT B

BAD RIVER SUBDIVISION AGRICULTURAL PRESERVATION PLAN & IRRIGATION AND DRAINAGE PLAN



jmj/W:\Work\S\Satterwhite, Mark & Tammy 26427\Conditional Rezone .000\2024.02.08 Bad River Subdivision Water Users Agreement.docx

BAD RIVER SUBDIVISION WATER USERS ASSOCIATION AGREEMENT - 4

NARRATIVE IN SUPPORT OF BAD RIVER SUBDIVISION

Bad River Subdivision has applied for a straightforward four-lot split. The details are provided in the Application materials.

Accompanying this Narrative is a draft Water Users Agreement, inclusive of an exhibit for an Agricultural Preservation Plan and Irrigation & Drainage Plan ("Plans"). This Water Users Agreement and Plans are intended to evidence satisfaction of Condition of Approval 2(f) of the Development Agreement applicable to this property (Canyon County Development Agreement # 21-007). This Narrative and Water Users Agreement were requested by Canyon County Development staff to support the Application. These documents would be recorded upon approval.

The Plans provide a graphical depiction of the provision and preservation of irrigation access on the properties in a manner sufficient to support the broad range of potential agricultural uses. The Plans were prepared by licensed engineers with Mason & Associates. No specific types of agricultural usage are necessitated or required by the Development Agreement or Canyon County Code.

In addition, the Plans provides a series of Narrative Notes that further provide details and conditions on how the irrigation and drainage design provide for agricultural preservation, as well as how they work in conjunction with the attached Water Users Agreement to ensure non-disturbance of neighboring irrigation uses. These Narrative Notes are incorporated into the Water Users Agreement by its reference to the Plans and requirement that the water users comply with the Plans.

This Narrative, and accompanying documents, further evidence the desired purpose of Bad River Subdivision to provide for a level of reasonable development, while also continuing and preserving opportunity for accompanying agricultural usage and protection of the rural nature of the area. These are in accord with the subdivision standards of Canyon County, and comply with all requirements of the Development Agreement. Therefore, Applicant renews its request for timely processing and approval of the Application.

Submitted by:

Matthew A. Johnson WHITE PETERSON As attorney for Applicants Mark and Tammy Satterwhite

Canyon County, ID Web Map

Exhibit 3a



6/23/2023, 3:45:13 PM



Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA | COMPASS | Nampa GIS | City of Nampa |

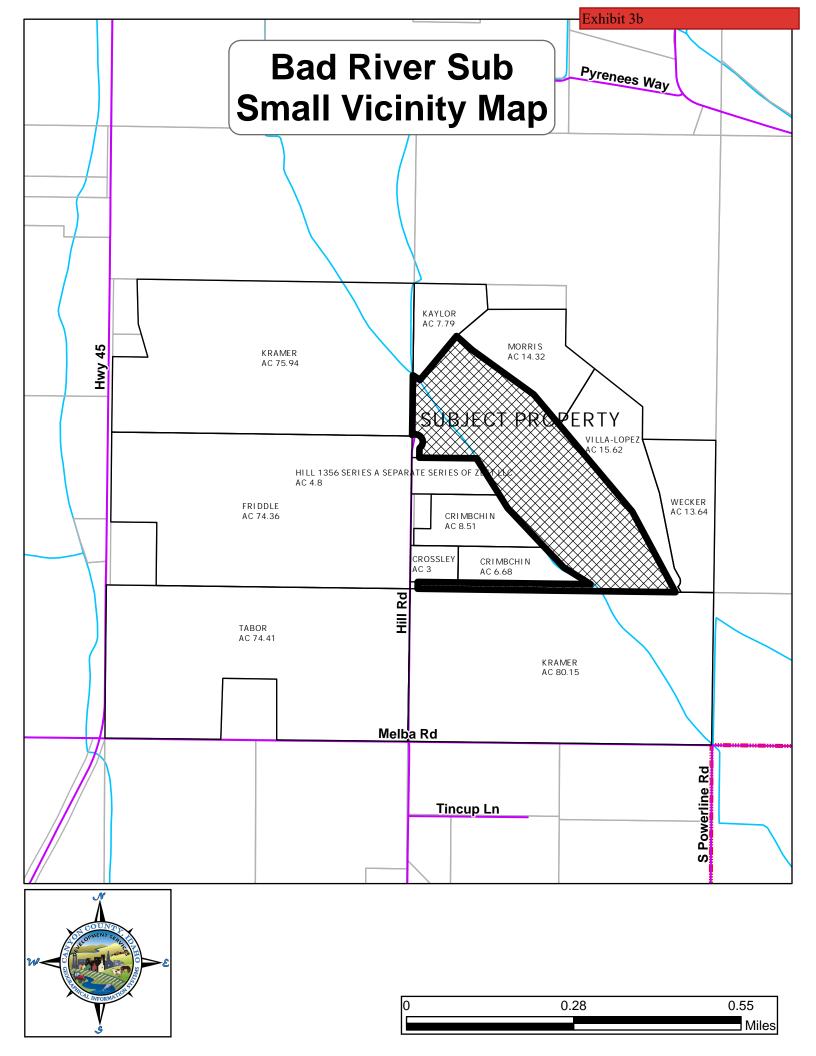


Exhibit 4a

100 Bower Street, Suite 110 Meridian, ID 83642 (208) 288-1992



August 3, 2022

Mr. Devin Krasowski Associate Engineer Development Services Department 111 North 11th Ave. #140 Caldwell, ID 83605

Re: Bad River Subdivision Final Plat Application

Dear Mr. Krasowski,

Keller Associates, Inc. has reviewed the Bad River Subdivision Final Plat dated April 18, 2022. We reviewed the applicant's package for conformance with the Canyon County Code Ordinance Article 17. We have the following comments in order to satisfy County requirements:

- 1. Typical Maximum Scale is 1" =100', is 1"=200' acceptable with County Development Services? Please also notify applicant if revisions are needed.
- 2. Add the Surveyor's Narrative.
- 3. In Detail D, add "RM" at the northeast end on Line L25.
- 4. Change Note 2 to the following: "No permanent structures shall be located closer than seventy feet to any section line unless the highway district waives the seventy feet setback requirement."
- 5. It appears "Nampa, Caldwell" in the second paragraph of the Owners Certificate should be deleted.
- 6. Certification of Canyon County Planning and Zoning is not usually required. Is the certification required? Please also notify applicant if required.

The conditions listed above must be addressed along with any other comments from the County Surveyor prior to the County Surveyors signature of the Final Plat Mylar. Any variance or waivers to the Canyon County standards, ordinances, or policies must be specifically approved in writing by the County. Approval of the above-referenced Plat, when granted, does not relieve the Registered Professional Land Surveyor or the Registered Professional Engineer of those responsibilities.

If you have any questions, please do not hesitate to call Keller Associates at (208) 244-5065.

Sincerely, KELLER ASSOCIATES, INC.

Justin Walker, P.E. **County Engineer**

GROWING POSSIBILITIES

Exhibit 4a

100 E Bower Street, Suite 110 Meridian, ID 83642 (208) 288-1992



August 3, 2022

Mr. Devin Krasowski Associate Engineer Development Services Department 111 North 11th Ave. #140 Caldwell, Idaho 83605

Re: Bad River Subdivision Preliminary Plat Application

Dear Mr. Krasowski,

Keller Associates, Inc. has reviewed the Preliminary Plat for the Bad River Subdivision dated April 18, 2022. We reviewed the applicant's package for conformance with the Canyon County Code Ordinance Article 17.

- 1. Plat shall comply with requirements of the local highway district.
- 2. Plat shall comply with irrigation district requirements.
- 3. Plat shall comply with Southwest District Health requirements.

We recommend that the Final Plat be **APPROVED with the conditions above.** Any variance or waivers to the Canyon County standards, ordinances, or policies must be specifically approved in writing by the County. Approval of the above-referenced Preliminary Plat, when granted, does not relieve the Registered Professional Land Surveyor or the Registered Professional Engineer of those responsibilities.

If you have any questions, please do not hesitate to call Keller Associates at (208) 244-5065.

Sincerely, **KELLER ASSOCIATES, INC.**

ust Valle

Justin Walker, P.E. County Engineer

NAMPA HIGHWAY DISTRICT NO. 1

February 16, 2023

Mason & Associates C/O William Mason 924 3rd St. South Nampa, ID. 83651

RE: Bad River Subdivision Preliminary and Final Plat Second Review

Dear Will,

As requested, we have completed a second review of the Preliminary and Final Plat of the Bad River Subdivision. The following comments relating to this development are based on the Highway Standards & Development Procedures for the Association of Canyon County Highway Districts and Nampa Highway Dist. #1 Supplementals:

Sec. 2120.040 – An existing fence is within the 65' public ROW along Hill Rd that will need to be relocated or a License Agreement approved by the Highway District Commissioners. This item is on the Commissioner meeting agenda for 2/23/2023 for a License Agreement.

Sec. 3061.070 - No access shall be allowed to lots in a platted subdivision including those created by land division other than to internal subdivision streets or as otherwise shown on the plat. Include a note on the final plat stating this. We realize Note 13 & 14 address access but we still want the note, as written, on the final plat.

We recommend this comment be addressed prior to approval of the plat. If you have any questions or need additional information, please give us a call.

Sincerely,

Eddy Thiel Right-of-Way Tech



Dalia Alnajjar

From:	Amber Lewter
Sent:	Tuesday, July 2, 2024 9:16 AM
To:	Dalia Alnajjar
Subject:	FW: [External] RE: Agency Notification SD2022-0005 Bad River Subdivision
Follow Up Flag:	Follow up
Flag Status:	Flagged

From: D3 Development Services <D3Development.Services@itd.idaho.gov>
Sent: Tuesday, July 2, 2024 9:16 AM
To: Amber Lewter <Amber.Lewter@canyoncounty.id.gov>
Subject: [External] RE: Agency Notification SD2022-0005 Bad River Subdivision

Hello,

After careful review of the transmittal submitted to ITD on June 28, 2024 regarding SD2022-0005 Bad River Subdivision, the Department has no comments or concerns to make at this time.

Thank you *Mila Kinakh* D3 Planning and Development

TOUR MODILLY TOOK ECONOMIC Opportunity

From: Amber Lewter <<u>Amber.Lewter@canyoncounty.id.gov</u>>

Sent: Friday, June 28, 2024 9:43 AM

To: Dalia Alnajjar <<u>Dalia.Alnajjar@canyoncounty.id.gov</u>>; 'sadams@melbaschools.org' <<u>sadams@melbaschools.org</u>>; 'brian.mccormack@melbafire.id.gov' <<u>brian.mccormack@melbafire.id.gov</u>>; 'kenny.hoagland@melbafire.id.gov' <<u>kenny.hoagland@melbafire.id.gov</u>>; 'knute.sandahl@doi.idaho.gov' <<u>knute.sandahl@doi.idaho.gov</u>>; 'Eddy Thiel' <<u>eddy@nampahighway1.com</u>>; 'aflavel.bkirrdist@gmail.com' <<u>aflavel.bkirrdist@gmail.com</u>>;

'mitch.kiester@phd3.idaho.gov' <<u>mitch.kiester@phd3.idaho.gov</u>>; 'anthony.lee@phd3.idaho.gov'

- <<u>anthony.lee@phd3.idaho.gov</u>>; D3 Development Services <<u>D3Development.Services@itd.idaho.gov</u>>; Niki Benyakhlef <<u>Niki.Benyakhlef@itd.idaho.gov</u>>; Brian Crawforth <<u>Brian.Crawforth@canyoncounty.id.gov</u>>; Christine Wendelsdorf
- <<u>Christine.Wendelsdorf@canyoncounty.id.gov</u>>; Michael Stowell<<u>mstowell@ccparamedics.com</u>>; Dan Lister

<<u>Daniel.Lister@canyoncounty.id.gov</u>>; Tom Crosby <<u>Tom.Crosby@canyoncounty.id.gov</u>>; Cassie Lamb

<<u>Cassie.Lamb@canyoncounty.id.gov</u>>; Eric Arthur <<u>Eric.Arthur@canyoncounty.id.gov</u>>; Kathy Husted <<u>Kathleen.Husted@canyoncounty.id.gov</u>>

Subject: Agency Notification SD2022-0005 Bad River Subdivision

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Dear Agencies,

Please see the attached agency notice regarding the scheduled Planning and Zoning Commission hearing on this project. We had previously requested your agency provide comments for the noticed land use application and if any agency comments were received, they were included in the Staff report. No response is required unless there is an update to your original comments.

This is the notification that a hearing date of **August 1, 2024** at 6:30 pm has been set for this case along with a final deadline of **July 22, 2024** for agency comments. If the comment deadline is on a weekend or holiday, it will move to close of business 5pm the next business day.

Please direct your comments or questions to Planner Dalia Alnajjar at dalia.alnajjar@canyoncounty.id.gov

Thank you,

Amber Lewter Hearing Specialist Canyon County Development Services Department 111 N. 11th Ave., #310, Caldwell, ID 83605

Direct Line: 208-454-6631 Fax: 208-454-6633 Email: <u>amber.lewter@canyoncounty.id.gov</u> Website: <u>www.canyoncounty.id.gov</u>

Development Services Department (DSD) **NEW** <u>public</u> office hours **Effective Jan. 3, 2023** Monday, Tuesday, Thursday and Friday 8am – 5pm Wednesday 1pm – 5pm **We will not be closed during lunch hour **

PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and as such may be copied and reproduced by members of the public.

Exhibit 5a



Planning & Zoning Commission Satterwhite – CR2020-0010

Development Services Department

Findings of Fact, Conclusions of Law, and Order Conditional Rezone – CR2020-0010

Findings of Fact

- The applicant is requesting a conditional rezone of Parcel R28608103 from an "A" (Agricultural) zone to a "CR-R-R" (Conditional Rezone – Rural Residential) zone. The property is located at 1484 Hill Road, Melba; also referenced as a portion of the SE¼ of Section 27, T1N, R2W, B-M; Canyon County, Idaho.
- The subject property is located within Nampa Highway District No. 1, Melba Fire District, and Melba School District.
- 3. The property is not located within Melba's Area of City Impact.
- 4. The subject property is designated as "Agricultural" on the 2020 Canyon County Future Land Use Map.
- 5. The neighborhood meeting was held on June 11, 2020 pursuant to CCZO §07-01-15.
- 6. Notice of the public hearing was provided in accordance with CCZO §07-05-01. Agency notice was provided on October 8, 2020. Full political notice was sent on October 22, 2020. Newspaper notice was provided on October 28, 2020. Property owners within 300' were notified by mail on October 23, 2020. The property was posted on November 5, 2020.
- 7. The record herein consists of exhibits provided as part of the public hearing staff report, exhibits submitted during the public hearing on November 12, 2020 and all information in case file CR2020-0010.

Conclusions of Law

For Case File No. CR2020-0010, the Planning and Zoning Commission finds and concludes the following regarding the Standards of Review for a Rezone CCZO §07-06-07(6):

Rezone Criteria

A. Is the proposed conditional rezone generally consistent with the comprehensive plan?

- Conclusion: The proposed zone change is consistent with the 2020 Canyon County Comprehensive Plan and Future Land Use Map.
- Finding: The future land use map within the 2020 Canyon County Comprehensive Plan designates the property as "agricultural". The request is consistent with multiple goals and policies of the 2020 Canyon County Comprehensive Plan including but not limited to:
 - Property Rights Policy #1: "No person shall be deprived of private property without due process of law."
 - Land Use Goal #4: "Achieve a land use balance, which recognizes that existing agricultural uses and non-agricultural development may occur in the same area."
 - Land Use Policy #2: "Encourage orderly development of subdivisions and individual land parcels, and require development agreements when appropriate."
 - Land Use Agricultural Policy #2: "Consider the use of voluntary mechanisms for the protection of agricultural land."



Satterwhite - CR2020-0010

B. When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation?

Conclusion: The proposed zone change is more appropriate than the current zoning designation and is consistent with the future land use map designation of residential.

Finding: The subject property and surrounding area is primarily zoned "A" (Agricultural). However, the adjacent parcels (Lot 1, 2 and 3 of Murrell Subdivision) are zoned as "R-R" (Rural Residential). Other similar zones have been approved with the City of Melba Area of City Impact, approximately 0.5 of a mile south.

> The Future Land Use Map designates the area as "agricultural" which the 2020 Comprehensive Plan describes as containing "productive irrigated croplands, grazing lands, feedlots, dairies, seed production, as well as rangeland and ground of lesser agricultural value." The property has best to moderately-suited soils and is considered prime farmland. The request includes a development agreement that will preserve approximately 40 acres for agricultural uses.

> Within the vicinity, the average lot size is 31.5 acres which include large agricultural properties. However, the result of this request will create property sizes commensurate to lot sizes within the vicinity. Murrell Subdivision is located adjacent to five properties with lots size between 3 to 10 acres.

The result of the request will create three lots with lot sizes over five acres each for family members. Each lot will have a one-acre building envelope which will maintain the agricultural setting and provide agricultural connectivity between dwellings. The four lot (approximately 34 acres) will have a building envelope near Hill Road. The rest of the property will remain in agricultural use. The result of the request is more appropriate than the current zone because it promotes preservation of farmland and provide housing to family members that will help maintain the farmland without impacting the existing character or setting.

C. Is the proposed conditional rezone compatible with surrounding land uses?

Conclusion: As conditioned by the development agreement (Attachment A), the proposed zoning map amendment is compatible with the surrounding land uses.

Finding:

The subject property and surrounding area is primarily zoned "A" (Agricultural). However, the adjacent parcels (Lot 1, 2 and 3 of Murrell Subdivision) are zoned as "R-R" (Rural Residential). Within the vicinity, the average lot size is 31.5 acres which include large agricultural properties. However, the result of this request will create property sizes commensurate to lot sizes within the vicinity. Murrell Subdivision is located adjacent to five properties with lots size between 3 to 10 acres.

The following other similar zones have been approved with the City of Melba Area of City Impact, approximately 0.5 of a mile south:

- PH2016-25/PH2016-27: Rezone from "A" to "R-1" for Jason Phillips. The result become Phillips Subdivision (2.07 acre average lot size).
- CR2020-0001: Conditional Rezone from "A" to "R-R". Development agreement allows additional residential development to preserve 29.3 acres of farm land.

Murrell Subdivision is the only subdivision in the vicinity which the subject property is located within (Exhibit 3d). Next nearest subdivision is located within the Melba Area of City Impact (Phillips Subdivision).

- D. Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?
 - Conclusion: As restricted by the development agreement, the proposed zoning map amendment will not negatively affect the character of the area and no mitigation is proposed at this time.
 - Finding: The request is consistent with the setting and character of the existing area (See Findings B & C above for more information).

Upon review by affected agencies, no issues or impacts were found regarding this request. No comments were received from neighbors.

- E. Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate the proposed conditional rezone?
 - Conclusion: Adequate sewer, drainage, irrigation, and storm water drainage facilities and utility systems will be provided to accommodate the proposed zoning map amendment at the time of development.
 - Finding: The request will create a total of four lots. The lots will be served by individual wells and septic systems. The property is located within a nitrate priority area. Therefore, Southwest District Health (SWDH) shall require an NP Study and engineering review of the subsequent plat prior to plat approval to ensure residential development meets all applicable requires regarding wells and septic systems in a nitrate priority area.

The property has irrigation water rights from Boise-Kuna Irrigation District. Boise Project Board of Control review the application (Exhibit 4b). Three Buttes Wasteway lies within the subject property which is regulated by the Bureau of Reclamation. Future development must observe federal easements and protect the canal from future development. Future development requires review and approval by Boise-Kuna Irrigation District and Boise Project Board of Control.

- F. Does legal access to the subject property for the conditional rezone exist or will it exist at the time of development?
 - Conclusion: The property has existing approved access from Hill Road, a public road.
 - Finding: The subject property has frontage on Hill Road, a public road. The request proposes a total of four lots. Three of the lots will take assess via a 60' wide shared access easement established by Murrell Subdivision (Exhibit 7). Nampa Highway District No. 1 will require a paved apron and review of the subsequent plat.
- G. Does the proposed conditional rezone require public street improvements in order to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns? What measures have been taken to mitigate road improvements or traffic impacts?
 - Conclusion: The rezone of the subject property will not cause undue interference with existing or future traffic patterns as proposed.
 - Finding: The result of the request, a total of four primary dwellings, is not anticipated to create traffic impacts to Hill Road or nearby road network. Nampa Highway District #1 and Idaho Transportation Department did not have any concerns.

- H. Will the proposed conditional rezone impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts?
 - Conclusion: Essential services will be provided to accommodate the use. No mitigation is proposed at this time.
 - Finding: Canyon County Sheriff, Canyon County Ambulance, Canyon County Weed & Gopher District, Melba School District, and Melba Fire District were notified of the request and did not provide responses to indicate that the proposed zone change amendment would have a negative impact. Based on the location and scale of the request, the rezone will not impact essential public services and facilities. No measures are proposed to mitigate impacts.

Order

Based upon the Findings of Fact, Conclusions of Law contained herein, the Planning and Zoning Commission **recommends approval** of Case # CR2020-0010, a **Conditional Rezone** of Parcel R28608103 from "A" (Agricultural) to "CR-R-R" (Rural Residential) zone subject to the development agreement (Attachment A).

APPROVED this 12th day of November, 2020.

PLANNING AND ZONING COMMISSION CANYON COUNTY, IDAHO

Robert Sturgill, Chairman

State of Idaho

County of Canyon County

On this 12 Day of November in the year of 2020, before me Kellie 2 Greage, a notary public, personally appeared Robert Stugil personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

KELLIE Z. GEORGE COMMISSION #46603 NOTARY PUBLIC STATE OF IDAHO

SS

Notary:	Julyinge
My Commission Expires:	3.14.2024

ATTACHMENT A

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT



1115 Albany Street • Caldwell, Idaho • 83605 • Phone (208) 454-7458 Fax: (208) 454-6633 • www.canyoncounty.org/dsd

DEVELOPMENT AGREEMENT BETWEEN CANYON COUNTY AND APPLICANT

Agreement number:

THIS AGREEMENT, made and entered into this _____ day of _____, 2020, by and between Canyon County, Idaho, a political subdivision of the state of Idaho, hereinafter referred to as "COUNTY" and Mark & Tammy Satterwhite, hereinafter referred to as "Applicant."

RECITALS

WHEREAS, Applicants have applied to County for a conditional rezone from the "A" (Agricultural) Zone to "CR-R-R" (Conditional Rezone - Rural Residential) Zone (CR2020-0010), which are legally described in the attached EXHIBIT "A," incorporated by reference herein (hereinafter referred to as "Subject Property"); and

WHEREAS, Parcel R28608103, approximately 49.82 acres, is owned by the Applicant.

WHEREAS, on the _____day of _____, 2020 the Canyon County Board of Commissioners approved a conditional rezone with conditions of the Subject Property to a "CR-R-R" (Conditional Rezone - Rural Residential) Zone, which was done with Applicant's approval. The conditions of the approval for the conditional rezone are attached hereto as EXHIBIT "B".

WHEREAS, the parties desire to enter into an agreement to comply with Canyon County Code of Ordinances §07-06-07(2) & 07-06-07(7), Canyon County Zoning Ordinance No. 16-007 or as amended, and to ensure the Applicants will implement and be bound by the conditions of the rezone order issued by the Canyon County Board of Commissioners; and

NOW THEREFORE, the parties hereto do hereby agree to the following terms:

SECTION 1. AUTHORIZATION.

This Agreement is authorized and required by Idaho Code §67-6511A; Canyon County Code of Ordinances 07-06-07 (Conditional Rezoning).

SECTION 2. PROPERTY OWNER.

Applicants are the owner(s) of Subject Properties which is located in the unincorporated area of Canyon County, Idaho, more particularly described in EXHIBIT "A", attached hereto and incorporated herein, which real property is the subject matter of this Agreement. Applicants represent that they currently hold complete legal or equitable interest in the Subject Properties and that all persons holding legal or equitable interests in the Subject Properties or the operation of the business are to be bound by this Agreement.

SECTION 3. RECORDATION.

Pursuant to Idaho Code §67-6511A and Canyon County Code of Ordinances, this Agreement shall be recorded by the Clerk in the Canyon County Recorder's Office and will take effect upon the adoption, by the Board of County Commissioners, of the amendment to the zoning ordinance as set forth herein.

SECTION 4. TERM.

The parties agree that this Agreement shall run with the land and bind the Subject Property in perpetuity, and shall inure to the benefit of and be enforceable by the parties, and any of their respective legal representatives, heirs, successors, and assignees. Provided, however, this Agreement shall terminate if the Board of County Commissioners subsequently rezones the property to allow for a higher density use or if annexation of the Subject Property by a city occurs. In this event, however, the Agreement shall only terminate in regards to the portion of the Property that is actually rezoned or annexed, while the remainder of the Property shall remain subject to the Agreement.

If any of the privileges or rights created by this Agreement would otherwise be unlawful or void for violation of (1) the rule against perpetuities or some analogous statutory provision, (2) the rule restricting restraints on alienation, or (3) any other statutory or common law rules imposing time limits, then such provision shall continue until twenty-one (21) years after the death of the last survivor of the now living lawful descendants of George Herbert Walker Bush, former President of the United States, or for such shorter period as may be required to sustain the validity of such provision.

SECTION 5. MODIFICATION.

This Agreement may be modified only in writing signed by the parties, or their successors in interest, after complying with the notice and hearing procedures of Idaho Code §67-6509 and the requirements of Canyon County Code of Ordinances. The modification proposal must be in the form of a revised Development Agreement and must be accompanied by a statement demonstrating the necessity for the requested modification.

SECTION 6. APPLICATION OF OTHER LAWS TO THE SUBJECT PROPERTIES.

This Agreement shall not prevent the County in subsequent actions applicable to the Subject Properties from applying new rules, regulations, or policies that do not conflict with this Agreement.

SECTION 7. COMMITMENTS.

Applicants will fully and completely comply with the conditions of the approved conditional rezone of the Subject Properties from "A" (Agricultural) Zone to "CR-R-R" (Conditional Rezone - Rural Residential) Zone, which conditions are attached hereto as EXHIBIT "B".

SECTION 8. USES, DENSITY, AND HEIGHT AND SIZE OF BUILDINGS

The density or intensity of use of the Subject Properties is specified in the commitments of Section 7 unless conditioned otherwise (see Exhibit "B"). The uses and maximum height and size of the buildings on the Subject Properties shall be those set pursuant to law, including those contained in the Canyon County Code of Ordinances, that are applicable to an "CR-R-R" (Conditional Rezone - Rural Residential) zone and those provisions of law that are otherwise applicable to the Subject Property.

SECTION 9. LIABILITY AND INDEMNITY OF COUNTY.

A. COUNTY REVIEW.

Applicants acknowledge and agree that the County is not and shall not be, in any way, liable for any damages or injuries that may be sustained as a result of the County's review and approval of any plans or improvements, or the issuance of any approvals, permits, certificates or acceptances, relating to the use and development of the property described in EXHIBIT "A," and that the County's review and approval of any such plans and the improvements or the issuance of any such approvals, permits, certificates, or the issuance of any such approvals, permits, certificates, or acceptances does not, and shall not, in any way, be deemed to insure or ensure Applicants or any of Applicants' heirs, successors, assigns, tenants, and licensees, against damage or injury of any kind and/or at any time.

B. COUNTY PROCEDURES.

Applicants acknowledge that notices, meetings, and hearings have been lawfully and properly given and held by the County with respect to Applicant's conditional rezone application in Development Services Department Case Number CR2020-0010 and any related or resulting development agreements, ordinances, rules and regulations, resolutions or orders of the Board of County Commissioners. Applicants agree not to challenge the lawfulness, procedures, proceedings, correctness or validity of any of such notices, meetings, hearings, development agreements, ordinances, rules, regulations, resolutions or orders.

C. INDEMNITY.

Applicants agree to, and do hereby, defend, hold harmless and indemnify the County, the Board of County Commissioners, all County elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any such parties in connection with (i) the County's review and approval of any plans or improvements, or the issuance of any approvals, permits, certificates, or acceptances relating to the use and/or development of the Subject Properties; (ii) any actions taken by the County pursuant to Subsection 9(B) of this Agreement; (iii) the development, construction, and maintenance of the property; and (iv)

Exhibit I | Page 7

the performance by County of its obligations under this Agreement and all related ordinances, resolutions, or other agreements.

D. DEFENSE EXPENSES.

Applicants shall, and do hereby agree, to pay, without protest, all expenses incurred by the County in defending itself with regard to any and all of the claims identified in Subsection 9 of this Agreement. These expenses shall include all out-of-pocket expenses, including, but not limited to, attorneys' and experts' fees, and shall also include the reasonable value of any services rendered by any employees of the County.

SECTION 10. PERIODIC REVIEW.

The County's Development Services Department will administer the Agreement after it becomes effective and will conduct a review of compliance with the terms of this Agreement on a periodic basis, including, but not limited to, each time a development of the Property is platted. Applicants shall have the duty to demonstrate Applicants' compliance with the terms of this Agreement during such review.

SECTION 11. REQUIRED PERFORMANCE.

Applicants shall timely carry out all steps required to be performed and maintain all commitments set forth in this Agreement and as set forth in County laws, ordinances, rules and regulations as they pertain to the Subject Property including, but not limited to, those concerning the commencement of development, completion of development, preliminary platting and final platting.

SECTION 12. DEFAULT AND REMEDIES.

In the event of a default or breach of this Agreement or of any of its terms or conditions, the party alleging default shall give the breaching party not less than thirty (30) days. Notice of Default, in writing, unless an emergency exists threatening the health and safety of the public. If such an emergency exists, written notice shall be given in a reasonable time and manner in light of the circumstances of the breach. The time of the giving of the notice shall be measured from the date of the written Notice of Default. The Notice of Default shall specify the nature of the alleged default and, where appropriate, the manner and period of time during which said default may be satisfactorily cured. During any period of curing, the party charged shall not be considered in default for the purposes of termination or zoning reversion, or the institution of legal proceedings. If the default is cured, then no default shall exist and the charging party shall take no further action.

SECTION 13. ZONING REVERSION CONSENT.

The execution of this Agreement shall be deemed written consent by Applicants to change the zoning of the Subject Properties to its prior designation upon failure to comply with the terms and conditions imposed by the approved conditional rezone and this Agreement. No reversion shall take place until after a hearing on this matter pursuant to Idaho Code §67-6511A. Upon notice and hearing, as provided in this Agreement and in Idaho Code §67-6509, if the properties described in attached EXHIBIT "A " are not used as approved, or if the approved use ends or is

Satterwhite - CR2020-0010

abandoned, the Board of County Commissioners may order that the property will revert to the zoning designation (and land uses allowed by that zoning designation) existing immediately prior to the rezone action, i.e., the Subject Properties conditionally rezoned from "A" (Agricultural) Zone designation to "CR-R-R" (Conditional Rezone - Rural Residential) Zone designation shall revert back to the "A" (Agricultural) Zone designation.

SECTION 14. COMPLIANCE WITH LAWS.

Applicants agree that they will comply with all federal, state, county and local laws, rules and regulations, which appertain to the Subject Property.

SECTION 15. RELATIONSHIP OF PARTIES.

It is understood that this Agreement between Applicants and the County is such that Applicants are an independent party and are not an agent of the County.

SECTION 16. CHANGES IN LAW.

Any reference to laws, ordinances, rules, regulations, or resolutions shall include such laws, ordinances, rules, regulations, or resolutions as they have been, or as they may hereafter be amended.

SECTION 17. NOTICES.

Except as otherwise provided in this Agreement and/or by law, all notices and other communications in connection with this Agreement shall be in writing and shall be deemed delivered to the addressee thereof, (1) when delivered in person on a business day at the address set forth below, or (2) in the third business day after being deposited in any main or branch United States post office, for delivery by properly addressed, postage paid, certified or registered mail, return receipt requested, at the addresses set forth below.

Notices and communications required to be given to County shall be addressed to, and delivered at, the following address:

Director Development Services Department Canyon County Administration 111 North 11th Avenue, #140 Caldwell, Idaho 83605

Notices and communications required to be given to Applicants shall be addressed to, and delivered at, the following addresses:

Name: Mark and Tammy Satterwhite Street Address: 1484 Hill Road City, State, Zip: Melba, ID 83641

A party may change its address by giving notice, in writing, to the other party, in the manner provided for in this section. Thereafter, notices, demands, and other pertinent correspondence shall be addressed and transmitted to the new address.

Satterwhite - CR2020-0010

SECTION 18. TERMINATION.

This Agreement may be terminated in accordance with the notice and hearing procedures of Idaho Code §67-6509, and the zoning designation upon which the use is based reversed, upon failure of Applicants, a subsequent owner, or other person acquiring an interest in the property described in attached EXHIBIT "A" to comply with the terms of this Agreement. Applicants shall comply with all commitments in this Agreement prior to establishing the approved land use.

SECTION 19. EFFECTIVE DATE.

The commitments contained in this Agreement shall take effect in the manner described in this Agreement upon the County's adoption of the amendment to the zoning ordinance as set forth herein.

SECTION 20. TIME OF ESSENCE.

Time is of the essence in the performance of all terms and provisions of this Agreement.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

BOARD OF COUNTY COMMISSIONERS CANYON COUNTY, IDAHO

APPLICANTS

Commissioner, Pam White

Mark Satterwhite, Property Owner

Commissioner Tom Dale

Tammy Satterwhite, Property Owner

Commissioner Leslie Van Beek

ATTEST: Chris Yamamoto, Clerk

BY:

Deputy

DATE:

Satterwhite - CR2020-0010

Exhibit 1 J Page 10

(All Applicants must sign and their signatures must be notarized)

 STATE OF IDAHO
)

) ss.
)

 County of Canyon)
 On this ______ day of ______, 20____, before me, a notary public, personally appeared _______, known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he/she executed the same on behalf of the Applicant.

Notary Public for Idaho

Residing at: _____

My Commission Expires: _____

STATE OF IDAHO)) ss.

County of Canyon)

On this ______ day of ______, 20____, before me, a notary public, personally appeared _______, known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he/she executed the same on behalf of the Applicant.

Notary Public for Idaho

Residing at:

My Commission Expires: _____

EXHIBIT "A"

LEGAL DESCRIPTION

(Will provide at the time of Signing by the BOCC)

EXHIBIT "B"

CONDITIONS OF APPROVAL

- 1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules and regulations that pertain to the property.
- The subject parcels, approximately 49.82 acres, shall be divided in accordance with Chapter 7, Article 17 of the Canyon County Zoning Ordinance (Subdivisions) in substantial compliance with the conceptual site plan (Exhibit "C") subject to the following restrictions:
 - a. The division of the parcel shall not exceed four lots. Further divisions are prohibited unless approved by subsequent comprehensive plan amendment, rezone and platting applications.
 - b. Secondary dwellings are prohibited on Lots 1, 2 and 3.
 - c. A one acre building envelope is required on Lots 1, 2, and 3 where all residential and accessory structures shall be located. Area outside of the building envelopes is to remain open (except for agricultural-exempt structures) for agricultural purposes.
 - d. A 4.2 acre building envelope shall be required on Lot 4 near Hill Road where the existing dwelling and accessory shop is located. Area outside of the building envelope is to remain open (except for agricultural-exempt structures) for agricultural purposes.
- Historic irrigation lateral, drain and ditch flow patterns shall be maintained and protected. Modification shall be approved in writing by Boise-Kuna Irrigation District, Boise Project Board of Control and Bureau of Reclamation.
- 4. The developer shall comply with CCZO §07-06-07 (4) Time Requirements: "All conditional rezones for a land use shall commence within two (2) years of the approval of the board."

EXHIBIT "C"

THE S SECTION 27, T. 1 N., R. 2 W., B.M., CANYON COUNTY, IDAHO 2016 THE FAIL STATES ALTER ACRES E HE BOY ACTET GAT 212 4 HE JI 101 6/2" Fr 11/01 ----M ty mayings massig massig margin tayon tanggar (APLATED Bldg. ALSH Envelope PRIME 1/9" 10/201 5/8" 0 ٢ 833 10' 10 4 all the second 3 15 74 ACRES 33.79 1 5.01ac SPORATED HOT A PART 2 5.01ac Paula Antrana Paula Antrana Antrana Cangginal Ha the 3 5.01ac 18978437 1563.92 Ter 8 4.5% 1991.00 ARTINE CORDINE MANEL ANDERI DER MURTE EARMENT REF. HEATER ST.

CONCEPTUAL SITE PLAN

Satterwhite - CR2020-0010

Exhibit 1 | Page 13

Development Services Department



FINDINGS OF FACT, CONCLUSIONS OF LAW, & ORDER Bad River Subdivision - SD2022-0005

Findings

The applicant, William Mason, is requesting approval of a preliminary plat, irrigation and drainage plans for Bad River Subdivision, which is a replat of Lot 4 Block 1 of the Murrell Subdivision. The preliminary plat consists of 6 lots on parcel R28608103, being 49.82 acres. Three (3) new residential lots, lot 4 contains an existing residence and shop/accessory building, the majority of which will remain in agricultural and 2 private roads lots. Each of the three (3) new residential lots will in excess of 7 acres in size and will include building envelopes to insure continued agriculture. Residential Lots 1,2 & 3, will have one (1) acre building envelopes. The property is zoned CR-RR zoned and is located on 1484 Hill Rd Melba, ID in a part of the N ½ SE ¼ and a part of the S ½ NE ¼, section 27, T1N R2W BM, Canyon County, Idaho.

- 1. The 49.82-acre property is zoned "R-R" (Rural Residential, seven-acre average lot size; CR2020-0010).
- 2. The minimum residential lot size of 7.00 acres.
- 3. The property is not located within an area of city impact.
- 4. The property has surface irrigation water rights. The developer shall provide irrigation water to each residential lot. The development shall comply with Black Canyon Irrigation District requirements.
- 5. The development will be served by individual well and septic systems.
- 6. Subdivision runoff will be maintained within the subdivision (Plat Note 13, Exhibit 2g).
- 7. The development will be served by 2 private roads, Coyote Trail Ln and Bad river Ln. The road names were approved by Tony Almeida on 5/7/2024 Case No. RD2024-0008 (Exhibit 2h).
- 8. Nampa Highway District 1: approved the proposed approach location. The applicant shall comply with the requirements of NPHD at the time of construction (Exhibit 2c).
- 9. Melba Rural Fire did not provide any comments during the rezone application process.
- 10. The development is not located within a mapped floodplain (Flood Zone X).
- 11. The record includes all testimony, the staff report, exhibits, and documents in Case File No. SD2022-0005.
- 12. Notice of the public hearing was provided in accordance with CCZO §07-05-01. Agency notice was provided on July 22, 2024. The newspaper notice was published on June 27, 2024. Property owners were sent a notice on June 28, 2024.

Conclusions of Law

Section 07-17-09(4)A of the Canyon County Zoning Ordinance (CCZO) states, "The commission or hearing examiner shall hold a noticed public hearing on the preliminary plat. The hearing body shall recommend that the board approve, approve conditionally, modify, or deny the preliminary plat. The reasons for such action will be shown in the commission's minutes. The reasons for action taken shall specify:

- 1. The ordinance and standards used in evaluating the application;
- 2. Recommendations for conditions of approval that would minimize adverse conditions, if any;
- 3. The reasons for recommending the approval, conditional approval, modification, or denial; and
- 4. If denied, the actions, if any, that the applicant could take to gain approval of the proposed subdivision."

Upon review of the preliminary plat, the Planning and Zoning Commission finds that the plat consistent with the following subject to conditions of approval:

- Idaho Code §67-6513 (Subdivisions);
- Idaho Code §50-1301 through 50-1329 (Platting);
- Idaho Code § 22-4503 (Right-to-Farm Act, Plat note #9);
- Idaho Code, §31-3805 (Irrigation), plat note #6&15;
- Canyon County Zoning Ordinance, Chapter 7, Article 17 (Subdivision Regulations); and

The preliminary plat was found to be consistent with the standards of review subject to conditions (Exhibit 2g).

Conditions of Approval

- 1. All subdivision improvements (roads, shared access, irrigation and drainage swales/basins) and amenities shall be bonded or completed prior to the Board of County Commissioner's signature on the final plat.
- 2. Historic irrigation lateral, drain and ditch flow patterns shall be maintained and protected. Modification shall be approved in writing by Boise-Kuna Irrigation District, Boise Project Board of Control and Bureau of Reclamation.
- 3. Irrigation Water is proposed to be the owner of each lot within the property is aware of the bound by the irrigation water management terms of the agreement. (Exhibit 2j).
- 4. Finish grades at subdivision boundaries shall match existing finish grades. Storm water runoff shall be maintained on the subject property (Exhibit 2g).
- 5. The development shall comply with Southwest District Health requirements.
- 6. The development shall comply with Melba Fire District requirements.
- 7. The development shall comply with requirements of the Nampa Highway District 1.
- 8. The applicant shall <u>improve & asphalt pave Coyote Trail Lane from Hill Road to a point where it leaves subject</u> <u>property parcel R28608103</u> prior to the signing of the Final Plat for Bad River Subdivision per CCZO Section 07-17-31(2) and in accord with CCZO 07-10-03 Table 1.
- 9. Irrigation Water is proposed to be the owner of each lot within the property is aware of the bound by the irrigation water management terms of the agreement. (Exhibit 2j).

<u>Order</u>

Based upon the Findings of Fact, Conclusions of Law contained herein for Case No. SD2022-0005, the Planning & Zoning Commission **recommends approval** of the Preliminary Plat, irrigation and drainage plans for Bad River Subdivision to the Board of County Commissioners subject to the Conditions of Approval as enumerated herein.

RECOMMENDED FOR APP	ROVAL on this	day of	, 2024.
		PLANNING AND Z CANYON COUNTY	ONING COMMISSION 7, IDAHO
		Robert Sturg	ill, Chairman
State of Idaho)	SS		
County of Canyon County)			
On this day of appeared instrument, and acknowledged to me that het	, personally known to		
	Ν	lotary:	

My Commission Expires: _____

FRED BUTLER CHAIRMAN OF THE BOARD

RICHARD MURGOITIO VICE CHAIRMAN OF THE BOARD

ROBERT D. CARTER PROJECT MANAGER

THOMAS RITTHALER ASSISTANT PROJECT MANAGER

APRYL GARDNER SECRETARY-TREASURER

MARY SUE CHASE ASSISTANT SECRETARY-TREASURER **BOISE PROJECT BOARD OF CONTROL**

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2465 OVERLAND ROAD BOISE, IDAHO 83705-3155 OPERATING AGENCY FOR 167,000 ACRES FOR THE FOLLOWING IRRIGATION DISTRICTS

EXHIBIT IVa

NAMPA-MERIDIAN DISTRICT BOISE-KUNA DISTRICT WILDER DISTRICT NEW YORK DISTRICT BIG BEND DISTRICT

17 September 2024



Canyon County Development Services 111 North 11th Ave., Ste. 310 Caldwell, Idaho 83605

RE: Mark Satterwhite CR2020-0010(original), SD2022-005(newest) 1484 Hill Rd. Melba, Idaho Boise-Kuna Irrigation District BK-836 North McElroy Lateral 77+00 Three Buttes Wasteway Sec. 27, T1N, R2W, BM.

Jay Gibbons:

The United States' Three Buttes Wasteway lies within the boundary of the abovementioned location. The easement for this canal is held in the name of the United States through the Bureau of Reclamation under the authority of the Act of August 30, 1890. (26 Stat. 391; 43 U.S.C. 945)

The Boise Project Board of Control is contracted to operate and maintain this canal. We assert the federal easement of 25 feet west and 25 feet east of the wasteway's centerline. Whereas this area is for the operation and maintenance of our facility, no activity should hinder our ability to do so.

The Boise Project does not approve landscaping (other than gravel) within its easements, as this will certainly increase our cost of maintenance. Easements must remain flat drivable surfaces, and no other roads shall encroach within our easements. No variances will be granted.

Fencing, gates and pathways (as may be required) must be constructed just off the canal easement, to ensure public safety and prevent encroachments. No variances will be granted.

Parking lots, curbing, light poles, signs, etc. and the placing of asphalt and/or cement over Project facility easements must be approved by Boise Project Board of Control prior to construction.

Project facilities and/or easements that parallel and are within and/or intended to be within road right-of-ways due to any development of this property must be relocated outside of road right-of-ways. The easements of Boise Project facilities will remain the same unless agreed upon and/or approved with written permission from Boise Project Board of Control.

The construction of any roadway crossings must be conducted only during the nonirrigation season when the canal is dewatered. In any case no work shall take place within the easement before the proper crossing agreements have been secured through the Bureau of Reclamation and the Boise Project Board of Control.

Utilities planning to cross any project facility must do so in accordance with the master policies now held between the Bureau of Reclamation and most of the utilities. In any case, no work shall take place within the easement before proper crossing agreements have been secured through both the Bureau of Reclamation and the Boise Project Board of Control.

Crossing agreements must be secured and signed by all parties prior to March 1st of each year. A time schedule for the construction to be done during the non-irrigation season must be approved by Boise Project prior to any activity within Project easements. No construction will be allowed within the easement boundaries of the Boise Project Board of Control facilities after March 1st of each year. However, on a case by case basis, overhead utilities crossing a Project facility may be allowed after March 1st if reviewed and approved by the Boise Project.

Storm Drainage and/or Street Runoff must be retained on site.

NO DISCHARGE into any live irrigation system is permitted.

Per Idaho Statutes, Title 42, local irrigation/drainage ditches that cross this property, to serve neighboring properties, must remain unobstructed and protected by an appropriate easement by the landowner, developer and contractors.

Wording on the preliminary and final recorded plat needs to state that any proposed and/or future usage of the Boise Project Board of Control facilities are subject to Idaho Statues, Title 42-1209.

Future preliminary and final plats must call out the Project easements and the plats must also note which lots have surface irrigation water rights and which lots do not.

Whereas this development is in its preliminary stages, Boise Project Board of Control reserves the right to require changes when our easements and/or facilities are affected by unknown factors even during the construction phase.

If you have any further questions or comments regarding this matter, please do not hesitate to contact me at (208) 344-1141.

Sincerely,

Thomas Ritthaler Assistant Project Manager

tbr/tr

cc:	Ray Moore
	Alicia Flavel
D .1	

Watermaster, Div; 3 BPBC Secretary – Treasurer, BKID

File

Canyon County Board of County Commissioners Bad River Subdivision – SD2022-0005

Development Services Department



EXHIBIT VI

FINDINGS OF FACT, CONCLUSIONS OF LAW, & ORDER

Bad River Subdivision - SD2022-0005

Findings

The applicant, William Mason, is requesting approval of a preliminary plat, irrigation and drainage plans for Bad River Subdivision, which is a replat of Lot 4 Block 1 of the Murrell Subdivision. The preliminary plat consists of 6 lots on parcel R28608103, being 49.82 acres. Three (3) new residential lots, lot 4 contains an existing residence and shop/accessory building, the majority of which will remain in agricultural and 2 private roads lots. Each of the three (3) new residential lots will in excess of 7 acres in size and will include building envelopes to insure continued agriculture. The property is zoned CR-RR zoned and is located on 1484 Hill Rd Melba, ID in a part of the N ½ SE ¼ and a part of the S ½ NE ¼, section 27, T1N R2W BM, Canyon County, Idaho.

- 1. The 49.82-acre property is zoned "CR-R-R" (Rural Residential, seven-acre minimum lot size; CR2020-0010).
- 2. The minimum residential lot size is 7.00 acres.
- 3. The property is not located within an area of city impact.
- 4. The property has surface irrigation water rights. The developer shall provide irrigation water to each residential lot. The development shall comply with Boise-Kuna Irrigation District and Boise Project Board of Control requirements.
- 5. The development will be served by individual wells and individual septic systems.
- 6. Subdivision runoff will be maintained within the subdivision (Plat Note 13, P&Z Staff Report, Exhibit 2g).
- 7. The development will be served by 2 private roads, Coyote Trail Ln and Bad river Ln. The road names were approved by DSD on 5/7/2024 Case No. RD2024-0008 (P&Z Staff Report, Exhibit 2h).
- 8. Nampa Highway District 1: approved the proposed approach location. The applicant shall comply with the requirements of NPHD at the time of construction (P&Z Staff Report,Exhibit 2c).
- 9. Melba Rural Fire did not provide any comments during the rezone, nor the preliminary plat application process.
- 10. The development is not located within a mapped floodplain (Flood Zone X).
- 11. The record includes all testimony, the staff report, exhibits, and documents in Case File No. SD2022-0005.
- 12. Notice of the public hearing was provided in accordance with CCZO §07-05-01. Agency notice was provided on September 11, 2024. Property owners were sent a notice on September 9, 2024. Subject property was posted on September 27, 2024.

Conclusions of Law

Section 07-17-09(5)A/B of the Canyon County Zoning Ordinance (CCZO) states, "The board shall consider the commission's recommendation at a noticed public hearing. The Board shall base its findings upon the evidence presented at the board's public hearing, and within thirty (30) calendar days declare its findings. It may sustain, modify or reject the recommendations of the commission and make such findings as are consistent with the provisions of this chapter and the Idaho Code. The findings shall specify:

- 1. The ordinance and standards used in evaluating the application;
- 2. The reasons for approval or denial; and
- 3. If denied, the actions, if any, that the applicant could take to gain approval of the proposed subdivision.

Upon review of the preliminary plat, the Board of Canyon County Commissioners finds that the plat is consistent with the following subject to conditions of approval:

- Idaho Code §67-6513 (Subdivisions);
- Idaho Code §50-1301 through 50-1329 (Platting);
- Idaho Code § 22-4503 (Right-to-Farm Act, Plat note #9);
- Idaho Code, §31-3805 (Irrigation), plat note #6 & #15;
- Canyon County Zoning Ordinance, Chapter 7, Article 17 (Subdivision Regulations); and

The preliminary plat was found to be consistent with the standards of review subject to conditions (Exhibit 2g).

Conditions of Approval

- 1. All subdivision improvements (roads, shared access, irrigation and drainage swales/basins) and amenities shall be bonded or completed prior to the Board of County Commissioner's signature on the final plat.
- 2. Historic irrigation lateral, drain and ditch flow patterns shall be maintained and protected. Modification shall be approved in writing by Boise-Kuna Irrigation District, Boise Project Board of Control and Bureau of Reclamation.
- 3. All lot owners shall adhere and be bound to the recorded Bad River Subdivision Water Users Agreement. (P&Z Staff Report, Exhibit 2j).
- 4. Finish grades at subdivision boundaries shall match existing finish grades. Storm water runoff shall be maintained on the subject property (P&Z Staff Report, Exhibit 2g).
- 5. The development shall comply with Southwest District Health requirements.
- 6. The development shall comply with Melba Fire District requirements.
- 7. The development shall comply with requirements of the Nampa Highway District 1.
- 8. The developer acknowledges that Coyote Trail Lane provides access to, or will at the signing of the Final Plat for Bad River Subdivision, a number of building lots with or without secondary dwelling units as allowed by Murrel Subdivision and Bad River Subdivision. As of this date, the total Average Daily Trips (ADT) will not exceed 100 ADT requiring widening & paving as per CCZO 07-10-03 Table 1. Should any future development adding dwelling units or development of other properties currently taking access on Coyote Trail Lane push total ADT above Canyon County Code requirements referenced above, paving will be required.
- 9. Road lots #5 and #6 shall be under common ownership.

<u>Order</u>

Based upon the Findings of Fact, Conclusions of Law contained herein for Case No. SD2022-0005, the Board of Canyon County Commissioners **approves** the Preliminary Plat, irrigation and drainage plans for Bad River Subdivision subject to the Conditions of Approval as enumerated herein.

RECOMMENDED F	OR APPROVAL on this	day of	, 2024.
			N COUNTY COMMISSIONERS DUNTY, IDAHO
		Brad Holtor	n, Chairman
State of Idaho) SS		
County of Canyon County)		
appeared	, personally kn	own to me to be the person whose	, a notary public, personally e name is subscribed to the within
instrument, and acknowledged to	me that he(she) executed the sa	ame.	
		Notary:	

	My Commission Expires:	
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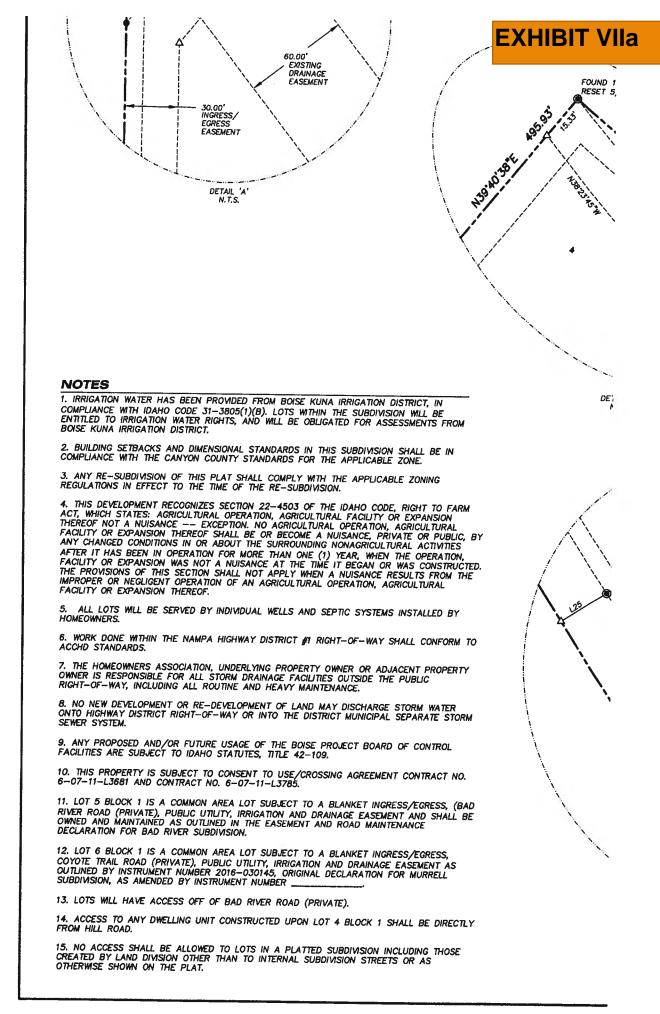


EXHIBIT VIIb

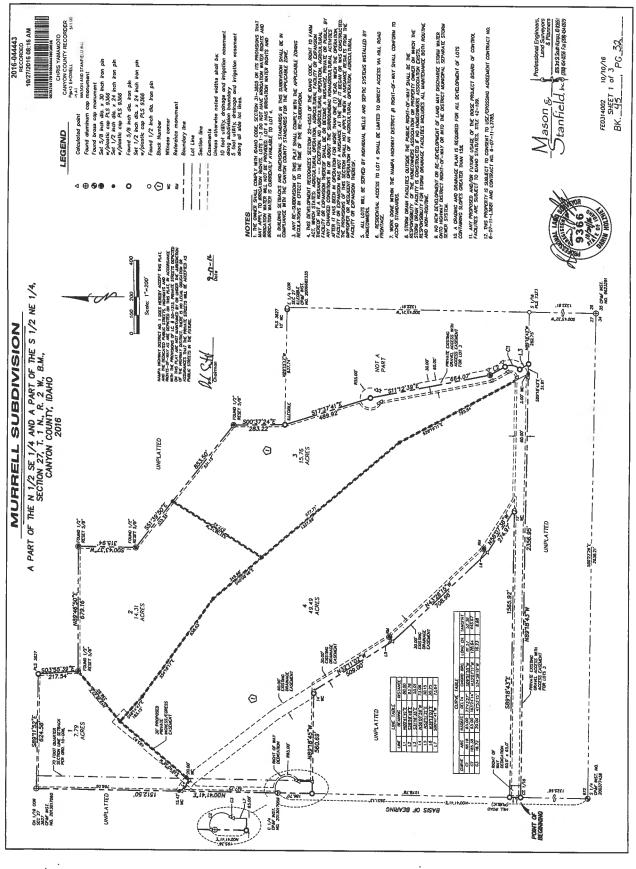


EXHIBIT VIIc



CHRIS YAMAMOTO CANYON COUNTY RECORDER Pgs=5 HCRETAL \$22.00 EASEMENT TAMMY SATTERWHITE

AMENDMENT TO EASEMENT AND ROAD MAINTENANCE DECLARATION

THIS AMENDMENT TO EASEMENT AND ROAD MAINTENANCE DECLARATION ("Amendment") is made and entered into effective this <u>3</u> day of <u>Januar</u>, 2020 by and between BRENT L. WECKER and ANGELA D. WECKER, husband and wife, of 1454 Hill Road, Melba, Canyon County, Idaho ("Wecker"), CARMELO VILLA-LOPEZ, a married man dealing with his sole and separate property, of 813 W. Florida Ave., Nampa, Canyon County, Idaho ("Villa-Lopez"), and MARK SATTERWHITE and TAMMY SATTERWHITE, husband and wife, of 1484 Hill Road, Melba, Canyon County, Idaho ("Satterwhite").

RECITALS

A. Edmond E. Murrell and Kimberly A. Murrell, husband and wife, ("Murrells") formerly owned three (3) separate parcels of real property located in Canyon County, Idaho, referred to herein as Parcels 3, 4 and 5.

B. On July 28, 2016 Murrells recorded an Easement and Road Maintenance Declaration, Canyon County, Idaho Instrument No. 2016-030145 ("Original Declaration"), providing, among other things, for access benefitting and road maintenance obligations burdening Parcels 3, 4 and 5 ("Parcels,").

C. Murrells subsequently sold Parcel 3 to Satterwhite, Parcel 4 to Villa-Lopez, and Parcel 5 to Wecker.

D. Satterwhite has received approval for a conditional rezone of Parcel 3 permitting a subdivision that will add three (3) additional lots on Parcel 3.

E. Section 12 of the Original Declaration provides for amendment of the Original Declaration by mutual written consent of all owners.

F. The undersigned, representing all owners of the Parcels, have agreed to this Amendment for the purpose of providing for upgrades to the roadway, improved maintenance practices, and the inclusion of the three (3) additional lots on Parcel 3 in the benefits and burdens of the Original Declaration and this Amendment.

AGREEMENT

NOW THEREFORE, in consideration of the recitals above, which are incorporated herein, the parties agree as follows:

1. <u>Inclusion of Additional Lots.</u> The three (3) additional lots to be subdivided from Parcel 3, creating a total of four (4) separate lots thereon, shall be included as Parcels for all purposes in the benefits and burdens of the Original Declaration. The four lots on Parcel 3 are legally described on **Exhibits A through D**, inclusive, attached and incorporated by this reference as if set forth in full.

2. <u>Roadway Improvements</u>. In light of the increased traffic usage associated with the three (3) additional lots, Satterwhite shall, at Satterwhite's sole expense, improve the existing roadway from Hill Road to the easterly boundary of Parcel 3 by construction of a 20-foot-wide all-weather driving surface, including a 6-inch gravel base and replacement of the existing drain culvert to accommodate the road widening. The culvert shall be constructed to the satisfaction of the local rural fire district for purposes of emergency vehicle passage. All construction to conform to applicable standards, performed in a workmanlike manner with materials generally acceptable in similar road construction projects. Road construction shall be substantially complete before commencing construction of improvements on any lot on Parcel 3 and, in any event, within eighteen (18) months of the date of the last signature on this Amendment.

3. <u>Maintenance.</u> In addition to all other maintenance provided for in the Original Declaration, the owners of all properties benefitting from the Original Declaration and this Amendment shall, in the manner provided at Section 4 of the Original Declaration:

- i. Maintain the road in substantially the same condition existing at completion of the roadway improvements described in Section 2, above.
- ii. Treat the roadway with dust control products at least annually. Dust control products shall be consistent with those generally acceptable in similar dust abatement efforts by the local public highway authority.
- iii. Grade the roadway to a smooth and even finish free of potholes and "washboard" surfaces at least quarterly.
- iv. Employ effective measures to protect against excessive mud being tracked onto the road from agricultural uses and immediately clear the roadway of any such mud originating from the owner's own property.

4. Except as modified by this Amendment, the Original Declaration shall remain in effect and applicable to all properties described therein and herein. To the extent of any

ATTERWHITE S TERWHITE

Idaho STATE OF SS. County of

*SEAL

On this $\underline{\partial l}^{\beta r}$ day of <u>March</u>, 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared MARK SATTERWHITE and TAMMY SATTERWHITE, known to me to be the persons whose names are subscribed to the within and foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

AN AN AN OF

PUBLIC FOR S NOTARY

Residence: Middle to Idaho My Commission Expires: January 39, 2025



CARMELO VILLA-LOPEZ

STATE OF	Idaho	_)	
County of _	Canyor)	SS.

On this <u>21</u> day of <u>TAncary</u>, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared CARMELO VILLA-LOPEZ, known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

WILLIAM H. WELLMAN NOTARY PUBLIC E OF IDAHO SSION #139194 SION EXPIRES 06/26/2022

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NOTARY PUBLIC FOR 10 Acro Residence: NAMA, 10 My Commission Expires: 4/26/2022

*SEAL

<u>List of Exhibits:</u> Exhibit A – D (legal descriptions of all lots on Parcel 3) inconsistency between the Original Declaration and this Amendment, this Amendment shall control.

IN WITNESS WHEREOF, each party to this Amendment to Easement and Road Maintenance Declaration has caused it to be executed on the date first set forth above.

BRENTL. WECKER

STATE OF	Idaho	_)	
County of	Canyon))	SS.

On this 31 day of 2027, before me, the undersigned, a Notary Public in and for said State, personally appeared BRENTL. WECKER and ANGELA D. WECKER, known to me to be the persons whose names are subscribed to the within and foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



NOTARY PUBLIC FOR Ida

Residence: Caldwey My Commission Expires: S/07 (2027)

*SEAL