

## Dan Lister

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**From:** Anthony Lee <Anthony.Lee@swdh.id.gov>  
**Sent:** Friday, April 25, 2025 4:05 PM  
**To:** Dan Lister  
**Subject:** [External] RE: Agency Notice for CR2025-0002 / Hoagland  
**Attachments:** Pre.Development.Notes.Signed.01.13.2025.pdf

Hi Dan,

- 1.) Will a Nutrient Pathogen Study be required? **The proposal is in a Nitrate Priority Area (NPA) and requires a Nutrient Pathogen Study if subdivided into 5 or more lots where the minimum buildable lot size is less than 5 acres.**
- 2.) Will adequate sanitary systems be provided to accommodate the use? **A site evaluation and test holes have NOT been conducted on site. Septic systems have not been proposed.**
- 3.) Any concerns about the use or request for rezoning? If so, are there any conditions or mitigation measures recommended to ensure the use or requested rezone minimizes potential impacts to the surrounding area and the nearby city? **No concerns with the rezoning if the applicant meets all SWDH requirements.**

Please see the attached pre-development notes from 01/13/2025.

Please let me know if you have any questions.

Thank you,



Check out our new online self-service portal here! [PORTAL](#)

**Anthony Lee, RS/BS | Land Development Senior**  
o 208.455.5384 | c 208.899.1285 | f 208.455.5300  
[anthony.lee@swdh.id.gov](mailto:anthony.lee@swdh.id.gov) | [SWDH.org](http://SWDH.org)  
13307 Miami Ln., Caldwell, ID 83607

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**From:** Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>  
**Sent:** Friday, April 25, 2025 8:56 AM  
**To:** 'sadams@melbaschools.org' <sadams@melbaschools.org>; 'brian.mccormack@melbafire.id.gov' <brian.mccormack@melbafire.id.gov>; 'kenny.hoagland@melbafire.id.gov' <kenny.hoagland@melbafire.id.gov>; 'knute.sandahl@doi.idaho.gov' <knute.sandahl@doi.idaho.gov>; 'eddy@nampahighway1.com' <eddy@nampahighway1.com>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'eingram@idahopower.com' <eingram@idahopower.com>; 'easements@idahopower.com' <easements@idahopower.com>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com>; 'jessica.mansell@intgas.com' <jessica.mansell@intgas.com>; 'arobins@idahopower.com' <arobins@idahopower.com>; 'Contract.Administration.Bid.Box@ziply.com' <Contract.Administration.Bid.Box@ziply.com>;



## Dan Lister

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**From:** Eddy Thiel <eddy@nampahighway1.com>  
**Sent:** Monday, April 28, 2025 6:33 AM  
**To:** Dan Lister  
**Subject:** [External] FW: Agency Notice for CR2025-0002 / Hoagland  
**Attachments:** AgencyPacket\_Hoagland\_CR25-0002.pdf; 20250108 Revised Cleon & Patti Hoagland Land Split.pdf

Good Morning Dan,

I have provided a completed NHD#1's Land Split Application that was submitted by the patron. Our comments are listed on the Land Split Application that applies to this development for access and needs to be recorded with the decision.

If you have any questions or comments feel free to contact me.

Thank you,

Eddy

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Eddy Thiel  
ROW  
[eddy@nampahighway1.com](mailto:eddy@nampahighway1.com)  
4507 12<sup>th</sup> Ave. Rd. • Nampa, id 83686  
TEL 208.467.6576 • FAX 208.467.9916

---

**From:** Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>  
**Sent:** Friday, April 25, 2025 8:56 AM  
**To:** 'sadams@melbaschools.org' <sadams@melbaschools.org>; 'brian.mccormack@melbafire.id.gov' <brian.mccormack@melbafire.id.gov>; 'kenny.hoagland@melbafire.id.gov' <kenny.hoagland@melbafire.id.gov>; 'knute.sandahl@doi.idaho.gov' <knute.sandahl@doi.idaho.gov>; Eddy Thiel <eddy@nampahighway1.com>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'e Ingram@idahopower.com' <e Ingram@idahopower.com>; 'easements@idahopower.com' <easements@idahopower.com>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com>; 'jessica.mansell@intgas.com' <jessica.mansell@intgas.com>; 'arobins@idahopower.com' <arobins@idahopower.com>; 'Contract.Administration.Bid.Box@ziply.com' <Contract.Administration.Bid.Box@ziply.com>; 'aflavel.bkirrdist@gmail.com' <aflavel.bkirrdist@gmail.com>; 'tritthaler@boiseproject.org' <tritthaler@boiseproject.org>; 'gashley@boiseproject.org' <gashley@boiseproject.org>; 'D3Development.services@itd.idaho.gov' <D3Development.services@itd.idaho.gov>; 'niki.benyakhlef@itd.idaho.gov' <niki.benyakhlef@itd.idaho.gov>; Brian Crawford <Brian.Crawford@canyoncounty.id.gov>; Christine Wendelsdorf <Christine.Wendelsdorf@canyoncounty.id.gov>; Michael Stowell <mstowell@ccparamedics.com>; 'mitch.kiester@phd3.idaho.gov' <mitch.kiester@phd3.idaho.gov>; 'anthony.lee@phd3.idaho.gov' <anthony.lee@phd3.idaho.gov>; Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>; Tom Crosby <Tom.Crosby@canyoncounty.id.gov>; Eric Arthur <Eric.Arthur@canyoncounty.id.gov>; Kathy Husted <Kathleen.Husted@canyoncounty.id.gov>; Tony Almeida <tony.almeida@canyoncounty.id.gov>; 'middletown.rich@gmail.com' <middletown.rich@gmail.com>; 'BRO.Admin@deq.idaho.gov' <BRO.Admin@deq.idaho.gov>; 'file@idwr.idaho.gov' <file@idwr.idaho.gov>; 'brandon.flack@idfg.idaho.gov' <brandon.flack@idfg.idaho.gov>; 'stevie.harris@isda.idaho.gov' <stevie.harris@isda.idaho.gov>; 'idahoaaa@gmail.com' <idahoaaa@gmail.com>  
**Subject:** Agency Notice for CR2025-0002 / Hoagland

**WARNING:** This email originated outside our organization. **DO NOT CLICK** links or attachments, and **DO NOT RESPOND**, unless you recognize the sender and know the content is safe.

Please see the attached agency notice. You are invited to provide written testimony or comments by **May 25, 2025**, although as of this point, no hearing date has been set. You will receive a separate notification when the hearing date has been set for this case. If the comment deadline is on a weekend or holiday, it will move to close of business 5pm the next business day. The deadline for written testimony or additional exhibits is to ensure planners can consider the information as they develop their staff report and recommended findings. All items received by the deadline will also be placed in the hearing packet, allowing the hearing body adequate time to review the submitted information.

Please direct your comments or questions to Planner **Dan Lister** at [daniel.lister@canyoncounty.id.gov](mailto:daniel.lister@canyoncounty.id.gov).

Thank you,



**Caitlin Ross**

Hearing Specialist

Canyon County Development Services Department

111 N. 11<sup>th</sup> Ave., #310, Caldwell, ID 83605

Direct Line: 208-454-7463

Email: [Caitlin.Ross@canyoncounty.id.gov](mailto:Caitlin.Ross@canyoncounty.id.gov)

Website: [www.canyoncounty.id.gov](http://www.canyoncounty.id.gov)

Development Services Department (DSD)

**NEW** public 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.





# LAND SPLIT APPLICATION

NHD-003

Rev Jan 2015

Page 1 of 1

Revised from 3-4-24

email to Dan Lister

## SECTION I - APPLICANT INFORMATION (TO BE COMPLETED BY APPLICANT)

I certify that I am the owner (or authorized representative of owner) of the property proposed to be split.

Cleora & Patti Hoagland  
NAME OF APPLICANT  
P.O. Box 1166  
ADDRESS  
Melba ID 83641  
CITY STATE ZIP  
1/8/25  
SIGNATURE OF APPLICANT  
208-250-3622  
PHONE (CELL NUMBER PREFERRED)

ROAD NAME: Southside & Butte BETWEEN Hove & Butte  
FIRST CROSS STREET SECOND CROSS STREET  
SIDE OF ROAD: ☒ North ☐ South TOTAL NUMBER OF: New Lots: 5  
☒ East ☐ West New Access Points: 2  
PLATTED SUBDIVISION? ☒ No (attach sketch of proposed land split)  
☐ Yes (submit Conceptual Plan prepared by an Engineer)

## SECTION II - WORKSHEET/RECOMMENDATION (TO BE COMPLETED BY HIGHWAY DISTRICT)

APPLICATION FEE: ☐ Paid ☐ Not Paid N/A 85<sup>th</sup> PERCENTILE SPEED: 56 mph Butte 53 mph  
ROAD NO. 606 & 625 SIGHT DISTANCE: ☒ Sufficient ☐ Insufficient  
ROAD SURFACE: ☒ Asphalt ☐ Gravel ☐ Dirt TRAFFIC VOLUME: 524 ADT 284 ADT  
SHARED ACCESS: ☒ Yes ☐ No FUNCTIONAL CLASSIFICATION: ☐ Arterial  
☐ Collector  
CULVERTS REQUIRED: ☒ Yes ☐ No ☒ Other  
MEETS ACCESS CONTROL STANDARDS?: ☒ Yes ☐ No

ADDITIONAL REMARKS/CONDITIONS: (IF NONE, SO STATE)

Parcels "A-1", "A-2", & "B-2" shall use a shared access onto Southside Blvd. at a location meeting stopping sight distance. "A paved apron will be required as a condition of approval."

Parcels "C-1" & "C-2" shall use a shared access onto Butte Rd at a location meeting stopping sight distance roughly 450' from the Butte Rd./Southside Blvd. intersection

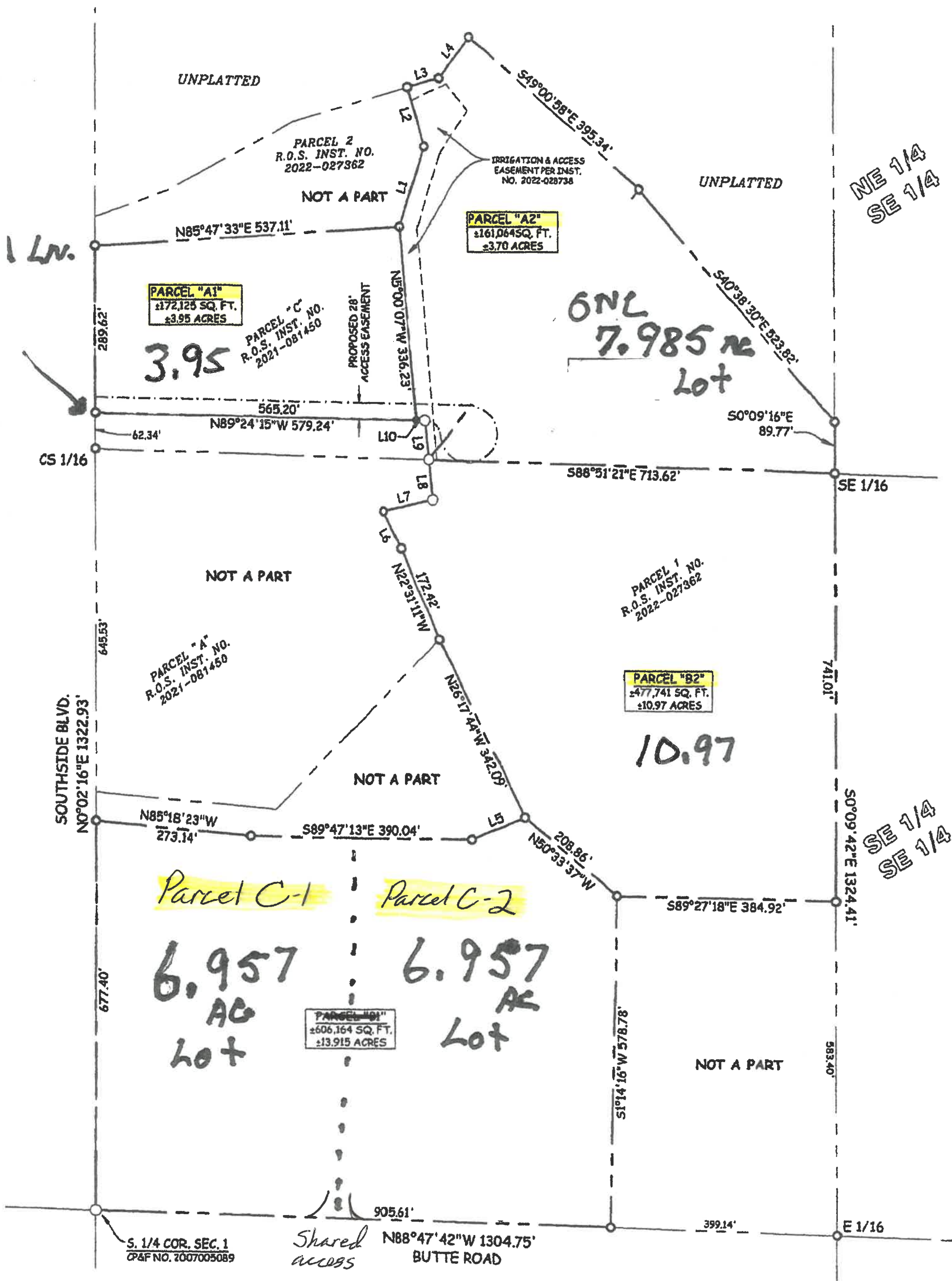
THIS LAND SPLIT IS:

☒ Recommended for approval,  
subject to the above conditions

☐ Not recommended

Signature of Highway District Official  
SIGNATURE - HIGHWAY DISTRICT OFFICIAL

1-8-25  
DATE



28 January 2025

RECEIVED  
APR 14 2025  
BY: UH

To whom it may concern:

The Alder family will not be attending the neighborhood meeting for the Hoaglands', for the following reasons:

The meeting is on their land, and we have been told to stay off by Mark Hoagland. My son who farms next to him, has an irrigation weir on the Hoagland property and he was told to stay off. Even though by law he has a right to check his weir.

Second, after the last hearing, we were "flipped off" by Cleon, which to some is no big deal, but we find it offensive.

Third, we received "Hate Mail" through text messaging, telling us that we were "Satanic" and awful people, because we don't want a subdivision next to our farming operation.

Fourth, they were also in the face of another individual who likewise, didn't support the subdivision.

We do not feel safe in this environment.

I have been an advocate for agriculture my entire adult life. Serving as a County Commissioner, President of Canyon County Farm Bureau, Idaho Agri Women, and a founder of Idaho Ag in the Classroom association. I have never been called Satanic for my stance.

We have nothing against the Hoaglands' we are just opposed to the subdivision. We look forward to the Public Hearing and will be happy to testify.

Sincerely,

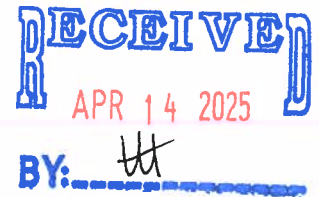
The Alder's



c.c. Canyon County Development Services

01/29/2025

CLEON HOGLAND



REGARD YOUR NOTICE OF NEIGHBORHOOD MEETING

C.R. SWARTHOUT AND 4-S RANCH LLC WILL BE UNABLE TO ATTEND THE NEIGHHOOD MEETING ,HOWEVER WE ARE OPPOSED TO THIS SUB-DIVISION AT THE CORNER OF SOUTHSIDE BLVD. AND BUTTE ROAD. THE REASONS ARE LISTED AS FOLLOWS----

1. THIS PROPOSED SUBDIVISION WILL BE ON PRIME FARM LAND
2. IT WILL ADD TO THE TRAFFIC AT THE INTERSECTION.
3. IT APPEARS THAT THIS PRPERTY ALL READY HAS 4 HOUSES ON THIS PROPERTY.
- 4 THIS PROPOSED SUB DIVISION IS NOT IN THE MELBA IMPACT AREA. PERHAPS THIS SUBDIVISION PLAN SHOULD BE MOVED CLOSER TO THE MELBA IMPACT AREA ??
- 5 THIS PROPOSED SUB DIVISION WILL BE IMPACTED ADVERSELY BY FARMING OPERATIONS BY LARGER EQUIPMENT USE . THIS IS A CONSIDERATION THAT MUST BE EVALUATD

4S RANCH LLC WHICH IS ADJACENT, TO THIS PROPOSED DEVELOPMENT IS A CENTENIAL OPERATION AND IS COMMITED TO AGRICULTURAL OPERATION, NOW AND FOR THE FUTURE. WE OPPOSE THIS PROPOED DEVLOPEMENT, IN THIS LOCATION.

WE WILL BE ABLE TO TESTIFY AT A PUBLIC HEARING.

C.R.SWARTHOUT PE/SE

CC CANYON COUNTY DEVELOPMENT SERVICES

Richard Sims  
Associate Supervisor  
Canyon County Soil Conservation District  
2208 E. Chicago Ste A, Caldwell Idaho 83605  
[Middletown.rich@gmail.com](mailto:Middletown.rich@gmail.com)  
1 208-897-9297  
January 14, 2025

Canyon County Planning and Zoning Commission  
Canyon County Development Services  
111 North 11<sup>th</sup> Ave., Ste 310, Nampa, Idaho 83686

RE: Case No. CR2025-0002 Cleon Hoagland

Attention: Dan Lister  
[daniel.lister@canyoncounty.id.gov](mailto:daniel.lister@canyoncounty.id.gov)

Thanks you for sending Canyon County Soil Conservation District (SCD) a zoning request. The acreage amounts on the maps are an estimate. Percentages of soils are rounded to a whole number.

CR2025-0002 consist of 60% irrigated capability Class 3, 40% irrigated capability Class 4.

Irrigated Capability Class 3 has moderate limitations and appropriate management practices can make any irrigated class 3 productive. We do NOT recommend a land use change.

A handwritten signature in cursive script that reads "Richard Sims".

Signing for Clay Erskine  
Chairman Soil Conservation District





United States  
Department of  
Agriculture

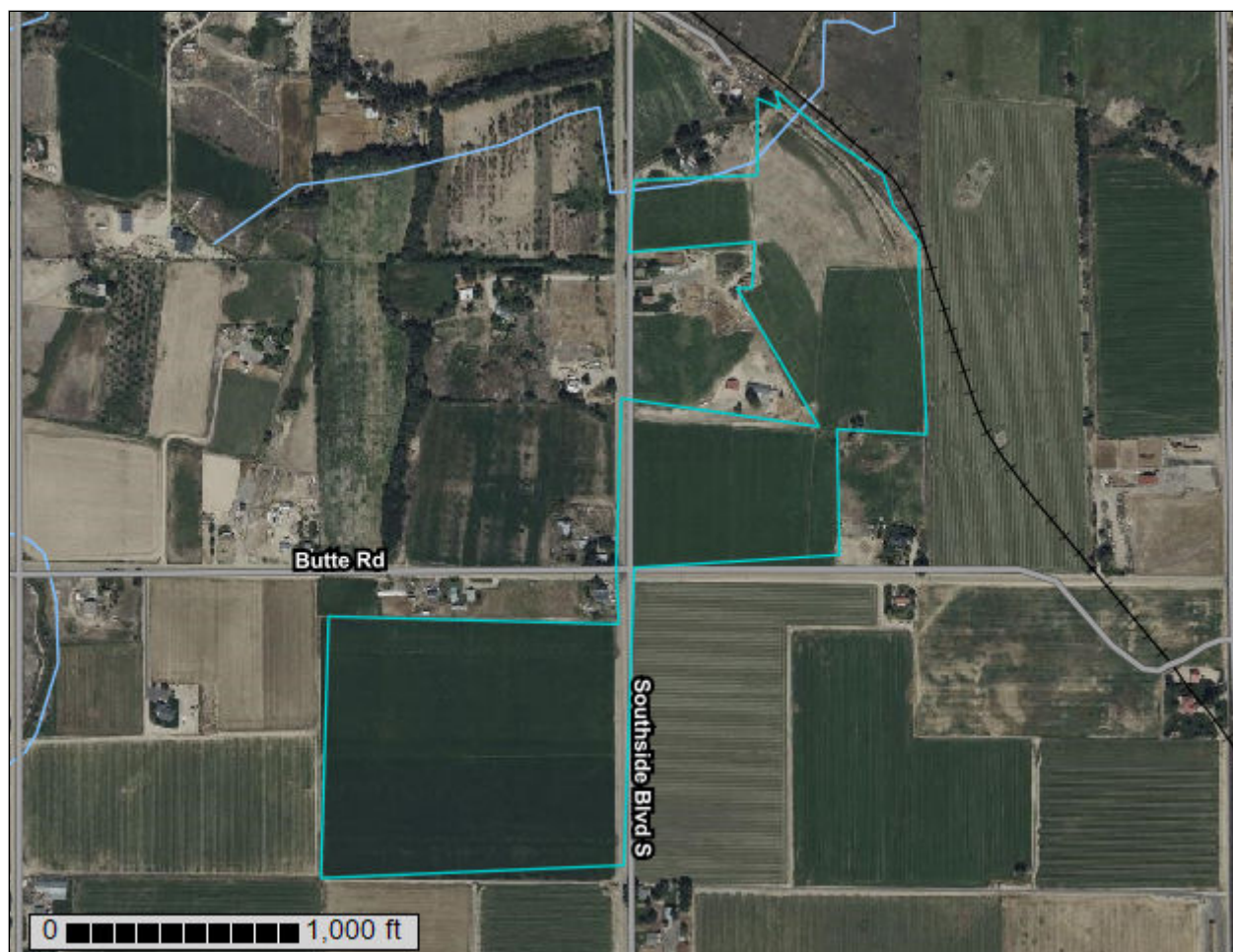
**NRCS**

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**

**CR2025-0002 Cleon Hoagland**



# Preface

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Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist ([http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2\\_053951](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951)).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

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# **Soil Information for All Uses**

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## **Suitabilities and Limitations for Use**

The Suitabilities and Limitations for Use section includes various soil interpretations displayed as thematic maps with a summary table for the soil map units in the selected area of interest. A single value or rating for each map unit is generated by aggregating the interpretive ratings of individual map unit components. This aggregation process is defined for each interpretation.

## **Land Classifications**

Land Classifications are specified land use and management groupings that are assigned to soil areas because combinations of soil have similar behavior for specified practices. Most are based on soil properties and other factors that directly influence the specific use of the soil. Example classifications include ecological site classification, farmland classification, irrigated and nonirrigated land capability classification, and hydric rating.

### **Irrigated Capability Class (CR2025-0002 Cleon Hoagland)**

Land capability classification shows, in a general way, the suitability of soils for most kinds of field crops. Crops that require special management are excluded. The soils are grouped according to their limitations for field crops, the risk of damage if they are used for crops, and the way they respond to management. The criteria used in grouping the soils do not include major and generally expensive landforming that would change slope, depth, or other characteristics of the soils, nor do they include possible but unlikely major reclamation projects. Capability classification is not a substitute for interpretations that show suitability and limitations of groups of soils for rangeland, for woodland, or for engineering purposes.

In the capability system, soils are generally grouped at three levels-capability class, subclass, and unit. Only class and subclass are included in this data set.

Capability classes, the broadest groups, are designated by the numbers 1 through 8. The numbers indicate progressively greater limitations and narrower choices for practical use. The classes are defined as follows:

## Custom Soil Resource Report

Class 1 soils have few limitations that restrict their use.

Class 2 soils have moderate limitations that reduce the choice of plants or that require moderate conservation practices.

Class 3 soils have severe limitations that reduce the choice of plants or that require special conservation practices, or both.

Class 4 soils have very severe limitations that reduce the choice of plants or that require very careful management, or both.

Class 5 soils are subject to little or no erosion but have other limitations, impractical to remove, that restrict their use mainly to pasture, rangeland, forestland, or wildlife habitat.

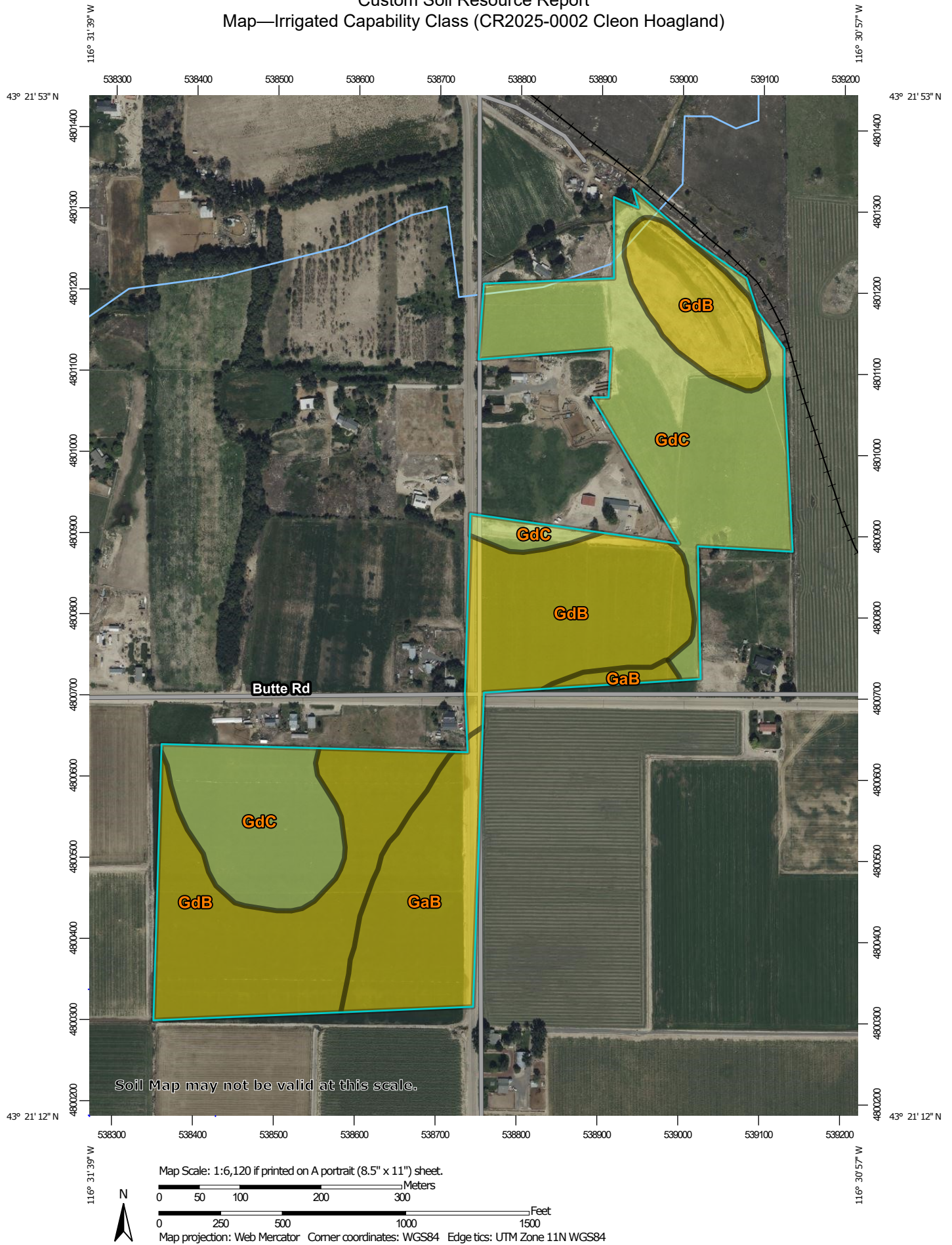
Class 6 soils have severe limitations that make them generally unsuitable for cultivation and that restrict their use mainly to pasture, rangeland, forestland, or wildlife habitat.

Class 7 soils have very severe limitations that make them unsuitable for cultivation and that restrict their use mainly to grazing, forestland, or wildlife habitat.

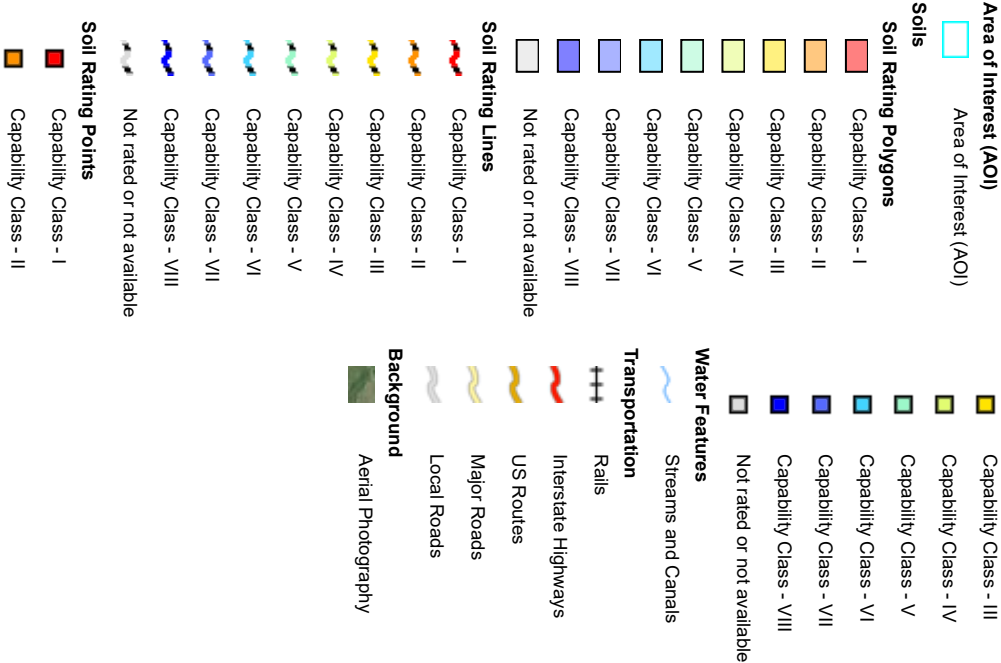
Class 8 soils and miscellaneous areas have limitations that preclude commercial plant production and that restrict their use to recreational purposes, wildlife habitat, watershed, or esthetic purposes.

# Custom Soil Resource Report

## Map—Irrigated Capability Class (CR2025-0002 Cleon Hoagland)



MAP LEGEND



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 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 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 projection that preserves 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.

Soil Survey Area: Canyon Area, Idaho  
Survey Area Data: Version 21, Aug 22, 2024

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Sep 9, 2023—Sep 14, 2023

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 map unit boundaries may be evident.

**Table—Irrigated Capability Class (CR2025-0002 Cleon Hoagland)**

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
GaB	Garbutt silt loam, 1 to 3 percent slopes	3	10.1	14.8%
GdB	Garbutt silt loam, deep over basalt, 1 to 3 percent slopes	3	31.0	45.6%
GdC	Garbutt silt loam, deep over basalt, 3 to 7 percent slopes	4	26.9	39.6%
<b>Totals for Area of Interest</b>			<b>67.9</b>	<b>100.0%</b>

**Rating Options—Irrigated Capability Class (CR2025-0002 Cleon Hoagland)***Aggregation Method: Dominant Condition**Component Percent Cutoff: None Specified**Tie-break Rule: Higher*



April 28, 2025

Daniel Lister, Assistant Planning Manager  
111 North 11<sup>th</sup> Ave.  
Ste. 310  
Caldwell, Idaho, 83605  
[Daniel.Lister@canyoncounty.id.gov](mailto:Daniel.Lister@canyoncounty.id.gov)

Subject: Agency Notice for CR2025-0002 Hoagland

Dear Mr. Lister:

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at:  
<https://www.deq.idaho.gov/public-information/assistance-and-resources/outreach-and-education/>.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

## 1. AIR QUALITY

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), and trade waste burning (58.01.01.600-617).
- For new development projects, all property owners, developers, and their contractor(s) must ensure that reasonable controls to prevent fugitive dust from becoming airborne are utilized during all phases of construction activities per IDAPA 58.01.01.651.
- DEQ recommends the city/county require the development and submittal of a dust prevention and control plan for all construction projects prior to final plat approval. Dust prevention and control plans incorporate appropriate best management practices to control fugitive dust that may be generated at sites.
- Citizen complaints received by DEQ regarding fugitive dust from development and construction activities approved by cities or counties will be referred to the city/county to address under their ordinances.
- Per IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractor(s) are responsible for ensuring no prohibited open burning occurs during construction.

For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.



## **2. WASTEWATER AND RECYCLED WATER**

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.
- All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.
- DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss the potential for development of a community treatment system along with best management practices for communities to protect ground water.
- DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for planning development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

## **3. DRINKING WATER**

- DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.
- All projects for construction or modification of public drinking water systems require preconstruction approval.
- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at: <https://www.deq.idaho.gov/water-quality/drinking-water/>). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.
- If any private wells are included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.
- DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of groundwater resources.
- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for planning development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.



#### 4. SURFACE WATER

- Please contact DEQ to determine whether this project will require an Idaho Pollutant Discharge Elimination System (IPDES) Permit. A Multi-Sector General Permit from DEQ may be required for facilities that have an allowable discharge of storm water or authorized non-storm water associated with the primary industrial activity and co-located industrial activity. For questions, contact James Craft, IPDES Compliance Supervisor, at (208) 373-0144.
- If this project is near a source of surface water, DEQ requests that projects incorporate the best construction management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at: <https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html>
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.

For questions, contact Lance Holloway, Surface Water Manager, at (208) 373-0550.

#### 5. SOLID WASTE, HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- **Solid Waste.** No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards
- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.
- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material released to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.

- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

For questions, contact Matthew Pabich, Waste & Remediation Manager, at (208) 373-0550.

## 6. ADDITIONAL NOTES

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at (208) 373-0550, or visit the DEQ website <https://www.deq.idaho.gov/waste-management-and-remediation/storage-tanks/leaking-underground-storage-tanks-in-idaho/> for assistance.
- If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at (208) 373-0550.

Sincerely,

A handwritten signature in blue ink, appearing to read "Troy G. Smith". The signature is stylized with a large initial "T" and a long horizontal stroke at the end.

Troy Smith  
Regional Administrator

## Dan Lister

---

**From:** Kate M. Dahl <katedahl79@gmail.com>  
**Sent:** Saturday, June 7, 2025 2:09 PM  
**To:** Dan Lister; Noni Stapleton; chrawhide62@gmail.com  
**Subject:** [External] Hoagland Conditional Rezone CR25-002  
**Attachments:** Melba Future Land Use Map Final.pdf

Dan,  
I have received the agency notice for CR25-002.  
As you recall, City of Melba has been reviewing the area of impact boundary as part of updating the City Comprehensive Plan as well as designing a boundary compliant with the new regulations. As part of that process the PZ, citizens and engineering identified the southeast of the Melba AOCI as an area unlikely to extend services for development due to the lava rock in the SE corner is difficult to run water and sewer utilities through. In addition parcels south of the Melba Rim are below the city sewer lagoons, any development would require costly lift stations to reach existing city facilities. As result, Melba is proposing to pull the Area of Impact Boundary north to the Rim essentially, as this area is unlikely to be developed under the city's jurisdiction.

Melba residents do appreciate the larger lot sizes afforded in the county and maintaining agriculture. The proposed development would be relatively close to town and a natural extension of the community, despite the AOCI boundary moving.  
Larger lot sizes will minimize the number of lots so it is not overdeveloped and provide a larger building envelope to identify an area where well and septic can actually be constructed.  
The new Comprehensive Plan with future land use map and adjusted area of impact boundary, is scheduled for hearing for adoption before City Council this Monday June 9, 2025. I have attached the proposed map, in which the Hoaglands property will no longer be within the AOCI.  
Please contact me should you have further questions about this application.

--

**Kate Dahl**  
**307-690-1764**

City Of Melba  
Canyon County, Idaho  
Future Land Use Map  
Work Copy

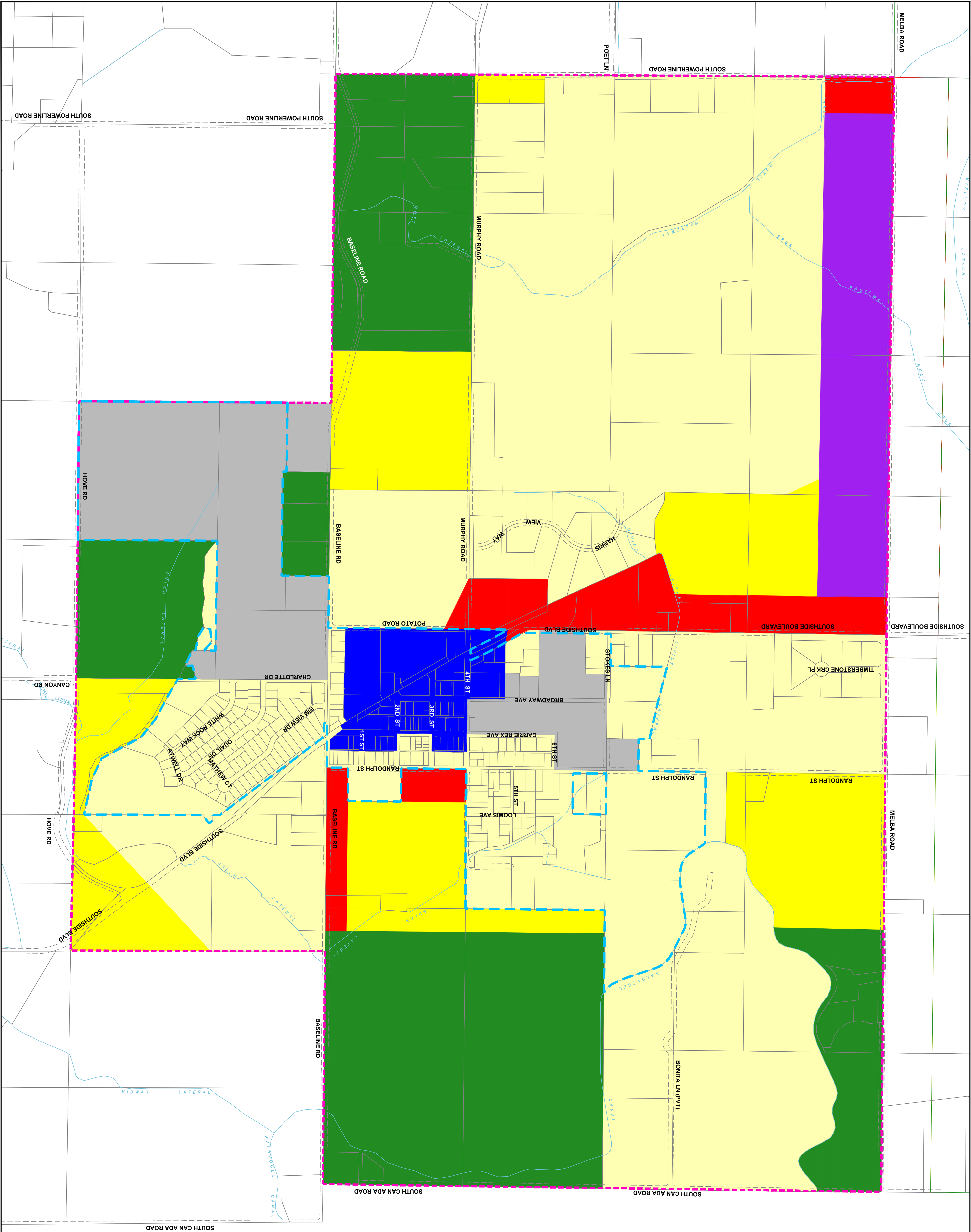


- LEGEND:
- PARCEL LINE
  - ROAD RIGHT-OF-WAY
  - ROAD RIGHT-OF-WAY
  - PRESCRIPTIVE
  - WATER BOUNDARY
  - CITY LIMITS
  - IMPACT AREA
  - AGRICULTURE
  - CENTRAL BUSINESS DISTRICT
  - COMMERCIAL
  - INDUSTRIAL
  - LIGHT INDUSTRIAL
  - MID DENSITY RESIDENTIAL
  - PUBLIC
  - LOW DENSITY RESIDENTIAL

This map represents a compilation of public information from diverse records gathered by the City of Melba and HECO Engineers. The purpose for which this map is prepared is to provide a representation of positional relationships, and not a definitive description of location of any class of objects or conditions. Hence, the City of Melba and HECO Engineers CANNOT AND DO NOT GUARANTEE the absence of errors for the purpose of this map.

The City of Melba expressly warrants the following to its attention of any inaccuracy or omission so that it may be corrected in the next edition of this map.

Released February 2023





## Table of Contents

Email from Dan Lister and Cleon + Patti Hoagland's response

Responses from the Melba Fire Dept, Melba City + Melba School

Maps of Melba's previous Impact Area

2025 newly adopted Melba Impact Area 6/9/2025

Map showing parcels proximity to Melba

Maps identifying areas of rock and shallow soil

Map from Irrigation District showing high ground that does not have water right in middle of parcel R28279010

Jerry Neufeld's soil analysis from Hoagland's previous NON-viable case AD2023

Right to farm clauses from Real Estate Purchase Agreements

Photographs showing rocks and soil conditions

Photographs showing potential lot relationships of compatibility to agriculture and potential lot uses

Photographs of Hoagland's Farming equipment used to work ground



cleon hoagland &lt;chrawhide62@gmail.com&gt;

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**Conditional Rezone - CR2025-0002**

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Dan Lister <Dan.Lister@canyoncounty.id.gov>  
To: "chrawhide62@gmail.com" <chrawhide62@gmail.com>

Thu, May 29, 2025 at 1:27 PM

Cleon,

Hope all is well. I've reviewed CR2025-0002 and provided affected agencies 30 days to comment regarding the case. Attached are all comments received.

Concerns

1. We did receive any comments from the Melba Fire District, the Melba School District, and the City of Melba. Without comments, we don't have enough information about what eight buildable lots will do to fire and school services. Also, we need support from the City of Melba to ensure the request does not impact their future plans for the area if it were to be annexed. I highly recommend getting written comments from these agencies.
2. The letter of intent submitted speaks of the ground being difficult to use for agricultural. Letters from your neighbors disagree. The conditional rezone to "R-R" requested includes restricting lot sizes to a five-acre average minimum lot size. The five-acre or larger lot size would allow someone who wanted to farm the ground to obtain a tax exemption for agricultural uses. Demonstrate how the proposed lot sizes protect the use and character of agriculture. How does the request meet the following comprehensive plan vision:
  - ...provides a variety of rural and farming lifestyles, including hobby farms, while protecting the commercial agricultural activities in the vicinity. Provides rural transitional areas to create a boundary between agricultural and urban areas. These areas are generally conducive to small-scale farming operations and compatible with non-agricultural uses. (page 26).
  - compatible with the surrounding community (pg.23)
  - Promote future development and land-use decisions that do not create hardship for farmers and agricultural operators (pg. 22).
  - Encourage buffering and/or transitional uses between residential and more impactful uses to promote the health and well-being of existing and future residents (pg 22).
  - Consider site capability and characteristics when determining the appropriate locations and intensities of various land uses (pg. 21).
  - Consider the cumulative impact residential development will have on the capacity of schools (pg. 47).
  - Encourage new development adjacent to agricultural areas to be designed to minimize conflicts with adjacent agricultural uses. Protect agricultural operations from conflicts by providing buffers between proposed non-agricultural uses and adjacent farming operations (pg. 85).
- Would you consider a condition restricting the development of structures to be located within a one-acre building envelope on each proposed lot? Anything outside would remain open for agricultural use.

Please address the above concerns and comments. After review, let me know how much time you'll need to address the comments. If a response is not received by June 13, 2025, staff will assume you wish to move forward as-is and schedule the case for the next available hearing. Contact me if you have any questions.

Sincerely,

**Attn: Dan Lister**

**June 11, 2025**

This letter is in response to your email regarding our Conditional Rezone Application (CR 2025-0002) and the concerns you shared with us.

**(Section 2)**

We contacted the Melba Fire Department, Melba City Hall, and the Melba School District. Enclosed are their responses addressing your concerns about the potential impact of our request to develop eight building lots on our approximately 70-acre parcel. As you will see, they have no objections or concerns regarding our proposal.

**(Section 4, 6, & 7)**

Regarding the concern that our land may be viable for productive agriculture:

In our letter of intent, we noted that the ground contains large, solid rocks protruding from the surface. This issue is also referenced in the City of Melba's response, which highlights the challenges of providing city services (water/sewer) to our property and is one of the reasons we were removed from the newly proposed city impact area unanimously adopted 6/9/2025.

We believe that the proposed lot sizes—averaging 8.7 acres—are still suitable for agricultural purposes and should continue to qualify for agricultural tax exemptions.

In response to the letter submitted to the committee by Richard Sims, Associate Supervisor of the Canyon County Soil Conservation District, we respectfully ask you to also consider the letter from Jerry Neufeld, former University of Idaho Canyon County Crops Extension Educator.

Mr. Sims bases his opinion on generalized, county-wide soil conditions, while Mr. Neufeld conducted on-site soil sampling and slope measurements. Based on his examination, Mr. Neufeld concluded that our property consists of soil types GdB, GaB, and GdC, with 1 to 3 percent slopes and significant areas of Class 4 soils, which severely limit the potential for productive agriculture. This contrasts with Mr. Sims' assessment, which classifies the land as Class 3 soils. In our opinion, Mr. Neufeld's detailed and site-specific analysis better reflects the true nature of the property and supports the conclusion that it is not suitable for profitable agricultural production in this area.

Mr. Neufeld also highlights the significant limitations caused by large rock outcroppings and subsurface rock on our property (please see the attached photos). While Mr. Sims emphasizes the importance of proper soil management, we have already converted this property from gravity-fed irrigation to sprinkler irrigation gradually over the years. This was a costly process, and due to the land's low productivity, it resulted in only minimal yield improvements. The main benefit of this conversion has been reducing water runoff and preventing soil erosion. These factors further support our belief that the property is better suited for low-density housing with large lot sizes, which would still allow for hobby agricultural uses and self-reliant living opportunities.

In reference to the letters you received, which you noted came from only two of the 15+ neighbors surrounding us:

- Only one of the letters referred to our land as “prime” farm ground.
- Enclosed are photos of the property showing the extent of protruding rocks and rock piles resulting from years of efforts to clear the land for farming.
- Our property's northern boundary is within a quarter mile of a proposed 40+ home development.
- As for concerns about increased traffic, previous testimony from a 30+ year volunteer with the Melba Fire/QRU (during BOCC Case #AD2023-0110-APL) stated that there has been no rise in agriculture-related vehicle accidents.
- The letter from the Alders contained several false claims and was written with a hostile tone:
  - The neighborhood meeting was held on property owned by Cleon Hoagland, not Mark Hoagland.
  - Cleon has not spoken with Mr. and Mrs. Norm Alder in over 25 years.
  - His last contact with Josh Alder was to invite him onto the property to repair an underground tile irrigation ditch that had washed out.
  - Contrary to Mrs. Alder's statements, we have never acted aggressively toward anyone who opposed our application. We invited all nearby residents to the neighborhood meeting and excluded no one. Some neighbors who could not attend contacted Cleon directly to express their support for the rezone.

We believe the lot sizes—some exceeding 11 acres—still support small-scale agriculture, such as:

- Hobby farms supplying local farmers markets
- Horse boarding facilities and Dog Kennels
- Gardens for personal self-reliance



- Raising cattle, pigs, chickens, goats, and other livestock

**(Section 7)**

These activities will allow the land to remain in agricultural use and continue to support the surrounding farming community. Enclosed are several photos showing examples of similar agricultural and livestock uses throughout Melba Valley and Canyon County. These examples illustrate how large lots can coexist with nearby active farmland without requiring buffer zones.

The Melba Fire Department and Kate Dahle (on behalf of the City of Melba) also expressed appreciation for larger lot sizes, stating they help preserve agricultural uses. Given our property's proximity to town, our proposal is a natural extension of the Melba community.

We are open to the idea of a condition requiring a one-acre building envelope on each proposed lot:

- When we met with you and Jay on December 20, 2024, you advised us not to include this in our letter of intent.
- Nonetheless, we are not opposed to the concept.
- We do, however, request that agricultural and livestock-related structures be allowed outside of the one-acre building envelopes, as long as they are appropriate and conforming uses.

Sincerely

A handwritten signature in black ink that reads "Patti Hoagland". The signature is written in a cursive, flowing style.

Cleon & Patti Hoagland

## Melba Fire Department

P.O. Box 33

Melba, ID 83641

208.495.2351

<http://melbafire.id.gov>

---



06/05/2025

Dan Lister

We the Melba Fire Department had received your agency notice for CR2025-0002 for Cleon Hoagland on 04-25-2025.

The Melba Fire Department has no issues with the land being split into residential lots. This will not affect the Fire Department. This could even help out our small community by giving new home owners a chance to join our Fire Department We look forward to growth in the Melba Valley.

Melba Fire Chief

Brian McCormack

*Brian McCormack 6/5/25*



cleon hoagland &lt;chrawhide62@gmail.com&gt;

**Hoagland Conditional Rezone CR25-002**

1 message

**Kate M. Dahl** <katedahl79@gmail.com>

Sat, Jun 7, 2025 at 2:08 PM

To: Dan.Lister@canyoncounty.id.gov, Noni Stapleton &lt;cityclerk@cityofmelba.org&gt;, "chrawhide62@gmail.com" &lt;chrawhide62@gmail.com&gt;

Dan,

I have received the agency notice for CR25-002.

As you recall, City of Melba has been reviewing the area of impact boundary as part of updating the City Comprehensive Plan as well as designing a boundary compliant with the new regulations. As part of that process the PZ, citizens and engineering identified the southeast of the Melba AOI as an area unlikely to extend services for development due to the lava rock in the SE corner is difficult to run water and sewer utilities through. In addition parcels south of the Melba Rim are below the city sewer lagoons, any development would require costly lift stations to reach existing city facilities. As result, Melba is proposing to pull the Area of Impact Boundary north to the Rim essentially, as this area is unlikely to be developed under the city's jurisdiction.

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The new Comprehensive Plan with future land use map and adjusted area of impact boundary, is scheduled for hearing for adoption before City Council this Monday June 9, 2025. I have attached the proposed map, in which the Hoaglands property will no longer be within the AOI.

Please contact me should you have further questions about this application.

--

**Kate Dahl****307-690-1764****Melba Future Land Use Map Final.pdf**

270K



# Melba Joint School District #136

*Learning With Purpose*

PO Box 185 ~ 511 Broadway

Melba, Idaho 83641

phone 208-495-1141 ~ fax 208-495-1142

[www.msd136.org](http://www.msd136.org)

Dr. Sherry Ann Adams, Superintendent

June 2, 2025

To Canyon County Development Services,

I am writing in regard to Case No – CR2025-0002. I received the email regarding this proposal on April 25, however, as I don't believe that these additional eight home lots will have a negative impact upon our school district, I did not submit a reply.

There is currently adequate capacity within our school district to accommodate the additional 8 residences set to be created within this proposal.

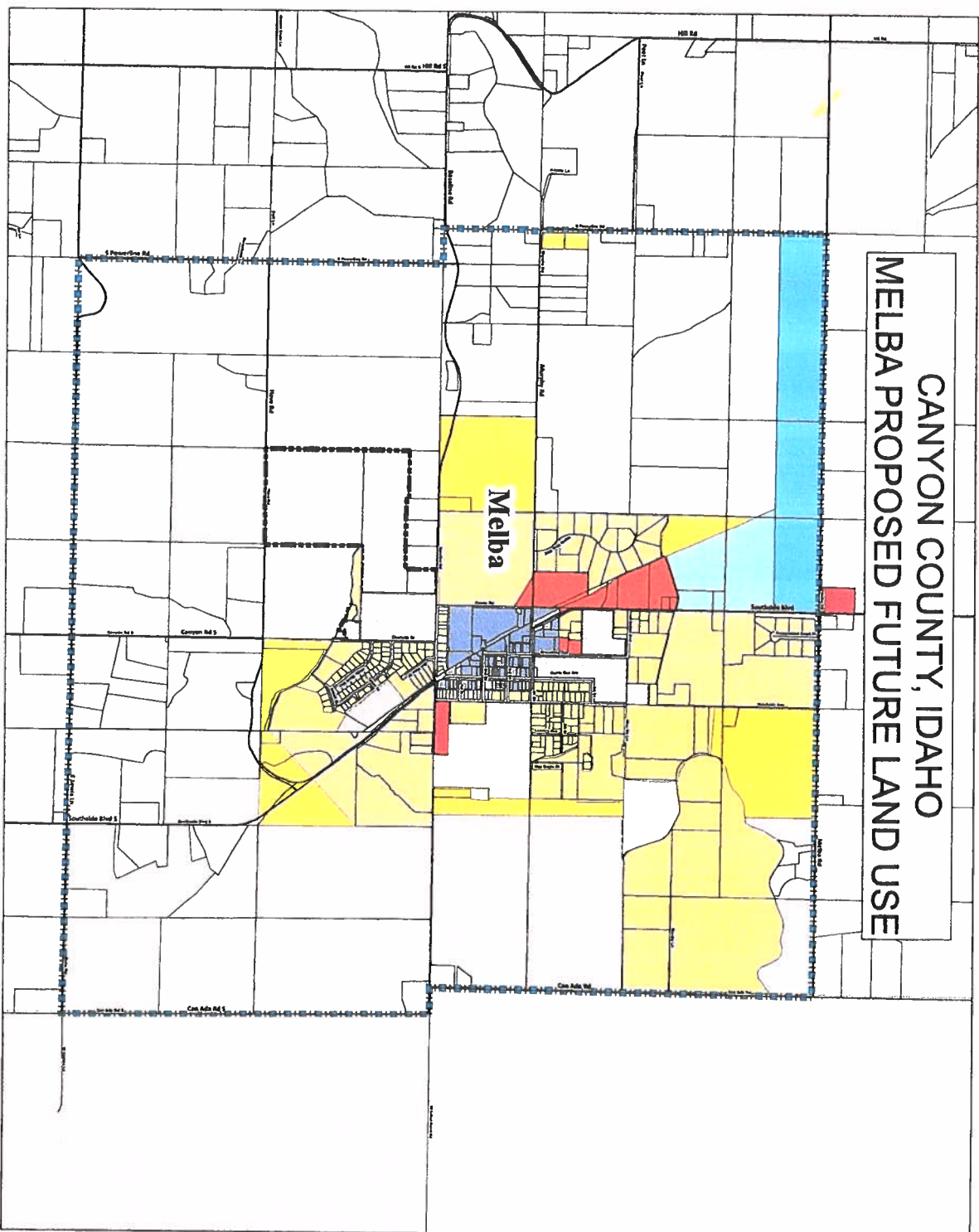
Respectfully submitted,

Sherry Ann Adams, PhD

Superintendent

Melba Joint School District

# CANYON COUNTY, IDAHO MELBA PROPOSED FUTURE LAND USE



## Legend

### CITY LIMITS

### CURRENT IMPACT

- TAX PARCELS
- HIGHWAY
- INTERSTATE
- LOCAL ROADS

### FUTURE LAND USE

- |  |   |
|--|---|
| <span style="display: inline-block; width: 15px; height: 15px; background-color: white; border: 1px solid black;"></span> Agriculture              | <span style="display: inline-block; width: 15px; height: 15px; background-color: lightblue; border: 1px solid black;"></span> Light Industrial            |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: blue; border: 1px solid black;"></span> Central Business District | <span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black;"></span> Low to Mid Density Residential |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: red; border: 1px solid black;"></span> Commercial/Industrial      | <span style="display: inline-block; width: 15px; height: 15px; background-color: white; border: 1px solid black;"></span> Public                          |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: cyan; border: 1px solid black;"></span> Industrial                | <span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black;"></span> Rural Residential              |



DISCLAIMER:  
CANYON COUNTY MAKES NO WARRANTY WITH RESPECT TO THE ACCURACY,  
COMPLETENESS, OR TIMELINESS OF THE INFORMATION PROVIDED. CANYON COUNTY ASSUMES  
NO LIABILITY FOR DIRECT, INDIRECT, SPECIAL, OR CONSEQUENTIAL DAMAGES  
RESULTING FROM THE USE OR MISUSE OF THESE MAPS OR ANY OF THE  
INFORMATION CONTAINED THEREIN. THE INFORMATION IS PROVIDED FOR GENERAL  
USE, BUT MAY NOT BE REPRODUCED.  
SOURCE: CANYON COUNTY GIS  
REVISED DATE: 1/4/2023 - L.A.A.



Work Cop



**LEGEND:**

- PARCEL LINE  
 ROAD RIGHT-OF-WAY  
 ROAD RIGHT-OF-WAY  
 PRESERVATIVE  
 WATER BOUNDARY  
 CITY LIMITS  
 IMPACT AREA  
 AGRICULTURE  
 CENTRAL BUSINESS DISTRICT  
 COMMERCIAL  
 INDUSTRIAL  
 LIGHT INDUSTRIAL  
 HIGH DENSITY RESIDENTIAL  
 PUBLIC  
 LOW DENSITY RESIDENTIAL

This new report casts a questioning eye at public relations firms and the way they have been employed by the City of London and the City of Westminster. It also looks at the way in which the City of London has been used to promote the City of Westminster and the way in which the City of Westminster has been used to promote the City of London. The report also looks at the way in which the City of London and the City of Westminster have been used to promote the City of London and the City of Westminster.

Revised February 2017

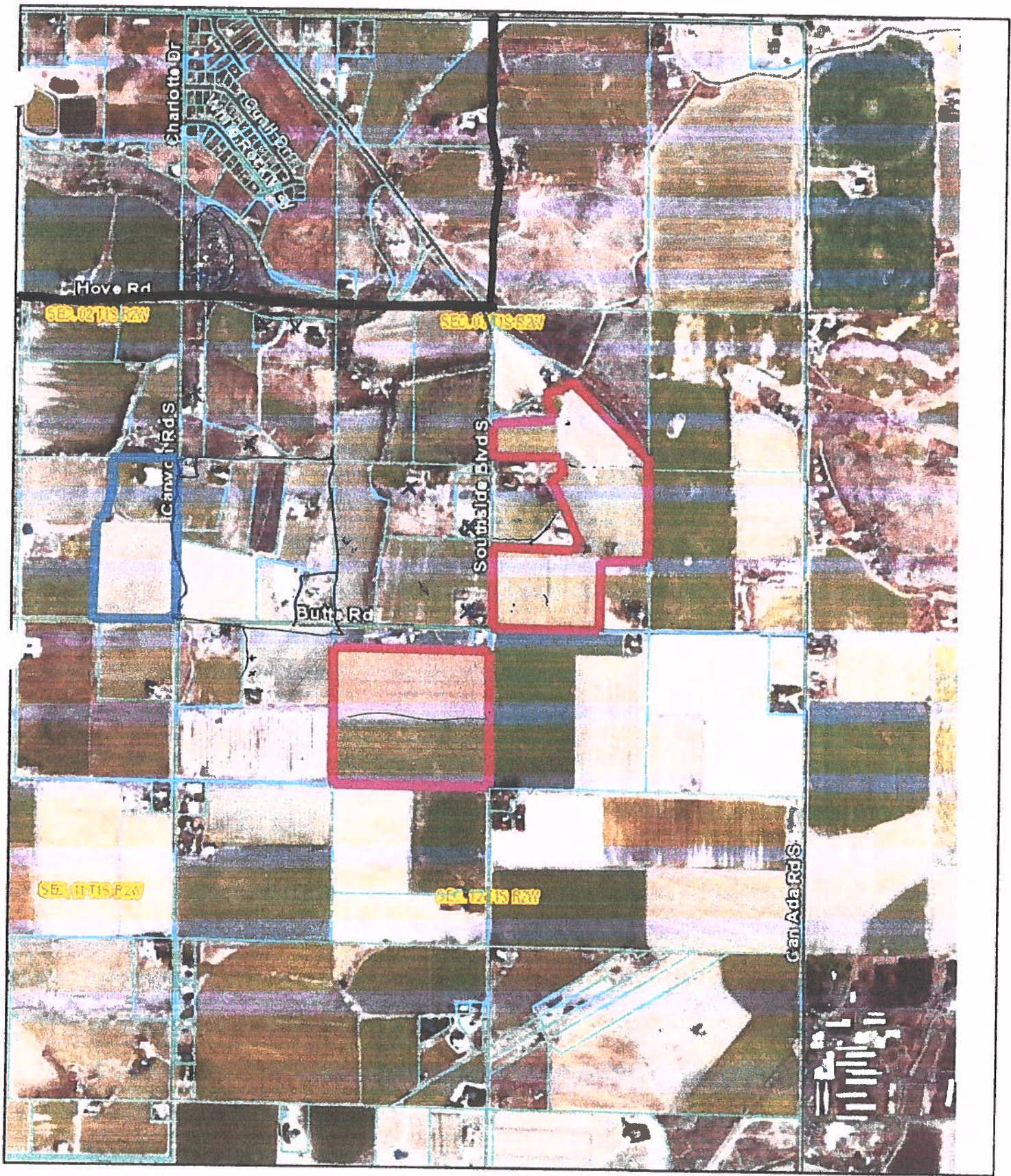


**HECO**  
ENGINEERS

[illegible]

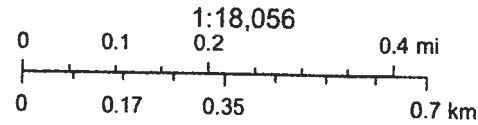


# Hoagland



7/19/2021, 3:28:58 PM

- |                  |           |              |
|------------------|-----------|--------------|
| Taxparcels       | Melba     | StarCanyon   |
| Road Centerlines | Middleton | Wilder       |
| Road Centerlines | Nampa     | Sections     |
| City Limits      | Notus     | Imagery_2020 |





# RECORD OF SURVEY

A PORTION OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 1,  
TOWNSHIP 1 SOUTH, RANGE 2 WEST, BOISE MERIDIAN,  
LOCATED IN THE COUNTY OF CANYON, STATE OF IDAHO.  
2025

MAP 2

## LEGEND

- FOUND 5/4" IRON PIN
- FOUND BRASS CAP MONUMENT
- SET 1/2" IRON PIN TAGGED L.S. 1881"
- CALCULATED POINT
- PROPERTY BOUNDARY LINE
- SECTION LINE
- EASEMENT LINE AS NOTED
- SURVEY TIE LINE

NARRATIVE  
TOWNSHIP OF RECORDS USED FOR THIS SURVEY WERE ESTABLISHED USING GPS  
OBSERVATIONS. THE SURVEY WAS CONDUCTED IN THE SOUTHWEST  
QUARTER OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH,  
RANGE 2 WEST, BOISE MERIDIAN, ADJACENT TO THE IDAHO  
PLATE COORDINATE SYSTEM OF 1983. WEST ZONE ALLEGEDLY SHOWN ARE GRID AZIMUTH  
AND ALL DISTANCES SHOWN ARE TRUE GROUND DISTANCES SCALED FROM GRID.

## CERTIFICATE OF LAND SURVEYOR

I, JOHN S. GLENE, DO HEREBY CERTIFY THAT I AM A REGISTERED  
PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF IDAHO, AND THAT  
THIS MAP HAS BEEN PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND  
UNDER MY DIRECT SUPERVISION, AND THAT THIS MAP IS AN ACCURATE  
REPRESENTATION OF SAID SURVEY, AND IS IN CONFORMITY WITH THE  
CURRENT LAWS OF THE STATE OF IDAHO PERTAINING TO PLATS AND SURVEYS.

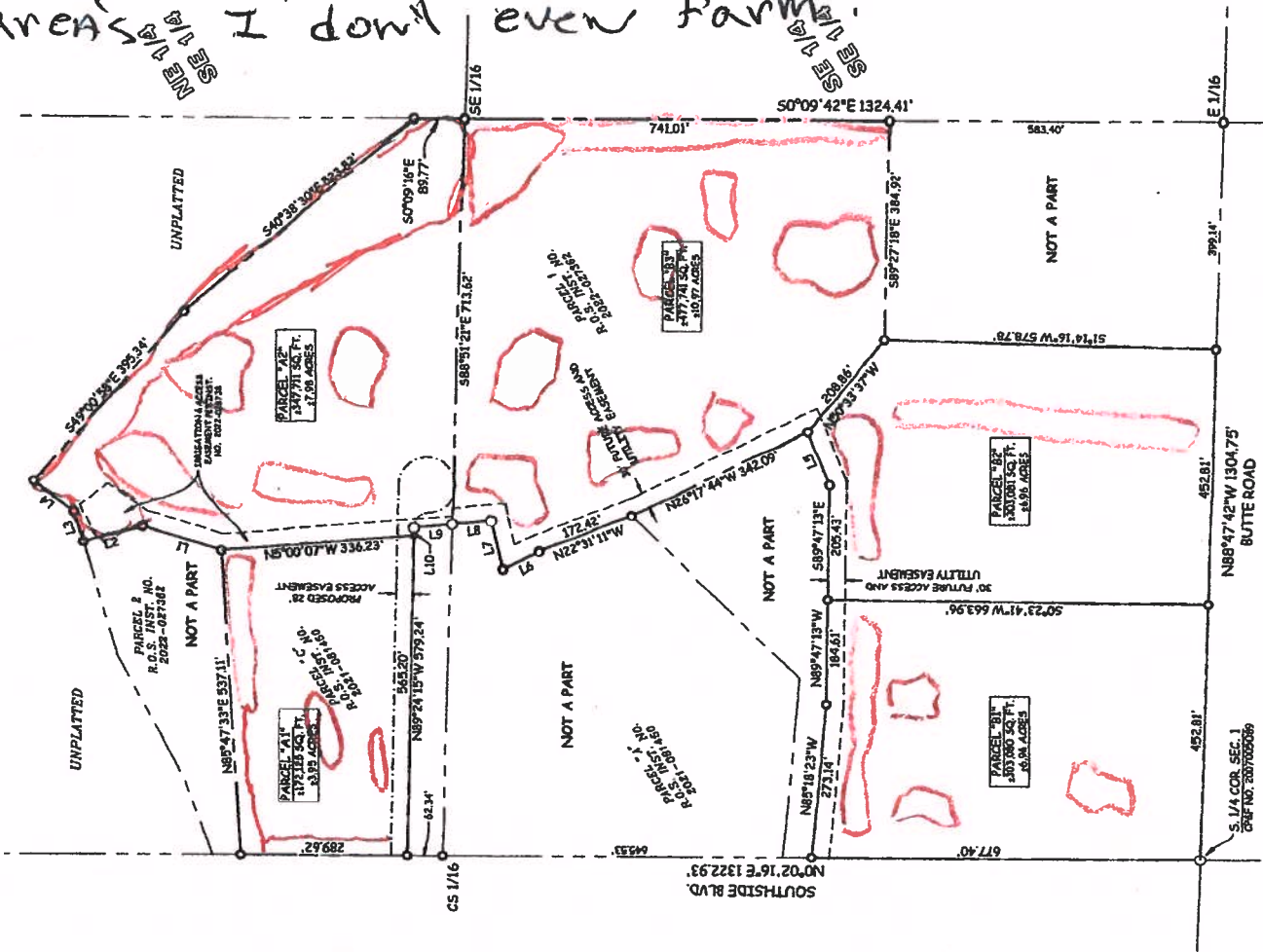
JOHN S. GLENE  
LICENSE NO. 18811



PROJECT NO.	23-132
DATE	1/26/2025
SHEET NO.	1 OF 1

**VALLEY LAND SURVEYING**  
PROFESSIONAL LIMITED LIABILITY COMPANY  
5099 S. Valley 9, Boise, ID 83709  
www.valleylandsurveying.com  
Phone: (208) 95-0081

Areas of Red, ground that is either  
Soild Rock, Rock showing out of ground and  
area's I don't even farm.



LINE	BEARING	LENGTH
L1	N87°13'23"E	144.99
L2	N10°37'56"W	109.60
L3	N7°30'48"E	84.09
L4	N37°18'32"E	90.09
L5	N47°38'09"E	103.04
L6	N26°36'16"W	70.00
L7	N76°27'44"E	89.81
L8	S8°39'04"E	89.24
L9	S5°59'04"E	84.40
L10	S89°24'18"E	140.4



33.87 ac Map 4

# RECORD OF SURVEY

A PORTION OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 1 SOUTH, RANGE 2 WEST, BOISE MERIDIAN, LOCATED IN THE COUNTY OF CANYON, STATE OF IDAHO.

2023



## LEGEND

- FOUND 5/8" IRON PIN
- FOUND BRASS CAP MONUMENT
- SET 1/2" IRON PIN TAGGED '13 BUI'
- CALCULATED POINT
- PROPERTY BOUNDARY LINE
- SECTION LINE
- EASEMENT LINE AS NOTED
- SURVEY TIE LINE

**NARRATIVE**  
THE BASIS OF BEARINGS USED FOR THIS SURVEY WAS ESTABLISHED USING GPS OBSERVATIONS BETWEEN FOUND MONUMENTS ON THE WEST LINE OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN, PROJECTED TO THE IDAHO STATE PLANE COORDINATE SYSTEM OF 1983. WEST ZONE. ALL BEARINGS SHOWN ARE GRID AZIMUTH AND ALL DISTANCES SHOWN ARE TRUE GROUND DISTANCES SCALED FROM GRTD.

## CERTIFICATE OF LAND SURVEYOR

I, JOHN S. GLENN, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS MAP HAS BEEN PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY PERSONAL SUPERVISION AND THAT THIS MAP IS AN ACCURATE REPRESENTATION OF SAID SURVEY. I AM NOT PROVIDING ANY GUARANTEE OF THE CURRENT LAWS OF THE STATE OF IDAHO PERTAINING TO PLATS AND SURVEYS.

JOHN S. GLENN

LICENSE NO. 15811



PROJECT NO. 23-132  
DATE 10/2/2023  
SHEET NO. 1 OF 1

**VALLEY LAND SURVEYING**  
PROFESSIONAL LAND SURVEY COMPANY  
5099 S. Valley St., Boise, ID 83709  
www.valleylandsurveying.com  
Phone: (208) 261-2224



AREA'S showing in Red, ARE Rocky shallow ground

N 1/4 COR. SEC 12  
S&W 1/4 T12N R2W  
C&W NO. 75010508

BUTTE ROAD  
S88°47'21"E 1304.70'  
S&W 1/4 T12N R2W  
C&W NO. 75010508

1/16

S88°47'21"E 1304.70'

PARCEL 'A'  
487245077  
1111 ACRES

C1

S88°45'50"E 1104.78'

PARCEL 'B'  
487245077  
1111 ACRES

C2

S88°47'13"E 1304.70'

PARCEL 'C'  
487245077  
1111 ACRES

C3

S88°43'16"E 1304.93'

1/16

W 1/16

377.82'

377.81'

50°16'59"W 1123.45'

1/16

N-W 1/16

SOUTH SIDE BLVD.  
N 1/4 COR. SEC 12  
S&W 1/4 T12N R2W  
C&W NO. 75010508

C-N 1/16



T.1S. R.2W.

T1SR2W

K 971  
Miller  
IRRIG.

BK 970

5.1  
K Cussins

37.14 ACS. TOTAL IRRIG.

1.51 Acs. Road

BK 970 A D.F.  
32.13 Hoagland



28.03 Acs. Irrig.

0.11 Acs. Irrig.

4.50 Acs Irrig.

BK 968

37.79 ACS. T.

1.51 Acs F  
0.70 Acs. S.

Sonford

Alder  
969 A

BK

38.95 ACS

0.76  
0.29

39.24 Total  
BK 972 Hays

39.24 ACS TOTAL IRRIG

0.76 Acs Road

32.39 Acs Irrig.

27.02

31.64

Jerry Neufeld  
2302 Windsor Drive  
Caldwell, ID 83605

August 22, 2024

Canyon County Board of Commissioners  
Canyon County Courthouse  
1115 Albany St  
Caldwell, ID 83605

Dear Commissioners,

This letter is in regard Cleon and Patti Hoagland's request for an administrative division of nonviable parcels in an agricultural zone (Case Number AD2023-0110/RD2024-004). As stated in my original letter regarding this matter dated October 12, 2023, I was employed by the University of Idaho as Crops Extension Educator in Canyon County for 23 years. I also served as the County Chair of the Canyon County Extension office for 22 years. I earned bachelor's and master's degrees in agricultural mechanization from Kansas State University. When I was working, I was a Certified Crop Advisor with the American Society of Agronomy and Certified Irrigation Designer with the Irrigation Association. I have made hundreds of presentations to agricultural trade groups, corporations, universities, and governments. I have published articles in such refereed journals as the Journal of the National Association County Agricultural Agents, Journal of Extension, Rangelands, Journal of Applied Irrigation Science, American Society of Farm Managers and Rural Appraisers, to name a few. I have also published hundreds of extension publications, abstracts and proceedings, and research reports related to agriculture. I have also served on numerous state, county, and university level committees. A copy of my professional vitae is enclosed with this letter. I retired as the Canyon County Crops Extension Educator in November, 2022.

Prior to Hoaglands submitting their application, I reviewed the application materials, interviewed the Hoaglands, visited the property to evaluate the condition of the property and its viability for production agriculture. I was surprised to learn that the director denied Hoagland's application. I was also surprised that the Director's Decision did not evaluate or otherwise weigh any of the evidence that I submitted in support of Hoagland's application. Instead, the decision relied on conclusory remarks from neighbors without any supporting evidence. In my expert opinion, Hoagland's property



is nonviable for agricultural use due to site constraints and resource issues, that makes productive agricultural use extremely difficult.

With this letter, I would like to address some issues related to the viability of this land for productive farming that include both agronomic and economic variables.

Canyon County Comprehensive Plan 2030 states "Consider development on poor soils (Class 4 or higher) that will not interfere with viable agricultural operations in the area." The soils on the Hoagland farm are Garbutt Silt Loam (GdB, GaB and GdC). The GdB and GaB soils are 1 to 3 percent slope. The GdC soils are 3 to 7 percent slope. According to the NRCS Land Capability Classification for irrigated soils, the GdB and GaB soils are classified as 3e and the GdC is 4e. According to the NRCS, "class 3 soils have severe limitations that restrict the choice of plants or that require special conservation practices, or both." "Class 4 soils have very severe limitations that restrict the choice of plants or that require very careful management, or both." "The letter "e" shows that the main hazard is the risk of erosion unless close-growing plant cover is maintained." The Hoagland alfalfa farming operation contains significant acres of class 4 soils.

As stated by letters to the County from nearby property owners related to this application, the land has water rights, is irrigated and at times of the year has green vegetation. Mr. Hoagland's farm is towards the end of the irrigation lateral. His water allotment on paper is 3 ac-ft per year. He stated he rarely gets a full allotment. This impairs his ability to grow seed crops as some crops simply cannot be deficit irrigated at certain growth stages and still maintain a profitable yield. It also negatively impacts the yields he can get on his alfalfa crops. His yield is approximately 3.7 tons per acre while the University of Idaho in their enterprise budgets use a yield of 7.5 tons per acre for southwest Idaho. Low yields could be due to several factors including deficit irrigation, poor water application uniformity and low soil water holding capacity due to shallow rocky soils. On my field visit in October of 2023, I noticed there were multiple rock piles on the edges of fields they were removed from. I also took a shovel and stuck it in the ground and at a depth of only a few inches hit rocks. There were areas in some fields where you could see the rocks poking through the soil. Sprinklers running in a field and green on a satellite image are not true indicators of the viability of productive agriculture on a piece of farm ground.

The Director's Administrative Decision states that viable farmland is defined as "Land that is capable of producing marketable farm animals or crops." That the Hoagland land can produce a certain amount of crops or livestock feed is not in dispute. What is missing is whether the land can produce enough marketable crops or livestock feed to produce a profit and be viable for productive agriculture. Letters of opposition from nearby property owners say the land is "profitable farmland" and part C of the Director's Administrative Decision indicates agreement. I would question how nearby property owners would know about the profitability of the Hoagland farming operation and how their uninformed statements can be used as proof of profitability. The Hoagland's have needed a second off farm income for many years to sustain their farming/rural lifestyle.

On its website (<https://www.uidaho.edu/cals/idaho-agbiz/crop-budgets>) the University of Idaho has crop enterprise budgets for various crops grown in southwest Idaho. An enterprise budget can be used to estimate net returns above operating costs on a farm or per acre basis. The enterprise budgets on the University of Idaho website are from 2019, therefore I adjusted the input prices to 2024 using the National Agricultural Statistics Service Prices Paid Index ([https://www.nass.usda.gov/Surveys/Guide to NASS Surveys/Prices Paid and Prices Paid Indexes/](https://www.nass.usda.gov/Surveys/Guide%20to%20NASS%20Surveys/Prices%20Paid%20and%20Prices%20Paid%20Indexes/)). I used the USDA Idaho Direct Hay Report ([https://www.ams.usda.gov/mnreports/ams\\_3056.pdf](https://www.ams.usda.gov/mnreports/ams_3056.pdf)) to get a price of \$165 per large square bale of premium alfalfa hay. As seen in Table 1, the Hoagland farming operation net returns above operating costs are -\$164.57 per acre, while Table 2 shows the Canyon County alfalfa farming operation's net returns above operating costs are \$462.43 per acre.

Table 1. Hoagland Enterprise Budget for 1 acre of Alfalfa Hay.

Alfalfa Hay - Treasure Valley - 2024					
Number of acres: 1					
Item	Quantity	Unit	Price or	Total	Value or
	Per Acre		Cost	Value	Cost/Acre
<b>Gross Returns</b>					
Alfalfa Hay	3.70	ton	165.00	611	\$610.50
<b>Total Gross Returns</b>				\$611	\$610.50
<b>Operating Inputs</b>					
<b>Fertilizer:</b>					
Dry Nitrogen	15.00	lb	0.57	9	8.55
Dry P2O5	75.00	lb	0.55	41	41.25
K2O	80.00	lb	0.42	34	33.60
Sulfur	40.00	lb	0.30	12	12.00
				0	0.00
				0	0.00
				0	0.00
<b>Pesticides:</b>					
Methidathion 75DF	1.00	lb	19.94	20	19.94
Warrior II w/Zeon Tech	3.00	fl oz	2.18	7	6.54
				0	0.00
				0	0.00
				0	0.00
				0	0.00
<b>Custom &amp; Consultants:</b>					
Custom Fertilize	1.00	acre	10.26	10	10.26
Custom Swath & Rake	4.00	acre	41.04	164	164.16
Custom Bale: 1-ton	7.50	ton	24.62	185	184.65
Custom Haul & Stack: 1-ton	7.50	ton	6.84	51	51.30
				0	0.00
<b>Irrigation:</b>					
Water Assessment	1.00	acre	57.00	57	57.00
Repairs - Conc. Ditch	1.00	acre	4.00	4	4.00
				0	0.00
<b>Machinery:</b>					
Fuel - Gas	1.28	gal	3.98	5	5.09
Fuel - Diesel	1.65	gal	3.67	6	6.06
Fuel - Road Diesel	0.63	gal	4.28	3	2.70
Lube	1.00	\$	1.85	2	1.85
Machinery Repair	1.00	\$	2.94	3	2.94
<b>Labor:</b>					
Equipment Operator Labor	1.20	hrs	29.77	36	35.72
Irrigation Labor	4.90	hrs	23.22	114	113.78
				0	0.00
<b>Interest on Operating Capital a</b>	7.00%			\$14	\$13.68
<b>Total Operating Costs</b>				\$775	\$775.07
<b>Operating Costs per Unit</b>				\$209	\$209.48
<b>Net Returns Above Operating Costs</b>				-\$165	-\$164.57

These tables illustrate the difference between productive agriculture, and nonproductive agriculture. The County Code describes nonviability in terms of the extreme difficulty of productive agriculture.

Canyon County is one of the most diverse cropping areas in the nation. We produce seed crops, as well as other crops that are exported all over the world. Many of the seed crops we produce cannot be grown in other locations around the USA because the climate isn't conducive. I am in full support of protecting good productive farm ground in Canyon County from being developed. However, growth is inevitable and we cannot protect viable productive farm ground by stopping development on nonviable, nonproductive ground. We need to be able to develop or otherwise use ground that is marginal for farming and makes productive agriculture extremely difficult. That is the type of ground we are talking about with the Hoagland farming operation. Again, in my expert opinion, the Hoagland's property is nonviable for agricultural use due to site constraints and resource issues, that makes productive agricultural use extremely difficult.

Sincerely,

Jerry Neufeld

cc: Cleon Hoagland, Samuel Parry

PROPERTY ADDRESS: \_\_\_\_\_ ID#: \_\_\_\_\_

**14. MOLD DISCLAIMER:** BUYER is hereby advised that mold and/or other microorganisms may exist at the Property. Upon closing BUYER acknowledges and agrees to accept full responsibility and risk for any matters that may result from mold and/or other microorganisms and to hold SELLER and any Broker or agent representing SELLER or BUYER harmless from any liability or damages (financial or otherwise) relating to such matters.

**15. SQUARE FOOTAGE AND BOUNDARY VERIFICATION:** BUYER is aware that any reference to the square footage, the boundaries and/or property lines of the real property or improvements is approximate. If exact knowledge of the square footage, boundaries and/or property lines is material to the BUYER, they must be verified by BUYER during the inspection period. BUYER is advised that fences, walls, hedges, and other natural or constructed barriers or markers do not necessarily identify true property boundaries. Property lines and boundaries may be verified by surveys.

**16. RIGHT TO FARM:** BUYER acknowledges Idaho's right to farm statutes codified in Title 22, Chapter 45 which states a preference for, and protects, agricultural land use by limiting certain nuisances.

**17. SELLER'S PROPERTY CONDITION DISCLOSURE FORM:** If required by Title 55, Chapter 25 Idaho Code SELLER shall within ten (10) calendar days after execution of this agreement provide to BUYER or BUYER'S agent, "Seller's Property Condition Disclosure Form" or other acceptable form. BUYER has received the "Seller's Property Condition Disclosure Form" or other acceptable form prior to signing this agreement: ☐ Yes ☐ No ☐ N/A. If yes, BUYER and SELLER agree that the three (3) business day statutory timeframe for BUYER'S rescission shall run from acceptance of this agreement.

**18. SUBDIVISION HOMEOWNER'S ASSOCIATION:** BUYER is aware that membership in a Home Owner's Association may be required and BUYER agrees to abide by the Articles of Incorporation, Bylaws and rules and regulations of the Association. BUYER is further aware that the PROPERTY may be subject to assessments levied by the Association described in full in the Declaration of Covenants, Conditions and Restrictions. BUYER has reviewed Homeowner's Association Documents: ☐ Yes ☐ No ☐ N/A. Association fees/dues are \$\_\_\_\_\_ per \_\_\_\_\_.  
☐ BUYER ☐ SELLER ☐ Shared Equally ☐ N/A to pay Association SET UP FEE of \$\_\_\_\_\_ at closing.  
☐ BUYER ☐ SELLER ☐ Shared Equally ☐ N/A to pay Association PROPERTY TRANSFER FEES of \$\_\_\_\_\_ at closing.  
Association Fees are governed by Idaho Code Title 55, Chapters 15 and 32.  
The SELLER to pay any additional costs if more than the amounts stated in this section.

**19. COSTS PAID BY:** The parties agree to pay the following costs immediately when due and regardless of transaction closing, unless otherwise indicated. These costs shall be paid by the indicated party regardless of whether or not the transaction closes; if the transaction fails to close due to breach of a party, any costs paid by the non-breaching party may be recovered as damages. None of the costs to be paid by the parties in this section creates an inspection or performance obligation other than strictly for the payment of costs unless otherwise stated. There may be other costs incurred in addition to those set forth below. Such costs may be required by the lender, by law, or by other circumstances. Requested tests/inspection reports as indicated below shall be provided to the other party within the time period specified in Section 12.

	BUYER	SELLER	Shared Equally	N/A		BUYER	SELLER	Shared Equally	N/A
Appraisal Fee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Title Ins. Standard Coverage Owner's Policy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appraisal Re-Inspection Fee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Title Ins. Extended Coverage Lender's Policy – Mortgagee Policy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Closing Escrow Fee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Additional Title Coverage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lender Document/Processing Fee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Domestic Well Water Potability Test Shall be ordered by: <input type="checkbox"/> BUYER <input type="checkbox"/> SELLER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tax Service Fee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Domestic Well Water Productivity Test Shall be ordered by: <input type="checkbox"/> BUYER <input type="checkbox"/> SELLER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Flood Certification/Tracking Fee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Septic Inspections Shall be ordered by: <input type="checkbox"/> BUYER <input type="checkbox"/> SELLER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lender Required Inspections	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Septic Pumping Shall be ordered by: <input type="checkbox"/> BUYER <input type="checkbox"/> SELLER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Attorney Contract Preparation or Review Fee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Survey Shall be ordered by: <input type="checkbox"/> BUYER <input type="checkbox"/> SELLER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water Rights/Shares Transfer Fee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon closing SELLER agrees to pay ☐ \_\_\_\_\_ % of the purchase price OR ☐ \$\_\_\_\_\_ (dollar amount) (N/A if left blank) as a SELLER concession. This can be used toward lender-approved BUYER'S closing costs, lender fees, and prepaid costs which include but are not limited to those items in BUYER columns marked above. This concession can also be used for any other expense not related to financing at the BUYER'S discretion.

SELLER agrees to pay up to \$\_\_\_\_\_ (\$0 if left blank) of lender required repair costs only.  
BUYER or SELLER has the option to pay any lender required repair costs in excess of this amount.

BUYER'S Initials (\_\_\_\_)(\_\_\_\_) Date \_\_\_\_\_ SELLER'S Initials (\_\_\_\_)(\_\_\_\_) Date \_\_\_\_\_

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

ID#: \_\_\_\_\_

**16. MINERAL RIGHTS:** Any and all mineral rights appurtenant to the PROPERTY, and owned by SELLER, are included in and are part of the sale of this PROPERTY, and are not leased or encumbered, unless otherwise agreed to by the parties in writing.

**17. WATER RIGHTS:** Any and all water rights including but not limited to water systems, wells, springs, lakes, streams, ponds, rivers, ditches, ditch rights, and the like, if any, appurtenant to the PROPERTY, and owned by SELLER, are included in and are a part of the sale of this PROPERTY, and are not leased or encumbered, unless otherwise agreed to by the parties in writing.

**18. RIGHT TO FARM:** BUYER acknowledges Idaho's right to farm statutes codified in Title 22, Chapter 45 which states a preference for, and protects, agricultural land use by limiting certain nuisances.

**19. RISK OF LOSS OR NEGLECT:** Prior to closing of this sale, all risk of loss shall remain with SELLER. In addition, should the PROPERTY be materially damaged by fire, neglect, or other destructive cause prior to closing, this agreement shall be voidable at the option of the BUYER, and if voided, BUYER'S Earnest Money shall be returned to BUYER.

**20. BUSINESS DAYS:** A business day is herein defined as Monday through Friday, 8:00 A.M. to 5:00 P.M. in the local time zone where the subject real PROPERTY is physically located. A business day shall not include any Saturday or Sunday, nor shall a business day include any legal holiday recognized by the state of Idaho as found in Idaho Code §73-108. If the time in which any act required under this agreement is to be performed is based upon a business day calculation, then it shall be computed by excluding the calendar day of execution and including the last business day. The first business day shall be the first business day after the date of execution. If the last day is a legal holiday, then the time for performance shall be the next subsequent business day.

**21. CALENDAR DAYS:** A calendar day is herein defined as Sunday through Saturday, 12:00 A.M. to 11:59 P.M., in the local time zone where the subject real PROPERTY is physically located. A calendar day shall include any legal holiday. The time in which any act required under this agreement is to be performed shall be computed by excluding the date of execution and including the last day, thus the first day shall be the day after the date of execution. Any reference to "day" or "days" in this agreement means the same as calendar day, unless specifically enumerated as a "business day."

**22. SEVERABILITY:** In the case that any one or more of the provisions contained in this agreement or any application thereof, shall be invalid, illegal or unenforceable in any respect, the validity, legality or unenforceability of the remaining provisions shall not in any way be affected or impaired thereby.

**23. TRANSMISSION OF DOCUMENTS:** Facsimile or electronic transmission of any signed original document, and retransmission of any signed facsimile or electronic transmission shall be the same as delivery of an original. At the request of either the BUYER or SELLER, the LENDER, the Closing company, or either broker, the BUYER and SELLER will confirm facsimile or electronic transmitted signatures by signing an original document. SELLER and BUYER consent to conduct the transaction referenced herein, when not prohibited by law, by and through electronic means in accordance with Idaho's Uniform Electronic Transaction Act and Idaho Code § 54-2052. Unless specifically stated otherwise, delivery of any document, notice or communication to a Broker or real estate licensee working on behalf of a party hereto, shall constitute delivery to that party.

**24. WIRE TRANSFER WARNING:** Electronic means of transferring money (i.e. ETF, wire transfer, electronic check, direct deposit, etc...) are subject to sophisticated cyber fraud attacks. These attacks are even more prevalent in real estate transactions due to the large sums of money being exchanged. All parties are advised that Brokerage will not provide electronic transfer instructions by e-mail. Following money transfer instructions contained in an email from any party is inherently dangerous and should be avoided. All parties agree that if any party uses, or authorizes the use of, electronic transfer of funds in a transaction all parties hereby hold the Brokerages, their agents, and the designated title and escrow company harmless from any and all claims arising out of inaccurate transfer instructions, fraudulent interception of said funds and/or any other damage relating to the conduct of third parties influencing the transfer process or stealing funds.

**25. COUNTERPARTS:** This agreement may be executed in counterparts. Executing an agreement in counterparts shall mean the signature of two identical copies of the same agreement. Each identical copy of an agreement signed in counterparts is deemed to be an original, and all identical copies shall together constitute one and the same instrument.

**26. ENTIRE AGREEMENT:** This agreement including any addendums or exhibits, constitutes the entire agreement between the parties respecting the matters set forth and supersedes all prior Agreements between the parties respecting such matters. This agreement may be modified only by a written agreement signed by each of the parties.

**27. SALES PRICE INFORMATION:** Pursuant to Idaho Code §54-2083(6)(d), a "sold" price of real property is not confidential client information.

**28. ADDITIONAL CONTINGENCIES AND COSTS:** The closing of this transaction is contingent upon written satisfaction or waiver of the contingencies listed in the "contingencies" column below. In addition, the parties shall satisfy all contingencies set forth in this section no later than the end of BUYER'S due diligence deadline unless otherwise agreed to by the parties in writing. The parties agree to pay the following costs **immediately when due and regardless of transaction closing, unless otherwise indicated.** These costs shall be paid by the indicated party regardless of whether or not the transaction closes; if the transaction fails to close due to breach of a party, any costs paid by the non-breaching party may be recovered as damages. None of the costs to be paid by the parties in this section creates an inspection or performance obligation other than strictly for the payment of costs unless otherwise stated below. There may be other costs incurred in addition to those set forth below. Such costs may be required by the lender, by law, or by other such circumstances. Requested tests/inspection reports as indicated below shall be provided to the other party by close of business day (Date): \_\_\_\_\_.

COSTS	BUYER	SELLER	Shared Equally	N/A	CONTINGENCIES	BUYER	SELLER	Shared Equally	N/A
Appraisal Fee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Environmental Inspection (Phase 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

BUYER'S Initials (\_\_\_\_)(\_\_\_\_) Date \_\_\_\_\_ SELLER'S Initials (\_\_\_\_)(\_\_\_\_) Date \_\_\_\_\_

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